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The date of publication of this Gazette is 3 December 2008

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

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

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

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

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- drafting
- advising about drafting and interpreting instruments created under a statutory power
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- the basis and role of delegated legislation and other instruments made under a statutory power
- the requirements and procedures for lodgment, registration, disallowance and sunseting of legislative instruments
- sound techniques for developing efficient drafting instructions (important for efficient achievement of your legislative program).

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- arranging gazettal and tabling of other OLDP drafted non-legislative instruments.
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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) 6203 9001  
Fax. (02) 6282 4352

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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 Any notice submitted without this information will not be published.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) 6203 9009.

## Christmas/New Year Publication Arrangements

The last Government Notices Gazette for 2008 will be published on **Wednesday, 17 December 2008**. Normal closing times will apply.

The first Government Notices Gazette for 2009 will be published on **Wednesday, 14 January 2009**.

Arrangements for publication of urgent Special Gazettes over the Christmas/New Year period can be made by telephoning (02) 6203 9009. Please note that additional fees may apply on certain dates and we recommend that maximum possible notice be given to ensure timely gazettal.

## General Information

### GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6203 9009  
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: Gazette Office, 63 Denison Street, Deakin ACT 2600

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

By fax: (02) 6282 5140

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) 6203 9009. 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 2.75 cents per page per copy — minimum charge: \$5.50.

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  
Level 3, McKell Building  
2-24 Rawson Place  
Sydney NSW 2000  
Phone: 1300 656 986 Fax: (02) 9372 8993

### GAZETTES

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

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

## ISSUES OF PERIODIC GAZETTES

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

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

Gazette number	Date of Publication	Subject
P 9	20.12.07	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.09.07 to 31.10.07 and 1.08.07 to 31.08.07 and not previously gazetted
P 1	31.01.08	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.11.07 to 30.11.07 and not previously gazetted
P 2	27.02.08	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.12.07 to 31.12.07 and not previously gazetted
P 3	2.04.08	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.01.08 to 31.01.08 and not previously gazetted
P 4	16.04.08	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.02.08 to 29.02.08 and not previously gazetted
P 5	30.07.08	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.03.08 to 30.05.08 and not previously gazetted <i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.10.07 to 29.02.08 and not previously gazetted <i>Great Barrier Reef Marine Park Act 1975</i> Particulars of accreditations of traditional use of marine resources agreements granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.06.08 to 29.06.08 and not previously gazetted
P 6	19.09.08	<i>Environment Protection and Biodiversity Conservation Act 1999</i> Removal of Places from the Commonwealth Heritage List



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## Department of the House of Representatives

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### Acts of Parliament assented to

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It is hereby notified, for general information, that Her Excellency the Governor-General, in the name of Her Majesty, assented on 21 November 2008 to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

- No. 115 of 2008—An Act to amend the *Family Law Act 1975*, and for related purposes. (*Family Law Amendment (De Facto Financial Matters and Other Measures) Act 2008*).
- No. 116 of 2008—An Act to amend the law in relation to trade practices, and for related purposes. (*Trade Practices Legislation Amendment Act 2008*).
- No. 117 of 2008—An Act to amend the *Offshore Petroleum Act 2006*, and for other purposes. (*Offshore Petroleum Amendment (Greenhouse Gas Storage) Act 2008*).
- No. 118 of 2008—An Act to amend the *Offshore Petroleum (Annual Fees) Act 2006*, and for related purposes. (*Offshore Petroleum (Annual Fees) Amendment (Greenhouse Gas Storage) Act 2008*).
- No. 119 of 2008—An Act to amend the *Offshore Petroleum (Registration Fees) Act 2006*, and for related purposes. (*Offshore Petroleum (Registration Fees) Amendment (Greenhouse Gas Storage) Act 2008*).
- No. 120 of 2008—An Act to amend the *Offshore Petroleum (Safety Levies) Act 2003*, and for related purposes. (*Offshore Petroleum (Safety Levies) Amendment (Greenhouse Gas Storage) Act 2008*).

I C HARRIS  
Clerk of the House of Representatives

**Government Departments****Attorney-General**COMMONWEALTH OF AUSTRALIA  
CUSTOMS ACT 1901NOTICE OF RATES OF EXCHANGE - section 161J *CUSTOMS ACT 1901*

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

SCHEDULE		(Foreign Currency = AUS \$1)						
Column 1	Column 2 Currency	Column 3 19/11/2008	Column 4 20/11/2008	Column 5 21/11/2008	Column 6 22/11/2008	Column 7 23/11/2008	Column 8 24/11/2008	Column 9 25/11/2008
Brazil	Real	1.4723	1.5105	1.5187	1.4659	1.4659	1.4659	1.5598
Canada	Dollar	0.7938	0.797	0.7988	0.7921	0.7921	0.7921	0.8
China, PR of	Yuan	4.4076	4.4146	4.3455	4.1834	4.1834	4.1834	4.2992
Denmark	Kroner	3.8117	3.8185	3.7954	3.6613	3.6613	3.6613	3.7218
European Union	Euro	0.5116	0.5125	0.5093	0.4917	0.4917	0.4917	0.4993
Fiji	Dollar	1.1805	1.1914	1.176	1.1542	1.1542	1.1542	1.1693
Hong Kong	Dollar	5.0089	5.0149	4.935	4.749	4.749	4.749	4.8828
India	Rupee	31.8389	32.0918	31.8633	30.7636	30.7636	30.7636	31.3037
Indonesia	Rupiah	7628	7692	7644	7534	7534	7534	7662
Israel	Shekel	2.5369	2.5567	2.5338	2.4677	2.4677	2.4677	2.5326
Japan	Yen	62.34	62.54	60.83	57.64	57.64	57.64	60.11
Korea, Republic of	Won	916.04	937.35	934.59	918.93	918.93	918.93	940.32
Malaysia	Ringgit	2.3269	2.3324	2.3043	2.2184	2.2184	2.2184	2.2828
New Zealand	Dollar	1.1728	1.1747	1.1755	1.1672	1.1672	1.1672	1.1781
Norway	Kroner	4.5261	4.5766	4.5008	4.4058	4.4058	4.4058	4.478
Pakistan	Rupee	51.17	50.89	50.09	48.07	48.07	48.07	49.53
Papua New Guinea	Kina	1.6722	1.6742	1.6476	1.5855	1.5855	1.5855	1.63
Philippines	Peso	32.11	32.31	31.78	30.6	30.6	30.6	31.38
Singapore	Dollar	0.985	0.9879	0.974	0.9378	0.9378	0.9378	0.9626
Solomon Islands	Dollar	5.1051	5.1114	5.034	4.8442	4.8442	4.8442	4.9855
South Africa	Rand	6.5633	6.6382	6.7001	6.5857	6.5857	6.5857	6.6192
Sri Lanka	Rupee	71.02	71.14	70.02	67.38	67.38	67.38	69.3
Sweden	Krona	5.1891	5.1969	5.2137	5.094	5.094	5.094	5.2447
Switzerland	Franc	0.7746	0.7784	0.7717	0.7506	0.7506	0.7506	0.7688
Taiwan Province	Dollar	21.41	21.48	21.18	20.44	20.44	20.44	21.01
Thailand	Baht	22.58	22.63	22.31	21.53	21.53	21.53	22.19
United Kingdom	Pound	0.4313	0.4327	0.4256	0.4151	0.4151	0.4151	0.4226
USA	Dollar	0.6463	0.6471	0.6368	0.6128	0.6128	0.6128	0.63

John Fenning  
 Delegate of the Chief Executive Officer of Customs  
 Canberra ACT  
 25/11/2008

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## Broadband, Communications and the Digital Economy

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### AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

*Telecommunications Act 1997*

*Subsection 81(1)*

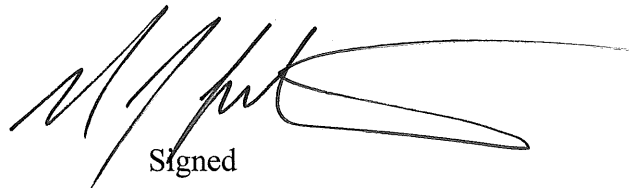
#### NOMINATED CARRIER DECLARATION

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

- (a) if New Skies Satellites Australia Pty Limited (ACN 114 962 248) 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 New Skies Satellites Australia Pty Limited is the nominated carrier for designated radiocommunications facilities, consisting of transponders on the NSS-9 and NSS-12 geostationary satellites, owned by SES Satellite Leasing Limited.

Dated the 24<sup>th</sup> day of NOVEMBER 2008



Signed

Delegate of the Australian Communications and Media Authority

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**NOTICE UNDER SECTION 35 OF THE *BROADCASTING SERVICES ACT 1992***

Pursuant to section 25(2) of the *Broadcasting Services Act 1992*, on 21 November 2008, the Australian Communications and Media Authority varied the frequency allotment plan for the AM and FM radio bands in so far as they relate to the Townsville region.

Pursuant to section 26(2) of the *Broadcasting Services Act 1992* (the Act), on 21 November 2008, the Australian Communications and Media Authority varied the licence area plan for Townsville that determined the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Townsville region with the use of the broadcasting services bands.

Copies of the varied licence area plan can be obtained free from the ACMA by calling Freecall 1300 850 115, from ACMA's web site at [www.acma.gov.au](http://www.acma.gov.au), or from:

Planning Officer for Townsville  
Australian Communications and Media Authority  
PO Box 78  
BELCONNEN ACT 2616

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**NOTICE UNDER SECTION 35 OF THE *BROADCASTING SERVICES ACT 1992***

Pursuant to section 26(2) of the *Broadcasting Services Act 1992* (the Act), on 21 November 2008, the Australian Communications and Media Authority varied the licence area plan for Charters Towers that determined the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Charters Towers region with the use of the broadcasting services bands.

Copies of the varied licence area plan can be obtained free from the ACMA by calling Freecall 1300 850 115, from ACMA's web site at [www.acma.gov.au](http://www.acma.gov.au), or from:

Planning Officer for Charters Towers  
Australian Communications and Media Authority  
PO Box 78  
BELCONNEN ACT 2616

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**NOTICE UNDER SECTION 35 OF THE *BROADCASTING SERVICES ACT 1992***

Pursuant to section 25(2) of the *Broadcasting Services Act 1992*, on 21 November 2008, the Australian Communications and Media Authority varied the frequency allotment plan for the AM and FM radio bands in so far as they relate to the Colac region.

Pursuant to section 26(2) of the *Broadcasting Services Act 1992* (the Act), on 21 November 2008, the Australian Communications and Media Authority varied the licence area plan for Colac that determined the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Colac region with the use of the broadcasting services bands.

Copies of the varied licence area plan can be obtained free from the ACMA by calling Freecall 1300 850 115, from ACMA's web site at [www.acma.gov.au](http://www.acma.gov.au), or from:

Planning Officer for Colac  
Australian Communications and Media Authority  
PO Box 78  
BELCONNEN ACT 2616

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### NOTICE OF APPLICATION FOR RENEWAL OF LICENCE UNDER SECTION 46(2) OF THE *BROADCASTING SERVICES ACT 1992*

In accordance with sub-section 46(2) of the *Broadcasting Services Act 1992* (the Act), the Australian Communications and Media Authority (ACMA) hereby notifies that the companies listed below have lodged applications for the renewal of the following broadcasting service licences:

<b>Commercial Radio Licensees</b>	<b>SL No</b>	<b>Service Area</b>	<b>State</b>
Newcastle FM Pty Ltd	197	NEWCASTLE RA1	NSW

ACMA is required to renew these licences unless it decides that an applicant is no longer a suitable licensee. A company is a suitable licensee if ACMA does not decide that sub-section 41(2) of the Act applies to the company.

ACMA may decide that 41(2) of the Act applies to a licensee if it is satisfied that allowing the licensee to provide or continue to provide a commercial broadcasting service under a licence would lead to a significant risk of: (a) an offence against the Act or the regulations being committed; (b) or a breach of the conditions of the licence occurring.

In deciding whether the sub-section applies, ACMA is required by sub-section 41(3) of the Act, to take into account: (a) the business record of the company; and (b) the company's record in situations requiring trust and candour; and (c) the business record of the chief executive and each director and secretary of the applicant; and (d) the record in situations requiring trust and candour of each such person; and (e) whether the company, or a person referred to in paragraph (c) or (d), has been convicted of an offence against this Act or the regulations.

The Act does not require ACMA to hold an investigation or a hearing into whether a commercial licence (sub-section 47(3)) should be renewed.

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**Environment, Water, Heritage and the Arts**

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**Australian Government****Department of the Environment, Water, Heritage and the Arts****NOTICE OF APPLICATION RECEIVED 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 Inchcape Shipping Services Pty Ltd, 38 Montpelier Retreat, Battery Point, Hobart, Tasmania 7004, has applied for a permit to import up to 11,000 litres of liquid wastes and up to 170,300 kg of solid wastes from Dumont D'Urville Station in the French Antarctic Territory, to an Australian Quarantine Inspection Service Facility, Australian Antarctic Division, No. 4B, Macquarie Wharf Area, Tasmania, Australia. The waste will be sorted and then distributed to appropriate handling facilities by Veolia Environmental Services (Australia) Pty Ltd (formerly Collex Waste Management Services), 75 Mornington Road, Tasmania, Australia 7018.

The waste is comprised of sump oil, compacted plastic waste, broken glass from bottles, steel from plated steel cans, ashes from the incineration of wood and by-products, plastic drums and tanks with traces of hydrocarbons and waste copper electrical wires, structural steel and insulating plastic from buildings removed from Dumont D'Urville Station.

The waste would be packaged in steel containers, wooden crates and steel storage tanks, loaded onto ship at Dumont D'Urville Station and off-loaded onto road transport at the Port of Hobart. Waste would be then transferred by road or appropriate equipment to the Australian Quarantine Inspection Service (AQIS) sorting/handling facility.

It would then be disposed of by Veolia Environmental Services Pty Ltd in various ways including, under the supervision of the Australian Quarantine Inspection Service, deep burial at the Hobart tip, recycling of materials such as glass, cans, metals and waste oils, and incineration of high risk items at the Hobart Marine Board incinerator.

The import would take place in up to five shipments (5) over twelve months (12) commencing from the date of the permit, if granted.

Mr Greg Plummer  
Acting Assistant Secretary  
Environment Protection Branch  
November 2008



DEPARTMENT OF THE ENVIRONMENT, WATER, HERITAGE AND THE  
ARTS

*Environment Protection and Biodiversity Conservation Act 1999*

For further information see referrals list at

<http://www.environment.gov.au/epbc/notices> and type in the reference number in the  
Search box

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

Reference	Title	Controlling Provisions	Date
2008/4505	Hardings Hotmix Pty Ltd/Residential development/Harris Road/97 Stony Rise, Devonport/TAS/Rural residential subdivision into 13 new allotments	<ul style="list-style-type: none"> <li>Listed threatened species &amp; communities (sections 18 &amp; 18A)</li> </ul>	19-NOV-2008
2008/4546	Burrup Nitrates Pty Ltd/Manufacturing/King Bay/Hearson Cove Industrial Precinct, Burrup Peninsula/WA/Proposed Ammonium Nitrate Production Facility	<ul style="list-style-type: none"> <li>National Heritage listed place (sections 15B &amp; 15C)</li> <li>Listed threatened species &amp; communities (sections 18 &amp; 18A)</li> <li>Listed migratory species (sections 20 &amp; 20A)</li> </ul>	20-NOV-2008
2008/4555	Wind Prospect Pty Ltd/Energy generation and supply (renewable)/Northern Ridges of Brown Hill Range/SA/Proposed Wind Farm	<ul style="list-style-type: none"> <li>Listed threatened species &amp; communities (sections 18 &amp; 18A)</li> </ul>	24-NOV-2008

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

Reference	Title	Date
2008/4523*	Apache Energy Ltd/Exploration (mineral, oil and gas - marine)/WA-214-P, WA-334-P, WA-192-P Carnarvon Basin/WA/Grimalkin 3D Seismic Survey	11-NOV-2008
2008/4545	Water Corporation/Waste management (sewerage)/Broome/WA/Wastewater Treatment Plant	19-NOV-2008
2008/4561	Bass Metals Ltd/Mining/Western-Central Highlands/TAS/Hellyer Underground Mine Project	23-NOV-2008
2008/4553*	Wavefield-Inseis Australia Pty Ltd/Exploration (mineral, oil and gas - marine)/WA-255P, 290P, 335P, 351P, 354P, 392P Pilbara Coast/Commonwealth Marine/Warramunga Non-Inclusive 3D Seismic Survey	24-NOV-2008
2008/4557	Transfield Services Pty Ltd/Energy generation and supply (renewable)/Barn Hill/SA/Transmission Line and Substation to Support Wind Farm	24-NOV-2008
2008/4559	Coopers Gap Wind Farm Pty Ltd/Energy generation and supply (renewable)/180km NW Brisbane, between Kingaroy, Dalby, and Chinchilla/QLD/Coopers Gap Wind Farm	24-NOV-2008
2008/4558*	Woodside Energy Ltd/Exploration (mineral, oil and gas - marine)/Production Permit Area WA-28-L off North West Cape/WA/Enfield M4 4D Marine Seismic Survey	25-NOV-2008

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

ASSESSMENT APPROACH (*EPBC Act s.87*)

Reference	Title	Assessment Approach	Date
2008/4505	Hardings Hotmix Pty Ltd/Residential development/Harris Road/97 Stony Rise, Devonport/TAS/Rural residential subdivision into 13 new allotments	Assessment preliminary documentation	19-NOV-2008
2008/4546	Burrup Nitrates Pty Ltd/Manufacturing/King Bay/Hearson Cove Industrial Precinct, Burrup Peninsula/WA/Proposed Ammonium Nitrate Production Facility	Assessment preliminary documentation	20-NOV-2008
2008/4555	Wind Prospect Pty Ltd/Energy generation and supply (renewable)/Northern Ridges of Brown Hill Range/SA/Proposed Wind Farm	Assessment preliminary documentation	24-NOV-2008

\* If the Assessment Approach is an Accredited Assessment Process the process must also be identified

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

Reference	Title	Approval Decision	Date
2006/3157	Queensland Water Infrastructure Pty Ltd/Water management and use/Teviot Brook near Boonah/QLD/Wyaralong Dam	Approved with conditions	24-NOV-2008
2006/2819	Wilbow Corporation Pty Ltd/Urban and commercial new development/Point Cook/VIC/Mixed Residential Development, Homestead Road	Approved with conditions	25-NOV-2008

VARIATION OF CONDITIONS OF APPROVAL (*EPBC Act s.143*)

Reference	Title	Date
2002/773	Bulga Coal Management Pty Ltd/Mining/Singleton/NSW/Bulga Complex Underground Coal Mine Extension	21-NOV-2008

Some public notifications on the Internet and in the Gazette relating to the processing of referrals for approval under Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999* may occasionally be missed in processing by the Department of the Environment, Water, Heritage and the Arts, or may not meet timeframes for notification. The Department of the Environment, Water, Heritage and the Arts 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, Water, Heritage and the Arts 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.

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## Finance and Deregulation

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### REGISTER OF POLITICAL PARTIES

#### *Notice of change to the Register of Political Parties*

As delegate of the Australian Electoral Commission and pursuant to the provisions of Part XI of the *Commonwealth Electoral Act 1918*, on 25 November 2008 I approved an application from the Australian Labor Party (ALP) to replace its registered officer in the Register of Political Parties with the following person:

**Karl Bitar**

Sue Sayer  
Director Funding and Disclosure  
Delegate of the Australian Electoral Commission



## REGISTER OF POLITICAL PARTIES

### *Notice of registration*

I, Tim Pickering, as delegate of the Australian Electoral Commission, and pursuant to the provisions of Part XI of the *Commonwealth Electoral Act 1918*, entered in the Register of Political Parties on 27 November 2008, the following party:

### **Queensland Greens**

Tim Pickering  
A/g Deputy Electoral Commissioner  
Delegate of the Australian Electoral Commission

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## Health and Ageing

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

***THERAPEUTIC GOODS ACT 1989***

**CONSENT UNDER SUBSECTION 14 AND 14A**

On 14 November 2008 the delegate of the Secretary to the Department of Health and Ageing for the purposes of section 14 and 14A of the *Therapeutic Goods Act 1989* ("the Act") gave his consent for Merck Sharpe & Dohme (Australia) Pty Ltd 54-68 Ferndell Street Granville NSW 2142 ("the Company") to supply Meruvax rubella vaccine powder for injection [AUST R 10495 that does not conform with the requirements of Therapeutic Goods Order No 69 - "General requirements for labels for medicines" with respect of the vaccine vial label where the vial is labelled with the United States of America vial label instead of the specific Australian label.

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

1. This exemption is restricted to 7300 doses of Batch No 1198X
2. The vaccine will be packaged in Australian approved cartons and supplied with Australian approved Product Information.



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

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

**CANCELLATION OF REGISTRATION/LISTING OF GOODS IN THE  
AUSTRALIAN  
REGISTER OF THERAPEUTIC GOODS**

I, Craig Jordan, Delegate of the Secretary to the Department of Health and Ageing, hereby give notice that the registrations or listings in the Australian Register of Therapeutic Goods of the goods which are specified below were cancelled on the dates specified below under paragraph 30(2)(f) of the *Therapeutic Goods Act 1989*.

The registrations or listings of the goods were cancelled because the sponsors of the goods did not pay the annual registration or listing charges within 28 days after they became due.

SPONSOR NAME	ARTG No	AUSTRALIAN REGISTER OF THERAPEUTIC GOODS NAME	DATE CANCELLED
Amar Alamar	153329	Amar Alamar - Condom, male, non-latex, non-lubricated	26/11/2008
Cardio Applications	152307	Cardio Applications - Heating unit, pad, water	26/11/2008
CVT Medical a Division of CT Healthcare Pty Ltd	152559	CVT Medical a division of CT Healthcare Pty Ltd - Massager, electrical, home use	26/11/2008
Health Screening Technologies Pty Ltd	152697	Health Screening Technologies Pty Ltd - Electrical impedance scanner	26/11/2008
Medical Imaging Technologies Pty Ltd	152806	Medical Imaging Technologies Pty Ltd - X-ray system, diagnostic, mammographic, mobile, digital	26/11/2008
Olympus Australia Pty Ltd	152243	Olympus Australia Pty Ltd - Catheter, gastrointestinal balloon	26/11/2008
Olympus Australia Pty Ltd	152244	Olympus Australia Pty Ltd - Prosthesis, internal, intestinal splinting tube	26/11/2008
Olympus Australia Pty Ltd	152245	Olympus Australia Pty Ltd - Container, specimen	26/11/2008
Olympus Australia Pty Ltd	152510	Olympus Australia Pty Ltd - Colonoscope, flexible, fiberoptic	26/11/2008
Olympus Australia Pty Ltd	152511	Olympus Australia Pty Ltd - Duodenoscope, flexible, fiberoptic	26/11/2008
Olympus Australia Pty Ltd	152512	Olympus Australia Pty Ltd - Gastroscope, flexible, fiberoptic	26/11/2008
Olympus Australia Pty Ltd	153090	Olympus Australia Pty Ltd - Evacuator, smoke, surgical	26/11/2008
Proact Medical Systems (Australia) Ltd	152314	Proact Medical Systems (Australia) Pty Ltd - Electrode, electrosurgical, active, hand-controlled, single use	26/11/2008
Proact Medical Systems (Australia) Ltd	153074	Proact Medical Systems (Australia) Pty Ltd - Anaesthesia system	26/11/2008

RWC Pty Ltd	153264	RWC Pty Ltd - Exerciser, back	26/11/2008
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Dated this 26 November 2008

Signed by  
Craig Jordan  
Delegate of the Secretary to the Department of Health and Ageing

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## Immigration and Citizenship

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IMMI 08/101

### **EXPLANATORY STATEMENT**

#### **SPECIFICATION OF ADDRESSES**

(SUBPARAGRAPHS 1205(3)(ba)(i), (ii) and (iii))

1. This Instrument is made under paragraph 1205(3)(ba) of the *Migration Regulations 1994* ('the Regulations').
2. Paragraph 1205(3)(ba) of the Regulations provides that an application by a person seeking to satisfy the criteria for the grant of a subclass 416 (Special Program) visa must be made by posting the application (with the correct pre-paid postage) to the post office box address specified in a Gazette Notice, or having the application delivered by a courier service to the address specified in a Gazette Notice, or having the application sent by facsimile to the address specified in a Gazette Notice.
3. The purpose of the Instrument is to specify the relevant addresses for lodging an application, whether the application is posted, delivered by courier or sent by facsimile.
4. The Instrument operates to specify the addresses of where applicants must lodge an application for a subclass 416 (Special Program) visa.
5. Consultation is unnecessary as, under section 18(1) of the *Legislative Instruments Act 2003*, the Instrument is of a minor or machinery nature and does not substantially alter existing arrangements.
6. The Instrument, IMMI 08/101, commences on 5 December 2008.

**Infrastructure, Transport, Regional Development and Local Government****Form 6 Permit for unlicensed ship - continuing**  
(regulation 6)

No: 5775

*Navigation Act 1912***PERMIT FOR UNLICENSED SHIP - CONTINUING**

I, Michael Sutton, in exercise of the power delegated to me by the Minister under section 9 of the Navigation Act 1912, grant, under section 286 of the Act, permission for the ship specified in this permit to carry passengers or cargo or both between the ports specified, subject to any conditions set out on this permit.

This permit remains in force from 01/12/2008 to 28/02/2009

**Details about ship**

Name of ship: Gas Shuriken

Port of registry: Majuro

IMO No. of ship: 9359569

Name of Owner: Stealth marine

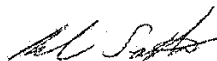
**Name of ports for which permit issued**

Westernport, Botany, Brisbane, Cairns, Hobart, Devonport, Gladstone, Townsville, Darwin, Bell Bay.

**Permit conditions**

1. That the Department is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. 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.
3. Petroleum; may only be carried.
4. The cargo may only be carried from the ports outlined in the section 'Name of ports for which permit issued'.
5. If there is a change in schedule the Department must be advised before the vessel sails.
6. This permit is issued on condition that the ship named in the permit complies with all the standards of safety and marine environment protection of international conventions and agreements to which Australia is party.
7. 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.
8. This permit is subject to the condition that coastal cargo is carried by the permit holder only if:
  - (a) there is no licensed ship available for that carriage; or
  - (b) the service offered by an available licensed ship is, in the opinion of the Minister or the Minister's delegate, not adequate for the proposed carriage; and in the opinion of the Minister's delegate, it is in the public interest for the permit holder to carry the coastal cargo.
9. The permit holder must check the availability of relevant licensed vessels on routes serviced by licensed operators with those operators before accepting coastal cargo for those routes, and before each sailing must send to the Department documentary evidence that it has done so.  
Contact details of relevant licensed operators are available on request from the Department.

Signature of delegate:



Date: 24 November, 2008





**Form 6**                      **Permit for unlicensed ship - continuing**  
(regulation 6)

No: 5779

*Navigation Act 1912*

**PERMIT FOR UNLICENSED SHIP - CONTINUING**

I, Michael Sutton, in exercise of the power delegated to me by the Minister under section 9 of the Navigation Act 1912, grant, under section 286 of the Act, permission for the ship specified in this permit to carry passengers or cargo or both between the ports specified, subject to any conditions set out on this permit.

This permit remains in force from 08/12/2008 to 07/03/2009

**Details about ship**

Name of ship: Gas Defiance  
IMO No. of ship: 9359557

Port of registry: Majuro  
Name of Owner: Stealth Maritime

**Name of ports for which permit issued**

Westernport, Botany, Brisbane, Cairns, Hobart, Devonport, Gladstone, Townsville, Darwin, Bell Bay.

**Permit conditions**

1. That the Department is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. 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.
3. Petroleum; may only be carried.
4. The cargo may only be carried from the ports outlined in the section 'Name of ports for which permit issued'.
5. If there is a change in schedule the Department must be advised before the vessel sails.
6. This permit is issued on condition that the ship named in the permit complies with all the standards of safety and marine environment protection of international conventions and agreements to which Australia is party.
7. 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.
8. This permit is subject to the condition that coastal cargo is carried by the permit holder only if:
  - (a) there is no licensed ship available for that carriage; or
  - (b) the service offered by an available licensed ship is, in the opinion of the Minister or the Minister's delegate, not adequate for the proposed carriage; and in the opinion of the Minister's delegate, it is in the public interest for the permit holder to carry the coastal cargo.
9. The permit holder must check the availability of relevant licensed vessels on routes serviced by licensed operators with those operators before accepting coastal cargo for those routes, and before each sailing must send to the Department documentary evidence that it has done so.  
Contact details of relevant licensed operators are available on request from the Department.

Signature of delegate:

Date: 24 November, 2008



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## Resources, Energy and Tourism

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## Treasury

### 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
TD 2008/27	Income tax: is the deductibility of compound interest determined according to the same principles as the deductibility of other interest?	This Determination concludes that the principles governing the deductibility of compound interest are the same as those governing the deductibility of ordinary interest. This Determination applies both before and after its date of issue.
CR 2008/83	Fringe benefits tax: contributions to an approved worker entitlement fund: Australian Construction Industry Redundancy Trust	This Ruling applies to all employers who make contributions to the Australian Construction Industry Redundancy Trust (ACIRT) for workers who are members of ACIRT. This Ruling applies from 1 April 2008 to 31 March 2012.
CR 2008/84	Income tax: Wesfarmers Limited – Employee Share Ownership Plan	This Ruling applies to participants who acquire a share under the Wesfarmers Limited Employee Share Ownership Plan who are residents of Australia within the meaning of subsection 6(1) of the <i>Income Tax Assessment Act 1936</i> and are not temporary residents of Australia within the meaning of section 995-1(1) of the <i>Income Tax Assessment Act 1997</i> . This Ruling applies from 1 July 2007.
CR 2008/85	Income tax: off-market share buy-back: MMC Contrarian Limited	This Ruling applies to ordinary shareholders of MMC Contrarian Limited (MMC) who disposed of shares to MMC under the MMC off-market share buy-back announced on 26 August 2008 as described in this Ruling. This Ruling applies from 1 July 2008 to 30 June 2009.
CR 2008/86	Fringe benefits tax: employers who use the SG Fleet Australia Pty Limited telematics system	This Ruling applies to all employers who use the SG Fleet Australia Pty Limited telematics system in the calculation of the taxable value of their car fringe benefits. This Ruling applies from 1 April 2008.

NOTICES OF ADDENDUM		
Ruling Number	Subject	Brief Description
FTR 2007/1	Fuel tax: the meaning of 'acquire', 'manufacture' and 'import' in the expression 'taxable fuel that you acquire or manufacture in, or import into, Australia to the extent that you do so for use in carrying on your enterprise' in the <i>Fuel Tax Act 2006</i>	FTR 2007/1 is amended to clarify the role of GST concepts in interpreting the meaning of 'acquire' for the purpose of the <i>Fuel Tax Act 2006</i> .



## Approval to hold a stake in a financial sector company of more than 15%

### *Financial Sector (Shareholdings) Act 1998*

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SINCE

- A. Societe Federale de Participations et d'Investissement and the person(s) named in the attached Schedule (the applicants) have applied to the Treasurer under section 13 of the *Financial Sector (Shareholdings) Act 1998* (the Act), for approval to hold a stake of more than 15% in Fortis Bank SA/NV ABN 32 124 689 327 (the Company), a financial sector company under the Act; and
- B. I am satisfied that it is in the national interest to approve the applicants holding a stake in the Company of more than 15%,

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

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

Dated 25 November 2008

[Signed]

Helen Rowell  
General Manager  
Diversified Institutions Division

## Interpretation

Document ID: 166346

In this Notice:

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

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

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

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

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

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

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

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

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

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

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

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

**Schedule - the person(s) who applied for approval**

Federal Government of Belgium



## Approval to hold a stake in a financial sector company of more than 15%

### *Financial Sector (Shareholdings) Act 1998*

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SINCE

- A. BNP Paribas SA (the applicant) has applied to the Treasurer under section 13 of the *Financial Sector (Shareholdings) Act 1998* (the Act), for approval to hold a stake of more than 15% in Fortis Bank SA/NV 32 124 689 327 (the Company), a financial sector company under the Act; and
- B. I am satisfied that it is in the national interest to approve the applicant holding a stake in the Company of more than 15%,

I, Helen Rowell, a delegate of the Treasurer, under subsection 14(1) of the Act, APPROVE the applicant holding a stake in the Company of 100 %.

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

Dated 25 November 2008

[Signed]

Helen Rowell  
General Manager  
Diversified Institutions Division

**Interpretation**

Document ID: 166340

In this Notice:

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

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

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

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

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

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

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

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

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

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

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

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





## Authorisation to carry on insurance business

### *Insurance Act 1973*

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TO: International Insurance Company of Hannover Limited ARBN 129 395 544 (the Applicant)  
Level 21, 264 George Street, Sydney NSW 2000

SINCE the Applicant applied to APRA under subsection 12(1) of the *Insurance Act 1973* (the Act), on 28 February 2008 for authorisation to carry on insurance business in Australia;

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

Dated 21 November 2008

[Signed]

Wayne Byres  
Executive General Manager  
Diversified Institutions Division

## Interpretation

Document ID: 166373

In this Notice

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

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

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

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

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



## Approval to hold a stake in a financial sector company of more than 15%

### *Financial Sector (Shareholdings) Act 1998*

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SINCE

- A. HDI Haftpflichtverband der Deutschen Industrie Versicherungsverein auf Gegenseitigkeit and the person(s) named in the attached Schedule (the applicants) have applied to the Treasurer under section 13 of the *Financial Sector (Shareholdings) Act 1998* (the Act), for approval to hold a stake of more than 15% in International Insurance Company of Hannover Limited ARBN 129 395 544 (the Company), a financial sector company under the Act; and
- B. I am satisfied that it is in the national interest to approve the applicants holding a stake in the Company of more than 15%,

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

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

Dated 21 November 2008

[Signed]

Wayne Byres  
Executive General Manager  
Diversified Institutions Division

**Interpretation**

Document ID: 166294

In this Notice:

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

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

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

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

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

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

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

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

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

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

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

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

## **Schedule - the person(s) who applied for approval**

HDI Haftpflichtverband der Deutschen Industrie Versicherungsverein auf Gegenseitigkeit  
Talanx AG  
Hannover Ruckversicherung AG  
Hannover Finance (UK) Limited

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## Public Notices

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**Form 22 Election petition**  
(rule 30.01)

**HIGH COURT OF AUSTRALIA**  
**FILED: 03 NOV 2008**  
**OFFICE OF THE REGISTRY SYDNEY**

IN THE HIGH COURT OF AUSTRALIA **No.S481 of 2008**  
SYDNEY REGISTRY

BETWEEN: **Stewart Gordon SCOTT-IRVING**

Petitioner

And

**ROB OAKESHOTT** – First Respondent

**AUSTRALIAN BROADCASTING CORPORATION** – Second Respondent

### ELECTION PETITION

This petition concerns the election for: **BY-ELECTION, FEDERAL SEAT OF LYNE NSW, held on SATURDAY, 6<sup>TH</sup> OCTOBER, 2008**

### RETURN OF WRIT

**10** The writ for the election was returned on **Monday, 15<sup>th</sup> September 2008**.

### ENTITLEMENT TO FILE THIS PETITION

**The petitioner is entitled to file this petition because of both candidate and constituent status.**

### STATEMENT OF FACTS

1. If in Australia, where the Westminster System should be characterised by a career public service which “impartially serves the government of the day” and the ABC is both an independent public service and Australia’s national public broadcaster, then the ABC’s performance during the campaign period breached its impartiality with particular respect to its content and program level on the one hand and its platform levels of ABC Television, ABC
2. Radio and ABC Online on the other. (See ABC Preamble and Editorial Policies statements attached)
3. The ABC was responsible for an inequitable candidate profile detailing the background of each candidate (copy attached), gave inequitable broadcast time to each candidate (able to be verified by ABC political broadcasting requirements) and carried a link to the webpages of three of the candidates, one of which (that of the declared winner) carried no

political authorisation statement as required of all political advertising by the Australian Electoral Commission.

Further, the winner's website carried a You Tube attachment (again without authorisation statement) and media releases from the candidate's extensive 12 year state political career, each of which was a political advertisement and all of which was available during the mandatory, electronic media "blackout period."

4. Possibly a breach of both the Westminster System and the Australian Constitution, the ABC has an election coverage policy document that apportions "free-to-air" radio coverage time to candidates on the basis of the party success reflected in the number of seats won by the party at the previous election, and independent candidates can be allotted discretionary time by the broadcaster.

**Discretion can lead to indiscretion and then transgression.** In this case discretion fell to one independent over several others: **celebrity over equity. The informed electorate is supposedly reliant on a public broadcaster's impartiality.**

Each candidate, whether party affiliated or independent, required \$500 fee provision and 50 constituent nominations.

**It should be noted, that the ABC has been seen to have noted and corrected some of the above inequities, identified in the same electorate with the same ABC Regional Manager. The recent state by-election for the seat of Port Macquarie witnessed a more equitable internet candidate profile.**

#### RELIEF

The petitioner asks the Court to make the following orders:

1. That the ABC make known in all its media platforms, radio, television and internet, that a more equitable manner of election coverage should have and will be carried out in the future, and an apology be made to the candidates and public on all three of these platforms.
2. That the ABC be directed, encouraged or consider to refuse to carry out what appears to be a "two-party by default" piece of legislation, identified in the "free-to-air" apportionment of radio or television time currently favouring the two dominant parties, which infringes on the right of Independents to be granted equitable media treatment by an impartial public broadcaster.
3. That in light of the reliance by the electorate's voters on the public broadcaster to be both impartial and vigilant of AEC political advertising requirements, and the ABC's subsequent, inequitable apportionment of time, space and coverage given to the now-declared winner, (reflected overwhelmingly in the ballot) that the election be declared null and void

**DATED: 31/10/2008**

**Stewart Scott-Irving**  
(Signed by the Petitioner)

**IN THE PRESENCE OF:**

**Don Sheather**  
Signed by Witness

**Lesley Tonkin**  
Signed by Witness

Don Sheather  
Name of Witness

Lesley Tonkin  
Name of Witness

Retired  
Occupation of Witness

D/D  
Occupation of Witness

6 Corkwood Street  
OLD BAR NSW 2430  
Address of Witness

21 Kolinda Drive  
OLD BAR NSW 2430  
Address of Witness

TO: **FIRST RESPONDENT:** Rob Oakeshott Parliament House Canberra & Matthew  
Flinders Drive Port Macquarie

**SECOND RESPONDENT: AUSTRALIAN BROADCASTING CORPORATION**  
GPO Box 9994 Sydney 2001 & Midcoast ABC Port Macquarie

The Petitioner's address for service is: **23 David Street OLD BAR NSW 2430**



## SHIPPING REGISTRATION ACT 1981

### NOTICE OF INTENTION TO APPLY FOR REGISTRATION

Notice is hereby given of the intention of (full name)..Robert William Jesson..... of (address)...Nagasaki Sunset Marina, 1892 Fukudahonmachi, Nagasaki City, JAPAN 850-0068..... 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 abovementioned person, by persons claiming a legal proprietary right in respect of the ship, should, together with any relevant documents that will verify the claim be delivered to the Registrar of Ships at the Australian Shipping Registration Office, Level 2 Allan Woods Building, 25 Constitution Avenue, Canberra City ACT 2601 or sent by properly prepaid post to the Registrar of Ships at the Australian Maritime Safety Authority, GPO Box 2181, Canberra City ACT 2601, before the expiry of the period referred to above. Particulars of Ship Present name: Indra Former name: Present whereabouts: Nagasaki, Japan  
Length: 10.4m  
Principal material of construction: GRP  
Type of ship:sailing vessel, cutter rigged



s28/2008057



Australian Government

Department of Infrastructure, Transport,  
Regional Development and Local Government

## ***Aviation Transport Security Act 2004***

### **NOTICE OF REVOCATION/DECLARATION OF SECURITY CONTROLLED AIRPORT AND AIRSIDE AREAS –BRISBANE AIRPORT**

I, **JAMES BENJAMIN COLLETT**, General Manager, Aviation Security Operations Branch, Office of Transport Security, Department of Infrastructure, Transport, Regional Development and Local Government

**REVOKE** the declaration of Brisbane Airport as a security controlled airport as listed in the *Gazette* (No. GN 8, 2 March 2005) under section 28 of the *Aviation Transport Security Act* (the Act); and

**DECLARE** that Brisbane Airport is a security controlled airport under section 28 of the Act.

In accordance with section 29 of the Act, this notice **ESTABLISHES**, an airside area for Brisbane Airport being that area indicated as the airside area on the attached map.

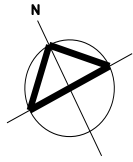
This Notice commences upon Gazettal.

Date: 16 November 2008

James Benjamin Collett  
Delegate of the Secretary of the  
Department of Infrastructure, Transport, Regional Development and  
Local Government

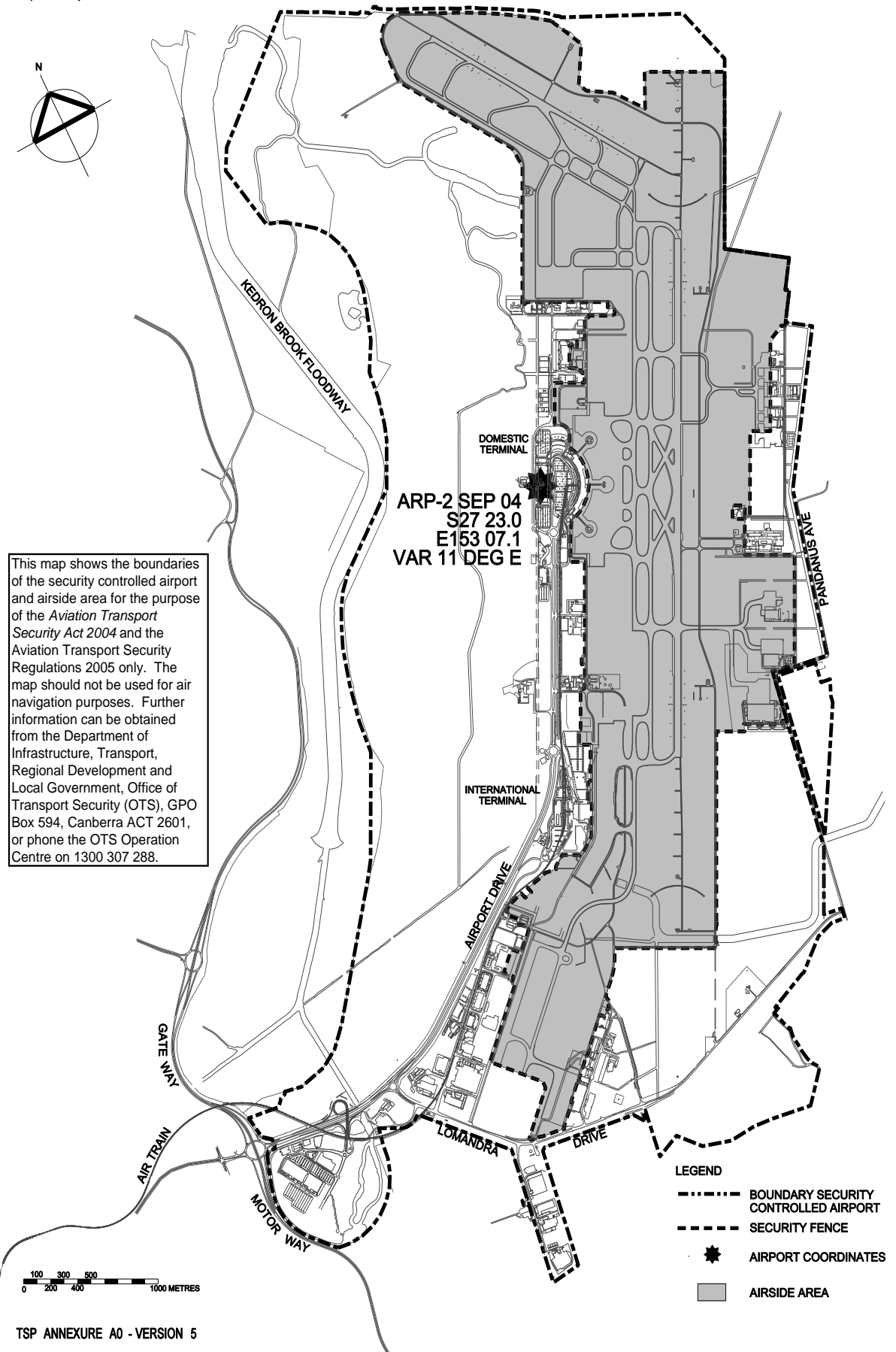


### BRISBANE AIRPORT AIRSIDE AND LANDSIDE BOUNDARIES



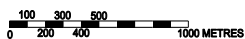
This map shows the boundaries of the security controlled airport and airside area for the purpose of the *Aviation Transport Security Act 2004* and the *Aviation Transport Security Regulations 2005* only. The map should not be used for air navigation purposes. Further information can be obtained from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

ARP-2 SEP 04  
S27 23.0  
E153 07.1  
VAR 11 DEG E



**LEGEND**

- BOUNDARY SECURITY CONTROLLED AIRPORT
- SECURITY FENCE
- AIRPORT COORDINATES
- AIRSIDE AREA





Commonwealth  
of Australia

Gazette

No. S251, Monday, 24 November 2008

Published by the Commonwealth of Australia

**SPECIAL**



Government House  
Canberra ACT 2600

24 November 2008

The Governor-General directs it to be notified, for general information, that Her Majesty The Queen has been pleased to approve that Ms Clare Majella Martin be granted the title "Honourable" for life.

By Her Excellency's Command

A handwritten signature in black ink that reads 'Stephen Brady'.

**Stephen Brady**  
Official Secretary to the Governor-General



Unique Identifying Number:  
EPBC303DC/SFS/2008/34



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, ANDREW MCNEE, Acting First Assistant Secretary, Marine Division, as Delegate of the Minister for the Environment, Heritage and the Arts pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by deleting from the list the following item that was included on the list on 30 November 2005 and any associated notations:

- Specimens that are or are derived from fish or invertebrates taken in the Queensland Marine Aquarium Fish Fishery.

Dated this 21st day of November 2008

Delegate of the Minister for the Environment, Heritage and the Arts



Unique Identifying Number:  
EPBC303DC/SFS/2008/35



**COMMONWEALTH OF AUSTRALIA**

**Environment Protection and Biodiversity Conservation Act 1999**

**Amendment of List of Exempt Native Specimens**

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

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Queensland Marine Aquarium Fish Fishery, as defined in the management arrangements in force under the *Queensland Fisheries Act 1994* and the *Queensland Fisheries Regulations 2008*.

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

- The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and
- The specimens are covered by the declaration of an approved Wildlife Trade Operation under section 303FN of the EPBC Act in relation to the fishery.

Dated this 21st day of November 2008

.....  
Delegate of the Minister for the Environment, Heritage and the Arts





**COMMONWEALTH OF AUSTRALIA**

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, ANDREW MCNEE, Acting First Assistant Secretary, Marine Division, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Queensland Department of Primary Industries and Fisheries, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Queensland Marine Aquarium Fish Fishery, as defined in the management regime for the fishery, made under the Queensland *Fisheries Regulation 2008* and the Queensland *Fisheries Act 1994* to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 25 November 2011 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule dated November 2008.

Dated this *21st* day of *November* 2008

.....  
Delegate of the Minister for the Environment, Heritage and the Arts

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



## SCHEDULE

**Declaration of the Harvest Operations of the Queensland Marine Aquarium Fish  
Fishery as an approved Wildlife Trade Operation  
November 2008****ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the Queensland Marine Aquarium Fish Fishery (MAFF) under the *Queensland Fisheries Regulation 2008* and the *Queensland Fisheries Act 1994*.

1. Operation of the fishery will be carried out in accordance with the MAFF management arrangements in force under the *Queensland Fisheries Act 1994* and the *Queensland Fisheries Regulations 2008*.
2. The Department of Primary Industries and Fisheries (DPI&F) to inform the Department of Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the management arrangements that may affect the assessment of the MAFF against the criteria on which EPBC Act decisions are based.
3. DPI&F to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries 2<sup>nd</sup> Edition*.
4. DPI&F to consult with DEWHA prior to a change to the management arrangements for a species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora or EPBC Act listed species being implemented.





**COMMONWEALTH OF AUSTRALIA**

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, ANDREW MCNEE, Acting First Assistant Secretary, Marine Division, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Queensland Department of Primary Industries and Fisheries, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens in the family Syngnathidae taken from Queensland state waters, in the Queensland Marine Aquarium Fish Fishery, as defined in the management arrangements for the fishery, made under the Queensland *Fisheries Act 1994* and the Queensland *Fisheries Regulation 2008* to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 25 November 2011 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule dated November 2008.

Dated this *21st* day of *November* 2008

A handwritten signature in blue ink, appearing to read 'Andrew Mcnee', is written over a dotted line.

Delegate of the Minister for the Environment, Heritage and the Arts

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



## SCHEDULE

**Declaration of the Harvest Operations of the Queensland Marine Aquarium Fish Fishery as an approved Wildlife Trade Operation  
November 2008****ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of specimens in the family Syngnathidae taken in Queensland state waters, in the Queensland Marine Aquarium Fish Fishery (MAFF), as defined in the management arrangements for the fishery made under the Queensland *Fisheries Act 1994* and the Queensland *Fisheries Regulation 2008*.

1. Operation of the fishery will be carried out in accordance with the MAFF management arrangements in force under the Queensland *Fisheries Act 1994* and the Queensland *Fisheries Regulations 2008*.
2. The Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the management arrangements that may affect the assessment of the MAFF against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. DPI&F to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries 2<sup>nd</sup> Edition*.
4. DPI&F to consult with DEWHA prior to a change to the management arrangements for a species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora or EPBC Act listed species being implemented.



**Commonwealth  
of Australia**

**Gazette**

No. S253, Tuesday, 25 November 2008

Published by the Commonwealth of Australia

**SPECIAL**



**THE MOST VENERABLE ORDER OF THE HOSPITAL OF ST JOHN OF  
JERUSALEM**

**PRIORY IN AUSTRALIA**

**ADMISSIONS AND PROMOTIONS 2008**

**As Knight**

His Excellency the Hon Peter Underwood AO  
Mr Stuart McCosker  
Prof Paul Arbon AM  
Dr Franklin Bridgewater OAM  
Peter Burke  
Frederick Davidson  
Desmond Franklin BEM  
Raymond Greig  
Malcolm Hazell CVO  
Stephen Peers OAM  
Dr Douglas Sturkey CVO AM  
Dr Peter Warfe CSC

**As Dame**

Her Excellency Ms Penelope Wensley AO  
Mrs Frances Underwood  
Margaret Hunt  
Lesley King

**As Commander**

Anthony Ahern ASM  
Jeffrey Bollard  
Dr Michael Campion  
Peter Cudlipp  
Douglas Cunningham JP  
Jerome Currie  
Gloria Curtis

Jennifer Davis  
Justin Dunlop  
Sally Hasler  
Brian Hewlett  
Merle Isbister ASM  
John Jones  
Geoffrey Kiehne JP  
Alan Marshall  
Raymond Passmore OAM  
Robert Teusner  
The Right Rev Bishop Gregory Thompson

**As Officer**

Paul Allan  
Judy Bacon  
Dorothy Burns  
Sister Diana De Silva  
Wayne Donaldson  
Dr David Fahey  
Anne Fogarty  
Craig Garraway  
Arthur Garske  
Mark Hutchings  
Malcolm Hyde  
Victor Ivory  
Raymond Johnston  
Bruce Jones  
Lenaire Keatch  
James Mays  
Ronald McWhirter  
Anthony Mesman  
Colin Moore  
Michael Moylan  
Patrick Murray  
Richard Neal  
Lisa Senini  
Vaughan Smith  
Peter Stening  
John Stevens  
Katherine Stubing  
Andrea Williams  
Daphne Womersley  
Loris Zaal

**As Member**

Emily Adams  
Annetta Albanese

Glenn Archer  
Glen Auricht  
Colin Barron  
Ethel Batten  
Heather Bates  
Paul Beech  
Christopher Bertolo  
Robert Bevan  
Arnold Bogaers  
William Bradley  
Makaylia Bretag  
Lynette Brooks  
George Brown  
Tania Burke  
Simon Burns  
Sue Campbell-Lloyd  
Kim Carver  
Errol Carey  
Robert Clarke  
Neil Crofts  
Philip Crompton  
Darren D'Arcy  
Timothy Danaher  
Tamara Dewick  
Steven Douglas  
Dr Kylie Gates  
Daryn Gardner  
Janet Goodwin  
Jo-Anne Grenenger  
Katharine Gronow  
Samantha Gronow  
Justin Hankinson  
Raylee Hart  
Desmond Henderson  
Graeme Hodges  
Beverley Holder  
Scott Humphrey  
Ronald Knapp  
Karen Lott  
Jason Mayo  
Heather McAllister  
Merran McLennan  
Melanie McMurtrie  
Rosemary Moran  
John Morley  
Michael Needham  
Hilary Nind  
Peter Nilson  
Christine Nye  
Ann Olsen  
Joan Owen  
David Ovans  
Belinda Paton

Merrilyn Pedergrana  
Marilyn Plaskitt  
Walter Prowse  
Jamie Ranse  
Dianne Remmert  
Garry Remmert  
Maureen Roach  
Annette Smart  
Leonard Smith  
Wendy Smith  
Melissa Spencer  
Grahame Stoddart  
Malcolm Towle  
Glenys Evelyn Tullett  
Shane Webb  
Bernard Whyte  
Marilyn Whiteside  
Sandra Wyburn





COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, ANDREW MCNEE, Acting First Assistant Secretary, Marine Division, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Department of Primary Industries and Resources South Australia, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the South Australian Marine Scalefish Fishery, as defined in the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006* and the *Fisheries Management (General) Regulations 2007* in force under the *Fisheries Management Act 2007* (South Australia) to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and (10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 1 November 2011 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 21<sup>st</sup> day of November 2008

.....  
Delegate of the Minister for the Environment, Heritage and the Arts

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

## SCHEDULE

**Declaration of the Harvest Operations of the South Australian Marine Scalefish Fishery as an approved Wildlife Trade Operation****ADDITIONAL PROVISIONS (section 303FT)**

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

1. Operation of the fishery will be carried out in accordance with the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006* and the *Fisheries Management (General) Regulations 2007* in force under the *Fisheries Management Act 2007* (South Australia).
2. The Department of Primary Industries and Resources, South Australia (PIRSA) will advise the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any material change to the fishery's management arrangements that could affect the assessment against the criteria on which EPBC Act decisions are based.
3. PIRSA to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.





Unique Identifying Number:  
EPBC303DC/SFS/2008/25



COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**Amendment of List of Exempt Native Specimens**

I, CLAIRE HOWLETT, Acting Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by including in the list the following specimens:

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the Queensland East Coast Inshore Fin Fish Fishery as described in the Queensland *Fisheries Act 1994* and the Queensland *Fisheries Regulation 2008*.

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

- The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and
- The specimens are included on the list until 28 February 2009.

Dated this

13<sup>th</sup> day of November

2008

*CHowlett*

.....  
Delegate of the Minister for the Environment, Heritage and the Arts



Commonwealth  
of Australia

Gazette

No. S256, Wednesday, 26 November 2008

Published by the Commonwealth of Australia

SPECIAL

INTERNATIONAL TAX AGREEMENTS ACT 1953

**NOTICE UNDER SECTION 4A SPECIFYING THAT THE PROTOCOL AMENDING THE  
AUSTRALIA-SOUTH AFRICA DOUBLE TAXATION AGREEMENT SHALL APPLY**

NOTICE is hereby given in pursuance of section 4A of the *International Tax Agreements Act 1953* that the Protocol amending the Agreement between the Government of Australia and the Government of the Republic of South Africa for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (being the agreement, a copy of which is set out in Schedule 42 to that Act) entered into force on 12 November 2008.

Dated this 28<sup>th</sup> day of November, 2008.

Christopher Eyles Bowen  
Assistant Treasurer and Minister for Competition Policy and Consumer Affairs





COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, CLAIRE HOWLETT, Acting Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the New South Wales Department of Primary Industries, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the NSW Estuary Prawn Trawl Fishery, as defined in the management regime for the fishery, made under the New South Wales *Fisheries Management Act 1994* to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 30 November 2011 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule dated November 2008.

Dated this 25<sup>th</sup> day of November 2008

Delegate of the Minister for the Environment, Heritage and the Arts

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

## SCHEDULE

**Declaration of the Harvest Operations of the New South Wales (NSW) Estuary  
Prawn Trawl Fishery (EPTF) as an approved Wildlife Trade Operation  
November 2008****ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the NSW EPTF, made under the NSW *Fisheries Management Act 1994*.

1. Operation of the EPTF will be carried out in accordance with the NSW *Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006* in force under the NSW *Fisheries Management Act 1994*.
2. NSW Department of Primary Industries (DPI) to advise the Department of Environment, Heritage and the Arts (DEWHA) of imminent and substantive changes to the EPTF management arrangements that may affect the assessment of the fishery against the criteria upon which the EPBC Act decisions are based.
3. NSW DPI to produce and present reports to DEWHA annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2<sup>nd</sup> Edition*.





Australian Government

Department of the Environment, Water, Heritage and the Arts

**NOTICE OF APPLICATION RECEIVED 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 an application has been received from Orica Australia Pty Limited, Level 2, 1 Nicholson Street, Melbourne, Victoria 3000, for a permit to export up to 800 tonnes of hexachlorobenzene (HCB) and related waste to Kommunekemi a/s, Lindholmvej 3, 5800 Nyborg, Denmark.

The waste would be disposed of by high temperature incineration on land.

The hazardous waste is construction and demolition waste containing HCB and other chlorinated waste (EU code 170903). These would be packaged in either 100, 200 litre drums or 1,000 litre intermediate bulk containers, secured and then loaded into 20 foot shipping containers on site at the Orica site, 16 – 20 Beuchamp Road, Matraville, NSW, 2036. The waste would then be transported by road and loaded onto a ship at the port of Botany, NSW, to be offloaded at the port of Nyborg in Denmark. From there, it would be transported by private road to the disposal facility.

The movement will transit through Durban, South Africa.

The export would take place over a period of up to 12 months commencing from the date of the permit, if granted.

Written comments on the permit application may be lodged with the Department within 21 days of Gazette publication addressed to the Director, Hazardous Waste Section, Department of the Environment, Water, Heritage and the Arts, GPO Box 787 CANBERRA ACT 2601, or by e-mail at [hwa@environment.gov.au](mailto:hwa@environment.gov.au).

Greg Plummer  
Acting Assistant Secretary  
Environment Protection Branch

24 November 2008

**Australian Government****Department of the Environment, Water, Heritage and the Arts****NOTICE OF APPLICATION RECEIVED 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 an application has been received from Orica Australia Pty Limited, Level 2, 1 Nicholson Street, Melbourne, Victoria 3000, for a permit to export up to 300 tonnes of hexachlorobenzene (HCB) and related waste to Kommunekemi a/s, Lindholmvej 3, 5800 Nyborg, Denmark.

The waste would be disposed of by high temperature incineration on land.

The hazardous waste is packaging containers that contain residues of, or are contaminated by, HCB and other chlorinated waste (EU code 150110). These would be packaged in either 100, 200 litre drums or 1,000 litre intermediate bulk containers, secured and then loaded into 20 foot shipping containers on site at the Orica site, 16 – 20 Beuchamp Road, Matraville, NSW, 2036. The waste would then be transported by road and loaded onto a ship at the port of Botany, NSW, to be offloaded at the port of Nyborg in Denmark. From there, it would be transported by road to the disposal facility.

The movement will transit through Durban, South Africa.

The export would take place over a period of up to 12 months commencing from the date of the permit, if granted.

Written comments on the permit application may be lodged with the Department within 21 days of Gazette publication addressed to the Director, Hazardous Waste Section, Department of the Environment, Water, Heritage and the Arts, GPO Box 787 CANBERRA ACT 2601, or by e-mail at [hwa@environment.gov.au](mailto:hwa@environment.gov.au).

A handwritten signature in black ink, appearing to read 'Greg Plummer'.

Greg Plummer  
Acting Assistant Secretary  
Environment Protection Branch  
24 November 2008





**Australian Government**

**Department of the Environment, Water, Heritage and the Arts**

**NOTICE OF APPLICATION RECEIVED 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 an application has been received from Orica Australia Pty Limited, Level 2, 1 Nicholson Street, Melbourne, Victoria 3000, for a permit to export up to 5,000 tonnes of hexachlorobenzene (HCB) and related waste to Kommunekemi a/s, Lindholmvej 3, 5800 Nyborg, Denmark.

The waste would be disposed of by high temperature incineration on land.

The hazardous waste is described as HCB and other chlorinated waste containing chlorinated compounds including carbon tetrachloride, chloroprene hexachlorobutadiene, hydrochloric acid, octochlorostyrene, perchloroethylene, and related polymers, solvents and tars (EU code 070107). These would be packaged in either 100, 200 litre drums or 1,000 litre intermediate bulk containers, secured and then loaded into 20 foot shipping containers on site at the Orica site, 16 – 20 Beuchamp Road, Matraville, NSW, 2036. The waste would then be transported by road and loaded onto a ship at the port of Botany, NSW, to be offloaded at the port of Nyborg in Denmark. From there, it would be transported by road to the disposal facility.

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A handwritten signature in dark ink, appearing to read 'Greg Plummer', with a stylized flourish at the end.

Greg Plummer  
Acting Assistant Secretary  
Environment Protection Branch

29 November 2008





Unique Identifying Number:  
EPBC303DC/SFS/2008/32



COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**Amendment of List of Exempt Native Specimens**

I, CLAIRE HOWLETT, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by including in the list the following:

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the New South Wales Ocean Trawl Fishery, as defined in the Fishery Management Strategy for the Ocean Trawl Fishery made under the New South Wales *Fisheries Management Act 1994*.

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

- The specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and
- The specimens are included on the list until 28 February 2009.

For the purposes of section 12(1) of the *Legislative Instruments Act 2003*, the specified day for the purposes of the commencement of this instrument is 28 November 2008.

Dated this 12 day of November 2008

.....  
Delegate of the Minister for the Environment, Heritage and the Arts





COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, CLAIRE HOWLETT, Acting Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Department of Primary Industries and Resources, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the New South Wales Abalone Fishery, as defined in Schedule 1 of the New South Wales *Fisheries Management Act 1994* to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 1 November 2010 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule.

Dated this 25<sup>th</sup> day of November 2008

.....  
Delegate of the Minister for the Environment, Heritage and the Arts

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

**Declaration of the Harvest Operations of the New South Wales Abalone Fishery as an approved Wildlife Trade Operation**

**ADDITIONAL PROVISIONS (section 303FT)**

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

1. Operation of the fishery will be carried out in accordance with the New South Wales (NSW) *Abalone Share Management Plan 2000* in force under the NSW *Fisheries Management Act 1994*.
2. NSW Department of Primary Industries (DPI) to inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended material amendments to the Abalone Fishery management arrangements that could affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.
3. NSW DPI to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. NSW DPI, in conjunction with the NSW Abalone Fishery stakeholders, to review management objectives, performance indicators and trigger points to ensure they are appropriately precautionary and effective.





COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, CLAIRE HOWLETT, Acting Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Australian Fisheries Management Authority, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Commonwealth Skipjack Tuna Fishery managed in accordance with the Commonwealth *Fisheries Management Act 1991* to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 30 November 2011 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule (dated November 2008).

Dated this

27<sup>th</sup> day of November 2008

*CHowlett*

.....  
Delegate of the Minister for the Environment, Heritage and the Arts

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

## SCHEDULE

**Declaration of the Harvest Operations of the Skipjack Tuna Fishery as an approved  
Wildlife Trade Operation – November 2008****ADDITIONAL PROVISIONS (section 303FT)**

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

1. Operation of the STF will be carried out in accordance with the management arrangements in force under the *Fisheries Management Act 1991*.
2. The Australian Fisheries Management Authority (AFMA) to advise the Department of Environment, Water, Heritage and the Arts (DEWHA) of any intended change to the STF management arrangements that may affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.
3. AFMA to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. By 31 December 2009, AFMA to make publicly available a statement of management arrangements for the STF, which provides an overarching framework articulating the key management tools of the fishery.







**Australian Government**  
**Attorney General's Department**

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