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

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How to contact us

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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 lodgment fee of \$99.00 plus a charge of \$99.00 per page will apply to the submission of notices for this Gazette.

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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.

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All inquiries should be directed to (02) 6141 4333.

Variation of closing times

Labour Day Holiday — Issue of 7 October 2009 (GN 39)

As Monday, 5 October 2009 is a public holiday, closing time for lodgment of all notices for publication in GN 39 will be:

Thursday, 1 October 2009 at 10.00 am.

General Information

GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6141 4333
Subscriptions (Fax): (02) 6293 8388
Subscriptions (Tel): 1300 656 863

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, 3-5 National Circuit, Barton ACT 2600.

By fax: (02) 6282 5140

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

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

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

Publication of hard copy notices

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

Publication of electronic notices

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

For further information contact the Gazette Office on (02) 6141 4333. Information is also available from the following Internet site: <http://www.ag.gov.au/GNGazette/>.

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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.

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The *Gazette* may be purchased by mail order (Tel. 1300 889 873, 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:

Adelaide: Service SA Government Legislation Outlet
108 North Terrace
Adelaide SA 5000
Phone: 13 2324 Fax: (08) 8204 1909

Brisbane: Mail Order ONLY
CanPrint Communications
PO Box 7456
Canberra MC ACT 2610
Phone: 1300 889 873 Fax: (02) 6293 8388

Canberra: CanPrint Communications
16 Nyrang Street
Fyshwick ACT 2609
Phone: (02) 6295 4422 Fax: (02) 6293 8388

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123 Collins Street
Hobart TAS 7000
Phone: 1800 030 940 Fax: (03) 6216 4294

Melbourne: Information Victoria
505 Little Collins Street
Melbourne VIC 3000
Phone: 1300 366 356 Fax: (03) 9603 9940

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Phone: 1300 889 873 Fax: (02) 6293 8388

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, 3-5 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.

Gazette number	Date of Publication	Subject
P 1	27 March 2009	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.06.08 to 31.02.09 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 1.12.07 to 31.12.07 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 1.5.08 to 31.5.08 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 1.3.09 to 31.3.09 and not Previously Gazetted
P 2	4 August 2009	<i>Environment Protection and Biodiversity Conservation Act 1999</i> Removal of places from the Commonwealth Heritage List
P 3	4 August 2009	<i>Environment Protection and Biodiversity Conservation Act 1999</i> Inclusion of a place in the National Heritage List

Department of the House of Representatives

Acts of Parliament assented to

It is hereby notified, for general information, that Her Excellency the Governor-General, in the name of Her Majesty, assented on 27 August 2009 to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 73 of 2009—An Act to amend the *Excise Tariff Act 1921*, and for related purposes. (*Excise Tariff Amendment (2009 Measures No. 1) Act 2009*).

No. 74 of 2009—An Act to amend the *Customs Tariff Act 1995*, and for related purposes. (*Customs Tariff Amendment (2009 Measures No. 1) Act 2009*).

No. 75 of 2009—An Act to amend the law relating to banking, insurance and superannuation, and for related purposes. (*Financial Sector Legislation Amendment (Enhancing Supervision and Enforcement) Act 2009*).

No. 76 of 2009—An Act to amend the *Therapeutic Goods Act 1989*, and for related purposes. (*Therapeutic Goods Amendment (2009 Measures No. 1) Act 2009*).

I C HARRIS

Clerk of the House of Representatives

Government Departments

Attorney-General

COMMONWEALTH OF AUSTRALIA CUSTOMS ACT 1901

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

I, Wayne Baldwin, 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	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
	Currency	26/08/2009	27/08/2009	28/08/2009	29/08/2009	30/08/2009	31/08/2009	01/09/2009
Brazil	Real	1.5376	1.5543	1.5383	1.5659	1.5659	1.5659	1.579
Canada	Dollar	0.8998	0.9063	0.9074	0.9128	0.9128	0.9128	0.9187
China, PR of	Yuan	5.7028	5.7021	5.6445	5.7306	5.7306	5.7306	5.7331
Denmark	Kroner	4.3494	4.3457	4.3193	4.3493	4.3493	4.3493	4.3728
European Union	Euro	0.5844	0.5837	0.5803	0.5844	0.5844	0.5844	0.5875
Fiji	Dollar	1.6685	1.6697	1.6628	1.6738	1.6738	1.6738	1.6758
Hong Kong	Dollar	6.4743	6.4725	6.4081	6.506	6.506	6.506	6.5097
India	Rupee	40.6088	40.6843	40.4526	40.9599	40.9599	40.9599	40.8457
Indonesia	Rupiah	8355	8367	8345	8461	8461	8461	8445
Israel	Shekel	3.1703	3.161	3.1383	3.195	3.195	3.195	3.2051
Japan	Yen	78.63	78.58	77.63	78.56	78.56	78.56	78.04
Korea, Republic of	Won	1038.54	1040.6	1029.94	1044.17	1044.17	1044.17	1045.94
Malaysia	Ringgit	2.9357	2.9427	2.9194	2.9607	2.9607	2.9607	2.9573
New Zealand	Dollar	1.2197	1.2173	1.2151	1.2201	1.2201	1.2201	1.2291
Norway	Kroner	5.0193	5.0441	5.014	5.0529	5.0529	5.0529	5.0641
Pakistan	Rupee	68.99	69.06	68.27	69.28	69.28	69.28	69.39
Papua New Guinea	Kina	2.2825	2.2819	2.2467	2.2872	2.2872	2.2872	2.2948
Philippines	Peso	40.55	40.58	40.36	40.93	40.93	40.93	41.01
Singapore	Dollar	1.2055	1.2044	1.1947	1.2102	1.2102	1.2102	1.2107
Solomon Islands	Dollar	6.7371	6.7355	6.6677	6.7694	6.7694	6.7694	6.7734
South Africa	Rand	6.5437	6.5189	6.4963	6.5204	6.5204	6.5204	6.526
Sri Lanka	Rupee	95.52	95.3	94.46	95.98	95.98	95.98	96.06
Sweden	Krona	5.9016	5.8908	5.8972	5.9583	5.9583	5.9583	5.9806
Switzerland	Franc	0.8869	0.8862	0.883	0.8879	0.8879	0.8879	0.8901
Taiwan Province	Dollar	27.43	27.45	27.2	27.55	27.55	27.55	27.59
Thailand	Baht	28.38	28.37	28.09	28.52	28.52	28.52	28.52
United Kingdom	Pound	0.5093	0.511	0.5091	0.5155	0.5155	0.5155	0.5168
USA	Dollar	0.8354	0.8352	0.8268	0.8394	0.8394	0.8394	0.8399

Wayne Baldwin
Delegate of the Chief Executive Officer of Customs
Canberra ACT
01/09/2009

Broadband, Communications and the Digital Economy

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Telecommunications Act 1997

Subsection 56(3)

NOTIFICATION OF GRANT OF CARRIER LICENCE

The Australian Communications and Media Authority gives notice under subsection 56(3) of the *Telecommunications Act 1997* ('the Act') that on 1 September 2009 a carrier licence was granted to QESTel Pty Ltd, ACN 136 372 060 under subsection 56(1) of the Act.

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Telecommunications Act 1997

Subsection 56(3)

NOTIFICATION OF GRANT OF CARRIER LICENCE

The Australian Communications and Media Authority gives notice under subsection 56(3) of the *Telecommunications Act 1997* ('the Act') that on 1 September 2009 a carrier licence was granted to Victorian Urban Development Authority, ABN 61 868 774 623 under subsection 56(1) of the Act.

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Telecommunications Act 1997

Subsection 56(3)

NOTIFICATION OF GRANT OF CARRIER LICENCE

The Australian Communications and Media Authority gives notice under subsection 56(3) of the *Telecommunications Act 1997* ('the Act') that on 1 September 2009 a carrier licence was granted to Syncaccess Group Pty Limited, ACN 133 372 415 under subsection 56(1) of the Act.

**NOTICE OF APPLICATION FOR RENEWAL OF LICENCE UNDER SECTION
90(2) OF THE *BROADCASTING SERVICES ACT 1992***

In accordance with sub-section 90(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:

Community Radio Licensees	SL No	Service Area	State
Vision Australia Limited	3540	Melbourne RA1	VIC
Living Sound Broadcasters Ltd	1150163	Wollongong RA2	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 83(2) of the Act applies to the company.

ACMA may decide that sub-section 83(2) of the Act applies to a licensee if it is satisfied that allowing the licensee to provide or continue to provide either a commercial or a community 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 these sub-sections apply, ACMA is required by sub-section 83(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) (commercial) the business record of each person who is, or would be, if a licence were allocated to the applicant, in a position to control the licence; or (community) 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.

Under sub-section 91(2A) of the Act, ACMA may also refuse to renew a community broadcasting licence if, having regard to matters in paragraphs 84(2)(a) to (f), it considers that it would not allocate such a licence if it were deciding whether to allocate the licence to the licensee.

The Act does not require ACMA to hold an investigation or a hearing into whether a community licence should be renewed (sub-section 91(3)).

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:

Commercial Radio Licensees	SL No	Service Area	State
Central Coast Radio Pty Ltd	4113	GOSFORD RA1	NSW
Mid-Districts Radio Pty Ltd	10003	MERREDIN RA1	WA
Star Broadcasting Network Pty Ltd	1121	IPSWICH RA1	QLD
Tasradio Pty Ltd	4220	LAUNCESTON RA1	TAS
Commercial Television Licensees	SL No	Service Area	State
Mildura Digital Television Pty Ltd	1150827	MILDURA/SUNRAYSIA TV1	VIC/NSW

The 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 the ACMA does not decide that sub-section 41(2) of the Act applies to the company.

The 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, the 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 the ACMA to hold an investigation or a hearing into whether a commercial licence (sub-section 47(3)) should be renewed.

In accordance with Section 127 of the Broadcasting Services Act 1992, the Australian Communications and Media Authority gives notice that it revoked the Children's Television Standards 2005 and determined new children's television standards on 24 August 2009. The new standards are known as the Children's Television Standards 2009 for commercial television broadcasting licences, identified by the following service licence numbers:

SL 85, SL 86, SL 87, SL 88, SL 90, SL 94, SL 95, SL 96, SL 99, SL 100, SL 101, SL 102, SL 103, SL 104, SL 106, SL 107, SL 109, SL 110, SL 111, SL 113, SL 114, SL 115, SL 116, SL 120, SL 121, SL 122, SL 132, SL 133, SL 2898, SL 4285, SL 4747, SL 10048, SL 10088, SL 10089, SL 10103, SL 10104, SL 10161, SL 10162, SL 10163, SL 10172, SL 10173, SL 10174, SL 10234, SL 10241, SL 10330, SL 10416, SL 10417, SL 10418, SL 1130013, SL 1130046, SL 1130047, SL 1130048, SL 1130049, SL 1130050, 1130051, SL 1150796, SL 1150797, SL 1150798, SL 1150799, SL 1150806, SL 1150827.

The Children's Television Standards 2009 are available on the ACMA's website.

In accordance with Section 127 of the Broadcasting Services Act 1992, the Australian Communications and Media Authority gives notice that it varied the Broadcasting Services (Australian Content) Standard 2005 on 24 August 2009. The variation is known as the Broadcasting Services (Australian Content) Standard Variation 2009 (No.1) for commercial television broadcasting licences, identified by the following service licence numbers:

SL 85, SL 86, SL 87, SL 88, SL 90, SL 94, SL 95, SL 96, SL 99, SL 100, SL 101, SL 102, SL 103, SL 104, SL 106, SL 107, SL 109, SL 110, SL 111, SL 113, SL 114, SL 115, SL 116, SL 120, SL 121, SL 122, SL 132, SL 133, SL 2898, SL 4285, SL 4747, SL 10048, SL 10088, SL 10089, SL 10103, SL 10104, SL 10161, SL 10162, SL 10163, SL 10172, SL 10173, SL 10174, SL 10234, SL 10241, SL 10330, SL 10416, SL 10417, SL 10418, SL 1130013, SL 1130046, SL 1130047, SL 1130048, SL 1130049, SL 1130050, 1130051, SL 1150796, SL 1150797, SL 1150798, SL 1150799, SL 1150806, SL 1150827.

The Broadcasting Services (Australian Content) Standard Variation 2009 (No.1) is available on the ACMA's website.

Defence



SPECIALIST MEDICAL REVIEW COUNCIL

Veterans' Entitlements Act 1986

Section 196ZB

NOTIFICATION OF INTENTION TO CARRY OUT A REVIEW

The Specialist Medical Review Council (the Council) has been asked under section 196Y of the *Veterans' Entitlements Act 1986* (the Act) to review the contents of Statements of Principles Nos. 13 and 18 of 2009 made by the Repatriation Medical Authority (the RMA) in respect of **macular degeneration**. The Council gives notice under section 196ZB of the Act that it intends to carry out a review under section 196W of the Act of all the information available to the RMA when it determined, amended or last amended the Statements of Principles in respect of **macular degeneration**.

The following persons or organisations are invited to make written submissions to the Council:

- the Repatriation Commission;
- the Military Rehabilitation and Compensation Commission;
- a person eligible to make a claim for a pension under Part II or IV of the VEA;
- a person eligible to make a claim for compensation under Section 319 of the MRCA; and
- an organisation representing veterans, Australian mariners, members of the Forces, members of Peacekeeping Forces or their dependants.

Written submissions must be received by 30 July 2010

The Council will hold its first meeting for the purposes of this review after 28 October 2010.

Persons or organisations making written submissions may appear before the Council to make an oral submission complementing the written submission. Persons and organisations will be advised of the location and time of the hearing of oral submissions as appropriate.

Advice on the preparation of written submissions is available from the Specialist Medical Review Council Secretariat, PO Box 895, Woden, ACT 2606, telephone 03 9284 6784 or fax: 03 9284 6780. Submissions should be lodged with the Council Secretariat.

Jonathan Phillips
Convener



Environment, Water, Heritage and the Arts



MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS

FUEL QUALITY STANDARDS ACT 2000

GRANT OF APPROVALS – SECTION 13

APPROVALS TO VARY THE FUEL STANDARD FOR AUTOMOTIVE DIESEL IN RELATION TO THE SUPPLY OF DIESEL CONTAINING BIODIESEL AT LEVELS ABOVE FIVE PER CENT BUT NOT EXCEEDING TWENTY PER CENT

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, pursuant to section 13 of the *Fuel Quality Standards Act 2000* (the Act), having consulted with the Fuel Standards Consultative Committee as required by section 24A of the Act, hereby grant these approvals to the following fuel suppliers (the approval holders).

Australian Renewable Fuels Adelaide Pty Ltd

Australian Renewable Fuels Picton Pty Ltd

Eagle Fuels Pty Ltd

Mogas Regional Pty Ltd

These approvals vary the fuel standard for automotive diesel set out in the *Fuel Standard (Automotive Diesel) Determination 2001* to permit diesel fuel to contain more than five per cent volume by volume, but not more than twenty per cent volume by volume, biodiesel.

These approvals apply to diesel/biodiesel blends supplied by the approval holders and the regulated persons specified in **Annexure 1**.

These approvals are granted subject to the conditions specified in Section 17 of the Act and in **Annexure 2** of this instrument.

These Approvals come into force on the date of signing and remain in force until 1 March 2011.

Dated 21 August 2009

A blue ink signature of Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, written over a dotted line.

Minister for the Environment, Heritage and the Arts

ANNEXURE 1

REGULATED PERSONS

The following are regulated persons under paragraph 13(1)(b) of the *Fuel Quality Standards Act 2000*:

For Australian Renewable Fuels Adelaide Pty Ltd:

Caltex, South Australia	2 Market Street	Sydney	NSW	2000
Australian Fuel Oil Pty Ltd	7 Westlink Court	Altona	VIC	3018
Pre-Logic Pty Ltd	7 Westlink Court	Altona	VIC	3018
Logicoil	7 Westlink Court	Altona	VIC	3018
Eagle Fuels Pty Ltd	Level 1, 99 Moreland Street	Footscray	VIC	3011
United Petroleum	PO Box 13238	Melbourne	VIC	3004

For Australian Renewable Fuels Picton Pty Ltd:

Caltex	2 Market Street	Sydney	NSW	2000
Australian Fuel Oil Pty Ltd	7 Westlink Court	Altona	VIC	3018
Pre-Logic Pty Ltd	7 Westlink Court	Altona	VIC	3018
Logicoil	7 Westlink Court	Altona	VIC	3018
Eagle Fuels Pty Ltd	Level 1, 99 Moreland Street	Footscray	VIC	3011
Gull Petroleum	Level 2, 10 Ord Street	West Perth	WA	6005

For Eagle Fuels Pty Ltd:

Bio Diesel Producers Ltd	1456 Plemings Road	Barnawartha	VIC	3688
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ANNEXURE 2

CONDITIONS OF APPROVALS

1. The diesel and biodiesel used to create the blends covered by these approvals must, before the two fuels are blended, comply with the applicable fuel standards for automotive diesel and biodiesel, i.e. specified in the Fuel Standard (Automotive Diesel) Determination 2001 and the Fuel Standard (Biodiesel) Determination 2003.
 - An exception to this condition is that the diesel used to create the blends need not comply with the density requirements specified in the Fuel Standard (Automotive Diesel) Determination 2001. [Note: the final blends must comply with the density requirements specified in that Determination].
2. The fuel subject to these approvals must be clearly labelled at the point of sale or supply identifying the fuel as a blend of diesel and biodiesel.
3. The fuel subject to these approvals must not be represented as being suitable for all diesel vehicles.
4. The following words must be clearly displayed on any fuel pump dispensing fuel that is subject to these approvals:
 - ‘Contains up to x% biodiesel’, where x is no less than the percentage of biodiesel in the blend; or
 - ‘Contains y% biodiesel’ where y is the percentage of biodiesel in the blend.
5. Each approval holder must provide a report to the Department every six months from 1 September 2009, specifying:
 - (i) the volume of diesel supplied under the approval;
 - (ii) the volume of lower density diesel (ie less than 820 kg/m³) used to produce the final blends; and
 - (iii) of the lower density diesel used (ie less than 820 kg/m³), the lowest density contained in that diesel.

**MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS****NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000*
CONCERNING A DECISION UNDER SECTION 13 OF THAT ACT
FOR APPROVALS FOR A VARIATION OF THE
FUEL STANDARD (AUTOMOTIVE DIESEL) DETERMINATION 2001**

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts provide the following information concerning my decision to grant four approvals under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

Name of approval holder

Approvals have been granted to:

Australian Renewable Fuels Adelaide Pty Ltd

Australian Renewable Fuels Picton Pty Ltd

Eagle Fuels Pty Ltd

Mogas Regional Pty Ltd

Period of operation

The period of operation of the approvals is from the date of signing until 1 March 2011.

Details of the approval

This approval varies the fuel standard for diesel set out in the *Fuel Standard (Automotive Diesel) Determination 2001* (the Determination) such that diesel with a biodiesel content above five per cent volume by volume and up to twenty percent volume by volume will be taken to comply with the Determination.

Background

Section 15 of the Act provides that I must have regard to the following when deciding whether or not to grant or amend an approval:

- (a) the protection of the environment;
- (b) the protection of occupational and public health and safety;
- (c) the interests of consumers; and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Section 24A of the Act provides that I must consult, and have regard to the recommendations of, the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval, I consulted with the Committee and had regard to the recommendations it made in July 2009.

Findings on material questions of fact

1. Protection of the environment

Tailpipe emissions from the use of diesel/biodiesel blends when compared to diesel will have both positive and negative impacts on air quality. As the level of biodiesel in the blend increases, emissions of nitrogen oxides increase but particulate matter, hydrocarbons and carbon monoxide emissions all decrease.

2. Protection of occupational and public health and safety

In terms of safety data, diesel containing up to twenty per cent biodiesel has shown to be similar to diesel. Its impact on occupational and public health and safety should be no greater than diesel already supplied to the market.

3. Interests of consumers

Fuel dispensers will be clearly labelled to advise consumers that the diesel contains biodiesel and the percentage, more than five per cent volume by volume but not more than twenty percent volume by volume. Any potential warranty issues for vehicles will, therefore, be addressed.

4. Impact on economic and regional development

As the level of biodiesel allowed in diesel has been capped at five per cent, the industry cannot legally supply blends higher than five per cent. This results in a barrier to the development of an alternative fuels market in Australia. If the approvals are not granted, the restriction of blend levels could have a negative effect on the development of the Australian biodiesel industry.

Reasons for decision

- As there will be negligible changes to tailpipe emissions, the impact on the environment from the supply of these biodiesel blends will be minimal.
- There is a market for these biodiesel blends with each applicant's existing and potential customers.
- There could be a detrimental effect on the biodiesel industry if the approvals are not granted.
- The approvals only relate to the variation of the biodiesel content in the Diesel Determination for blends above five per cent and up to twenty per cent.
- The labelling condition will provide information for consumers about the biodiesel content in the diesel on fuel dispensers.

Having taken into account the matters specified in section 15 of the Act and all other relevant matters, and the recommendation of the Committee, I considered that it was appropriate to grant these approvals.



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

2) July 2009




COMMONWEALTH OF AUSTRALIA

Fuel Quality Standards Act 2000

Section 13

GRANT OF APPROVAL

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, pursuant to section 13 of the *Fuel Quality Standards Act 2000* (the Act), having consulted with the Fuel Standards Consultative Committee as required by section 24A of the Act, hereby grant this approval to Pre-Logic Pty Ltd (the approval holder).

This approval varies the fuel standard for automotive diesel set out in the *Fuel Standard (Automotive Diesel) Determination 2001* to permit diesel fuel to contain more than five per cent volume by volume, but not more than twenty per cent volume by volume, biodiesel.

This approval is granted subject to the conditions specified in Section 17 of the Act and the conditions specified in Annexure 1 of this approval.

This approval comes into force on the date of signing and remains in force until 1 March 2011.

Dated

21st August 2009

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

Minister for the Environment, Heritage and the Arts

Annexure 1

Conditions of approval

1. The diesel and biodiesel used to create the blends covered by this approval must, before the two fuels are blended, comply with the applicable fuel standards for automotive diesel and biodiesel, i.e. specified in the Fuel Standard (Automotive Diesel) Determination 2001 and the Fuel Standard (Biodiesel) Determination 2003.
 - An exception to this condition is that the diesel used to create the blends need not comply with the density requirements specified in the Fuel Standard (Automotive Diesel) Determination 2001. [Note: the final blends must comply with the density requirements specified in that Determination].
2. The fuel subject to this approval must be clearly labelled at the point of sale or supply identifying the fuel as a blend of diesel and biodiesel.
3. The fuel subject to this approval must not be represented as being suitable for all diesel vehicles.
4. The following words must be clearly displayed on any fuel pump dispensing fuel that is subject to this approval:
 - ‘Contains up to x% biodiesel’, where x is no less than the percentage of biodiesel in the blend; or
 - ‘Contains y% biodiesel’ where y is the percentage of biodiesel in the blend.
5. The approval holder must provide a report to the Department every six months from 1 September 2009, specifying:
 - (i) the volume of diesel supplied under the approval;
 - (ii) the volume of lower density diesel (i.e. less than 820 kg/m³) used to produce the final blends; and
 - (iii) of the lower density diesel used (i.e. less than 820 kg/m³), the lowest density contained in that diesel.

**MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS****NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000*
CONCERNING A DECISION UNDER SECTION 13 OF THAT ACT FOR AN
APPROVAL FOR A VARIATION OF THE FUEL STANDARD (AUTOMOTIVE
DIESEL) DETERMINATION 2001**

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts provide the following information concerning my decision to grant an approval under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

Name of approval holder

Approval has been granted to Pre-Logic Pty Ltd.

Period of operation

The period of operation of the approval is from the date of signing until 1 March 2011.

Details of the approval

This approval varies the fuel standard for diesel set out in the *Fuel Standard (Automotive Diesel) Determination 2001* (the Determination) such that diesel with a biodiesel content above five per cent volume by volume and up to 20 per cent volume by volume will be taken to comply with the Determination.

Background

Section 15 of the Act provides that I must have regard to the following when deciding whether or not to grant or amend an approval:

- (a) the protection of the environment;
- (b) the protection of occupational and public health and safety;
- (c) the interests of consumers; and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Section 24A of the Act provides that I must consult, and have regard to the recommendations of, the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval, I consulted with the Committee and had regard to the recommendations it made in August 2009.

Findings on material questions of fact**(a) The protection of the environment**

Tailpipe emissions from diesel/biodiesel blend use, compared to diesel, will have both positive and negative impacts on air quality as the level of biodiesel in the blend increases. In general, emissions of nitrogen oxides increase but particulate matter, hydrocarbons and carbon monoxide emissions all decrease.

(b) The protection of occupational and public health and safety

In terms of safety data, diesel containing up to 20 per cent biodiesel has shown to be similar to diesel. Its impact on occupational and public health and safety should be no greater than diesel already supplied to the market.

(c) The interests of consumers

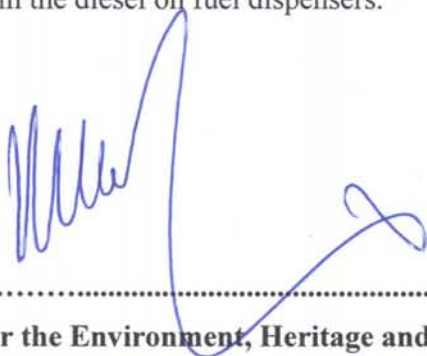
Fuel dispensers will be clearly labelled to advise consumers that the diesel contains biodiesel and the percentage, more than five per cent volume by volume but not more than 20 per cent volume by volume. Any potential warranty issues for vehicles will, therefore, be addressed.

(d) The impact on economic and regional development

As the level of biodiesel allowed in diesel has been capped at five per cent, the industry cannot legally supply blends higher than five per cent. This results in a barrier to the development of an alternative fuels market in Australia. If the approvals are not granted, the restriction of blend levels could have a negative effect on the development of the Australian biodiesel industry.

Summary of reasons for the approval

1. Biodiesel blends are already being supplied to the market and the approval is required to allow suppliers to continue supplying blends to existing and potential customers.
2. There could be a detrimental effect on the biodiesel industry if this approval is not granted.
3. This approval only relates to the variation of the biodiesel content in the Diesel Determination for blends above five per cent and up to 20 per cent.
4. The labelling condition will provide information for consumers about the biodiesel content in the diesel on fuel dispensers.



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

24th August 2009



COMMONWEALTH OF AUSTRALIA

Fuel Quality Standards Act 2000

Section 13

GRANT OF APPROVAL

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, pursuant to section 13 of the *Fuel Quality Standards Act 2000* (the Act), having consulted with the Fuel Standards Consultative Committee as required by section 24A of the Act, hereby grant this approval to Petrochem Carless Limited (the approval holder).

This approval varies the fuel standard for petrol set out in the Fuel Standard (Petrol) Determination 2001 (Determination) such that petrol containing methyl tertiary-butyl ether (MTBE) up to 15.0 per cent v/v and phosphorus up to 0.0298 g/L will be taken to comply with the MTBE and phosphorus parameters specified in the Determination where that petrol is supplied by the approval holder or by a regulated person specified in Annexure 1 of this approval to an individual who has been issued with and presents a valid and current motor sport organisation licence and/or identification card, or to an individual for the purpose of testing or tuning an engine used in legitimate motor racing activities.

This approval is granted subject to the conditions specified in section 17 of the Act and the conditions specified in Annexure 2 of this approval.

This approval comes into force on the date this instrument is signed and remains in force until 31 December 2010.

Dated: 24th August 2009



Minister for the Environment, Heritage and the Arts

Annexure 1

The following is a regulated person for the purposes of paragraph 13(1)(b) of the
Fuel Quality Standards Act 2000:

Vital Equipment Limited
Orchard Lea
Pontrilas
Hereford
HR2 0EL
United Kingdom

Annexure 2

Conditions of approval

This approval is subject to the following conditions:

- 1) The approval holder will annually report the quantity of fuel supplied from the date of the approval until the end of the approval period to the Department of the Environment, Water, Heritage and the Arts by the end of February in each year following the year of supply.
- 2) The fuel may only be supplied in sealed containers of up to 205 litres capacity.
- 3) Fuel containing greater than one per cent MTBE is not to be supplied for use in watercraft on fresh water lakes and waterways.
- 4) The fuel specified in this approval must be accompanied by written information relating to the safe handling of the fuel, including the information that fuel containing greater than one per cent MTBE is not to be used in watercraft on fresh water lakes and waterways.



MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS

NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000* CONCERNING A DECISION UNDER SECTION 13 OF THAT ACT FOR APPROVAL FOR A VARIATION OF THE FUEL STANDARD (PETROL) DETERMINATION 2001

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts provide the following information concerning my decision to grant an approval under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

Name of approval holder

Approval has been granted to Petrochem Carless Limited.

Period of operation

The period of operation of the approval is from the date of the approval until 31 December 2010.

Details of the approval

This approval varies the Fuel Standard (Petrol) Determination 2001 (the Petrol Determination) so that petrol containing the following parameters:

- methyl tertiary-butyl ether (MTBE) up to 15.0 per cent v/v; and
- phosphorus up to 0.0298 g/L,

will be taken to comply with the parameters specified in the Petrol Determination.

Approval is granted subject to the conditions specified in section 17 of the Act and in Annexure 2 of the approval.

Background

Section 15 of the Act provides that I must have regard to the following when deciding whether or not to grant or amend an approval:

- (a) the protection of the environment
- (b) the protection of occupational and public health and safety
- (c) the interests of consumers and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Section 24A of the Act provides that I must consult, and have regard to the recommendations of the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval, I consulted with the Committee and had regard to the recommendations of the Committee made in August 2009.

Findings on material questions of fact**(a) The protection of the environment**

The fuel subject to this approval is supplied and used in relatively small quantities for motor sport activities. In this context, higher levels of MTBE and phosphorus are not expected to impact significantly on ambient air quality.

The consequences of even a small amount of MTBE contaminating water sources can be significant. Accordingly, I have made it a condition of the approval that fuel containing MTBE above the limit specified in the Petrol Determination will not be supplied for use in watercraft on fresh water lakes and waterways.

The fuel is expensive compared with normal fuels available to the public and the price provides a strong disincentive for any waste, misuse or spillage. It is therefore not expected that permitting the supply of the fuels covered by this approval for motor sport activities will have an adverse effect on the environment.

(b) The protection of occupational and public health and safety

The fuel is not likely to have any impact on the health and safety of users as the volume of fuel used is minimal and for specific events. The fuel will be used by a small number of competitors and no contact with the public is expected. Unleaded racing fuels are supplied in sealed containers of up to 205 litres capacity and are used in small quantities, primarily in off-road activities, and in widely dispersed locations. Safe handling information will be provided with the fuel. In consequence, any significant occupational and public health and safety risks are not expected to result from use of these fuels.

(c) The interest of consumers

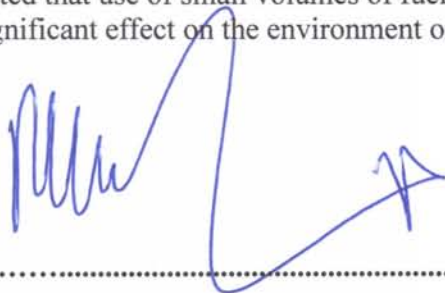
Unleaded racing fuels meet the needs of a niche market for specific classes of motor racing. The consumers using these fuels seek the performance and operability characteristics provided by these fuels. Without them, motor sport competitors may not be able to operate their vehicles effectively.

(d) The impact on economic and regional development

Many racing venues are located outside major population areas. Motor sport events provide an ongoing financial benefit to these regional communities. A decision not to allow the continued and controlled supply of unleaded racing fuels may have an adverse impact on national motor sport competitions and the economic benefits that flow from them.

Summary of reasons for the approval

1. Petrol racing fuels are used in small quantities in motor sport activities and are supplied to regulated users. The fuel is expensive compared with normal fuels available to the public and the price provides a strong disincentive for any waste, misuse or spillage.
2. Motor sport events provide an ongoing financial benefit to regional communities and it is not expected that use of small volumes of fuels which are the subject of this approval will have a significant effect on the environment or on occupational and public health and safety.



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

22nd August 2009



COMMONWEALTH OF AUSTRALIA

Fuel Quality Standards Act 2000

Section 13

GRANT OF APPROVAL

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, pursuant to section 13 of the *Fuel Quality Standards Act 2000* (the Act), having consulted with the Fuel Standards Consultative Committee as required by section 24A of the Act, hereby grant this approval to Skyfuel Australia Pty Ltd (Skyfuel), (the approval holder).

This approval varies the fuel standard for petrol set out in the Fuel Standard (Petrol) Determination 2001 (Petrol Determination) such that leaded petrol, supplied as AVGAS or 'racing fuel 100', containing lead up to 0.56 g/L will be taken to comply with the lead parameter specified in the Determination where that petrol is supplied by the approval holder to an individual who has been issued with and presents a valid and current motor sport organisation licence and/or identification card, or to an individual for the purpose of testing or tuning an engine used in legitimate motor racing activities.

This approval is granted subject to the conditions specified in section 17 of the Act and the conditions specified in Annexure 1 of this approval.

This approval comes into force on the date this instrument is signed and remains in force until 31 December 2010.

Dated: 24th August 2009

A handwritten signature in blue ink, consisting of stylized, overlapping loops and strokes.

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

Annexure 1

Conditions of approval

This approval is subject to the following conditions:

- 1) The approval holder will annually report the quantity of fuel supplied from the date of the approval until the end of the approval period to the Department of the Environment, Water, Heritage and the Arts by the end of February in each year following the year of supply.
- 2) The fuel may only be supplied in sealed containers of up to 205 litres capacity, except avgas, supplied only for use in pre-1986 built racing vehicles, which may be dispensed from a bowser for the specific purpose of engaging in competition at a recognised motor sport event.
- 3) The fuel specified in this approval must be accompanied by written information relating to the safe handling of the fuel.



MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS

**NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000*
CONCERNING A DECISION UNDER SECTION 13 OF THAT ACT FOR
APPROVAL FOR A VARIATION OF THE FUEL STANDARD (PETROL)
DETERMINATION 2001**

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts provide the following information concerning my decision to grant an approval under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

Name of approval holder

Approval has been granted to Skyfuel Australia Pty Ltd (Skyfuel).

Period of operation

The period of operation of the approval is from the date of the approval until 31 December 2010.

Details of the approval

This approval varies the Fuel Standard (Petrol) Determination 2001 (the Petrol Determination) so that leaded petrol, supplied as Avgas or 'racing fuel 100', containing lead up to 0.56 g/L will be taken to comply with the lead parameters specified in the Petrol Determination when supplied by the approval holder to an individual who has been issued with and presents a valid and current motor sport organisation licence and/or identification card, or to an individual for the purpose of testing or tuning an engine used in legitimate motor racing activities. Approval is granted subject to the conditions specified in Section 17 of the Act and in Annexure 1 of the approval.

Background

Section 15 of the Act provides that I must have regard to the following when deciding whether or not to grant or amend an approval:

- (a) the protection of the environment
- (b) the protection of occupational and public health and safety
- (c) the interests of consumers, and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Section 24A of the Act provides that I must consult, and have regard to the recommendations of, the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval, I consulted with the Committee and had regard to the recommendations it made in August 2009.

Findings on material questions of fact**(a) The protection of the environment**

The fuel subject to this recommendation is supplied and used in relatively small quantities for motor sport activities. In this context, higher levels of lead are not expected to impact significantly on ambient air quality.

The fuel is expensive compared with normal fuels available to the public and the price provides a strong disincentive for any waste, misuse or spillage.

It is therefore not expected that permitting the supply of the fuels covered by this approval for motor sport activities will have an adverse effect on the environment.

(b) The protection of occupational and public health and safety

The fuel is not likely to have any impact on the health and safety of users as the volume of fuel used is minimal and for specific events. The fuel will be used by a small number of competitors and no contact with the public is expected. Leaded racing fuel is generally supplied in sealed containers of up to 205 litres capacity and is used in small quantities, primarily in off-road activities, and in widely dispersed locations. Safe handling information will be provided with the fuel. In consequence, any significant occupational and public health and safety risks are not expected to result from use of these fuels.

(c) The interest of consumers

Leaded racing fuels meet the needs of a niche market for specific classes of motor racing. The consumers using these fuels seek the performance and operability characteristics provided by these fuels. Without them, motor sport competitors may not be able to operate their vehicles effectively.

(d) The impact on economic and regional development

Many racing venues are located outside major population areas. Motor sport events provide an ongoing financial benefit to these regional communities. A decision not to allow the continued and controlled supply of leaded racing fuels may have an adverse impact on national motor sport competitions and the economic benefits that flow from them.

Summary of reasons for the approval

1. Petrol racing fuels are used in small quantities in motor sport activities and are supplied to regulated users. The fuel is expensive compared with normal fuels available to the public and the price provides a strong disincentive for any waste, misuse or spillage.
2. Motor sport events provide an ongoing financial benefit to regional communities and it is not expected that use of small volumes of fuels which are the subject of these approvals will have a significant effect on the environment or on occupational and public health and safety.



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

26th August 2009



COMMONWEALTH OF AUSTRALIA

Acts Interpretation Act 1901

Subsection 33(3)

VARIATION OF AN APPROVAL GRANTED UNDER SECTION 13 OF THE *FUEL QUALITY STANDARDS ACT 2000*

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*, and having consulted with the Fuel Standards Consultative Committee as required by section 24A of the *Fuel Quality Standards Act 2000* (the Act), hereby vary the approval granted under section 13 of the Act to BP Australia Pty Ltd on 9 January 2009 to add the following regulated persons for the supply of petrol containing lead up to 0.85 g/L until 31 December 2010;

- 1) BP Port Kembla, Cnr Church and Wentworth Streets, PORT KEMBLA, NSW, 2505
- 2) BP Kuraby, 200 Compton Road, KURABY, QLD, 4112
- 3) BP Lawnton, 823 Gympie Road, LAWNTON, QLD, 4501
- 4) BP Underwood, 2806 Logan Road, UNDERWOOD, QLD, 4119
- 5) BP Logan Rd, 3077 Logan Road, UNDERWOOD, QLD, 4119
- 6) BP Boulevarde, Cnr Donald St and Hornybrook Esplanade, WOODY POINT, QLD, 4017
- 7) BP Donald, 104 Woods Street, DONALD, VIC, 3480
- 8) BP Heather Hill, 974 Heatherton Road, SPRINGVALE SOUTH, VIC, 3172

Dated: 26th August 2009

A blue ink signature of Peter Robert Garrett, Minister for the Environment, Heritage and the Arts.

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

**MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS****NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000*
CONCERNING A DECISION UNDER SUBSECTION 33(3) OF THE *ACTS*
INTERPRETATION ACT 1901 TO VARY AN APPROVAL GRANTED UNDER
SECTION 13 OF THE *FUEL QUALITY STANDARDS ACT 2000***

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts provide the following information concerning my decision to vary an approval granted under section 13 of the *Fuel Quality Standards Act 2000* (the Act) pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*.

Name of approval holder

A variation has been granted to BP Australia Pty Ltd (BP) for an approval granted on 9 January 2009 (the Approval). The Approval varies the Fuel Standard (Petrol) Determination 2001 (the Petrol Determination) so that petrol containing lead up to 0.85 g/L will be taken to comply with the lead parameter in the Petrol Determination.

Period of operation

The period of operation of the variation to the Approval is from the date of signing until 31 December 2010.

Details of the approval variation

The purpose of the variation is to add eight regulated persons (as set out in the instrument of variation) to the Approval.

Background

Pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*, I must have regard to the matters set out in section 15 of the Act before deciding whether or not to vary the Approval:

- (a) the protection of the environment
- (b) the protection of occupational and public health and safety
- (c) the interests of consumers and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*, I must also consult, and have regard to the recommendations of, the Fuel Standards Consultative Committee (the Committee) before deciding to vary an approval granted under section 13 of the Act as required by section 24A of the Act. Before signing the instrument granting the variation to

the Approval, I consulted with the Committee and had regard to the recommendations it made in August 2009.

Findings on material questions of fact

(a) The protection of the environment

The addition of eight regulated persons to BP's approval is unlikely to significantly add to the volume of fuel to be supplied under the approval and therefore is unlikely to have any additional effect on the environment.

(b) The protection of occupational and public health and safety

No additional effect on occupational and public health and safety is expected from the addition of eight regulated persons to BP's approval.

(c) The interest of consumers

The addition of eight regulated persons to BP's approval increases the options for fuel supply to consumers.

(d) The impact on economic and regional development

Eight regional companies may benefit from their listing as BP's regulated persons. This may help support employment in regional areas of New South Wales, Queensland and Victoria.

Summary of reasons for variation of the approval

1. The volume of fuel to be supplied under the approval is unlikely to increase with additional regulated persons and therefore no additional effect on the environment is expected.
2. The addition of eight regulated persons to BP's approval provides additional choice to consumers for the supply of this fuel.
3. BP contributes to regional economies in New South Wales, Queensland and Victoria.



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


25 August 2009

**COMMONWEALTH OF AUSTRALIA*****Acts Interpretation Act 1901***

Subsection 33(3)

VARIATION OF AN APPROVAL GRANTED UNDER SECTION 13 OF THE *FUEL QUALITY STANDARDS ACT 2000*

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*, and having consulted with the Fuel Standards Consultative Committee as required by section 24A of the *Fuel Quality Standards Act 2000* (the Act), hereby vary the approval granted under section 13 of the Act to Shell NZ Ltd on 15 December 2008 to add the following regulated persons for the supply of specialist racing fuels until 31 December 2010;

- 1) Colomeran Pty Ltd, 10 Tyson Drive, Pialligo, ACT, 2609.
- 2) Meridian Motorsport Pty Ltd, Factory 7, 1-7 Friars Road, Moorabbin, Victoria, 3189.
- 3) Fuel Control Pty Ltd, 32 Acacia Avenue, Mentone, Victoria, 3194.
- 4) Autobarn Traralgon, 79 Princess Highway, Traralgon, Victoria, 3844.
- 5) Tas Petroleum, 15 Montagu Street, Invermay, Tasmania, 7248.
- 6) Racing Fuels Western Australia, 50 Gordon Road (East), Osborne Park, Perth, Western Australia, 6017.

Dated: 24th August 2009

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

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



MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS

**NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000*
CONCERNING A DECISION UNDER SUBSECTION 33(3) OF THE *ACTS*
INTERPRETATION ACT 1901 TO VARY AN APPROVAL GRANTED UNDER
SECTION 13 OF THE *FUEL QUALITY STANDARDS ACT 2000***

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts provide the following information concerning my decision to vary an approval granted under section 13 of the *Fuel Quality Standards Act 2000* (the Act) pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*.

Name of approval holder

A variation has been granted to Shell NZ Ltd (Shell) for an approval granted on 15 December 2008 (the Approval). The Approval varies the Fuel Standard (Petrol) Determination 2001 (the Petrol Determination) and the Fuel Standard (Automotive Diesel) Determination 2001 (the Diesel Determination) so that specialist racing fuels with content levels as stipulated in the Approval will be taken to comply with the parameters of those components listed in the Petrol and Diesel Determinations.

Period of operation

The period of operation of the variation to the Approval is from the date of signing until 31 December 2010.

Details of the approval variation

The purpose of the variation is to add six regulated persons (as set out in the instrument of variation) to the Approval.

Background

Pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*, I must have regard to the matters set out in section 15 of the Act before deciding whether or not to vary the Approval:

- (a) the protection of the environment
- (b) the protection of occupational and public health and safety
- (c) the interests of consumers and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*, I must also consult, and have regard to the recommendations of, the Fuel Standards Consultative Committee (the

Committee) before deciding to vary an approval granted under section 13 of the Act as required by section 24A of the Act. Before signing the instrument granting the variation to the Approval, I consulted with the Committee and had regard to the recommendations it made in August 2009.

Findings on material questions of fact**(a) The protection of the environment**

The addition of six regulated persons to Shell's approval is unlikely to significantly add to the volume of fuel to be supplied under the approval and therefore is unlikely to have any additional effect on the environment.

(b) The protection of occupational and public health and safety

No additional effect on occupational and public health and safety is expected from the addition of six regulated persons to Shell's approval.

(c) The interest of consumers

The addition of six regulated persons to Shell's approval increases the options for fuel supply to consumers.

(d) The impact on economic and regional development

Six regional companies may benefit from their listing as Shell's regulated persons. This may help support employment in regional areas of the Australian Capital Territory, Tasmania, Victoria and Western Australia.

Summary of reasons for variation of the approval

1. The volume of fuel to be supplied under the approval is unlikely to increase with additional regulated persons and therefore no additional effect on the environment is expected.
2. The addition of six regulated persons to Shell's approval provides additional choice to consumers for the supply of this fuel.
3. Shell contributes to regional economies in the Australian Capital Territory, Tasmania, Victoria and Western Australia.



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

 August 2009

Unique Identifying Number:
EPBC303DC/SFS/2009/XX



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, NIGEL ROUTH, 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* (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 *Abalone Management Plan 1992*, made under the *Western Australian Fish Resources 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 10 September 2014.

Dated this

28th

day of

August

2009

.....

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



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

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

Registered WELS products

Brand Name	Product Type	Family Name / Product Name / Model Reference	Registration Number
AUSBOARD INSPIRE	Tap and tap outlet set	Addition to Family Name: 3 star taps BASIX, BASIX , SONA, SONA	R000624A
AUSBOARD INSPIRE	Showers	Addition to Family Name: 3 star showers PASSU , ZEMU, BASIX, SONA, ZEMU, INSPIRE, MATRIX	R000625A
RENAISSANCE	Tap and tap outlet set	Family Name: Renaissance 5 star Single lever mixer faucets RE 25H, RE 45, RE 57, Re 25, Re 25MH	R001898
RENAISSANCE	Tap and tap outlet set	Family Name: Renaissance 5 Star Combination Faucets RE 10, RE 10 BIB, RE 15 LT, RE 20, RE 50, RE 55, RE 55 ES, RE 55 ES, RE 60, RE 80, Re 40, Re 65XES, re 65, re 70	R001899
STIRLING	Clothes Washing Machine	Family Name: STIRLING XQB90-701CLPS	R001900
BSS	Showers	Addition to Family Name: BSS Shower Systems DMD 919-A Hand Shower	R001876A
FORENO	Tap and tap outlet set	Addition to Family Name: 2 Hole Sink Faucets RSF4, RSF4HT	R001830A
METHVEN	Tap only	Addition to Family Name: METHVEN 4 STAR MIXER TAPS Amio/Rere MT13, Amio/Rere MT17, Amio/Rere MT19, Amio/Rere MT21, Amoi/Rere MT14	R001555C
D.G BATHWARE	Toilet suite	Addition to Family Name: 4 star 560	R001357C

Delegate of the Water Efficiency Labelling and Standards Regulator
09 September 2009

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 NOT REQUIRING APPROVAL (*EPBC Act s.75*)

Reference	Title	Date
2009/5016*	Parks Australia/Commonwealth/Christmas Island, Indian Ocean/Helicopter baiting of exotic yellow crazy ant supercolonies, Christmas Island, Indian Ocean	27-Aug-2009
2009/4971	OneSteel Manufacturing Pty Ltd/Mining/Southern Middleback Ranges/SA/Project Magnet Phase 2	28-Aug-2009
2009/5022	Australia Post/Residential development/North Adelaide/SA/Construction of attached dwellings on land adjoining North Adelaide Post Office and Institute	28-Aug-2009
2009/5023*	Fugro Multi Client Services Pty Ltd/Exploration (mineral, oil and gas - marine)/WA/Zeemeermin MC3D seismic survey, Browse Basin, Offshore WA	28-Aug-2009

* 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

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

Reference	Title	Approval Decision	Date
2009/4757	Department of Infrastructure, Energy and Resources/Transport - land/Between Brighton and Bridgewater/TAS/Brighton Bypass Southern Project - Upgrade of the Midland Highway	Approved with conditions	28-Aug-2009
2009/4762	Department of Infrastructure, Energy and Resources/Transport - land/Brighton to Pontville/TAS/Brighton Bypass, Northern Project	Approved with conditions	28-Aug-2009

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

Reference	Title	Date
2005/1996	R and E Plapp/Urban and commercial new development/South Mission Beach/QLD/Tourist - Residential Development, off Jackey Jackey Street	31-Aug-2009

SUSPENSION OF APPROVAL (*EPBC Act s.144(2A)*)

Reference	Title	Date issued
2003/1179	Starline Australia Holdings/Tourism, recreation and conservation management/False Cape, Cairns/QLD/Reef Cove Resort	27-Aug-2009

LAPSED PROPOSALS (*EPBC Act s.155*)

Reference	Title	Date
2007/3370	Dallis Park Residents' Association/Natural resources management/Murwillumbah/NSW/Relocation of Grey-headed Flying-foxes from Dallis Park	28/08/2009

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.

Finance and Deregulation

AUSTRALIAN ELECTORAL COMMISSION

Pursuant to s58 of the Commonwealth Electoral Act 1918 I have ascertained and set out in the schedule for each State and Territory the number of electors enrolled in each Division as at the date indicated and for each State and the Australian Capital Territory have determined the average divisional enrolment and the extent to which the number of electors enrolled in each Division differs from the average divisional enrolment.

ED KILLESTEYN
Electoral Commissioner

THE SCHEDULE

New South Wales as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
BANKS	93107	0.79
BARTON	92383	0.01
BENNELONG	97144	5.16
BEROWRA	92494	0.13
BLAXLAND	93330	1.03
BRADFELD	94801	2.62
CALARE	88495	-4.19
CHARLTON	91408	-1.04
CHIFLEY	94202	1.98
COOK	93298	1.00
COWPER	93275	0.97
CUNNINGHAM	91989	-0.41
DOBELL	91501	-0.94
EDEN-MONARO	92008	-0.39
FARRER	93433	1.14
FOWLER	90667	-1.84
GILMORE	88012	-4.72
GRAYNDLER	95053	2.90
GREENWAY	90592	-1.92
HUGHES	91949	-0.45
HUME	91928	-0.48
HUNTER	90440	-2.09
KINGSFORD SMITH	98396	6.52
LINDSAY	90471	-2.05
LOWE	88574	-4.11
LYNE	86792	-6.04
MACARTHUR	86054	-6.83
MACKELLAR	93181	0.87
MACQUARIE	95339	3.21
MITCHELL	89981	-2.58
NEWCASTLE	93277	0.97
NEW ENGLAND	92024	-0.37
NORTH SYDNEY	93757	1.49
PAGE	93432	1.14
PARKES	89666	-2.92
PARRAMATTA	97165	5.18
PATERSON	91439	-1.01
PROSPECT	92981	0.65
REID	95733	3.63
RICHMOND	90675	-1.83
RIVERINA	92295	-0.08
ROBERTSON	94358	2.15
SHORTLAND	93359	1.06
SYDNEY	86765	-6.07
THROSBY	89235	-3.39
WARRINGAH	93859	1.60
WATSON	95826	3.73
WENTWORTH	98545	6.68
WERRIWA	91551	-0.88
Totals	4526239 (Average: 92372)	

Victoria as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
ASTON	92990	-1.71
BALLARAT	95889	1.34
BATMAN	88007	-6.98
BENDIGO	98771	4.39
BRUCE	88782	-6.16
CALWELL	99981	5.66
CASEY	91125	-3.69
CHISHOLM	86050	-9.05
CORANGAMITE	98597	4.20
CORIO	90864	-3.96
DEAKIN	87795	-7.21
DUNKLEY	94013	-0.63
FLINDERS	97832	3.39
GELLIBRAND	94807	0.20
GIPPSLAND	96275	1.75
GOLDSTEIN	92905	-1.80
GORTON	109626	15.86
HIGGINS	89212	-5.71
HOLT	105413	11.41
HOTHAM	89263	-5.65
INDI	91832	-2.94
ISAACS	100932	6.67
JAGAJAGA	94412	-0.21
KOORYONG	88771	-6.17
LALOR	109682	15.92
LA TROBE	95127	0.53
MCEWEN	110065	16.32
MCMILLAN	89655	-5.24
MALLEE	90110	-4.76
MARIBYRNONG	88444	-6.52
MELBOURNE	98613	4.22
MELBOURNE PORTS	95646	1.08
MENZIES	90748	-4.08
MURRAY	89772	-5.12
SCULLIN	90400	-4.45
WANNON	91677	-3.10
WILLS	96772	2.27
Totals	3500855 (Average: 94617)	

Queensland as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
BLAIR	93923	1.79
BONNER	91923	-0.37
BOWMAN	91322	-1.02
BRISBANE	91932	-0.36
CAPRICORNIA	94717	2.65
DAWSON	89222	-3.30
DICKSON	92696	0.46
FADDEN	98223	6.45
FAIRFAX	93661	1.50
FISHER	91566	-0.76
FLYNN	89994	-2.46
FORDE	90690	-1.71
GRIFFITH	91663	-0.65
GROOM	92047	-0.24
HERBERT	92032	-0.25
HINKLER	93061	0.85
KENNEDY	93677	1.52
LEICHHARDT	97123	5.25
LILLEY	92126	-0.15
LONGMAN	94170	2.05
MCPHERSON	93355	1.17
MARANOA	88646	-3.92
MONCRIEFF	91156	-1.20
MORETON	89804	-2.67
OXLEY	92475	0.22
PETRIE	91934	-0.36
RANKIN	90365	-2.06
RYAN	91499	-0.83
WIDE BAY	90875	-1.51
Totals	2675877 (Average: 92271)	

Western Australia as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
BRAND	85039	-4.96
CANNING	86800	-3.00
COWAN	87828	-1.85
CURTIN	89940	0.50
DURACK	86633	-3.18
FORREST	87312	-2.42
FREMANTLE	91204	1.92
HASLUCK	92799	3.70
MOORE	90421	1.04
O'CONNOR	93801	4.82
PEARCE	86129	-3.75
PERTH	91544	2.30
STIRLING	90801	1.47
SWAN	90694	1.35
TANGNEY	91330	2.06
Totals	1342275 (Average: 89485)	

South Australia as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
ADELAIDE	96949	-1.40
BARKER	102659	4.40
BOOTHBY	96303	-2.06
GREY	98403	0.07
HINDMARSH	98761	0.43
KINGSTON	99104	0.78
MAKIN	95181	-3.20
MAYO	97630	-0.71
PORT ADELAIDE	101292	3.01
STURT	98300	-0.02
WAKEFIELD	97045	-1.30
Totals	1081627 (Average: 98329)	

Tasmania as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
BASS	70506	-0.19
BRADDON	71466	1.16
DENISON	70725	0.11
FRANKLIN	69317	-1.87
LYONS	71202	0.79
Totals	353216 (Average: 70643)	

Australian Capital Territory as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
CANBERRA	122587	1.79
FRASER	118273	-1.79
Totals	240860 (Average: 120430)	

Northern Territory as at 31 August, 2009

Division	Enrolment	% Deviation from average divisional enrolment
LINGIARI	60507	2.73
SOLOMON	57281	-2.73
Totals	117788 (Average: 58894)	

TOTAL FOR AUSTRALIA 13 838 737

Foreign Affairs and Trade

PURSUANT to sub-section 20(1) of the Nuclear Non-Proliferation (Safeguards) Act 1987 and in accordance with regulation 4 of the Nuclear Non-Proliferation (Safeguards) Regulations, I, GEOFFREY SHAW, Acting Director General, Australian Safeguards and Non-Proliferation Office, Delegate of the Minister for Foreign Affairs, hereby give notice that the following permits or authorities have been granted or varied between 1 January and 30 June 2009.

A. GRANTS OF PERMITS TO POSSESS NUCLEAR MATERIAL (section 13)

Name and Address of Permit Holder	Permit No	Date of Grant	Period of Effect
Lmats Pty Ltd 6 Techno Drive WILLIAMSTOWN VIC 3016	PN199	20-May-09	30-Sep-18

Radiation Safety Services 69-71 Robinson Ave BELMONT WA 6104	PN200	29-Jun-09	30-Sep-18
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B. VARIATIONS TO PERMITS TO POSSESS NUCLEAR MATERIAL

Name and Address of Permit Holder	Permit No	Date of Effect of Permit	Date of Effect of Variation
QANTAS Airways Ltd Building SYDSDC/1 MASCOT NSW 2020	PN005A	23-Jun-06	30-Mar-09
Bureau Veritas Asset Integrity and Reliability Services Australia Pty Ltd 4-8 Mercier Street COBURG VIC 3058	PN025A	05-Sep-06	13-Mar-09
Stork Cooperheat Australia Pty Ltd 3/36 Stoddart Road PROSPECT NSW 2148	PN098A	26-Jun-06	13-Mar-09
Patrick Stevedores Operations Pty Ltd 100 Cherry Lane LAVERTON NORTH VIC 3026	PN119	22-Jul-88	13-Mar-09
P&O Automotive & General Stevedoring Pty Ltd East Arm Wharf DARWIN NT 0800	PN134	14-Jul-89	13-Mar-09
Uranium One Australia Pty Ltd ACN 069 420 462 (as to 51%) and Mitsui & Co. Uranium Australia Pty Ltd ACN133 558 602 (as to 49%) Level 9 11-19 Grenfell Street ADELAIDE SA 5000	PN146	18-Mar-98	13-Feb-09

CSIRO Land and Water Adelaide Laboratory Waite Road URRBRAE SA 5064	PN150	31-Jul-01	13-Mar-09
Project Inspection & Testing Services Pty Ltd (Trading as Aztec Technical Services) Unit 4 7 McCamey Ave ROCKINGHAM SA 6168	PN165	12-Aug-04	13-Mar-09
Macquarie University Building E11A NORTH RYDE NSW 2109	PN186	22-Jun-06	13-Mar-09
Inspections X-Ray & Testing Pty Ltd 17 Duke Street MOUNT ISA QLD 4825	PN187	06-Jul-06	13-Mar-09
BHP Billiton, Stainless Steel Materials, Nickel West, Leinster Nickel Operation PO Box 22 LEINSTER WA 6437	PN188	03-Aug-06	13-Mar-09
Applus RTD Project Services Pty Ltd PO Box 2064 Rockingham Business WA 6967	PN189	23-Aug-06	13-Mar-09
Thales Australia (Mulwala Facility) Bayly Street MULWALA NSW 2647	PN190	05-Sep-06	13-Mar-09
AXS Pty Ltd Unit 7/37 Connors Road PAGET QLD 4740	PN191	27-Sep-06	13-Mar-09
Austpower Engineering Pty Ltd 1/9 Arnhem Close GATESHEAD NSW 2290	PN192	02-Feb-07	13-Mar-09
John Swire & Sons Pty Ltd as Australian Agents for China Navigation Company Ltd, Trading as New Guinea Pacific Line 10 th Floor 10 Spring Street SYDNEY NSW 2000	TN088	19-Dec-02	13-Mar-09

C. REVOCATIONS OF PERMITS TO POSSESS NUCLEAR MATERIAL

Name and Address of Permit Holder	Permit No	Date of Effect of Permit	Date of Effect of Revocation
The Wesley Radiation Oncology Pty 40 Chasley Street AUCHENFLOWER QLD 4066	PN118A	06-Jan-06	29-Jan-09

Dated this 28th day of August 2009.



Geoffrey Shaw
Acting Director General
Delegate of the Minister for Foreign Affairs

Health and Ageing

GAZETTE NOTICE

THERAPEUTIC GOODS ACT 1989

AUSTRALIAN DRUG EVALUATION COMMITTEE

RECOMMENDATIONS

The 265th (2009/4) meeting of the Australian Drug Evaluation Committee (ADEC) (7 August 2009) resolved to advise the Parliamentary Secretary to the Minister for Health and Ageing and the Secretary, Department of Health and Ageing that the following medicines should be approved for registration, subject to the resolution of all outstanding matters to the satisfaction of the Committee and the Therapeutic Goods Administration. These recommendations for approval may be subject to specific conditions.

RESOLUTION 9313

ADEC recommends approval of the submission from AstraZeneca Pty Ltd for candesartan cilexetil & hydrochlorothiazide (ATACAND PLUS) tablets 32/12.5 mg & 32/25 mg for the indication:

The treatment of hypertension. Treatment should not be initiated with these fixed dose combinations.

RESOLUTION 9314

ADEC recommends approval of the submission from sanofi aventis Australia Pty Ltd for the new combination clopidogrel and aspirin film-coated tablet (Co-Plavix, Clopidogrel Winthrop plus Aspirin, Plavasa, Plavix Combi, Duo Plavix (all with strengths included)) 75 mg/ 75 mg & 75 mg/100 mg for the indication:

Tradenname is a fixed-dose combination product intended as continuation of therapy in patients with acute coronary syndrome already initiated with separate clopidogrel and aspirin products:

- *Unstable angina or non-ST elevation myocardial infarction in order to prevent early and long-term atherothrombotic events (myocardial infarction, stroke, vascular death or refractory ischaemia). Tradenname is indicated for the treatment of acute coronary syndrome whether or not patients undergo cardiac revascularisation (surgical or PCI, with or without stent).*
- *ST-segment elevation acute myocardial infarction in order to prevent atherothrombotic events. In this population, tradenname has been shown to reduce the rate of death from any cause and the rate of a combined endpoint of death, re-infarction or stroke in medically treated patients eligible for thrombolytic therapy.*

RESOLUTION 9315

ADEC recommends approval of the submission from BRISTOL-MYERS SQUIBB AUSTRALIA PTY LTD for the new combination clopidogrel and aspirin film-coated tablet (DuoCover, ComCover, Apothecon (all with strengths included)) 75 mg/ 75 mg & 75 mg/100 mg for the indication:

Tradename is a fixed-dose combination product intended as continuation of therapy in patients with acute coronary syndrome already initiated with separate clopidogrel and aspirin products:

- *Unstable angina or non-ST elevation myocardial infarction in order to prevent early and long-term atherothrombotic events (myocardial infarction, stroke, vascular death or refractory ischaemia). Tradename is indicated for the treatment of acute coronary syndrome whether or not patients undergo cardiac revascularisation (surgical or PCI, with or without stent).*
- *ST-segment elevation acute myocardial infarction in order to prevent atherothrombotic events. In this population, tradename has been shown to reduce the rate of death from any cause and the rate of a combined endpoint of death, re-infarction or stroke in medically treated patients eligible for thrombolytic therapy.*

RESOLUTION 9316

ADEC recommends approval of the submission from Novartis Pharmaceuticals Pty Ltd to increase the maximum dose from 30 mg/kg/day to 40 mg/kg/day for deferasirox (EXJADE) dispersible tablets, 125 mg, 250 mg and 500 mg for the indication:

For the treatment of chronic iron overload due to blood transfusions (transfusional haemosiderosis) in adults and paediatric patients 6 years and older.

For the treatment of chronic iron overload in paediatric patients aged 2 to 5 years who are unable to take desferrioxamine therapy or in whom desferrioxamine has proven ineffective.

RESOLUTION 9317

ADEC recommends approval of the submission from GlaxoSmithKline Australia Pty Ltd for the new dose form of topotecan (as hydrochloride) (HYCAMTIN) capsules 0.25 mg and 1 mg for the indication:

Treatment of patients with relapsed small cell lung cancer for whom re-treatment with the first-line regimen is not considered appropriate.

RESOLUTION 9319

ADEC recommends approval of the submission from Roche Products Pty Ltd to extend the indications for rituximab (MABTHERA) injection 100 mg / 10 mL & 500 mg / 50 mL to include the indication:

First-line treatment of patients with CD20 positive chronic lymphocytic leukaemia (CLL) in combination with chemotherapy.

RESOLUTION 9320

ADEC recommends approval of the submission from AstraZeneca Pty Ltd to extend the indications for esomeprazole (as magnesium trihydrate) (NEXIUM) granules for oral suspension 10 mg and tablets 20 mg and 40 mg to include the indication:

Prevention of rebleeding of gastric or duodenal ulcers following treatment with NEXIUM solution given intravenously.

RESOLUTION 9321

ADEC recommends approval of the submission from AstraZeneca Pty Ltd to extend the indications for esomeprazole (as sodium) (NEXIUM) powder for injection 40 mg to include:

- *prevention of rebleeding in patients following therapeutic endoscopy for acute, bleeding gastric or duodenal ulcers;*
- *Short term management in patients requiring continued nonsteroidal anti-inflammatory drug (NSAID) therapy when oral therapy is inappropriate:*
 - *Healing of gastric ulcers associated with NSAID therapy,*
 - *Prevention of gastric and duodenal ulcers associated with NSAID therapy in patients at risk.*

Nexium IV should be replaced with oral acid suppression therapy as soon as practicable.

RESOLUTION 9322

ADEC recommends approval of the submission from Hospira Pty Limited to extend the indications and increase the recommended dose for dexmedetomidine hydrochloride (PRECEDEX) injection 200 microgram / 2 mL, for the indication:

(1) Sedation of initially intubated patients during treatment in an intensive care setting. The use of PRECEDEX by continuous infusion in these patients should not exceed 24 hours.

(2) Sedation of nonintubated patients prior to and/or during surgical and other procedures.

RESOLUTION 9323

ADEC recommends approval of the submission from CSL Limited for immunoglobulin - anti-D Rho (RHOPHYLAC) solution for injection 1500 IU for the indication:

Prevention of Rh sensitisation in Rh(D)-negative females at or below child-bearing age.

Treatment of Rh(D)-negative persons after incompatible transfusions of Rh(D)-positive blood or other products containing red blood cells.

Australian Drug Evaluation Committee

14 August 2009



Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

THERAPEUTIC GOODS ACT 1989

**CANCELLATION OF ENTRIES
FROM THE AUSTRALIAN REGISTER OF THERAPEUTIC GOODS**

I, Larry Kelly, delegate of the Secretary to the Department of Health and Ageing for the purposes of section 41GP of the *Therapeutic Goods Act 1989* (the Act), hereby publish details of the following entry that has been cancelled from the Australian Register of Therapeutic Goods under subsection 41GN(1) of the Act:

Sponsor: ANRO Australia Pty Ltd

ARTG name of goods: Kelocote occlusive dressing

ARTG number: 126474

Date cancelled: 26 August, 2009

Reason: The Secretary is satisfied that the certification, or part of the certification, under section 41FD of the Act in relation to the application for inclusion of a kind of device in the Register is incorrect, or is no longer correct, in a material particular.

Signed by
Larry Kelly
Delegate of the Secretary to the Department of Health and Ageing

31 August, 2009

DH&A REF NO. 761

AUSTRALIAN GOVERNMENT
HEALTH INSURANCE ACT 1973
CLASS ORDER UNDER SUBSECTION 6(1)

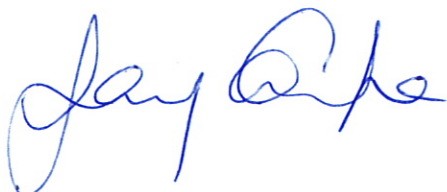
I, JENNIFER CAMPAIN, Delegate of the Minister for Health and Ageing, in accordance with the powers vested in the Minister under sub-section 6(1) for the *Health Insurance Act 1973* (the Act), hereby –

(a) DECLARE that every person included in the following class of persons, being a person who but for this Order would not be an eligible person, shall be treated as an eligible person for the purposes of the Act where:

- (i) the person resides in Australia;
- (ii) the person is, a holder of a valid temporary visa within the meaning of the *Migration Act 1958*;
- (iii) the person has a continuing application for a permanent visa under the *Migration Act 1958*; and
- (iv) another person, being the person's spouse, parent or child is a New Zealand
- (v) citizen who meets the definition of "Australian resident" under the Act; and

(b) DECLARE that this Order shall have effect from 1 September 2009 to 31 December 2014.

Dated this 24th day of August 2009



JENNIFER CAMPAIN
DELEGATE OF THE MINISTER FOR
HEALTH AND AGEING

H&A Ref no. 762

COMMONWEALTH OF AUSTRALIA

HEALTH INSURANCE ACT 1973

ORDER UNDER SUBSECTION 6 (1)

I, JENNIFER CAMPAIN, delegate of the Minister for Health and Ageing, in pursuance of subsection 6 (1) of the *Health Insurance Act 1973* (the Act) hereby

(a) DECLARE that every person included in the specified class of persons:

Australian citizens who have been absent from Australia for a period of no longer than five (5) years from the date of last departure, at which time such person was an Australian resident as defined in the Act,

being a person who but for this Order, would not be an eligible person for the purposes of the Act shall, during any period in which the person is in Australia, be treated as being an eligible person for the purposes of the Act; and

(b) DECLARE that this Order shall have effect from 1 January 2010 to 31 December 2014.

Dated this 24th day of August 2009.



JENNIFER CAMPAIN
DELEGATE OF THE
MINISTER FOR HEALTH AND AGEING



Australian Government
Department of Health and Ageing
Office of the Gene Technology Regulator

2 September 2009

INVITATION TO COMMENT

CONSULTATION RARMP FOR LICENCE APPLICATION DIR 096

FROM BSES LTD

Limited and Controlled Release of Genetically Modified (GM) Sugarcane

Australia's gene technology regulatory system is designed to protect the health and safety of people and the environment by identifying risks posed by, or as a result of, gene technology and managing those risks.

The Gene Technology Regulator is currently assessing Licence Application DIR 096 from BSES Ltd for a limited and controlled release to undertake research with 6,000 lines of sugarcane genetically modified for herbicide tolerance.

The purpose of the trial is to evaluate agronomic properties of the GM sugarcane lines grown under field conditions. Promising lines would be selected for crossing under controlled conditions to non-GM sugarcane cultivars for possible future commercial development (subject to additional approvals). The trial is proposed to take place on six BSES stations in the Queensland shires of Moreton Bay Regional Council, Bundaberg Regional Council, Mackay Regional Council, Burdekin Shire Council and Cairns Regional Council, on a maximum area of 26 ha, between November 2009 and November 2015. The GM sugarcane would not be used for human food or animal feed.

A consultation Risk Assessment and Risk Management Plan (RARMP) has been prepared, which concludes that the proposed release would pose negligible risk to human health and safety or to the environment. A range of licence conditions are proposed, including measures to restrict the release to the size and locations and duration requested by BSES Ltd.

The Regulator welcomes written submissions in order to finalise the RARMP, which will then form the basis of a decision on whether to issue the licence. The consultation RARMP and related documents can be obtained from the website <<http://www.ogtr.gov.au>> under 'What's New' or by contacting the Office. Please quote application DIR 096 in any correspondence.

Submissions should be received by close of business on **14 October 2009**.

Office of the Gene Technology Regulator, MDP 54, GPO BOX 9848 CANBERRA ACT 2601
Telephone: 1800 181 030 Facsimile: 02 6271 4202 E-mail: ogtr@health.gov.au

Infrastructure, Transport, Regional Development and Local Government

Amendment of the National Capital Plan

Draft Amendment 70

Section 87 and Part Sections 83 and 85 Fyshwick and Appendix E

The ACT Planning and Land Authority (ACTPLA) have requested that the National Capital Authority prepare an amendment to the National Capital Plan (the Plan) to change the land use of Section 87 and part Sections 83 and 85 Fyshwick, from Broadacre to Urban Areas to facilitate industrial development on these sites. ACTPLA have also requested an amendment to the Plan in relation to Appendix E *Water Quality Policies* to facilitate National Water Initiative stormwater and reticulation projects in the ACT.

Draft Amendment 70 of the National Capital Plan has been prepared in accordance with sections 15(1) and 23 of the *Australian Capital Territory (Planning and Land Management) Act 1988* and is now available for public inspection and comment. Background information on the proposal is included with the Draft Amendment and is available on the Authority's website www.nationalcapital.gov.au.

The National Capital Authority invites interested people and organisations to provide written comments on Draft Amendment 70 by close of business on Tuesday 20 October 2009 to:

Andrew Smith
A/g Executive Director
National Capital Plan
National Capital Authority
GPO Box 373
CANBERRA ACT 2601
email: draft.amendment@natcap.gov.au

Copies of Draft Amendment 70 are available from:

- www.nationalcapital.gov.au
- **Information Centre**
National Capital Authority
Treasury Building
Ground floor King Edward Terrace
PARKES ACT 2600
between 9am and 5pm Monday to Friday
- **National Capital Exhibition**
Regatta Point
Commonwealth Park
between 9am and 5pm daily

Further information is available by telephone on (02) 6271 2851 Fax (02) 6271 2890 or email draft.amendment@natcap.gov.au

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
TR 2009/5	Income tax: trading stock – treatment of discounts, rebates and other trade incentives offered by sellers to buyers	<p>This Ruling applies to a seller who sells trading stock to a buyer and to a buyer who purchases trading stock from a seller where: trade incentives in the form of discounts, rebates or other incentives are paid by the seller to the buyer in connection with the buyer's purchase of trading stock; or trade incentives or other payments not directly connected with the buyer's purchase of trading stock are paid by the seller to the buyer:</p> <ul style="list-style-type: none"> • in consideration for the buyer providing a service in relation to the trading stock; or • to secure a real commercial benefit for the seller in relation to its brand or the future sale of its goods. <p>This Ruling deals with the application of Division 70 of the <i>Income Tax Assessment Act 1997</i> (ITAA 1997) to trade incentives and the extent to which, and the time at which income is derived for the purposes of section 6-5 of the ITAA 1997 and deductible outgoings or losses are incurred for the purposes of section 8-1 of the ITAA 1997.</p> <p>This Ruling applies to years of income commencing both before and after its date of issue.</p>
CR 2009/47	Income tax: early retirement scheme – Mars Australia Pty Ltd	<p>This Ruling applies to employees of Mars Australia Pty Ltd who receive a payment under the scheme described in this Ruling.</p> <p>This Ruling applies from 9 September 2009 to 30 June 2010.</p>
CR 2009/48	Income tax: Orchard Industrial Property Fund Restructure: Orchard Management Limited and Orchard Industrial Property Fund stapling arrangement	<p>This Ruling applies to unit holders of the Orchard Industrial Property Fund (OIF) who participated in the scheme that is the subject of this Ruling; are Australian residents within the meaning of subsection 6(1) of the <i>Income Tax Assessment Act 1936</i>; and hold their units in OIF on capital account.</p> <p>This Ruling applies from 1 July 2009 to 30 June 2010.</p>
CR 2009/49	Income tax: payments made by National Entitlement Security Trust to members	<p>This Ruling applies to all employee members of the National Entitlement Security Trust (NEST) who, upon satisfying the requirements to receive employee entitlements under the relevant industrial agreement, receive a payment of employee entitlements directly from the Trustee of NEST and the legal personal representatives of deceased employees.</p> <p>This Ruling applies from 1 July 2006 to 30 June 2012.</p>



Commonwealth
of Australia

Gazette

No. S141, Monday, 31 August 2009

Published by the Commonwealth of Australia

SPECIAL

COMMONWEALTH OF AUSTRALIA

TRADE PRACTICES ACT 1974

Consumer Protection Notice No. 18 of 2009

**INVITATION TO REQUEST THE AUSTRALIAN COMPETITION AND
CONSUMER COMMISSION TO HOLD A CONFERENCE IN RELATION
TO A PROPOSED TEMPORARY BAN ON GOODS**

I, CRAIG EMERSON, Minister for Competition Policy and Consumer Affairs, pursuant to section 65C(1) of the Trade Practices Act 1974, **INVITE** any person who supplied or proposes to supply goods of a kind specified in the draft notice shown below to notify the Australian Competition and Consumer Commission in writing at the address shown below within the period of 10 days commencing on the day on which this notice is published or within such a longer period as the Commission allows, whether that person wishes the Commission to hold a conference in relation to the publication, under section 65C(5) of the *Trade Practices Act 1974*, of the Notice.

DRAFT NOTICE

“COMMONWEALTH OF AUSTRALIA**TRADE PRACTICES ACT 1974**

Consumer Protection Notice No. 19 of 2009

TEMPORARY BAN ON GOODS

I, CRAIG EMERSON, Minister for Competition Policy and Consumer Affairs,
pursuant to section 65C(5) of the *Trade Practices Act 1974* **IMPOSE** a temporary
ban on goods of a kind specified below.

Particulars of goods:

‘Sky Lanterns’. A Sky Lantern is essentially a miniature, unmanned hot air balloon
that relies on an open flame as a heat source to heat the air inside the lantern with the
intention of causing it to lift into the atmosphere.

Dated this day of 2009

CRAIG EMERSON

Minister for Competition Policy and Consumer Affairs”

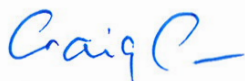
Summary of reasons for publication:

Potential risk of uncontrolled fire due to the possibility of open flame contacting
combustible material, particularly in bush fire prone areas.

Address for notification to the Australian Competition and Consumer Commission:

The General Manager
Product Safety Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dated this 28th day of August 2009



CRAIG EMERSON

Minister for Competition Policy and Consumer Affairs



Commonwealth
of Australia

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No. S142, Wednesday, 2 September 2009

Published by the Commonwealth of Australia

SPECIAL



PROCLAMATION

WHEREAS Her Majesty Queen Elizabeth the Second, by Commission under Her Royal Sign Manual and the Great Seal of Australia dated 20 May 2003 appointed me, Professor Marie Bashir, Companion of the Order of Australia, Commander of the Royal Victorian Order, Governor of the State of New South Wales, to administer the Government of the Commonwealth of Australia in the event of the absence out of Australia or the death, incapacity or removal of the Governor-General for the time being, or in the event of the Governor-General having temporarily absented herself from office for any reason:

And whereas the Governor-General is from today absent out of Australia:

Now let it be known that, having taken the prescribed oaths, I have this day assumed the administration of the Government of the Commonwealth of Australia.

Signed and sealed with the
Great Seal of Australia
on



Administrator

30/8/2009

By Her Excellency's Command

Prime Minister



Australian Government
Attorney General's Department

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Canberra	CanPrint Communications 16 Nyrang Street, Fyshwick ACT 2609	1300 889 873	(02) 6293 8388
Hobart	Printing Authority of Tasmania 123 Collins Street, Hobart TAS 7000	1800 030 940	(03) 6216 4294
Melbourne	Information Victoria 505 Little Collins Street, Melbourne VIC 3000	1300 366 356	(03) 9603 9940
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