



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

ADELAIDE, THURSDAY, 18 NOVEMBER 1999

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GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to Riverside 2000 so as to be **received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: govgaz@riv.ssa.sa.gov.au**. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

Department of the Premier and Cabinet
Adelaide, 18 November 1999

HIS Excellency the Governor directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 64 of 1999—An Act to provide for the implementation of new legislation relating to the system of local government in the State by the repeal or amendment of certain legislation and the enactment of transitional provisions; and for other purposes.

No. 65 of 1999—An Act to amend the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

No. 66 of 1999—An Act to amend the Magistrates Court Act 1991 and the Supreme Court Act 1935.

No. 67 of 1999—An Act to amend the Motor Vehicles Act 1959.

No. 68 of 1999—An Act to amend the Highways Act 1926.

No. 69 of 1999—An Act to amend the Office for the Ageing Act 1995.

By command,

IAIN EVANS, for Premier

AGRICULTURAL CHEMICALS ACT 1955 SECTION 4(3)
AND (4): APPLICATION OF SECTIONS 11A, 11B AND 11C

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 4(3) and (4) of the *Agricultural Chemicals Act 1955* and with the advice and consent of the Executive Council, I vary the proclamation made under section 4(3) of the Act on 22 December 1988 (see *Gazette* 22 December 1988 p. 2095), as varied—

(a) by striking out "those specified in the schedule" and substituting "agricultural chemicals that contain, as an active constituent, any of the substances listed in the Schedule";

(b) by striking out from the Schedule "Agricultural chemicals containing zinc phosphide";

(c) by inserting in the Schedule in the appropriate alphabetical order the following items:

Endosulphan
Ethylene Dibromide
Mevinphos
Zinc phosphide.

Given under my hand and the Public Seal of South Australia at Adelaide, 18 November 1999.

By command,

IAIN EVANS, for Premier

MPNR49/99CS

STATUTES AMENDMENT (FINE ENFORCEMENT) ACT
1998 (Act No. 60 of 1998): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 6 March 2000 as the day on which the *Statutes Amendment (Fine Enforcement) Act 1998* will come into operation.

Given under my hand and the Public Seal of South Australia at Adelaide, 18 November 1999.

By command,

IAIN EVANS, for Premier

AG 49/99 CS

NATIONAL PARKS AND WILDLIFE ACT 1972 SECTION
45B(3): VARIATION OF PROCLAMATION—MARTINDALE
HALL CONSERVATION TRUST

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 45B(3) of the *National Parks and Wildlife Act 1972* and with the advice and consent of the Executive Council, I vary the proclamation establishing the Martindale Hall Conservation Trust (see *Gazette* 5 December 1991 p. 1668) as follows:

(a) by striking out "appointed by the Governor" twice occurring and substituting, in each case, "appointed by the Minister";

(b) by striking out "The Governor may remove" and substituting "The Minister may remove";

(c) by striking out "is removed from office by the Governor" and substituting "is removed from office by the Minister".

Given under my hand and the Public Seal of South Australia at Adelaide, 18 November 1999.

By command,

IAIN EVANS, for Premier

MEH 75/99 CS

Department of the Premier and Cabinet
Adelaide, 18 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Patawalonga Catchment Water Management Board, pursuant to the provisions of the Water Resources Act 1997:

Member: (from 18 November 1999 until 17 November 2003)

Colin Haines
Richard Stephen Crabb
John David Phillips
Helen Watts
Nura Redzepagic

By command,

IAIN EVANS, for Premier

MEH 68/99CS

Department of the Premier and Cabinet
Adelaide, 18 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Water Resources Council, pursuant to the provisions of the Water Resources Act 1997:

Member: (from 18 November 1999 until 17 November 2003)

Raymond Clarence Williams
Peter George Cooper

By command,

IAIN EVANS, for Premier

MEH 71/99CS

Department of the Premier and Cabinet
Adelaide, 18 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Motor Sport Board, pursuant to the provisions of the South Australian Motor Sport Act 1984:

Member: (from 18 November 1999 until 31 December 2001)
Peter Valdemar Hansen

By command,

IAIN EVANS, for Premier

DPC 050/99CS

Department of the Premier and Cabinet
Adelaide, 18 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Dairy Authority of South Australia, pursuant to the provisions of the Dairy Industry Act 1992:

Member: (from 18 November 1999 until 17 November 2001)

Robert Kenneth John Barker
Valerie Anne Monaghan
Kenneth Smith

Chairperson: (from 18 November 1999 until 17 November 2001)

Robert Kenneth John Barker

By command,

IAIN EVANS, for Premier

MPNR 062/99CS

Department of the Premier and Cabinet
Adelaide, 18 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Guardianship Board, pursuant to the provisions of the Guardianship and Administration Act 1993:

President: (from 18 November 1999 until 17 November 2004)

Ian Laurie Shepherd

By command,

IAIN EVANS, for Premier

DHS 38/99CS

EQUAL OPPORTUNITY TRIBUNAL

No. 309 of 1999

NOTICE OF EXEMPTION

Before Deputy Presiding Officer Trenorden, Members Heylen and Krummins

I HEREBY certify that on Thursday, 14 October 1999, the Equal Opportunity Tribunal of South Australia, on the application of City of Playford, made the following orders for exemption:

1. The City of Playford is granted an exemption from the provisions of section 52 (1) (a) of the Equal Opportunity Act 1984, in relation to discrimination on the grounds of race to enable it to employ a person of Aboriginal or Torres Strait Islander descent in the 0.6 position of Indigenous Community Development Officer.

2. The exemption is to apply for the period commencing Friday, 5 November 1999, and ending Friday, 30 June 2000.

3. The City of Playford is to indicate in any advertisement seeking an employee for this position that this exemption order has been granted.

4. Notice of this exemption hereby is to be published forthwith in the *Government Gazette* in accordance with the provisions of section 92 of the Equal Opportunity Act 1984.

Dated 5 November 1999.

D. HOBAN, Acting Registrar, Equal Opportunity Tribunal

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00028
(PREVIOUS LICENCE NO. F525)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural

Resources and Regional Development ('the Minister') hereby grants to:

S. E. & D. K. Evans Pty Ltd (No Survivorship)
Main Road
Smoky Bay, S.A. 5680,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. Site Inspection and Supervision

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. Fees and Returns

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
 - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
 - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 15.4.2 an order is made for the winding up or liquidation of the licensee;
 - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
 - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
 - 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
 - 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
 - 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;

- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:

- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
- but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 12 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of S. E. & D. K. Evans Pty Ltd was hereunto affixed in the presence of:

(L.S.) S. E. EVANS, Director
D. K. EVANS, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
396636E 6416467N	9
396978E 6416554N	
397079E 6416319N	
396738E 6416229N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

*Item 3—Stocking Rates**Oysters*

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC levy per hectare 9 at \$12.50 each.....	112.50
EMP fee per hectare 9 at \$22.96 each.....	206.64
Base Licence Fee per hectare 9 at \$57 each.....	513.00
SASQAP (Classified Area) per hectare 9 at \$60 each.....	540.00
Total Annual Licence Fee.....	1 372.14
Quarterly instalments.....	343.04

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.

13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise S. E. & D. K. Evans Pty Ltd (No Survivorship), Main Road, Smoky Bay, S.A. 5680 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00028, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine Mollusc Farming Licence Number FM00028, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
396636E 6416467N	9
396978E 6416554N	
397079E 6416319N	
396738E 6416229N	

*Item 2—Structures to be installed**Longlines*

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise S. E. & D. K. Evans Pty Ltd (No Survivorship), Main Road, Smoky Bay, S.A. 5680 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00028.

SCHEDULE 1

The importation and release of Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
396636E 6416467N	9
396978E 6416554N	
397079E 6416319N	
396738E 6416229N	

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00038
(PREVIOUS LICENCE NO. F563)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Oyster Farmers Coffin Bay Pty Ltd (12164)
33 Light Street
Cummins, S.A. 5631,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. Site Inspection and Supervision

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. Fees and Returns

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
 - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
 - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 15.4.2 an order is made for the winding up or liquidation of the licensee;
 - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
 - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or

15.5 if the licensee is an individual, the licensee:

15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or

15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.

- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
 - 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
 - 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
 - 21.1.3 deemed to be duly served or made in the following circumstances:
 - (a) if delivered, upon delivery;
 - (b) if sending by mail, upon posting;
 - (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
 but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.
- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 12 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of Oyster Farmers Coffin Bay Pty Ltd was hereunto affixed in the presence of:

(L.S.) L. HAARSMA, Director
J. HAARSMA, Witness

SCHEDULE 1
Item 1—The Site

Area applicable to this licence:	
Licensed Area	Licensed Hectares
AGD 66—Zone 53	
543300E 6168725N	4
543475E 6168750N	
543575E 6168650N	
543400E 6168550N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.

- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.

or

- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1 ~~3/4~~ Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

Item 2 ~~3/4~~ Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3 ~~3/4~~ Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC levy per hectare 4 at \$12.50 each	50.00
EMP fee per hectare 4 at \$22.96 each.....	91.84
Base Licence Fee per hectare 4 at \$57 each.....	228.00
SASQAP (Classified Area) per hectare 4 at \$60 each	240.00
Total Annual Licence Fee.....	609.84
Quarterly instalments	152.46

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise Oyster Farmers Coffin Bay Pty Ltd, 33 Light Street, Cummins, S.A. 5631 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00038, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine Mollusc Farming Licence Number FM00038, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
543300E 6168725N	4
543475E 6168750N	
543575E 6168650N	
543400E 6168550N	

*Item 2—Structures to be installed**Longlines*

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Oyster Farmers Coffin Bay Pty Ltd, 33 Light Street Cummins, S.A. 5631 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00038.

SCHEDULE 1

The importation and release of Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
543300E 6168725N	4
543475E 6168750N	
543575E 6168650N	
543400E 6168550N	

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00051
(PREVIOUS LICENCE NO. F587)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

William J. Stenson (11942)
Post Office
Wangary, S.A. 5607,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. *Site Inspection and Supervision*

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. *Fees and Returns*

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. *Compliance With Relevant Laws*

9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;

9.2 in particular, without derogating from the general requirement under condition 9 of this licence:

9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and

9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. *Public Risk Liability*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. *Release*

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. *Public Risk Insurance*

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. *Guarantee or Indemnity Scheme*

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. *No Assignment*

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. *Default by Licensee and Termination*

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
 - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 15.4.2 an order is made for the winding up or liquidation of the licensee;
 - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
 - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
 - 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
 - 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
 - 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. *Interpretation*

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;

16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and

16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. *Delegation*

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. *Severance*

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. *Modification*

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. *Waiver*

20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.

20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.

20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. *Notices*

21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:

21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

21.1.3 deemed to be duly served or made in the following circumstances:

- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 2 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said B. STENSON

In the presence of: J. STENSON, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
537551E 6172785N	5
537664E 6172886N	
537882E 6172641N	
537770E 6172539N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
 - (2) Posts to be not less than 125 mm in diameter.
 - (3) Posts and crosses to be painted yellow.
 - (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
 - (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
 - (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
 - (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
 - (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

- Native Oysters (*Ostrea angasi*)
- Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

FRDC levy per hectare 5 at \$12.50 each	\$ 62.50
EMP fee per hectare 5 at \$22.96 each	114.80
Base Licence Fee per hectare 5 at \$57 each	285.00
SASQAP (Classified Area) per hectare 5 at \$60 each	300.00
Total Annual Licence Fee	762.30

Quarterly instalments 190.58

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise William J. Stenson, P.O. Wangary, S.A. 5607 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00051, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine

Mollusc Farming Licence Number FM00051, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
537551E 6172785N	5
537664E 6172886N	
537882E 6172641N	
537770E 6172539N	

Item 2—Structures to be installed

Longlines

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 2 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise William J. Stenson, P.O. Wangary, S.A. 5607 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00051.

SCHEDULE 1

The importation and release of Native Oysters, (*Ostrea angasi*) and Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
537551E 6172785N	5
537664E 6172886N	
537882E 6172641N	
537770E 6172539N	

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 2 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00105
(PREVIOUS LICENCE NO. F781)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Roger C. Vince (12220)
Port Vincent Road
Stansbury, S.A. 5582,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;

- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. *Site Inspection and Supervision*

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. *Fees and Returns*

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. *Compliance With Relevant Laws*

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
 - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. *Public Risk Liability*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. *Release*

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. *Public Risk Insurance*

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2

of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. *Guarantee or Indemnity Scheme*

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. *No Assignment*

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. *Default by Licensee and Termination*

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
 - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 15.4.2 an order is made for the winding up or liquidation of the licensee;
 - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
 - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
 - 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
 - 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
 - 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
 - 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
 - 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

21.1.3 deemed to be duly served or made in the following circumstances:

- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

22. SASQAP

22.1 The licensee:

- 22.1.1 must submit to the Manager, South Australian Shellfish Quality Assurance Program ('SASQAP') for testing such sample as the Manager, SASQAP requires of the fish farmed at the site and specified in Item 1.1 of Schedule 2;
- 22.1.2 must comply with all reasonable requirements of the Manager, SASQAP in relation to such testing; and
- 22.1.3 must obtain the written consent of the Manager, SASQAP, prior to making any of the fish farmed at the site and specified in Item 1.1 of Schedule 2, available for human consumption.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 12 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said R. C. VINCE

In the presence of: R. J. ANDERSON, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
755741E 6135998N	10
755941E 6135972N	
755858E 6135484N	
755657E 6135508N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.

or

- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.

- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

BST Longlines Racks

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC levy per hectare 10 at \$12.50 each.....	125.00
EMP fee per hectare 10 at \$22.96 each.....	229.60
Base Licence Fee per hectare 10 at \$57 each.....	570.00
SASQAP (Classified Area) per hectare 10 at \$60 each.....	600.00
Total Annual Licence Fee	1 524.60
Quarterly instalments.....	381.15

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- 1. Name of licensee.
- 2. Address of licensee.
- 3. Species of fish farmed and held on the site.
- 4. Location of aquaculture operation.
- 5. Period covered by return.

- 6. Number of life stage of each species of fish held.
- 7. Number, weight and value of each species of fish held.
- 8. Details of any disease detected in any fish kept.
- 9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
- 10. If any fish were brought into the state, the number of fish and the life stage of the fish.
- 11. If fish were brought into the state, the purpose for which they were brought in.
- 12. Method of disposal of water and packaging use for transporting the fish.
- 13. If any disease or symptom of disease occurred in the acquired fish.
- 14. Method of disposal of diseased or dead fish and the number disposed of.
- 15. Signature, date and telephone number.
- 16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise Roger C. Vince, Port Vincent Road, Stansbury, S.A. 5582 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00105, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine Mollusc Farming Licence Number FM00105, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
755741E 6135998N	10
755941E 6135972N	
755858E 6135484N	
755657E 6135508N	

Item 2—Structures to be installed

BST Longlines Racks

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Roger C. Vince, Port Vincent Road, Stansbury, S.A. 5582 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00105

SCHEDULE 1

The importation and release of Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
755741E 6135998N	10
755941E 6135972N	
755858E 6135484N	
755657E 6135508N	

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00144
(PREVIOUS LICENCE NO. F825)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Oyster Farmers Coffin Bay Pty Ltd (12164)
33 Light Street
Cummins, S.A. 5631,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. Site Inspection and Supervision

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. Fees and Returns

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
 - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the

waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or

15.4 if the licensee is a body corporate, any of the following occur:

- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or

15.5 if the licensee is an individual, the licensee:

- 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the

Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:
- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
- but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.
- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 12 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of Oyster Farmers Coffin Bay Pty Ltd was hereunto affixed in the presence of:

(L.S.) L HAARSMA
J. HAARSMA, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
532887E 6175889N	1
532958E 6175818N	
533029E 6175889N	
532958E 6175959N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1 ~~3~~ Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Native Oysters (*Ostrea angasi*)
Pacific Oysters (*Crassostrea gigas*)

Item 2 ~~3~~ Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 1 at \$12.50 each.....	12.50
EMP Fee per hectare 1 at \$22.96 each.....	22.96
Base Licence Fee per hectare 1 at \$57 each.....	57.00
SASQAP (Classified Area) per hectare 1 at \$60 each.	60.00
Total Annual Licence Fee	152.46
Quarterly Instalments.....	38.12

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise Oyster Farmers Coffin Bay Pty Ltd, 33 Light Street, Cummins, S.A. 5631 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00144, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine Mollusc Farming Licence Number FM00144, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area

AGD 66—Zone 53

532887E	6175889N
532958E	6175818N
533029E	6175889N
532958E	6175959N

Item 2—Structures to be installed

Longlines

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Oyster Farmers Coffin Bay Pty Ltd, 33 Light Street, Cummins, S.A. 5631 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00144.

SCHEDULE 1

The importation and release of Native Oysters, (*Ostrea angasi*) and Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area

AGD 66—Zone 53

532887E	6175889N
532958E	6175818N
533029E	6175889N
532958E	6175959N

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00147
(PREVIOUS LICENCE NO. F828)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Oyster Farmers Coffin Bay Pty Ltd (12164)
33 Light Street
Cummins, S.A. 5631,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. Site Inspection and Supervision

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. Fees and Returns

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
 - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. *No Assignment*

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. *Default by Licensee and Termination*

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
 - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 15.4.2 an order is made for the winding up or liquidation of the licensee;
 - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
 - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
 - 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
 - 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
 - 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. *Interpretation*

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;

16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;

16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;

16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;

16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and

16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. *Delegation*

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. *Severance*

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. *Modification*

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. *Waiver*

20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.

20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.

20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. *Notices*

21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:

21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;

21.1.3 deemed to be duly served or made in the following circumstances:

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

(c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,

but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 12 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

The Common Seal of Oyster Farmers Coffin Bay Pty Ltd was hereunto affixed in the presence of:

(L.S.) L. HAARSMA, Director
J. HAARSMA, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531652E 6177672N	2
531752E 617779N	
531752E 6177926N	
531652E 6177926N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC levy per hectare 2 at \$12.50 each	25.00
EMP fee per hectare 2 at \$22.96 each	45.92
Base Licence Fee per hectare 2 at \$57 each	114.00
SASQAP (Classified Area) per hectare 2 at \$60 each	120.00

Total Annual Licence Fee..... **304.92**

Quarterly instalments..... 76.23

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- Name of licensee.
- Address of licensee.
- Species of fish farmed and held on the site.
- Location of aquaculture operation.
- Period covered by return.
- Number of life stage of each species of fish held.
- Number, weight and value of each species of fish held.
- Details of any disease detected in any fish kept.
- Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
- If any fish were brought into the state, the number of fish and the life stage of the fish.
- If fish were brought into the state, the purpose for which they were brought in.
- Method of disposal of water and packaging use for transporting the fish.
- If any disease or symptom of disease occurred in the acquired fish.
- Method of disposal of diseased or dead fish and the number disposed of.
- Signature, date and telephone number.
- Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise Oyster Farmers Coffin Bay Pty Ltd, 33 Light Street, Cummins, S.A. 5631 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00147, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or

earlier termination of Marine Mollusc Farming Licence Number FM00147, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531652E 6177672N	2
531752E 6177779N	
531752E 6177926N	
531652E 6177926N	

Item 2—Structures to be installed

Longlines

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Oyster Farmers Coffin Bay Pty Ltd, 33 Light Street Cummins, S.A. 5631 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00147.

SCHEDULE 1

The importation and release of Native Oysters, (*Ostrea angasi*) and Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531652E 6177672N	2
531752E 6177779N	
531752E 6177926N	
531652E 6177926N	

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00150
(PREVIOUS LICENCE NO. F832)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in

Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

William J. Stenson (11942)
Post Office
Wangary, S.A. 5607,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. Site Inspection and Supervision

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. Fees and Returns

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
- 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
- 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
- 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 15.5.2 is convicted of an indictable offence.
- Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.

- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:
- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
- but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.

- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 2 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said B. STENSON

In the presence of: J. STENSON, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531532E 6177543N	2
531632E 6177651N	
531632E 6177797N	
531532E 6177797N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.

or

- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Size (mm)	Oysters Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC levy per hectare 2 at \$12.50 each.....	25.00
EMP fee per hectare 2 at \$22.96 each.....	45.92
Base Licence Fee per hectare 2 at \$57 each.....	114.00
SASQAP (Classified Area) per hectare 2 at \$60 each.....	120.00
Total Annual Licence Fee	304.92
Quarterly instalments.....	76.23

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.

5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise William J. Stenson, P.O. Wangary, S.A. 5607 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00150 (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine Mollusc Farming Licence Number FM00150, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531532E 6177543N	2
531632E 6177651N	
531632E 6177797N	
531532E 6177797N	

Item 2—Structures to be installed

Longlines

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 2 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise William J. Stenson, P.O. Wangary, S.A. 5607 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00150.

SCHEDULE 1

The importation and release of Native Oysters, (*Ostrea angasi*) and Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531532E 6177543N	2
531632E 6177651N	
531632E 6177797N	
531532E 6177797N	

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 2 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00155
(PREVIOUS LICENCE NO. F839)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

William J. Stenson (11942)
Post Office
Wangary, S.A. 5607,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. Marked-off Areas

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. Permitted Species

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. Permitted Use

The licensee must not use the site for any purpose other than the permitted use.

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. Site Inspection and Supervision

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. Fees and Returns

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:

- 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
- 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. Public Risk Liability

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default

pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
- 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. *Delegation*

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. *Severance*

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. *Modification*

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. *Waiver*

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. *Notices*

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
- 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:
- (a) if delivered, upon delivery;
- (b) if sending by mail, upon posting;
- (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
- but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.
- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 2 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said B. STENSON

In the presence of: J. STENSON, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
532633E 6176143N	1
532703E 6176073N	
532774E 6176143N	
532703E 6176214N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.
- or
- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1 ~~3/4~~ Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

Item 2 ~~3/4~~ Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

<i>Oysters</i>	
Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC levy per hectare 1 at \$12.50 each.....	12.50
EMP fee per hectare 1 at \$22.96 each.....	22.96
Base Licence Fee per hectare 1 at \$57 each.....	57.00
SASQAP (Classified Area) per hectare 1 at \$60 each.....	60.00
Total Annual Licence Fee	152.46
Quarterly instalments.....	38.12

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

1. Name of licensee.
2. Address of licensee.
3. Species of fish farmed and held on the site.
4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
532633E 6176143N	1
532703E 6176073N	
532774E 6176143N	
532703E 6176214N	

*Item 2—Structures to be installed**Longlines*

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 2 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise William J. Stenson, P.O. Wangary, S.A. 5607 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00155.

SCHEDULE 1

The importation and release of Native Oysters, (*Ostrea angasi*) and Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectare
AGD 66—Zone 53	
532633E 6176143N	1
532703E 6176073N	
532774E 6176143N	
532703E 6176214N	

SCHEDULE 2

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 2 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise William J. Stenson, P.O. Wangary, S.A. 5607 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00155, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine Mollusc Farming Licence Number FM00155, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00167
(PREVIOUS LICENCE NO. F778)

Licence to Farm Fish under section 53 of the Fisheries Act 1982

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Roger C. Vince (12220)
Pt Vincent Road
Stansbury, S.A. 5582,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1999 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and
- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site is that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

3. *Permitted Species*

The licensee:

- 3.1 must not farm or introduce any species at the site other than the permitted species; and
- 3.2 must not take any wild fish from the site except for recreational purposes.

4. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;

- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. *Site Inspection and Supervision*

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. *Fees and Returns*

The licensee:

- 8.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. *Compliance With Relevant Laws*

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 9.2 in particular, without derogating from the general requirement under condition 9 of this licence:
 - 9.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
 - 9.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

10. *Public Risk Liability*

The licensee must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

11. *Release*

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

- 13.1 provide a guarantee from its bankers; or
- 13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

14. No Assignment

The licensee acknowledges that this licence is personal and it must not assign or sublet or deal in any other way with any interest in this licence.

15. Default by Licensee and Termination

The Minister may terminate this licence immediately by notice in writing served on the licensee if:

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or
- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
 - 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
 - 15.4.2 an order is made for the winding up or liquidation of the licensee;
 - 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
 - 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
 - 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
 - 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other

form of composition for the benefit of the licensee's creditors; or

15.5.2 is convicted of an indictable offence.

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 16.5 the captions, headings, section numbers and clause numbers appearing in this licence are inserted only as a matter of convenience and in no way affect the construction of this licence;
- 16.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 16.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 16.8 time is of the essence in respect of any obligation relating to time in this licence.

17. Delegation

Any consent, notice, any consultation or any other thing which is pursuant to the terms of this licence either required to be given, done or performed or which may be given, done or performed by the Minister may for the purposes of this licence be properly given, done or performed by any duly authorised agent or employee of the Minister.

18. Severance

If any term or condition of this licence should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed from this licence without affecting the validity or enforceability of the remainder of this licence.

19. Modification

No variation of or addition to any provision of this licence shall be binding upon the Minister and the licensee unless such variation or addition is made in writing, signed by both the Minister and the licensee and expressed to be either supplemental to or in substitution for the whole or a part of this licence.

20. Waiver

- 20.1 A waiver of any provision of this licence by the Minister must both be in writing and be signed by the Minister or by persons duly authorised to execute such a document on the Minister's part.
- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

- 21.1 Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:
 - 21.1.1 in writing addressed to the Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the

- licensee set out above (in the case of the licensee);
- 21.1.2 signed by or on behalf of the sender or by a person duly authorised in that regard by the sender;
- 21.1.3 deemed to be duly served or made in the following circumstances:
 - (a) if delivered, upon delivery;
 - (b) if sending by mail, upon posting;
 - (c) if sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number,
 but if delivery is not made before 5 p.m. on any day it shall be deemed to be received at 9 a.m. on the next day in that place.
- 21.2 The Minister and the licensee may each vary their address or facsimile number at any time by written notice.

22. SASQAP

- 22.1 The licensee:
 - 22.1.1 must submit to the Manager, South Australian Shellfish Quality Assurance Program ('SASQAP') for testing such sample as the Manager, SASQAP requires of the fish farmed at the site and specified in Item 1.1 of Schedule 2;
 - 22.1.2 must comply with all reasonable requirements of the Manager, SASQAP in relation to such testing; and
 - 22.1.3 must obtain the written consent of the Manager, SASQAP, prior to making any of the fish farmed at the site and specified in Item 1.1 of Schedule 2, available for human consumption.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 12 November 1999.

G. R. MORGAN, Director of Fisheries

The licensee hereby acknowledges and agrees to the terms and conditions of this licence.

Signed by the said R. C. VINCE

In the presence of: R. J. ANDERSON, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
759157E 6134532N	2.5
759074E 6134455N	
758863E 6134548N	
758951E 6134619N	

All structures, equipment, buoys and flotations (except for that required by the Department for Transport, Urban Planning and the Arts) must be black, dark grey, dark blue, dark brown, or dark green coloured materials.

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.
- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.

or

- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (3) All buoys, posts, crosses and markers must be maintained in good condition.

When the site is in navigable water and possible danger to navigation, lights must be placed on the top of each St Andrews cross that is located at each corner of the site and these lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.

Item 2—Marked-Off Areas

[Co-ordinates of developed areas within the site to be provided by the licensee.]

White buoys of at least 12 inches in diameter must be placed around the whole of the perimeter of the developed areas within the site at a distance of no less than 50 m from one another.

SCHEDULE 2

Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

The Director of Fisheries has, pursuant to section 48G (2) of the Act, issued a permit to disturb the seabed for the purpose of installing the structures specified in this Schedule.

Longlines

Each unit must not exceed 100 m in length and 2 m in width, and each unit must be at least 6 m from any other unit.

Item 3—Stocking Rates

Oysters

Size (mm)	Number per Hectare
3	2 500 000
10	1 600 000
20	1 100 000
30	750 000
40	500 000
50	350 000
60	200 000
70	150 000
80	100 000

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 2.50 at \$12.50 each.....	31.50
EMP Fee per hectare 2.50 at \$22.96 each.....	57.40
Base Licence Fee per hectare 2.50 at \$57 each.....	142.50
SASQAP (classified area) per hectare, 2.50 at \$60 each.....	150.00
Total Annual Licence Fee.....	381.15
Quarterly Instalments.....	95.29

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o Director of Fisheries, PIRSA, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- 1. Name of licensee.
- 2. Address of licensee.
- 3. Species of fish farmed and held on the site.

4. Location of aquaculture operation.
5. Period covered by return.
6. Number of life stage of each species of fish held.
7. Number, weight and value of each species of fish held.
8. Details of any disease detected in any fish kept.
9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
10. If any fish were brought into the state, the number of fish and the life stage of the fish.
11. If fish were brought into the state, the purpose for which they were brought in.
12. Method of disposal of water and packaging use for transporting the fish.
13. If any disease or symptom of disease occurred in the acquired fish.
14. Method of disposal of diseased or dead fish and the number disposed of.
15. Signature, date and telephone number.
16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.

2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.

3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.

4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.

5. The permit holder must retain the copy of this permit which has been supplied by the Director of Fisheries, and if requested by a Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise Roger C. Vince, Port Vincent Road, Stansbury, S.A. 5582 (hereinafter referred to as the 'permit holder') to disturb the seabed of the site specified in Item 1 of the Schedule for the purpose only of installing the structures specified in Item 2 of the Schedule in accordance with Marine Mollusc Farming Licence Number FM00167, (such structures not to be installed on the seabed itself) for the period commencing 1 July 1999 and ending upon the expiration or earlier termination of Marine Mollusc Farming Licence Number FM00167, issued pursuant to section 53 of the Fisheries Act 1982.

SCHEDULE 1

Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
759157E 6134532N	2.5
759074E 6134455N	
758863E 6134548N	
758951E 6134619N	

Item 2—Structures to be installed

Longlines

Each unit must not exceed 100 m in length and 2 m in width and each unit must be at least 6 m from any other unit.

Dated 12 November 1999.

G. R. MORGAN, Director of Fisheries

GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice of Intention to Assign Boundaries and Names to Places

NOTICE is hereby given pursuant to the provisions of the above Act that the Surveyor-General proposes to assign the names Rockleigh, Tepko, Caloote, Wall, Woodlane, Ettrick, Pallamana, Mypolonga, Sunnyside, Burdett, Monarto, Calling-ton, Murray Bridge North, Toora, Murrawong, Chapman Bore, Rocky Gully, Northern Heights, Mobilong, Avoca Dell, Riverglades, Murray Bridge East, Monarto South, White Hill, Murray Bridge, Long Flat, Gifford Hill, Murray Bridge South, Swanport, Riverglen, Monteith, Kepa, Naturi, Ferries McDonald, Brinkley, White Sands, Woods Point, Jervois, Mul-gundawa, Wellington, Nalpa, Tolderol, Willow Banks and Greenbanks to those areas within the Rural City of Murray Bridge and shown numbered 1 to 44 respectively on Rack Plan 833.

Copies of Rack Plan 833 can be viewed in the office of the Surveyor-General, Adelaide and the offices of the Rural City of Murray Bridge.

Submissions in writing regarding this proposal may be lodged with the Secretary, Geographical Names Advisory Committee, 300 Richmond Road, Netley, S.A. 5037 (P.O. Box 550, Marleston, S.A. 5033) within one month of the publication of this notice.

Dated 3 November 1999.

P. M. KENTISH, Surveyor-General, Department for Administrative and Information Services

DEHAA 04/0185

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Roger C. Vince, Port Vincent Road, Stansbury, S.A. 5582 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00167.

SCHEDULE 1

The importation and release of Pacific Oysters, (*Crassostrea gigas*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
759157E 6134532N	2.5
759074E 6134455N	
758863E 6134548N	
758951E 6134619N	

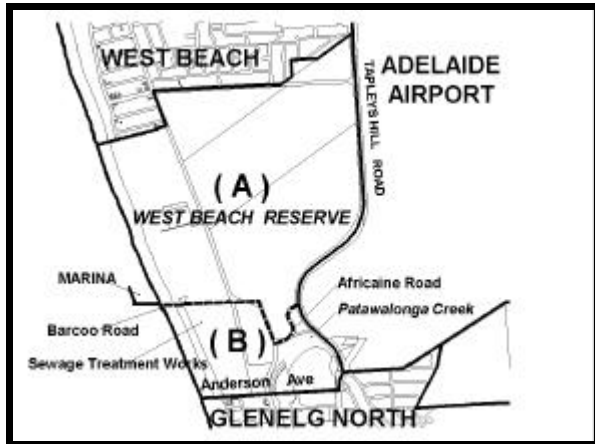
SCHEDULE 2

GEOGRAPHICAL NAMES ACT 1991
FOR PUBLIC CONSULTATION

Notice of Intent to Assign A Suburb Name

NOTICE is hereby given pursuant to the provisions of the above Act, that the Surveyor-General proposes to add to the suburb of WEST BEACH the area marked (A) and add to the suburb of GLENELG NORTH the area marked (B) as shown on the plan below.

THE PLAN



Submissions in writing regarding this proposal may be lodged with the Secretary, Geographical Names Advisory Committee, c/o Department for Environment, Heritage and Aboriginal Affairs, 300 Richmond Road, Netley, S.A. 5037 (P.O. Box 550, Marleston, S.A. 5033) within one month of the publication of this notice.

Dated 1 November 1999.

P. M. KENTISH, Surveyor-General, Department for Administrative and Information Services

DEHAA 04/0136

GEOGRAPHICAL NAMES ACT 1991
FOR PUBLIC CONSULTATION

Notice of Intention to Assign Names and Boundaries to Places

NOTICE is hereby given pursuant to the provisions of the above Act, that the Surveyor-General proposes to assign the names CANOWIE BELT, TEROWIE, WHYTE YARCOWIE, ULOOLOO, WONNA, FRANKLYN, WOOLSHED, CANOWIE, HALLETT, MOUNT BRYAN EAST, COLLINSVILLE, WILLALO, NORTH BOOBOROWIE, BOOBOROWIE, MOUNT BRYAN, LEIGHTON, GUM CREEK, HANSON, FARRELL FLAT, PORTER LAGOON, BURRA, MONGOLATA, BALDINA, WORLDS END, BURRA EASTERN DISTRICTS, APOINGA, EMU DOWNS, HALLELUJAH HILLS, BRADY CREEK, ROBERTSTOWN, GERANIUM PLAINS, FLORIETON, NGAPALA, JULIA, HAMPDEN, POINT PASS, EUDUNDA, AUSTRALIA PLAINS, PEEP HILL, SUTHERLANDS, BOWER, BUCHANAN, HANSBOROUGH, NEALES FLAT, DUTTON, FRANKTON, BROWNLOW and STEINFELD to those areas within the Regional Council of Goyder and shown numbered 1 to 48 respectively on Rack Plan 858.

Copies of Rack Plan 858 can be viewed at the office of the Surveyor-General, 101 Grenfell Street, Adelaide or at the offices of the Regional Council of Goyder.

Submissions in writing regarding this proposal may be lodged with the Secretary, Geographical Names Advisory Committee, Building 2, 300 Richmond Road, Netley, S.A. 5037 (P.O. Box 550, Marleston, S.A. 5033) within one month of the publication of this notice.

Dated 4 November 1999.

P. M. KENTISH, Surveyor-General, Department for Administrative and Information Services

DEHAA 04/0213

GEOGRAPHICAL NAMES ACT 1991
Notice of Declaration of Names of Places

NOTICE is hereby given pursuant to section 8(1) of the Geographical Names Act 1991, that the names of those places set out in The Schedule hereunder shall be the geographical names of those said places.

THE SCHEDULE

Name	Grid Reference
Mapsheet 1:50 000 6828-1 'Bakara'	
Nadia Trig.....	398700 6179900
Mapsheet 1:50 000 6827-1 'Karoonda'	
Rotary Trig.....	396800 6100450
Mansfield Trig.....	392950 6113400
Wynarka Trig.....	387300 6105850
Mapsheet 1:50 000 6529-3 'Inkerman'	
Wills Creek.....	225200 6203300
Mapsheet 1:50 000 6727-3 'Monarto'	
Dry Creek.....	331300 6114050
Long Gully Creek.....	330000 6122300
Salt Creek.....	340100 6124700
White Hill.....	338000 6110100
Mapsheet 1:50 000 6429-1 'Kainton'	
Boors Plain.....	754500 6231500
Thrington Trig.....	761850 6233400
Mapsheet 1:50 000 6634-3 'Warcowie'	
Eagle Hill.....	267400 6478500
Mapsheet 1:50 000 6922-2 'Benara'	
Bogle Bay.....	441887 5815221
Channel Rocks.....	440114 5815609
The Channels.....	440128 5816994
Green Point.....	440706 5819562
Longs Rock.....	441234 5813521
Mapsheet 1:50 000 6029-2 'Koppio'	
Curta Willa Waterhole.....	573216 6202876

Note: Words shown in parenthesis are not part of the name.

Dated 10 November 1999.

KOS SARNECKIS, Acting Surveyor-General

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

Section 32

TAKE notice that, pursuant to section 32 (1) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Leslie Jason Malseed of Malseed Real Estate.

SCHEDULE 2

The land situated in the Hundred of Gambier, County of Grey being portion of section 1370, described in certificate of title register book volume 1631, folio 104.

Dated 18 November 1999.

Signed for and on behalf of the Minister for Consumer Affairs by the Acting Commissioner for Consumer Affairs.

W. J. SPEHR, Acting Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT
1994

Section 23

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Linda Johanna McNeill, officer/employee of Delfin Realty Pty Ltd.

SCHEDULE 2

The whole of land described in certificate of title register book volume 5256, folio 497, situated at 20/40 Sportsman Drive, West Lakes, S.A. 5021.

Dated 18 November 1999.

Signed for and on behalf of the Minister for Consumer Affairs by the Acting Commissioner for Consumer Affairs.

W. J. SPEHR, Acting Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT
1994

Section 23

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Linda Johanna McNeill, officer/employee of Delfin Realty Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5562, folio 637, situated at Unit 4, 415 Seaview Road, Henley Beach, S.A. 5022.

Dated 18 November 1999.

Signed for and on behalf of the Minister for Consumer Affairs by the Acting Commissioner for Consumer Affairs.

W. J. SPEHR, Acting Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT
1994

Section 23

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Lilian Irene Nicholson, officer/employee of Geo Kennedy Pty Ltd.

SCHEDULE 2

The whole of land described in certificate of title register book volume 5000, folio 467, situated at Unit 8, 32 Richards Drive, Morphett Vale, S.A. 5162.

Dated 18 November 1999.

Signed for and on behalf of the Minister for Consumer Affairs by the Acting Commissioner for Consumer Affairs.

W. J. SPEHR, Acting Commissioner

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that RJP (S.A.) Nominees Pty Ltd has applied to the Licensing Authority for the transfer of a hotel licence in respect of premises situated at Fooks Road, St Kilda and known as St Kilda Hotel.

The application has been set down for hearing on 30 November 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, on or before 26 November 1999.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 8 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Maridian Pty Ltd, c/o Floreani Coates & Co., 58 King William Road, Goodwood, S.A. 5034 has applied to the Licensing Authority for the transfer of a Producer's Licence and Variation of Conditions of Licence in respect of premises situated at Kangarilla Road, McLaren Vale, S.A. 5171 and known as International Vintners.

The application has been set down for hearing on 10 December 1999.

Conditions

The following licence conditions are sought:

To delete the following condition:

The licence authorises the licensee to sell on the licensed premises, wine produced by the licensee at the premises of:

- (a) BRL Hardy Wineries situated at Padthaway, McLaren Vale, Reynella, Clare and the Riverland;
- (b) Normans Wineries situated at Clarendon and the Riverland;
- (c) Simeon Winery situated at the Riverland.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 9 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Messinian Association of S.A. Inc., 68 Stephens Avenue, Torrensville has applied to the Licensing Authority for an Application for a Club Licence in respect of premises situated at 68 Stephens Avenue, Torrensville and to be known as Messinian House.

The application has been set down for hearing on 17 December 1999.

Conditions

The following licence conditions are sought:

Extended trading authorisation, Friday and Saturday, midnight to 2 a.m. and Sunday, 8 a.m. to 11 a.m. and 8 p.m. to midnight.

Entertainment consent is sought.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that International Hotel Management (Australia) Pty Ltd, 12 Austral Avenue, Linden Park, S.A. 5065 has applied to the Licensing Authority for a Residential Licence in respect of premises situated at 88 Frome Street, Adelaide, S.A. 5000 and to be known as the Adelaide Ritz All-Suites Hotel.

The application has been set down for hearing on 17 December 1999 at 9 a.m.

Conditions

The following licence conditions are sought:

To authorise the sale of liquor for consumption on the licensed premises between the following hours:

Monday to Saturday, midnight to 3 a.m. the following morning.

Sunday from 8 a.m. to 11 a.m. and 8 p.m. to 3 a.m. the following morning.

Entertainment consent is sought for the areas outlined in brown on the deposited plan.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 8 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Dinuska Pty Ltd (ACN 001 934 149) has applied to the Licensing Authority for an Extended Trading Authorisation in respect of premises situated at 666 Port Road, Beverley and known as Halfway Hotel.

The application has been set down for hearing on 17 December 1999 at 9 a.m.

Conditions

The following licence conditions are sought:

1. That the licensee be permitted to sell liquor for consumption on the licensed premises from midnight to 2 a.m. the following morning each Monday to Saturday, inclusive, from 9 a.m. to 11 a.m. and 8 p.m. to midnight each Sunday, and on Christmas Day from midnight to 2 a.m.

2. That the licensee be permitted to sell liquor for consumption off the licensed premises from 9 a.m. to 11 a.m. and from 8 p.m. to 9 p.m. each Sunday.

3. That the extended trading authorisation shall apply to the whole of the licensed premises during the days and times sought in this application.

4. That entertainment may be permitted during the extended trading hours.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 9 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Moorooroo Estate Wines Pty Ltd, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the grant of a Producer's Licence in respect of premises situated at 1 Lyndoch Road, Lyndoch, S.A. 5351 and to be known as Schild Estate Wines.

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 8 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Alessandro Antonio Dimasi, c/o Griffins Lawyers, Level 14, 26 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for removal of the Retail Liquor Merchant's Licence held at 38 Regent Arcade, Adelaide and known as Regent Arcade Bottle Shop to premises situated at the Woolworths Variety Store, 80 Rundle Mall, Adelaide.

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Woolies Liquor Stores Pty Ltd (ACN 007 939 531), c/o Griffins Lawyers, Level 14, 26 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Retail Liquor Merchant's Licence in respect of premises situated at 38 Regent Arcade, Adelaide and known as Regent Arcade Bottle Shop.

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Zbigniew Rzetelski and Joanna Rzetelski, 15 Rhyl Avenue, Wayville, S.A. 5034 have applied to the Licensing Authority for the transfer of a Wholesale Liquor Merchant's Licence in respect of premises to be situated at 83 Greenhill Road, Wayville and known as the Concordia Group.

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 November 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that R. A. & K. M. Williams Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises to be situated at Lot 160, Hundred of Menzies, Kangaroo Island, S.A. 5223 and to be known as Williams Springs Road.

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that CPC McPherson Pty Ltd has applied to the Licensing Authority for the Removal of a Retail Liquor Merchant's Licence in respect of premises situated at 5 Creslin Terrace, Camden Park, S.A. 5038 and to be situated at 10A James Street, Thebarton, S.A. 5031 and known as CPC McPherson Pty Ltd.

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Asian Spices & Pickles Pty Ltd, 5 Dequettville Terrace, Kent Town, S.A. 5067 has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 26-28 Goolwa Road, Middleton, S.A. 5213 and known as Middleton Bistro.

The application has been set down for hearing on 17 December 1999 at 11 a.m..

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 11 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that David Greville Feldheim, Paul Jeremy Tucker, William Andrew James Wauchope and Simon Jeremy Daws have applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises to be situated at Glen Ewin, Lower Hermitage Road, Houghton, S.A. 5131 and to be known as Feldheim, Tucker, Wauchope and Daws.

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that J. P. Phillipott, P.O. Box 2104, Murray Bridge, S.A. 5253 has applied to the Licensing Authority for a Residential Licence in respect of premises to be situated at 1 McKay Road, Murray Bridge and to be known as Murray Bridge Backpackers Hostel.

The application has been set down for hearing on 17 December 1999.

Conditions

The following licence conditions are sought:

The licensee is authorised to sell liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons:

- (a) seated at a table; or
- (b) attending a function at which food is provided.

Extended trading authorisation, hours of operation: Monday to Saturday, midnight to 2 a.m. the following morning; Sunday, 8 a.m. to 11 a.m. and 8 p.m. to midnight; Christmas Day, midnight to 2 a.m. the following morning.

Entertainment Consent is sought.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Mildara Blass Limited (ACN 004 094 599) has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Ingoldby Road, McLaren Flat, S.A. 5171, (Allotment 2, Filed Plan 1322, Hundred of Willunga).

The application has been set down for hearing on 17 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 16 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Sideris Investments Pty Ltd has applied to the Licensing Authority for the transfer of the Special Circumstances Licence in respect of premises situated at 544 Marion Road, Plympton Park, S.A. 5038 and known as Adel's Dance and Function Centre.

The application has been set down for hearing on 20 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 9 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Frances Ames and Douglas Milton Ames have applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at Koolunga, S.A. 5464 and known as Koolunga Hotel.

The application has been set down for hearing on 20 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 11 November 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Denise Berecny and Robert Alan Brooks, Mount Barker Road, Langhorne Creek have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Mount Barker Road, Langhorne Creek and known as Langhorne Creek Cafe.

The application has been set down for hearing on 20 December 1999 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 5 November 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Sunjoy Australia Pty Ltd and K. Max International Pty Ltd, c/o Johnston Withers, P.O. Box 2070 Port Augusta, S.A. 5700 have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shop 1, 167 Jenkins Avenue, Whyalla Norrie, S.A. 5608 and known as Lam Inn.

The application has been set down for hearing on 20 December 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 1999.

Applicants

The application has been set down for hearing on 23 December 1999 at 9 a.m.

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that South Australian Wine Centre Pty Ltd has applied to the Licensing Authority for the transfer of a Special Circumstances Licence and Variation to Conditions of Licence in respect of premises situated at 121-139 Grote Street, Adelaide, S.A. 5000 and known as South Australian Wine Centre.

The application has been set down for hearing on 23 December 1999.

Conditions

The following licence conditions are sought:

To remove the following conditions:

For consumption on the licensed premises on any day from 10 a.m. to midnight:

- by way of sample;
- with or ancillary to a meal provided by the licensee;
- to a person seated at a table;
- to a person attending a function or reception.

And replace with:

For consumption on the licensed premises on any day from 10 a.m. to 3 a.m. the following morning.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 November 1999.

Applicant

Conditions

The following licence conditions are sought:

1. That the licensee be permitted to sell liquor for consumption on the licensed premises from 8 p.m. to midnight each Sunday and on Christmas Day from midnight to 2 a.m.

2. That the licensee be permitted to sell liquor for consumption off the licensed premises from 8 p.m. to 9 p.m. each Sunday.

3. That the Extended Trading Authorisation shall apply to the areas referred to on the deposited plan as Areas 1, 2 and 4 during the days and times sought in this application.

4. That entertainment may be permitted during the extended trading hours.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 November 1999.

Applicants

LIQUOR LICENSING ACT 1997 AND THE GAMING MACHINES ACT 1992

Notice of Application for Variation to an Existing Extended Trading Authorisation and an Increase in the Number of Gaming Machines

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Mannum Club Inc, 66 Randell Street, Mannum, S.A. 5238 has applied to the Liquor and Gaming Commissioner for a variation to an existing Extended Trading Authorisation and an increase in the number of gaming machines from 22 to 40 in respect of premises situated at 66 Randell Street, Mannum and known as Mannum Club.

The applications have been set down for hearing on 17 December 1999.

Conditions

The following licence conditions are sought:

A variation to an existing Extended Trading Authorisation to authorise the sale of liquor for consumption on the licensed premises between the following hours:

Monday to Saturday, midnight to 2 a.m. the following morning.

Sunday, 8 p.m. to 2 a.m. the following morning.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 11 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Andrew Davies, 6 East Terrace, Port Willunga, S.A. 5172 has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 6 East Terrace, Port Willunga, S.A. 5172 and known as Andrew Davies Catering.

The application has been set down for hearing on 23 December 1999 at 9 a.m.

Condition

The following licence condition is sought:

To sell liquor on the licensed premises for consumption at places other than the licensed premises with or ancillary to a meal provided by the licensee.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 November 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Travel Holdings (Australia) Pty Ltd and Top of the Cross Pty Ltd have applied to the Licensing Authority for an Extended Trading Authorisation in respect of premises situated at 208 South Terrace, Adelaide and known as Centra Adelaide.



Christmas/New Year Holiday Publishing Information

Last Gazette for 1999 will be Thursday, 23 December 1999

Closing date for notices for publication will be
4 p.m. Tuesday, 21 December 1999

First Gazette for 2000 will be Thursday, 6 January 2000

Closing date for notices for publication will be
4 p.m. Tuesday, 4 January 2000

*(There will **not** be a Gazette in the period between these two dates)*

It would be appreciated if **Government Gazette** notices for publication be addressed to:

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MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 1999

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	1.60	0.75	497-512	23.30	22.40
17-32	2.30	1.45	513-528	23.90	23.00
33-48	2.90	2.10	529-544	24.70	23.80
49-64	3.70	2.75	545-560	25.30	24.50
65-80	4.35	3.55	561-576	26.00	25.20
81-96	5.00	4.20	577-592	26.75	25.75
97-112	5.75	4.85	593-608	27.50	26.50
113-128	6.40	5.60	609-624	28.25	27.50
129-144	7.20	6.30	625-640	28.75	28.00
145-160	7.90	6.95	641-656	29.50	28.50
161-176	8.60	7.70	657-672	30.00	29.25
177-192	9.25	8.40	673-688	31.00	30.00
193-208	9.95	9.10	689-704	31.75	30.75
209-224	10.60	9.75	705-720	32.25	31.50
225-240	11.25	10.50	721-736	33.25	32.00
241-257	12.05	11.10	737-752	33.75	32.75
258-272	12.80	11.80	753-768	34.50	33.25
273-288	13.45	12.60	769-784	35.00	34.25
289-304	14.10	13.20	785-800	35.75	35.00
305-320	14.80	13.90	801-816	36.25	35.50
321-336	15.55	14.60	817-832	37.25	36.25
337-352	16.20	15.40	833-848	38.00	37.00
353-368	16.90	16.05	849-864	38.50	37.75
369-384	17.60	16.80	865-880	39.25	38.50
385-400	18.30	17.50	881-896	39.75	39.00
401-416	19.00	18.10	897-912	40.75	39.75
417-432	19.75	18.90	913-928	41.25	40.75
433-448	20.40	19.50	929-944	42.00	41.25
449-464	21.15	20.20	945-960	43.00	41.75
465-480	21.75	20.90	961-976	43.50	42.50
481-496	22.40	21.50	977-992	44.25	43.00

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GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 1999

	\$		\$
Agents, Ceasing to Act as.....	28.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	21.20
Incorporation.....	14.50	Discontinuance Place of Business.....	21.20
Intention of Incorporation.....	35.75	Land—Real Property Act:	
Transfer of Properties.....	35.75	Intention to Sell, Notice of.....	35.75
Attorney, Appointment of	28.50	Lost Certificate of Title Notices.....	35.75
Bailiff's Sale.....	35.75	Cancellation, Notice of (Strata Plan).....	35.75
Cemetery Curator Appointed.....	21.20	Mortgages:	
Companies:		Caveat Lodgment	14.50
Alteration to Constitution.....	28.50	Discharge of	15.30
Capital, Increase or Decrease of	35.75	Foreclosures.....	14.50
Ceasing to Carry on Business	21.20	Transfer of.....	14.50
Declaration of Dividend.....	21.20	Sublet.....	7.30
Incorporation.....	28.50	Leases—Application for Transfer (2 insertions) each.....	7.30
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	21.20
First Name.....	21.20	Licensing.....	42.25
Each Subsequent Name.....	7.30	Municipal or District Councils:	
Meeting Final.....	23.80	Annual Financial Statement—Forms 1 and 2	400.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20	283.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting').....		First Name	57.00
First Name.....	28.50	Each Subsequent Name	7.30
Each Subsequent Name.....	7.30	Noxious Trade.....	21.20
Notices:		Partnership, Dissolution of.....	21.20
Call.....	35.75	Petitions (small).....	14.50
Change of Name	14.50	Registered Building Societies (from Registrar-	
Creditors.....	28.50	General).....	14.50
Creditors Compromise of Arrangement.....	28.50	Register of Unclaimed Moneys—First Name	21.20
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name.....	7.30
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	35.75	Rate per page (in 8pt).....	181.00
Release of Liquidator—Application—Large Ad.	57.00	Rate per page (in 6pt).....	239.00
—Release Granted.....	35.75	Sale of Land by Public Auction.....	36.25
Receiver and Manager Appointed.....	33.25	Advertisements.....	2.00
Receiver and Manager Ceasing to Act	28.50	Advertisements, other than those listed are charged at \$2.00	
Restored Name.....	27.00	per column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	49.50	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	42.25	Councils to be charged at \$2.00 per line.	
Order of Supreme Court for Winding Up Action	28.50	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	64.00	that which is usually published a charge of \$2.00 per column line	
Removal of Office	14.50	will be applied in lieu of advertisement rates listed.	
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Deceased Persons—Notice to Creditors, etc.	35.75		
Each Subsequent Name.....	7.30		
Deceased Persons—Closed Estates.....	21.20		
Each Subsequent Estate.....	0.90		
Probate, Selling of.....	28.50		
Public Trustee, each Estate.....	7.30		

GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to Riverside 2000 so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: govegaz@riv.ssa.sa.gov.au*. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Primary Industries, Natural Resources and Regional Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Perilya Mines NL

Location: Yandina Hill area—Approximately 50 km north-east of Leigh Creek, bounded as follows: Commencing at a point being the intersection of latitude 30°16'S and longitude 138°46'E, thence east to longitude 139°07'E, south to latitude 30°17'S, east to longitude 139°10'E, south to latitude 30°25'S, west to Gammon Ranges National Park (*Government Gazette* 27 April 1972, Single Proclamation portion), thence generally northerly, westerly, southerly and easterly along the boundary of the said National Park to longitude 139°00'E, south to latitude 30°50'S, west to longitude 138°54'E, north to latitude 30°44'S, west to longitude 138°52'E, north to latitude 30°30'S, west to longitude 138°40'E, north to latitude 30°25'S, east to longitude 138°46'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 1 278

Ref. D.M.E. No.: 114/1999

Dated 18 November 1999.

L. JOHNSTON, Mining Registrar, Department of Primary Industries and Resources.

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Primary Industries, Natural Resources and Regional Development proposes to grant an Exploration Licence over the undermentioned area:

Applicants: Ian Filsell and Mark Filsell

Location: Paratoo area—Approximately 140 km east of Port Augusta, bounded as follows:

Area 'A'—Commencing at a point being the intersection of latitude 32°25'S and longitude 138°44'E, thence east to longitude 138°53'E, south to latitude 32°30'S, west to longitude 138°44'E, and north to the point of commencement.

Area 'B'—Commencing at a point being the intersection of latitude 32°20'S and longitude 139°15'E, thence east to longitude 139°30'E, south to latitude 32°46'S, west to longitude 139°17'E, north to latitude 32°45'S, west to longitude 139°15'E, north to latitude 32°36'S, west to longitude 139°05'E, north to latitude 32°30'S, east to longitude 139°15'E and north to the point of commencement.

All the within latitudes and longitudes are geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 1 426

Ref. D.M.E. No.: 117/1999

Dated 18 November 1999.

L. JOHNSTON, Mining Registrar, Department of Primary Industries and Resources.

NATIONAL ELECTRICITY (SOUTH AUSTRALIA)
ACT 1996*Notices Under National Electricity Law and National Electricity Code*

NOTICE is hereby given pursuant to section 6(2) (b) of the National Electricity Law which forms the Schedule to the National Electricity (South Australia) Act 1996 and Clause 8.3.9 (d) of the National Electricity Code approved under section 6 of the National Electricity Law, that Chapters 3, 5, and 10 of the National Electricity Code are amended to:

1. Regulate market operations in the event of Y2K issues arising.
2. Introduce a regulatory test for new interconnectors and network augmentation to replace the 'customer benefits' test with a regulatory test to be determined by the Australian Competition and Consumer Commission.
3. Ensure that market network service provider options are taken into consideration in the assessment criteria for network augmentation.
4. Introduce provision for settlement by estimates facilities in the event of a major failure.

These amendments to the National Electricity Code commence on 18 November 1999.

As required by Clause 8.3.9 (d) of the National Electricity Code, a copy of the ACCC's letters dated 20 October 1999 and 10 November 1999 are set out below.

The amendments referred to above and copies of the ACCC's letters of 20 October 1999 and 10 November 1999 are set out in full in the relevant documents entitled 'Y2K, the Regulatory Test for New Interconnectors and Network Augmentation and Settlement Estimates Amendments' which can be viewed on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at www.neca.com.au under 'The Code' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 18 November 1999.

National Electricity Code Administrator

ACCC Letter of Authorisation

20 October 1999

Stephen Kelly
Managing Director
National Electricity Code Administrator Limited
Level 5, 41 Currie Street
ADELAIDE, S.A. 5000

Dear Stephen

Applications for Authorisation: Market Operations for Y2K, Regulated Interconnectors and System Security Compensation

On 23 July 1999, NECA lodged three applications with the Australian Competition and Consumer Commission (the Commission) for authorisation of changes to the National Electricity Code dealing with:

- market operations for Y2K;
- the regulatory test for new interconnectors and network augmentations; and
- deferral of compensation payments for system security directions.

Please find enclosed a copy of the Commission's determination. The Commission has granted authorisation to these applications subject to the conditions of authorisation being met. A list of these conditions is contained in section 6 of the determination.

In accordance with s.101 of the Trade Practices Act 1974 a person dissatisfied with the Commission's determination may apply to the Australian Competition Tribunal for a review of the determination. Each application must be lodged on the appropriate form within 21 days of the date of the determination, with the Registrar of the Tribunal. The Tribunal is located in the Office of the Registrar of the Federal Court in each State.

The Commission will promulgate the regulatory test once the code changes are finalised. The Commission is currently reviewing the draft test on the basis of submissions from a number of interested parties.

If you have any queries please do not hesitate to call either myself on (02) 6243 1249 or Paul Bilyk on (02) 6243 1254.

Yours sincerely,

M. RAWSTRON, General Manager, Regulatory
Affairs—Electricity.

ACCC Letter of Authorisation

10 November 1999

Stephen Kelly
Managing Director
National Electricity Code Administrator Limited
Level 5, 41 Currie Street
ADELAIDE, S.A. 5000

Dear Stephen

*National Electricity Code: Market operations for Y2K and
assessment criteria for new interconnectors and network
augmentation*

Thank you for providing the Commission with NECA's proposed changes to the National Electricity Code in order to comply with the conditions of authorisation set out in the Commission's Determination of 20 October 1999 (the Determination).

The Commission is satisfied that the proposed amendments to the National Electricity Code set out in your letter of 1 November 1999 satisfy the conditions of authorisation set out in the Commission's Determination.

Should you wish to discuss this matter further, please contact either myself on (02) 6243 1249 or Paul Bilyk on (02) 6243 1254.

Yours sincerely,

M. RAWSTRON, General Manager, Regulatory
Affairs—Electricity.

ACCC Letter of Authorisation

10 November 1999

Stephen Kelly
Managing Director
National Electricity Code Administrator Limited
Level 5, 41 Currie Street
ADELAIDE, S.A. 5000

Dear Stephen

*National Electricity Code Applications for Authorisation Nos
A90708, A90709 and A90710*

I refer to your applications for authorisation of the National Electricity Code, as submitted to the Commission on 10 September 1999 and amended on 23 September 1999 and 15 October 1999, and your request that the Commission consider granting interim authorisation in respect of the settlement by estimates code change.

The Commission has reviewed the information contained in your application and in supplementary material provided by NECA and pursuant to subsection 91 (2) of the Act, the Commission hereby grants interim authorisation for the settlement by estimates code change.

This interim authorisation applies to the changes to clause 3.15 of the NEC with regards to the provision of settlement by estimates facilities in the event of a major failure. The interim authorisation will lapse when the Commission reaches a final determination in regard to the applications. The commission has commenced its statutory public consultation process and hopes to release its draft determination before the end of December 1999.

Please note that under subsection 91 (2) of the Trade Practices Act 1974, the Commission may revoke an interim authorisation at any time.

If you have any queries about any issue raised in this letter, please contact myself or Ainslee Wilton on (02) 6243 1258.

Yours sincerely,

M. RAWSTRON, General Manager, Regulatory
Affairs—Electricity.

REAL PROPERTY ACT NOTICE

WHEREAS the persons named at the foot hereof have each respectively for himself made application to have the land set forth and described before his name at the foot hereof brought under the operation of the Real Property Act: Notice is hereby given that unless caveat be lodged with the Registrar-General by some person having estate or interest in the said lands on or before the expiration of the period herein below for each case specified, the said several pieces of land will be brought under the operation of the said Act as by law directed. Diagrams delineating these parcels of land may be inspected at the Lands Titles Registration Office, Adelaide, and in the offices of the several corporations or district councils in which the lands are situated.

THE SCHEDULE

No. of Application	Description of Property	Name	Residence	Date up to and inclusive of which caveat may be lodged
30908	Part section 14, Hundred of Barossa, more particularly delineated on Deposited Plan No. 52615	Chamberlain Investments Pty Ltd	3-5 Calton Road, Gawler, S.A. 5118	19 January 2000

Dated 16 November 1999, at the Lands Titles Registration Office, Adelaide.

J. ZACCARIA, Deputy Registrar-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Clovelly Avenue, Royal Park
Deposited Plan 53314*

BY Road Process Order made on 19 August 1999, the City of Charles Sturt ordered that:

1. An irregular portion of the public road (Clovelly Avenue) adjoining the south-western boundary of allotment 303 in Deposited Plan 51551 more particularly lettered 'A' in Preliminary Plan No. PP32/0431 be closed.

2. The whole of the land subject to closure be transferred to ANASTASIOS PETRIDIS and ANGELIKI PETRIDIS in accordance with agreement for transfer dated 19 August 1999 entered into between the City of Charles Sturt and A. Petridis and A. Petridis.

On 18 October 1999 that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 18 November 1999.

K. SARNECKIS, Acting Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Day Avenue, Ashford
Deposited Plan 52632*

BY Road Process Order made on 25 July 1999, the City of West Torrens ordered that:

1. Portion of the public road (Day Avenue) between Anzac Highway and Alexander Avenue adjoining allotment 304 in Filed Plan 19719, more particularly delineated and lettered 'A', 'B', 'C' and 'D' in Preliminary Plan No. PP32/0358 be closed.

2. Portion of the land subject to closure lettered 'A' be transferred to ABERFRAW PTY LTD in accordance with agreement for transfer dated 20 January 1999 entered into between the City of West Torrens and Aberfraw Pty Ltd.

3. Portions of the land subject to closure lettered 'B', 'C', and 'D' be transferred to JOHNADEY PTY LTD and EASTFAM MANAGEMENT PTY LTD in accordance with agreement for transfer dated 20 January 1999 entered into between the City of West Torrens and JohnAdey Pty Ltd and Eastfam Management Pty Ltd.

4. The following easements are granted over portion of the land subject to that closure:

Grant to ETSU Utilities Pty Ltd an easement for overhead electricity supply purposes.

Grant to the South Australian Water Corporation easements for water supply and sewerage purposes.

Grant to Ayers Net Limited an easement for gas supply purposes.

On 11 November 1999 that order was confirmed by the Minister for Administrative Services.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 18 November 1999.

K. SARNECKIS, Acting Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—North Bokara Road, Mypolonga Irrigation Area

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Rural City of Murray Bridge proposes to make a Road Process Order to close and vest in the Crown for addition to Crown Lease volume 1137 folio 20 held by D. C. and D. G. P. Smart portion of the public road (North Bokara Road) adjoining section 1226 adjacent to section 686 more particularly delineated and lettered 'A' on the Preliminary Plan No. PP32/0510.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council at 5 Bridge Street, Murray Bridge and the Adelaide office of the Surveyor-General during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council at P.O. Box 421, Murray Bridge 5253 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 18 November 1999.

P. M. KENTISH, Surveyor-General

SOIL CONSERVATION AND LAND CARE ACT 1989

Appointments

I, ROBERT GERARD KERIN, Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development in the State of South Australia to whom the administration of the Soil Conservation and Land Care Act 1989, has been committed, do hereby appoint as a member of the Murray Mallee Soil Conservation Board, pursuant to section 24 of the Act until 30 June 2002:

Trevor Harold Schiller

Dated 12 November 1999.

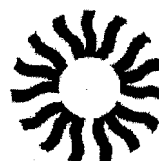
ROB KERIN, Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development

NATIONAL WINE CENTRE ACT 1997

Declaration of Logo and Official Titles

PURSUANT to section 27 of the National Wine Centre Act 1997, I, John Olsen, Premier:

(1) declare the logo shown below and defined as 'WWWWW—Letters are wavy stripes forming sun, flames' to be a logo in respect of the National Wine Centre;



(2) declare each of the following names to be an official title:

National Wine Centre
Australian National Wine Centre
Australia's National Wine Centre
National Wine Centre of Australia
Australian Wine Industry Centre
National Wine Industry Centre
Australian National Wine Industry Centre
Australia's National Wine Industry Centre
Wine Industry House

J. W. OLSEN, Premier

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 18 November 1999.

WATER MAINS LAID

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

ADELAIDE WATER DISTRICT

CITY OF CHARLES STURT
Georgia Avenue, Grange. p12
Stephen Terrace, Grange. p12

CITY OF HOLDFAST BAY
Lipson Avenue, Seacliff. p17
Lucy May Drive, Seacliff. p17

CITY OF MARION
Bowaka Street, Park Holme. p2
Waverley Avenue, Edwardstown. p3
Gannet Court, Hallett Cove. p13
Egret Court, Hallett Cove. p13
Across and in Marion Road, Mitchell Park and Marion. p30-32
Chambers Street, Marion. p32
Easements in lot 2, Marion Road, Mitchell Park. p33
Brenda Street, Mitchell Park. p33

CITY OF NORWOOD PAYNEHAM AND ST. PETERS
Fisher Street, Felixstow. p27 and 28

CITY OF ONKAPARINGA
Shillabeer Crescent, Woodcroft. p18
Charlton Terrace, Woodcroft. p18 and 19
Best Close, Woodcroft. p18
Tobin Crescent, Woodcroft. p19
Perin Avenue, Woodcroft. p19

CITY OF PORT ADELAIDE ENFIELD
Everard Street, Largs Bay. p25

CITY OF SALISBURY
Bagster Road, Salisbury North. p9 and 38
Shrewton Court, Salisbury North. p9
Rolleston Avenue, Salisbury North. p38

CITY OF TEA TREE GULLY
Iberis Court, Golden Grove. p14
Laurina Court, Golden Grove. p14

CITY OF WEST TORRENS
Victoria Avenue, Camden Park. p4
Carlton Road, Camden Park. p5
Sanders Street, Richmond. p24
Burke Street, Glandore. p29
Marles Court, Brooklyn Park. p37

STRATHALBYN WATER DISTRICT

DISTRICT OF ALEXANDRINA COUNCIL
East Terrace, Strathalbyn. p10
Gransden Road, Strathalbyn. p10
Macclesfield Road, Strathalbyn. p11
Avenue Road, Strathalbyn. p11
Brideson Road, Strathalbyn. p11

WATER MAINS ABANDONED

Notice is hereby given that the undermentioned water mains have been abandoned by the South Australian Water Corporation.

ADELAIDE WATER DISTRICT

CITY OF MARION
Marion Road, Marion and Mitchell Park. p30-33
Chambers Street, Marion. p32
Minchinbury Terrace, Marion. p30
Nicholas Road, Marion. p31 and 33
Thirza Avenue, Mitchell Park. p33
Brenda Street, Mitchell Park. p33

CITY OF MITCHAM
In and across Old Belair Road, Mitcham. p15 and 16

CITY OF ONKAPARINGA
Sauerbriers Road, Port Noarlunga South. p35
South Park Way, McLaren Vale. p36

CITY OF SALISBURY
Bagster Road, Salisbury North. p9 and 38
Shrewton Court, Salisbury North. p9
Rolleston Avenue, Salisbury North. p38

STRATHALBYN WATER DISTRICT

DISTRICT OF ALEXANDRINA COUNCIL
Macclesfield Road, Strathalbyn. p11

SEWERS LAID

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections.

ADELAIDE DRAINAGE AREA

CITY OF CAMPBELLTOWN
Richardson Avenue, Tranmere. FB 1083 p12

CITY OF CHARLES STURT
Lexington Road, Henley Beach South. FB 1082 p51
Easement in lot 4, Lexington Road and lot 51, Burnley Street, Henley Beach South. FB 1077 p46 and 1082 p51
Georgia Avenue, Grange. FB 1082 p56
Easements in lots 16, 557 and 558, Stephen Terrace, Grange. FB 1082 p56

CORPORATE TOWN OF GAWLER
Gawler Terrace, Gawler South. FB 1082 p49

CITY OF HOLDFAST BAY
Lucy May Drive, Seacliff. FB 1082 p58 and 59
Easement in lot 155, Lipson Drive and lot 6, Lucy May Drive, Seacliff. FB 1082 p58 and 59
Easement in lot 155, Lipson Drive and lot 2, Lucy May Drive, Seacliff. FB 1082 p58 and 59

CITY OF MARION
Easements in reserves (lots 266 and 284), Egret Court, Hallett Cove. FB 1082 p54 and 55
Egret Court, Hallett Cove. FB 1082 p54 and 55
Easement in lot 52, Gannet Court, Hallett Cove. FB 1082 p54 and 55
Gannet Court, Hallett Cove. FB 1082 p54 and 55
Easement in lot 48, Gannet Court and lot 302, Sandpiper Terrace, Hallett Cove. FB 1082 p54 and 55

CITY OF NORWOOD, PAYNEHAM AND ST. PETERS
Stapleton Street, Firle. FB 1083 p7
Gardiner Avenue, St Morris. FB 1083 p11

CITY OF ONKAPARINGA

Shillabeer Crescent, Woodcroft. FB 1083 p1, 5 and 4
 Charlton Terrace, Woodcroft. FB 1083 p1, 2 and 4
 Easement in lot 487, Best Close, Woodcroft. FB 1083 p1 and 5
 Easements in lots 482-484, Best Close, Woodcroft. FB 1083 p1 and 4
 Easements in reserve (lot 897), Charlton Terrace, Woodcroft. FB 1083 p1 and 5
 Tobin Crescent, Woodcroft. FB 1083 p2 and 3
 Perin Avenue, Woodcroft. FB 1083 p2 and 3
 Fairlie Drive, Flagstaff Hill. FB 1083 p8

CITY OF PLAYFORD

Ward Street, Davoren Park. FB 1083 p10

CITY OF TEA TREE GULLY

Iberis Court, Golden Grove. FB 1082 p52 and 53
 Easement in reserve (lot 277), Laurina Court, Golden Grove. FB 1082 p52 and 53
 Laurina Court, Golden Grove. FB 1082 p52 and 53
 Wattle Crescent, Tea Tree Gully. FB 1083 p6
 Reuben Richardson Drive, Greenwith. FB 1083 p13

CITY OF UNLEY

Penong Street, Hyde Park. FB 1082 p50

SEWERS ABANDONED

Notice is hereby given that the undermentioned sewer has been abandoned by the South Australian Water Corporation.

ADELAIDE DRAINAGE AREA**CITY OF ONKAPARINGA**

Easement in reserve (lot 759) off Fairlie Drive, Flagstaff Hill. FB 1083 p8

SEWERS LAID

Notice is hereby given that the undermentioned sewers have been laid down by the South Australian Water Corporation and are not available for house connections.

ADELAIDE DRAINAGE AREA**CITY OF ONKAPARINGA**

Sewerage land (lot 41) off Fairlie Drive, Flagstaff Hill—150 PVC pumping main. FB 1083 p8
 Easements in lot 37, Memford Way, Flagstaff Hill—150 PVC pumping main. FB 1083 p9

ADDENDUMS

Addendum to notice in "*Government Gazette*" of 19 May 1955.

"PORT LINCOLN COUNTRY DRAINAGE AREA"**"CITY OF PORT LINCOLN"**

"Road continuation of Marine Avenue, Lincoln Heights—South-westerly for 208.2m (683ft.) from road continuation of Oxford Terrace."

To this notice add "This sewer is not available for a house connection to lot 642 in LTRO Filed Plan 179054. FB 1082 p57"

CORRECTIONS

Correction to notice in "*Government Gazette*" of 22 August 1963 later corrected by amendment in "*Government Gazette*" of 7 October 1999.

"SEWERS LAID"**"ANGASTON COUNTRY DRAINAGE AREA"****"DISTRICT OF THE BAROSSA COUNCIL"**

"Road easterly of blocks 746, 745 and 743, Angaston North—Northerly for 661.7 m from a point 338.0 m from Murray Street. This sewer is available for house connections on the eastern side only for the first 483.1 m and on application only on the eastern side for the next 173.0 m. FB 1081 p51"

For "483.1" read "178.0"

S. SULLIVAN, Chief Executive Officer, South Australian Water Corporation

WATER RESOURCES ACT 1997

Notice of Intention to Establish a Catchment Water Management Board for the Arid Areas of South Australia

I, DOROTHY KOTZ, Minister for Environment and Heritage in the State of South Australia do hereby give notice, pursuant to section 54 of the Water Resources Act 1997 (the 'Act'), of my intention to establish a catchment water management board for the area delineated in the plan below.

The board, to be known as the Arid Areas Catchment Water Management Board, is being established:

- in consultation with the community, prepare and implement a catchment water management plan for the proposed area in accordance with the Act;
- to advise me and constituent councils within the proposed area in relation to the management of water resources in the area in accordance with the Act;
- to promote public awareness of the importance of the proper management of the water resources in the proposed area and of the sustainable use of those resources.

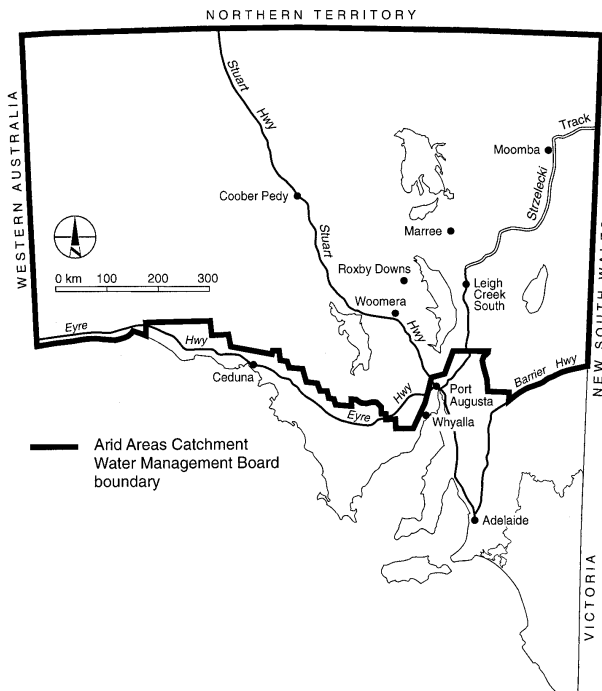
I hereby invite all interested persons to make written submissions on this proposal by 10 January 2000. All submissions and inquiries on this proposal should be directed in the first instance to:

Greg Rowberry
Environment Policy Division
Department for Environment, Heritage and Aboriginal Affairs, G.P.O. Box 1047
ADELAIDE, S.A. 5001

Telephone: (08) 8204 9112
Facsimile: (08) 8204 9144

Detailed plans of the proposed area of the Board can be obtained from the Environment Policy Division by contacting Greg Rowberry on the above telephone number.

**Boundary for the Arid Areas Catchment
Water Management Board**



Dated 18 November 1999.

D. C. KOTZ, Minister for Environment
and Heritage

DEVELOPMENT ACT 1993, SECTION 27 (1): CITY OF PLAYFORD—CONSOLIDATION PLAN AMENDMENT

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'City of Playford—Consolidation Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 18 November 1999, as the day on which it will come into operation.

Dated 18 November 1999.

E. J. NEAL, Governor

MTUP-PL 41/99CS

DEVELOPMENT ACT 1993, SECTION 27 (1): KANGAROO ISLAND COUNCIL—KINGSCOTE (DC)—GENERAL REVIEW PLAN AMENDMENT

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'Kangaroo Island Council—Kingscote (DC)—General Review Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 18 November 1999, as the day on which it will come into operation.

Dated 18 November 1999.

E. J. NEAL, Governor

MTUP-PL 33/99CS

DEVELOPMENT ACT 1993, SECTION 27 (1): WAKEFIELD REGIONAL COUNCIL—AMALGAMATION OF WAKEFIELD PLAINS (DC) AND BLYTH-SNOWTOWN (DC)—GENERAL PLAN AMENDMENT

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'Wakefield Regional Council—Amalgamation of Wakefield Plains (DC) and Blyth-Snowtown (DC)—General Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 18 November 1999, as the day on which it will come into operation.

Dated 18 November 1999.

E. J. NEAL, Governor

MTUP-PL 40/99CS

REGULATIONS UNDER THE SUPERANNUATION ACT 1988

No. 223 of 1999

At the Executive Council Office at Adelaide 18 November 1999

PURSUANT to the *Superannuation Act 1988* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

JOHN OLSEN Acting Treasurer

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 18—Right to apply for commutation
4. Variation of reg. 19—Proportion of pension that may be commuted
5. Variation of reg. 20—Commutation factors

Citation

1. The *Superannuation Regulations 1988* (see *Gazette* 30 June 1988 p. 2090), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations come into operation on the day on which they are made.

Variation of reg. 18—Right to apply for commutation

3. Regulation 18 of the principal regulations is varied by inserting the following items under the headings "Contributor who may commute" and "Period for application" in subregulation (1):

Contributor who may commute	Period for application
A contributor who resigns before reaching 55 years of age pursuant to a voluntary separation package and is entitled to a pension under section 39A(3g) of the Act	within 3 months after resignation

Variation of reg. 19—Proportion of pension that may be commuted

4. Regulation 19 of the principal regulations is varied by inserting after "a retirement pension" in subregulation (a1) "or a pension under section 39A(3g) of the Act on resignation pursuant to a voluntary separation package".

Variation of reg. 20—Commutation factors

5. Regulation 20 of the principal regulations is varied—

- (a) by inserting after "contributor on retirement" in paragraph (a) of subregulation (1) "or on resignation pursuant to a voluntary separation package";

(b) by inserting the following item before the item "55-56 \$11.50 - \$11.30" in the table in paragraph (a) of subregulation (1):

"less than 55 \$11.50"

T&F 13/99 CS

R. DENNIS Clerk of the Council

REGULATIONS UNDER THE RESIDENTIAL TENANCIES ACT 1995

No. 224 of 1999

At the Executive Council Office at Adelaide 18 November 1999

PURSUANT to the *Residential Tenancies Act 1995* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

K. T. GRIFFIN Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Interpretation
4. Code of conduct for rooming house proprietors
5. Implied terms in rooming house agreements
6. Written rooming house agreements
7. House rules
8. Availability of regulations and house rules
9. Permissible consideration
10. Rent in advance
11. Duty to give receipts
12. Rent increases
13. Termination of rooming house agreement
14. Abandoned goods
15. No penalty clauses

SCHEDULE 1*Code of Conduct for Rooming House Proprietors***SCHEDULE 2***Implied Terms***Citation**

1. These regulations may be cited as the *Residential Tenancies (Rooming Houses) Regulations 1999*.

Commencement

2. These regulations will come into operation on 30 January 2000.

Interpretation

3. In these regulations—

"**Act**" means the *Residential Tenancies Act 1995*;

"**house rules**" means rules made in writing by a rooming house proprietor purporting to prohibit or regulate certain conduct or behaviour of residents of the rooming house;

"rent" means an amount payable under a rooming house agreement for accommodation at the rooming house for a period of accommodation;

"security" means an amount a rooming house resident is required to pay under a rooming house agreement, or an agreement collateral to a rooming house agreement, as security for the performance of obligations under a rooming house agreement;

"security bond" means a provision of a rooming house agreement or a collateral agreement under which a rooming house resident is required to give security for the performance of obligations under a rooming house agreement.

Code of conduct for rooming house proprietors

4. Pursuant to section 103(1) of the Act, the code of conduct set out in Schedule 1 is prescribed as the code governing the conduct of rooming house proprietors.

Implied terms in rooming house agreements

5. (1) Pursuant to section 105A of the Act, the provisions set out in Schedule 2 will be taken to be terms of all rooming house agreements.

(2) A rooming house agreement may modify the provisions set out in Schedule 2 for the benefit of a rooming house resident.

Written rooming house agreements

6. If a rooming house proprietor (or an agent acting for the proprietor) invites or requires a rooming house resident or prospective rooming house resident to sign a written rooming house agreement or a document recording its terms, the rooming house proprietor must ensure that the resident receives a copy of the document when the resident signs it.

House rules

7. (1) House rules must be in writing.

(2) A house rule that—

(a) conflicts with a provision of the code of conduct governing the conduct of rooming house proprietors; or

(b) is harsh or unconscionable; or

(c) is made for a purpose other than enhancing the health or safety of persons or the safety of property,

is to that extent void and of no effect.

(3) A variation of the house rules will take effect in relation to a rooming house resident on a date specified by the rooming house proprietor or seven days after the resident has received written notice of the variation, whichever is the later.

Availability of regulations and house rules

8. (1) A rooming house proprietor must—

- (a) ensure that a copy of these regulations and the house rules (in both cases, as in force from time to time) are displayed in a prominent place at the rooming house; and
- (b) at the request of a resident or prospective resident of the rooming house, make a copy of these regulations (as in force from time to time) available for inspection and provide to the resident or prospective resident a copy of the house rules (as in force from time to time).

(2) However, if the rooming house proprietor has, within the previous two months, provided a copy of the house rules to a person, the proprietor need not provide a further copy but, in that case, must make a copy available for inspection by the person.

Permissible consideration

9. (1) A rooming house proprietor must not require or receive from a resident or prospective resident of a rooming house—

- (a) a payment, other than rent or security (or both), for rooming house accommodation or the renewal or extension of a rooming house agreement;
- (b) a payment for statutory rates, taxes or charges;
- (c) a payment for other facilities or services provided by the rooming house proprietor under the rooming house agreement or an agreement collateral to the rooming house agreement.

(2) However, the rooming house proprietor may require a resident to make a payment—

- (a) for rates and charges for water supply; or
- (b) for the provision of electricity, gas or telephone services at the premises; or
- (c) for meals or other facilities or services provided by the proprietor,

if the proprietor has, before the facilities or services were made available or provided to the resident, informed the resident in writing of the basis on which charges for those facilities or services would be made.

Rent in advance

10. (1) A rooming house proprietor must not require a resident of a rooming house to pay rent more than one week in advance.

(2) A rooming house proprietor must not require another to give a post-dated cheque or other post-dated negotiable instrument in payment of rent under a rooming house agreement.

Duty to give receipts

11. (1) A rooming house proprietor who receives a payment under a rooming house agreement or an agreement collateral to a rooming house agreement must ensure that a receipt complying with subregulation (2) is given to the person making the payment—

- (a) if the payment is made in cash—immediately;
- (b) if the payment is made in a form other than cash—within five days.

(2) Each receipt must contain—

- (a) the date on which the payment was received; and
- (b) the name of the person making the payment; and
- (c) the amount paid; and
- (d) the address of the premises to which the payment relates; and
- (e) if the payment is for rent, the period of accommodation to which the payment relates; and
- (f) if the payment is a security bond, a statement of that fact; and
- (g) if the payment is for facilities or services (other than accommodation), a description of the facilities or services and the period to which the payment relates.

(3) However, if the resident makes a payment into an account kept by the rooming house proprietor or the proprietor's agent at a financial institution, and the proprietor or the proprietor's agent keeps a written record containing the information required by subregulation (2), a receipt need not be given.

Rent increases

12. (1) A rooming house proprietor may increase the rent payable under a rooming house agreement by giving written notice to the resident specifying the date as from which the increase takes effect.

(2) However—

- (a) the right to increase the rent may be excluded or limited by the terms of the rooming house agreement; and
- (b) if accommodation at the rooming house is to be provided for a fixed term, the rooming house agreement is taken to exclude an increase in rent during the term unless it specifically allows for an increase in rent; and
- (c) the date fixed for an increase of rent must be at least six months after the date of the agreement or, if there has been a previous increase of rent under this regulation, the last increase and at least four weeks after the notice is given (but if the maximum rent for accommodation at the rooming house has been fixed by a housing improvement notice, and the notice is revoked, the proprietor may, by notice given under this regulation within four weeks after revocation of the housing improvement notice, increase the rent for accommodation at the rooming house from a date falling at least 14 days after the notice is given).

(3) The rent payable under a rooming house agreement may be reduced by mutual agreement between the rooming house proprietor and the rooming house resident.

(4) A reduction of rent may be made on a temporary basis so that the rent reverts to the level that would have been otherwise applicable at the end of a specified period.

(5) If the rent payable under a rooming house agreement is increased or reduced under this regulation, the terms of the agreement are varied accordingly.

(6) For the purposes of this regulation, a series of rooming house agreements between the same parties and relating to accommodation at the same rooming house is treated as a single rooming house agreement unless at least six months have elapsed since rent for accommodation at the rooming house was fixed or last increased.

(7) This regulation does not affect the operation of a provision of a rooming house agreement under which the rent payable under the agreement changes automatically at stated intervals on a basis set out in the agreement.

Termination of rooming house agreement

13. (1) If a rooming house resident abandons the resident's room, the rooming house agreement is terminated.

(2) If rent remains outstanding for at least two rental periods or two weeks (whichever is the lesser), the rooming house proprietor may give the resident a written notice informing the resident that if the amount owing is not paid within a specified period (which must be a period of at least two clear days) from the date the notice is given then—

- (a) the rooming house agreement is terminated at the end of the specified period by force of the notice; and
- (b) the resident must vacate the premises at the end of the specified period.

(3) If a rooming house resident or a person who has entered the rooming house at the resident's invitation, causes serious damage to the rooming house, creates a danger to a person or property in the rooming house, or seriously interrupts the privacy, peace, comfort or quiet enjoyment of another resident, the rooming house proprietor may give the resident a written notice informing the resident that—

- (a) the rooming house agreement is terminated by force of the notice immediately or on a specified day; and
- (b) the resident must vacate the premises immediately or on or before the specified day (as the case requires).

(4) If a rooming house resident breaches a term of the rooming house agreement (otherwise than as referred to in a preceding subregulation), the rooming house proprietor may give the resident a written notice informing the resident that—

- (a) the rooming house agreement is terminated by force of the notice on a specified day (which must be at least seven clear days after the day the notice is given); and
- (b) the resident must vacate the premises on or before the specified day.

(5) A rooming house proprietor may terminate a rooming house agreement providing for accommodation on a periodic basis without specifying a ground for termination by giving the resident at least four weeks' written notice of termination.

(6) A rooming house resident under a rooming house agreement providing for accommodation on a periodic basis may terminate the agreement without specifying a ground for termination by giving the proprietor at least one days' notice of termination.

Abandoned goods

14. If goods are left on the premises by a rooming house resident after the resident vacates the resident's room, the rooming house proprietor—

- (a) must take reasonable care, for a period of 14 days, of the goods (other than perishable foodstuffs); and
- (b) may—
 - (i) in the case of perishable foodstuffs—destroy or otherwise dispose of the foodstuffs;
 - (ii) in any other case—destroy or otherwise dispose of the goods after taking reasonable care of them for the period referred to in paragraph (a).

No penalty clauses

15. A breach by a rooming house resident of a term of the rooming house agreement does not render the resident liable to pay—

- (a) all or any part of the rent remaining payable under the agreement; or
- (b) rent of an increased amount; or
- (c) an amount by way of penalty; or
- (d) an amount by way of liquidated damages.

SCHEDULE 1*Code of Conduct for Rooming House Proprietors***Security bond**

1 (1) A rooming house proprietor must not—

- (a) require more than one security bond for the same rooming house agreement; or
- (b) require the payment of security exceeding two weeks' rent under a rooming house agreement.

(2) A rooming house proprietor must, on termination of a rooming house agreement, repay the full amount of any security paid by the rooming house resident less not more than—

- (a) an amount equal to any outstanding rent or payments for meals, facilities or other services due to the proprietor by the resident; and
- (b) if the resident's room or property provided by the rooming house proprietor for use by the resident is not returned in a reasonable condition (taking into account the condition of the room and property when the resident's period of accommodation began and the probable effect of reasonable wear and tear since that time)—reasonable costs incurred in repairing the room and property.

Security of rooms

2. (1) A rooming house proprietor must provide and maintain the locks and other devices necessary to ensure each resident of the rooming house may make his or her room reasonably secure.

(2) However, the rooming house proprietor will not be regarded as being in breach of the obligation to maintain locks and other devices unless the proprietor is aware of the requirement for maintenance and fails to act with reasonable diligence to undertake the maintenance.

SCHEDULE 2*Implied Terms***General obligations of rooming house proprietor****1.** (1) The rooming house proprietor—

- (a) will not unreasonably restrict, or interfere with—
 - (i) the quiet enjoyment of a room or facilities at the rooming house by the rooming house resident; or
 - (ii) the reasonable peace, comfort or privacy of the rooming house resident in the resident's use of a room or facilities at the rooming house;
- (b) will ensure that the rooming house resident has reasonable access (at all times) to the resident's room, and to the toilet and bathroom facilities;
- (c) will take reasonable steps to ensure the security of personal property of each resident of the rooming house;
- (d) will, unless the rooming house is subject to a housing improvement notice, ensure that the rooming house resident's room and any facilities shared by the resident are maintained in a reasonable state of repair.

(2) However, the rooming house proprietor will not be regarded as being in breach of the obligation to repair unless the proprietor is aware of the defect requiring repair and fails to act with reasonable diligence to have the defect repaired.

General obligations of rooming house resident**2.** The rooming house resident—

- (a) will pay the rent when it falls due;
- (b) will observe any applicable house rules;
- (c) will not use the rooming house, or cause or permit the rooming house to be used, for an illegal activity;
- (d) will not keep an animal on the rooming house premises without the rooming house proprietor's consent;
- (e) will keep the resident's room in a condition that does not give rise to a fire or health hazard;
- (f) will notify the rooming house proprietor of damage to the rooming house or to property provided by the rooming house proprietor for use by the resident;
- (g) will allow the rooming house proprietor reasonable access to the resident's room.

REGULATIONS UNDER THE ROAD TRAFFIC ACT 1961

No. 225 of 1999

At the Executive Council Office at Adelaide 18 November 1999

PURSUANT to the *Road Traffic Act 1961* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW Minister for Transport and Urban Planning

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 5—Declaration of hospitals (s. 47I(19))

Citation

1. The *Road Traffic (Section 47I Hospitals) Regulations 1992* (see *Gazette* 20 August 1992 p. 886), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations come into operation on the day on which they are made.

Variation of reg. 5—Declaration of hospitals (s. 47I(19))

3. Regulation 5 of the principal regulations is varied—

(a) by striking out "Cooper Pedy Hospital Incorporated" and substituting "Cooper Pedy Hospital and Health Services";

(b) by striking out "Northern Yorke Peninsula Regional Health Service Incorporated" and substituting "Northern Yorke Peninsula Health Service".

REGULATIONS UNDER THE ROAD TRAFFIC ACT 1961

No. 226 of 1999

At the Executive Council Office at Adelaide 18 November 1999

PURSUANT to the *Road Traffic Act 1961* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW Minister for Transport and Urban Planning

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 5—Application of regulations

Citation

1. The *Road Traffic (Driving Hours) Regulations 1999* (see *Gazette* 23 September 1999 p. 1245) are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations come into operation on the day on which they are made.

Variation of reg. 5—Application of regulations

3. Regulation 5 of the principal regulations is varied by inserting after subregulation (3) the following subregulations:

(4) If the Minister so declares by notice published in the *Gazette*, these regulations, or specified provisions of these regulations, do not apply to the use of vehicles of a specified class subject to the conditions (if any) specified in the notice.

(5) The Minister may by notice published in the *Gazette* vary or revoke a notice under subregulation (4).

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Fax transmission: (08) 8207 1040
Enquiries: (08) 8207 1045

CITY OF CAMPBELLTOWN

Supplementary Election Results

NOTICE is hereby given that pursuant to the provisions of section 121 (11) of the Local Government 1934, as amended, Lealand Wayne Aldenhoven was declared elected to the position of councillor for Gorge Ward following the supplementary election held on 30 October 1999.

R. SMITH, Returning Officer

CITY OF PLAYFORD

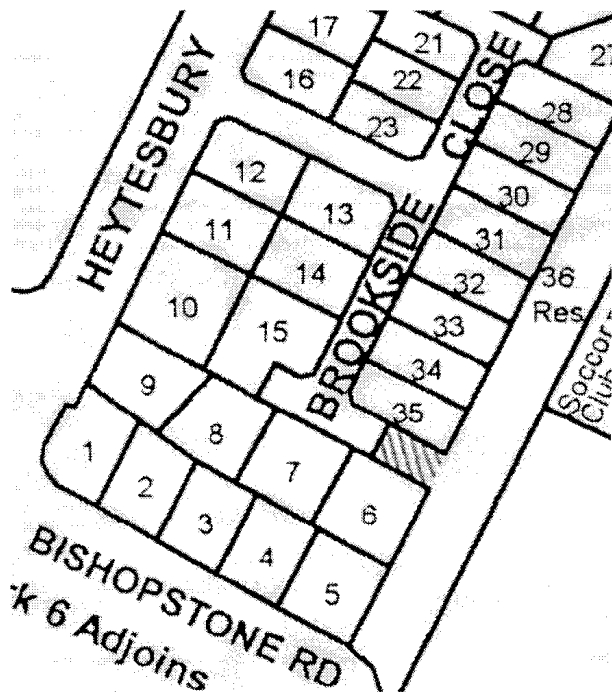
Disposal of Portion of Reserve

NOTICE is hereby given that the City of Playford has resolved under delegation that a portion of a reserve located on Bishopstone Road, Davoren Park, being portion of Allotment 36 in deposited plan No. 36783 and hatched on the plan included herewith, is no longer required.

Pursuant to the provisions of section 459 (a) of the Local Government Act 1934, as amended, council proposes to dispose of the said portion of the land subject to approval from the Minister of Local Government.

Any interested persons may make representations to council on the matter at the address provided hereunder, up to and including 17 December 1999.

Any representation should be addressed to the City of Playford, attention David Trebilcock, Civic Centre, Warooka Drive, Smithfield, S.A. 5114.



Dated 17 November 1999.

T. JACKSON, Chief Executive Officer

CITY OF PORT LINCOLN

DEVELOPMENT ACT 1993

Port Lincoln (City) Development Plan Living Areas Plan Amendment Report—Draft for Consultation

THE City of Port Lincoln has prepared a draft Plan Amendment Report to amend the Port Lincoln (City) Development Plan as it affects the whole of the Council area.

The Plan Amendment Report will amend the Port Lincoln (City) Development Plan by introducing a new set of objectives and principles of development control for land division and residential development within the living areas of Port Lincoln. The most significant changes consist of the introduction of policies designed to encourage and promote:

- greater housing diversity;
- best practice in terms of residential design;
- a performance based approach to land division, including community title and residential design; and
- environmentally sound residential development in accordance with best practice techniques.

The draft Plan Amendment Report and Statement of Investigations will be available for public inspection and purchase during normal office hours at the Council Office, 60 Tasman Terrace, Port Lincoln, S.A. 5606 and at the Library, Porter Street, Port Lincoln, S.A. 5606 to 21 January 2000. A copy of the Plan Amendment Report can be purchased at the Council Office for \$15 each.

Written submissions regarding the draft amendment will be accepted by the City of Port Lincoln until 21 January 2000. The written submission should also clearly indicate whether you will wish to speak at the public hearing on your submission. All submissions should be addressed to the City of Port Lincoln, P.O. Box 1787, Port Lincoln, S.A. 5606.

Copies of all submissions received will be available for inspection by interested persons at 60 Tasman Terrace, Port Lincoln, from 24 January 2000 until the date of the public meeting. A public meeting will be held at 7.30 p.m. at the Council Chambers, 60 Tasman Terrace, Port Lincoln, S.A. 5606 on 21 February 2000. The public hearing may not be held if no submissions indicate an interest at speaking at the public hearing.

Dated 18 November 1999.

F. W. PEDLER, Town Clerk

CITY OF UNLEY

Temporary Road Closure

NOTICE is hereby given that the council of the Corporation of the City of Unley at its meeting held on 25 October 1999, passed the following resolution:

That pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, vehicles generally be excluded from Gilbert Street, Goodwood (between Goodwood Road and Weston Street), on Friday, 19 November 1999, between the hours of 6 p.m. and 10.30 p.m.

R. J. GREEN, City Manager

CITY OF UNLEY

Temporary Road Closure

NOTICE is hereby given that the council of the Corporation of the City of Unley at its meeting held on 25 October 1999, passed the following resolution:

That pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, vehicles generally be excluded from Hexham Avenue, Myrtle Bank (between Clinton Avenue and Ringarooma Avenue) on Saturday, 20 November 1999, between the hours of 4 p.m. and midnight.

R. J. GREEN, City Manager

CITY OF UNLEY

Temporary Road Closure

NOTICE is hereby given that the council of the Corporation of the City of Unley at its meeting held in November 1999, passed the following resolution:

That pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, vehicles generally be excluded from Fashoda Street, Hyde Park (between Charra Street and Caroonna Street) on 20 November 1999, between the hours of 5 p.m. and 11 p.m.

R. J. GREEN, City Manager

CITY OF UNLEY

The Orphanage, Goodwood Road, Millswood Plan Amendment Report—Draft for Public Consultation

NOTICE is hereby given that the City of Unley has prepared a draft Plan Amendment Report (PAR) to amend the Unley (City) Development Plan as it affects land in the Institutional Zone at The Orphanage site (south-eastern corner of Goodwood Road and Mitchell Street) in Millswood.

The draft PAR proposes to amend the Development Plan by introducing a Policy Area and Concept Plan, with refined policy provisions, for this specific site. It proposes to introduce policies to facilitate conservation and guidance for future compatible development of the existing State Heritage Place buildings and their setting, and the maintenance of the current open-space use and nature of the remainder of the site.

The draft PAR will be available for public inspection and purchase during normal office hours at the Council Office, 181 Unley Road, Unley, from 18 November 1999 to 3 February 2000. A copy can be purchased from the Council Offices for \$5 each.

Written submissions regarding the draft PAR will be accepted by the Council until 3 February 2000. Submissions should clearly indicate if there is a wish to speak at the public hearing to be conducted by Council. All submissions should be addressed to the City Manager, City of Unley, P.O. Box 1, Unley, S.A. 5061.

Copies of all submissions received will be available for inspection by interested persons at the Council office from 3 February 2000 until the public hearing.

A public hearing will be held at The Orphanage (Tabor College), 181 Goodwood Road, Millswood, S.A. 5034, at 7.00 p.m. on Tuesday, 15 February 2000.

Dated 18 November 1999.

R. J. GREEN, City Manager

ADELAIDE HILLS COUNCIL

Temporary Road Closures—Stirling Christmas Pageant

NOTICE is hereby given that the Adelaide Hills Council at its meeting held on 26 October 1999, resolved pursuant to section 359 of the Local Government Act 1934, as amended, to close the following roads and exclude all vehicles (with the exception of emergency and procession vehicles) on Friday, 26 November 1999 between the hours of 6.00 p.m. and 8.15 p.m.:

Mount Barker Road, Stirling (Pomona Road to Gould Road);

Druid Avenue, Stirling (Milan Terrace to Mount Barker Road);

Johnston Street, Stirling (Oakbank Street to Mount Barker Road).

There will be no exit from Martha Street from the Woolworths car park, but traffic may leave by turning right at the Johnston Street exit then either left or right into Milan Terrace.

During the procession, traffic will be diverted around the area for the safety of procession traffic and pedestrians.

The Mayor has also approved the closure of the above streets under section 59 of the Summary Offences Act 1953, due to this being a special event and the roads being unusually crowded.

Further information regarding the road closures can be received by telephoning Rhonda Munday on 8408 0400.

R. D. BLIGHT, Chief Executive Officer

ALEXANDRINA COUNCIL

Declaration of Public Roads

NOTICE is hereby given that pursuant to section 303 of the Local Government Act 1934, as amended, Alexandrina Council declares that the land described as private road contained within filed plan 217062 at lots 1 to 13 inclusive are to be public road and that the streets and roads contained therein have had uninterrupted use by the public for at least ten years.

J. L. COOMBE, Chief Executive Officer

REGIONAL COUNCIL OF GOYDER

Periodical Representation Review

NOTICE is hereby given that the Regional Council of Goyder has in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended, reviewed its composition and elector representation arrangements.

Pursuant to the provisions of section 24 (11) (a) of the said Act, the Electoral Commissioner has certified that the review undertaken by council satisfies the requirements of section 24 and may therefore now be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice. The revised representation arrangements are as follows:

1. The number of elected members remains at thirteen.
2. The number of wards remains at four.
3. The number of Councillors representing each ward remains the same as follows:
 - Hallett Ward: two Councillors.
 - Burra Ward: five Councillors.
 - Robertstown Ward: two Councillors.
 - Eudunda Ward: four Councillors.

4. Revisions have been made to the boundaries of the Robertstown Ward and Eudunda Ward by severing from the said Robertstown Ward the land defined in Schedule 1 and annexing same to the Eudunda Ward.

SCHEDULE 1

Comprising those portions of the Hundreds of Bower and English, County of Eyre, bounded as follows: Commencing at a point on the eastern boundary of the District of Goyder, being its intersection with the centre of the road north of and adjoining section 73, Hundred of Bower; southerly along the eastern boundary of the District of Goyder to the south-eastern corner of section 171, Hundred of Bower; south-westerly along the south-eastern boundaries of sections 171, 169, 167, 187, 161 and 12 to the southern boundary of the Hundred of Bower; westerly along the southern boundaries of the Hundreds of Bower and English; generally northerly along western boundaries of the Hundred of English to the intersection with the production westerly of the northern boundary to section 202, Hundred of English; easterly along the latter production and boundary and the northern boundary of section 201 and its production to the centre of the road west of and adjoining section 205; generally north-easterly along the centre of the road generally north-westerly of the lands contained in section 205, allotment 1 (FP147916), allotment 2 (FP160508), sections 272 and 263, allotment 10 (DP21328) and sections 317 and 324, and thence continuing easterly along the centre of the road north of and adjoining section 88, Hundred of Bower and sections 85, 81, 79, 77 and 73 to the point of commencement and crossing all intervening roads.

S. KERRIGAN, Chief Executive Officer

DISTRICT COUNCIL OF KAPUNDA AND LIGHT

Change of Meeting Date

NOTICE is hereby given that the December meeting of council will be held on 14 December 1999, in the Council Chambers, 12 Hanson Street, Freeling, commencing at 5.30 p.m.

G. W. SHERIDAN, Chief Executive Officer

DISTRICT COUNCIL OF LE HUNTE

Periodical Review

NOTICE is hereby given that a periodic review has been conducted and completed in accordance with the requirements of section 24 of the Local Government Act 1934, as amended. The council has reviewed its membership structure and boundary and a report has been prepared which has been the subject of public consultation. A letter has been received from the Electoral Commissioner in certification of this process.

A. F. MCGUIRE, Chief Executive Officer

DISTRICT COUNCIL OF LE HUNTE

Temporary Road Closure

NOTICE is hereby given that at its meeting held on 15 November 1999, council resolved that pursuant to section 359 of the Local Government Act 1934, as amended, vehicles are to be generally excluded from Railway Terrace, Township of Minnipa, between the areas which intersect with Verco Street and Clive Street. The closure is to take effect from 6 p.m. and 12 p.m. on Friday, 17 December 1999 for the purposes of a Christmas Street Party.

A. F. MCGUIRE, Chief Executive Officer

MID MURRAY COUNCIL

Supplementary Election

NOTICE is hereby given that nominations are invited and will be received at the Council Office, 10 Fourth Street, Morgan, S.A. 5320, or the Council Office, 49 Adelaide Road, Mannum, S.A. 5238, from Thursday, 18 November 1999, until noon on Thursday, 9 December 1999, from any person eligible to be a candidate for election to the vacancy in the office of Councillor for River North Ward. Nomination and declaration forms are available from either of the above addresses.

G. BRUS, Chief Executive Officer

DISTRICT COUNCIL OF RENMARK PARINGA

Temporary Road Closure

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, the District Council of Renmark Paringa hereby resolves that Murray Avenue, Renmark between Renmark Avenue and Para Street be closed from 5.45 p.m. to 7.15 p.m. on Wednesday, 1 December 1999, for the purpose of the Renmark High School Prom.

During the period of closure all vehicles except emergency service vehicles and vehicles associated with the Prom are excluded from the said roads.

DR ALI KHAN, Chief Executive Officer

MUNICIPAL COUNCIL OF ROXBY DOWNS

Temporary Road Closure

NOTICE is hereby given that pursuant to the powers vested in the Administrator under the provisions of the Roxby Downs (Indenture Ratification) Act 1982, and in accordance with the provisions of the Local Government Act 1934, as amended, I hereby resolve that the portions of the northern and southern sections of Richardson Place, between Arcoona Street and Burgoyne Street, will be closed to vehicular traffic for the purposes of a Christmas Pageant on Saturday, 11 December 1999 between 4 p.m. and midnight.

The closure will apply to vehicular traffic with the exception of police, emergency, or those vehicles involved in the activities.

W. J. BOEHM, Administrator

DISTRICT COUNCIL OF STREAKY BAY

Temporary Road Closures

NOTICE is hereby given that the District Council of Streaky Bay at a meeting held on 21 October 1999, resolved that pursuant to section 359 of the Local Government Act 1934, as amended, approved the following temporary road closures:

Alfred Terrace, Streaky Bay from Bay Road to Linklater Street from 10 a.m. on Friday, 31 December 1999 to 9 a.m. on Saturday, 1 January 2000 for the purpose of an open air New Year's Eve Celebration.

Hay Terrace between Chapman Terrace and Dickinson Street be temporarily closed on 18 December 1999 between 6 p.m. and midnight for the Annual Christmas Celebrations.

D. J. LANE, Chief Executive Officer

DISTRICT COUNCIL OF TATIARA

Temporary Street Closure

NOTICE is hereby given that the District Council of Tatiara at a meeting held on Tuesday, 14 September 1999, resolved that portion of Makin Street, Keith, between Hender Street and Tolmer Terrace, will be closed to traffic from 6p.m. on 31 December 1999 to 3 a.m. on 1 January 2000 to enable a street party to be held.

J. G. STEPHENS, Chief Executive Officer

Temporary Street Closure

NOTICE is hereby given that the District Council of Tatiara at a meeting held on 9 November 1999, resolved that portion of Woolshed Street, Bordertown, between North Terrace and Crocker Street, will be closed to traffic from 8 p.m. to midnight on 24 December 1999.

J. G. STEPHENS, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

- Austin, Mark Thomas*, late of 5 Goss Street, Mount Gambier, retired electrician, who died on 2 July 1999.
- Ebert, Gerhardt Laurence*, late of 1 Prince Avenue, Blair Athol, retired contractor, who died on 16 October 1999.
- Edmonds, Nita Katherine*, late of 43 Glanville Street, Ethelton, retired secretary who died on 1 August 1999.
- Francis, George Henry*, late of 14 Webber Street, Queenstown, labourer, who died on 5 August 1999.
- Frawley, Susan Eileen*, late of 21 Foster Street, Parkside, of no occupation, who died on 10 October 1998.
- Goldsworthy, Ellen Mary*, late of 11 Ormond Avenue, Daw Park, home duties, who died on 2 October 1999.
- Grubb, Marjorie Ellen*, late of 550 Portrush Road, Glen Osmond, widow, who died on 28 September 1999.
- Jordan, Phyllis Alicia*, late of 31 Selth Street, Albert Park, of no occupation, who died on 18 September 1999.
- Lamont, Lauder Alexander*, late of 123 Swan Terrace, Semaphore, retired truck driver, who died on 1 September 1999.
- McInnes, Edith Mary*, late of 80 Moseley Street, Glenelg South, of no occupation, who died on 9 September 1999.
- Martin, Rebecca Lucy*, late of 268 Midway Road, Elizabeth Downs, of no occupation, who died on 11 September 1999.
- Millar, Lilian*, late of 149 Morgan Avenue, Melrose Park, home duties, who died on 13 September 1999.
- O'Leary, John Deasy*, late of 31 Tiparra Avenue, Park Holme, of no occupation, who died on 4 September 1999.
- Sullivan, Mabel Gertrude*, late of Grainger Road, Somerton Park, widow, who died on 25 July 1999.
- Viant, Elsie Rose*, late of Grainger Road, Somerton Park, of no occupation, who died on 25 September 1999.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide 5000, full particulars and proof of such claims, on or before 17 December 1999, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 18 November 1999.

J. H. WORRALL, Public Trustee

IN the matter of the estates of the undermentioned deceased persons:

- Barnett, Maxine Mary*, late of Bartonvale Retirement Village, Unit 28, 4 Ellis Street, Enfield, widow, who died on 1 November 1999.
- Blacker, Minnie Evelyn*, late of Unit 307, 46 Watson Avenue, Rose Park, widow, who died on 3 October 1999.
- Blatchford, Ross Marks*, late of c/o Post Office, Mallala, farmer and grazier, who died on 16 November 1998 and who was a member of the partnership of R. M. & S. E. Blatchford.
- Broadbridge, Bruce Nathan*, late of 16 Huntington Avenue, Fulham, company director, who died on 9 October 1999 and who was member of the partnership of Car Electrics.
- Coote, Douglas Albert*, late of 10 Prankerd Street, Moonta Bay, retired bar manager, who died on 24 October 1999.
- Henderson, Mary Cathrine Amy*, late of 58 Elizabeth Street, Norwood, retired deputy principal, who died on 11 October 1999.
- Howard, Mark Alfred*, late of War Veterans Home, 55-59 Ferguson Avenue, Myrtle Bank, retired farmer and grazier, who died on 30 October 1999.
- Smithers, Trevor John*, late of Modbury Aged Care Facility, 84 Reservoir Road, Modbury, invalid pensioner, who died on 11 October 1999.
- Spooner, Leonard Charles*, late of Unit 4, 1 Elms Avenue, Richmond, retired plumber, who died on 22 October 1999.
- West, Linda Eunice*, late of Walkerville Nursing Home, 160 Walkerville Terrace, Walkerville, widow, who died on 26 October 1999.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against any of the abovenamed estates are directed to send full particulars of such claims to the undersigned on or before 16 December 1999, otherwise they will be excluded from the distribution of the said estate.

Dated 18 November 1999.

IOOF AUSTRALIA TRUSTEES LIMITED (ACN 007 870 644) and BAGOT'S EXECUTORS & TRUSTEE COMPANY LIMITED (ACN 007 869 829), 212 Pirie Street, Adelaide, S.A. 5000.

IN the matter of the estate of the undermentioned deceased person:

- Haynes, John Edward*, late of All Hallows Nursing Home, 20 Norseman Avenue, Westbourne Park, formerly of Unit 9, 23A East Street, Torrensville, retired, who died on 18 October 1999.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975 that all creditors, beneficiaries and other persons having claims against the abovenamed estate are directed to send full particulars of such claims to the undersigned on or before 24 December 1999, otherwise they will be excluded from the distribution of the said estate.

PERPETUAL TRUSTEES S.A. LIMITED (ACN 008 273 916), 89 King William Street, G.P.O. Box 1098, Adelaide, S.A. 5001.

ALEXANDERS TRANSPORT PTY LTD

(ACN 066 517 922)

ON 16 November 1999 the Supreme Court of South Australia in Action No. 1192 of 1999 made an order for the winding up of Alexanders Transport Pty Ltd and appointed Bruce James Carter, Level 5, 81 Flinders Street, Adelaide, S.A. 5000 to be the liquidator of that company.

MARSHALLS, Level 2, 81 Flinders Street,
Adelaide, S.A. 5000.

CUSTOM GROUP PTY LTD
(formerly QUILL GRAPHICS PTY LTD)

(ACN 068 596 056)

CUSTOM PRESS PTY LTD (ACN 067 777 664) has brought a summons in Action No. 1312 of 1999 in the Supreme Court of South Australia seeking the winding up of Custom Group Pty Ltd (formerly Quill Graphics Pty Ltd). The summons is listed for hearing on Tuesday, 7 December 1999 at not before 2.15 p.m. Any creditor or contributory of Custom Group Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained on payment of the proper cost from Norman Waterhouse, Level 15, 45 Pirie Street, Adelaide, S.A. 5000, solicitors for the plaintiff.

MDS D TRANSPORT PTY LTD

(ACN 060 417 165)

J. & B. INTER PTY LTD has brought a summons in Action No. 1341 of 1999, in the Supreme Court of South Australia seeking the winding up of MDS D Transport Pty Ltd. The summons is listed for hearing on Tuesday, 7 December 1999 at not before 2.15 p.m. Any creditor or contributory of MDS D Transport Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide, at the time set for the hearing of the summons. A copy of the summons and affidavit in support can be obtained on payment of the proper costs from Barratt Lindquist, 162 Halifax Street, Adelaide, S.A. 5000.

SABATINI PTY LTD

(ACN 080 354 481)

MELBOURNE STREET WINE CELLARS (S.A.) PTY LTD (ACN 008 051 947) has brought a summons in Action No. 1326 of 1999, in the Supreme Court of South Australia seeking the winding up of Sabatini Pty Ltd. The summons is listed for hearing on Tuesday, 7 December 1999 at not before 2.15 p.m. Any creditor or contributory of Sabatini Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide, at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained on payment of the proper cost from Martirovs & Co., 3rd Floor, 44 Pirie Street, Adelaide, S.A. 5000, solicitors for the plaintiff.

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform Riverside 2000 of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (either fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Ph. 8207 1045—Fax 8207 1040.