



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

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ADELAIDE, THURSDAY, 25 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](mailto: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.

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Department of the Premier and Cabinet  
Adelaide, 25 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. 70 of 1999—An Act to repeal The Carriers Act 1891.

No. 71 of 1999—An Act to provide for the administration and operation of State taxing laws that are applied as Commonwealth laws in relation to Commonwealth places, and for related purposes.

No. 72 of 1999—An Act to amend the Guardianship and Administration Act 1993.

No. 73 of 1999—An Act to amend the Mining Act 1971 and to make related amendments to the Development Act 1993.

No. 74 of 1999—An Act to amend the Electricity Act 1996, the Electricity Corporations Act 1994 and the Electricity Corporations (Restructuring and Disposal) Act 1999.

No. 75 of 1999—An Act to repeal the Whaling Act 1937.

By command,

IAIN EVANS, for Premier

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5:  
COMMITTAL OF ACTS TO THE MINISTER FOR  
INDUSTRY AND TRADE

*Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to section 5 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I commit the administration of the following Acts to the Minister for Industry and Trade:

*Local Government Act 1999*

*Local Government (Elections) Act 1999*

*Local Government (Implementation) Act 1999.*

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

MLG 18/99 CS

CITY OF ADELAIDE (RUNDLE MALL) AMENDMENT ACT  
1999 (Act No. 38 of 1999): DAY OF COMMENCEMENT

*Proclamation By The Governor*

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 25 November 1999 as the day on which the *City of Adelaide (Rundle Mall) Amendment Act 1999* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

MTUP 68/98 CS

ELECTRICITY CORPORATIONS (RESTRUCTURING AND  
DISPOSAL) ACT 1999 SCHEDULE 1, CLAUSE 2:  
STATUTORY EASEMENT RELATING TO INFRA-  
STRUCTURE

*Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to clause 2 of Schedule 1 of the *Electricity Corporations (Restructuring and Disposal) Act 1999* and with the advice and consent of the Executive Council, I declare—

- (a) ETSA Transmission Corporation to be a body specified for the purposes of that clause; and
- (b) the date of making of this proclamation to be the date specified for the purposes of subclause (1)(b) of that clause.

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

T&F 104/99 CS

FORESTRY ACT 1950 SECTION 3(3): MURRAY LANDS  
FOREST DISTRICT—LAND CEASING TO BE FOREST  
RESERVE

*Proclamation By The Governor*

(L.S.) E. J. NEAL

*Preamble*

1. The following land is forest reserve under the *Forestry Act 1950* (see proclamation, *Gazette* 19 March 1992 p. 877, as varied) and forms part of the Murray Lands Forest District:

Section 599, Hundred of Adelaide.

2. It is intended that this land cease to be forest reserve.

*Proclamation*

PURSUANT to section 3(3) of the *Forestry Act 1950* and with the advice and consent of the Executive Council, I vary the proclamation referred to in the preamble by striking out paragraph (a) of clause 4 of the schedule of that proclamation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

MPNR 55/99 CS

MOTOR VEHICLES (MISCELLANEOUS) AMENDMENT ACT  
1999 (Act No. 52 of 1999): DAY OF COMMENCEMENT

*Proclamation By The Governor*

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 1 December 1999 as the day on which sections 3, 4(a), (e), (f), (g), (m) and (s), 9 (other than paragraph (d)), 11, 13, 16, 17, 24, 35, 37, 41, 48, 49, 57, 63(a) and (b), 68 to 71 (inclusive), 79, 83, 84, 87(b), 89, 90(b), 92(b), 93, 94 and 97 of the *Motor Vehicles (Miscellaneous) Amendment Act 1999* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

TSA 10640/97 CS

NATIONAL PARKS AND WILDLIFE ACT 1972 SECTION  
28(2): BELAIR NATIONAL PARK—ALTERATION OF  
BOUNDARIES

*Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to section 28(2) of the *National Parks and Wildlife Act 1972* and with the advice and consent of the Executive Council, I alter the boundaries of the Belair National Park by adding to that Park the following Crown land:

Section 599, Hundred of Adelaide.

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

MPNR 55/99 CS

NATIONAL PARKS AND WILDLIFE ACT 1972 SECTION  
43(2): MINING IN YUMBARRA CONSERVATION PARK

*Proclamation By The Governor*

(L.S.) E. J. NEAL

*Preamble*

A resolution requesting the Governor to make this proclamation was passed by the House of Assembly on 19 November 1999 and by the Legislative Council on 23 November 1999.

*Proclamation*

PURSUANT to section 43(2) of the *National Parks and Wildlife Act 1972* and to the resolutions of the Houses of Parliament referred to in the preamble and with the advice and consent of the Executive Council, I declare that, subject to the conditions specified in this proclamation, rights of entry, prospecting, exploration and mining may be acquired and exercised pursuant to the *Mining Act 1971* in respect of that part of Yumbarra Conservation Park described in the Schedule.

This proclamation is subject to the following conditions:

1. The Primary Industries Minister must not grant an exploration authority or production tenement under the *Mining Act 1971* over any part of the land without the written approval of the National Parks and Wildlife Minister.

2. Activities must not be undertaken on the land under an exploration authority without the written approval of the Director of Mines.

3. The Director of Mines may—

- (a) grant his or her approval under clause 2 subject to such conditions as he or she thinks fit;
- (b) revoke or vary the approval if the person undertaking the activities contravenes or fails to comply with a condition referred to in paragraph (a).

4. Before granting approval under clause 2 and before determining what conditions (if any) the approval should be subject to, the Director of Mines must request and consider the advice of the Director of National Parks and Wildlife on reducing to a minimum the adverse effects on the environment of the proposed activities.

5. Before granting an application for a production tenement, the Primary Industries Minister must—

- (a) request and consider the advice of the National Parks and Wildlife Minister on reducing to a minimum the adverse effects on the environment of activities under the proposed tenement; and
- (b) refer the application under section 75 of the *Development Act 1993* to the Minister administering that Act.

6. A person (the miner) who exercises rights under an exploration authority must comply with the following requirements:

- (a) the miner must employ an appropriately qualified person approved in writing by the National Parks and Wildlife Minister—
  - (i) to survey the condition of the environment in the vicinity of any proposed exploration activities prior to any drilling, geological sampling or earth-moving activity; and
  - (ii) to conduct during the low impact stage of exploration a baseline biodiversity study in a control area identified by the miner for future environmental reference purposes; and
  - (iii) to monitor the condition of the environment, in particular the effect on the environment of the exercise of rights to which this proclamation relates; and
  - (iv) to prepare and submit to the National Parks and Wildlife Minister and the Primary Industries Minister at least once in each period of 12 months commencing on the grant of the exploration authority a report on such monitoring; and
  - (v) to prepare such supplementary or additional reports as may be required by the National Parks and Wildlife Minister;

(b) the miner must, at least three months before commencing any drilling or excavation, any vegetation clearance, the making of any road or track or aircraft landing area or camp or campsite or the construction of any building or other structure, notify the National Parks and Wildlife Minister and the Primary Industries Minister and must supply each Minister with such information relating to the proposed work as that Minister may require.

(c) the miner, in carrying out the work referred to in paragraph (b)—

(i) must comply with such directions as the National Parks and Wildlife Minister may give in writing in relation—

(A) to carrying out the work in a manner that minimises damage to the land or the environment or to vegetation or wildlife on the land; or

(B) to preserving objects, structures or sites of historic, scientific or cultural interest; or

(C) to rehabilitating the land upon the completion of the work; and

(ii) must comply with such directions as the Primary Industries Minister or the National Parks and Wildlife Minister may give in writing prohibiting or restricting access to any specified area of the land that either Minister believes would suffer significant detriment as a result of carrying out the work;

(d) the miner, in addition to complying with any directions given under paragraph (c)—

(i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historic, scientific or cultural interest, features of scientific or scenic interest and any wildlife on the land are not unduly affected by the exercise of those rights; and

(ii) must take reasonable steps to minimise damage to vegetation; and

(iii) must maintain all work areas in a clean and tidy condition; and

(iv) must, upon the completion of any work, obliterate or remove all roads, tracks, aircraft landing areas, camps, campsites, buildings or structures (other than a road, track, aircraft landing area, camp, campsite, building or structure designated by the National Parks and Wildlife Minister and the Primary Industries Minister as suitable for retention) used exclusively for the purposes of that work;

(e) the miner must, if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of Yumbarra Conservation Park, have regard to the provisions of the plan of management;

(f) the miner must ensure that all persons engaged in exploration related activities within Yumbarra Conservation Park on his or her behalf are adequately trained in reducing to a minimum the adverse effects of their activities on or in relation to the Park or the environment or the cultural heritage of the land;

(g) the miner must not bring animals, or permit his or her employees or agents to bring animals, onto the land;

(h) the miner must take all reasonable measures to ensure that no weeds or non-indigenous living plants, or their seeds, are brought onto the land;

(i) the miner must take all reasonable steps to avoid bringing disease or fungus onto the land;

- (j) the miner must not leave geological samples on the surface of the land;
- (k) the miner must not permanently mark any site except, if required, by means of a small metallic object buried beneath the surface of the land;
- (l) the miner must, as far as practicable, on quitting each site—
- (i) remove all evidence of exploration activity; and
  - (ii) reinstate the land to a condition that is stable and will facilitate natural regeneration within a period of time specified by the National Parks and Wildlife Minister;
- (m) the miner must, at all times, ensure that all exploration drill holes and excavations are made safe for the protection of people and wildlife;
- (n) the miner must, in addition to the other requirements of this clause, do all such other things that are reasonably practicable to avoid or reduce harm to the environment.

7. The miner must, when exercising rights to which this proclamation relates, comply with all applicable Acts and other laws including (but without being limited to) the *Aboriginal Heritage Act 1988*, the *Mining Act 1971*, the *National Parks and Wildlife Act 1972* and the *Native Title (South Australia) Act 1994*.

In this proclamation—

“**the Director of Mines**” means the person holding, or acting in, that office under the *Mining Act 1971*;

“**the Director of National Parks and Wildlife**” means the person holding, or acting in, that office under the *National Parks and Wildlife Act 1972*;

“**exploration authority**” means an exploration authority granted under the *Mining Act 1971* in relation to the land;

“**the land**” means the land, or a part of the land, comprising that part of Yumbarra Conservation Park described in the Schedule;

“**miner**” means a person who is the holder of an exploration authority or a production tenement;

“**the National Parks and Wildlife Minister**” means the Minister administering the *National Parks and Wildlife Act 1972*;

“**the Primary Industries Minister**” means the Minister administering the *Mining Act 1971*;

“**production tenement**” means a production tenement granted under the *Mining Act 1971* in relation to the land.

#### SCHEDULE

Section 457, North Out of Hundreds, County of Way (Fowler).

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

MPNR 53/99 CS

#### ROAD TRAFFIC (MISCELLANEOUS) AMENDMENT ACT 1999 (Act No. 20 of 1999): DAY OF COMMENCEMENT

##### *Proclamation By The Governor*

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 1 December 1999 as the day on which the *Road Traffic (Miscellaneous) Amendment Act 1999* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 25 November 1999.

By command,

IAIN EVANS, for Premier

TSA 3297/98 CS

Department of the Premier and Cabinet  
Adelaide, 25 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint Elizabeth Mary Bolton as a Stipendiary Magistrate from 13 December 1999, pursuant to the provisions of the Magistrates Act 1983.

By command,

IAIN EVANS, for Premier

ATTG 26/99CS

Department of the Premier and Cabinet  
Adelaide, 25 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the following as Her Majesty's Counsel in the State of South Australia:

Kevin Vincent Borick  
Paul John Rice  
David Harvey Peek  
David Malcolm Haines  
Andrew Robert Harris

By command,

IAIN EVANS, for Premier

ATTG 59/93CS

Department of the Premier and Cabinet  
Adelaide, 25 November 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint Terry Mosel as a Full-time Commissioner of the Environment, Resources and Development Court from 10 January 2000, pursuant to section 10 (1) of the Environment, Resources and Development Court Act 1993.

By command,

IAIN EVANS, for Premier

ATTG 62/93CS

#### CO-OPERATIVES ACT 1997

##### *Deregistration of Defunct Co-operative*

PURSUANT to subsection 601AA(4) of the Corporations Law as adopted by section 311 of the Co-operatives Act 1997, the Corporate Affairs Commission gives notice that the co-operative referred to in the Schedule will be deregistered when two months have passed since the publication of this notice.

#### SCHEDULE

Port Pirie Community Advancement Co-operative Society Limited.

Dated 17 November 1999.

A. J. GRIFFITHS, Delegate of the Corporate Affairs Commission

#### CO-OPERATIVES ACT 1997

##### *Deregistration of Defunct Co-operative*

PURSUANT to subsection 601AA(4) of the Corporations Law as adopted by section 311 of the Co-operatives Act 1997, the Corporate Affairs Commission gives notice that the co-operative referred to in the Schedule will be deregistered when two months have passed since the publication of this notice.

#### SCHEDULE

Heart Of The Parks Co-operative Limited.

Dated 17 November 1999.

A. J. GRIFFITHS, Delegate of the Corporate Affairs Commission



## **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)*

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

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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	
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Each Subsequent Name.....	7.30		
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Each Subsequent Estate.....	0.90		
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Public Trustee, each Estate.....	7.30		

## GOVERNMENT GAZETTE NOTICES

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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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## DEVELOPMENT ACT 1993

### SOUTHERN MALLEE DISTRICT COUNCIL DEVELOPMENT PLAN CONSOLIDATION AND GENERAL REVIEW PLAN AMENDMENT REPORT

#### *Draft for Public Exhibition*

The Southern Mallee District Council has prepared a draft Plan Amendment Report to create a Development Plan that will affect the whole of the Council area.

The draft Plan Amendment Report will consolidate the Development Plans of the former District Councils of Lameroo and Pinnaroo. Matters addressed include:

- A regional approach to issues;
- Introduction of common zone names;
- Objectives and principles of development control that are not duplicated;
- Uniform format;
- Incorporation of regional provisions from the Murray Mallee section of the Development Plans;
- Establishment of provisions addressing various forms of rural primary production issues; and
- New mapping to reflect the merged Council area and zone boundaries.

The draft Plan Amendment Report and Statement of Investigations will be available for public inspection and purchase during normal office hours at the Southern Mallee District Council from 25 November 1999 to 4 February 2000. A copy of the draft Plan Amendment Report can be purchased from the District Council offices at \$ 20.00 each.

Written submissions, regarding the draft Plan Amendment Report will be accepted by the Southern Mallee District Council until the close of business on 4 February 2000. The written submission should also clearly indicate whether you wish to speak at a public hearing on your submission. All submissions should be addressed to the Chief Executive Officer of the Southern Mallee District Council, PO Box 49, Pinnaroo, SA 5304.

Copies of all submissions received will be available for inspection by interested persons at the Southern Mallee District Council office (Day Street, Pinnaroo) from 7 February 2000 until the end of the public hearing.

Public hearings will be held at the Council Chambers of the Southern Mallee District Council at Lameroo on Monday 6 March 2000 and at Pinnaroo on Tuesday 7 March 2000; at which times interested persons may appear and be heard before Council in relation to the draft Plan Amendment Report and the submissions. The public hearings will not be held if no submission indicates an interest by its author to speak at the public hearing.

P. A. WOOD, Chief Executive Officer, The Southern Mallee District Council

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DEVELOPMENT ACT 1993, SECTION 27 (1):  
METROPOLITAN ADELAIDE—INDUSTRIAL LAND  
AND DEVELOPMENT PLAN AMENDMENT

*Preamble*

The Minister for Transport and Urban Planning has approved the amendment entitled 'Metropolitan Adelaide—Industrial Land and Development 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 25 November 1999, as the day on which it will come into operation.

Dated 25 November 1999.

E. J. NEAL, Governor

MTUP-PL 30/99CS

DEVELOPMENT ACT 1993, SECTION 27 (1): CITY OF  
CHARLES STURT—HINDMARSH AND WOODVILLE  
(CITY)—CENTRES ZONE PLAN AMENDMENT

*Preamble*

The Minister for Transport and Urban Planning has approved the amendment entitled 'City of Charles Sturt—Hindmarsh and Woodville (City)—Centres Zone 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 25 November 1999, as the day on which it will come into operation.

Dated 25 November 1999.

E. J. NEAL, Governor

MTUP-PL 22/99CS

DEVELOPMENT ACT 1993, SECTION 27 (1): MID MURRAY  
COUNCIL—AMALGAMATION OF RIDLEY-TRURO  
(DC), MANNUM (DC), MORGAN (DC) AND MOUNT  
PLEASANT (DC) (PART)—GENERAL POLICY REVIEW  
PLAN AMENDMENT

*Preamble*

The Minister for Transport and Urban Planning has approved the amendment entitled 'Mid Murray Council—Amalgamation of Ridley-Truro (DC), Mannum (DC), Morgan (DC) and Mount Pleasant (DC) (Part)—General Policy 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 25 November 1999, as the day on which it will come into operation.

Dated 25 November 1999.

E. J. NEAL, Governor

MTUP-PL 50/99CS

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARA-  
TION OF INTERIM OPERATION OF SOUTHERN  
MALLEE DISTRICT COUNCIL—CONSOLIDATION AND  
GENERAL REVIEW PLAN AMENDMENT

NOTICE

PURSUANT to section 28 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'Southern Mallee District Council—Consolidation and General

Review Plan Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 25 November 1999.

Given under my hand at Adelaide, 25 November 1999.

E. J. NEAL, Governor

MTUP-PL 43/99CS

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I KOSTAS SARNECKIS, Acting Surveyor-General and Delegate appointed by DOROTHY KOTZ, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as a Reserve for Pumping Station Purposes and declare that such land shall be under the care, control and management of the District Council of Grant.

**The Schedule**

Allotment 60 of DP 52958, Hundred of Kongorong, County of Grey, exclusive of all necessary roads.

Dated 22 November 1999.

K. SARNECKIS, Acting Surveyor-General

DEHAA 09/1137

ELECTORAL ACT 1985

*Registration of Political Parties*

NOTICE is hereby given, pursuant to section 42 of the Electoral Act 1985, that I have this day registered the following political party:

Name of Party: Country Labor Party

Abbreviation of Name of Party: Country Labor

Dated 25 November 1999.

S. H. TULLY, Electoral Commissioner

SEO 99/97

GAMING MACHINES ACT 1992

*Notice of Application for an Increase in Gaming Machines*

NOTICE is hereby given, pursuant to section 29 (1) (d) of the Gaming Machines Act 1992, that Town and Country Nominees Pty Ltd (ACN 007 827 205), c/o The Australian Hotels Association (S.A. Branch), 4th Floor, 60 Hindmarsh Square, Adelaide, S.A. 5000, the licensee of South End Hotel situated at Murray Street, Gawler, has applied to the Liquor and Gaming Commissioner for an increase in the number of approved gaming machines from 6 to 40.

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

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor Licensing Commissioner, 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 Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 23 November 1999.

Applicant

## GEOGRAPHICAL NAMES ACT 1991

*Notice to Assign Boundaries and Names to Places*

NOTICE is hereby given that pursuant to the above Act, I KOS SARNECKIS, Acting Surveyor-General and Delegate appointed by Hon. Robert Lawson, QC, MLC, Minister for Administrative Services, Minister of the Crown to whom the administration of the Geographical Names Act 1991, is committed DO HEREBY assign the following names, BARNDIOOTA, HAWKER, KANYAKA, CRADOCK, YARRAH, WILLOCHRA, MOOCKRA, QUORN and STEPHENSTON to those areas within the Flinders Ranges Council and shown numbered 1 to 9 respectively on Rack Plan 843.

Dated 17 November 1999.

KOS SARNECKIS, Acting Surveyor-General,  
Department for Administrative and  
Information Services

DEHAA 04/0219

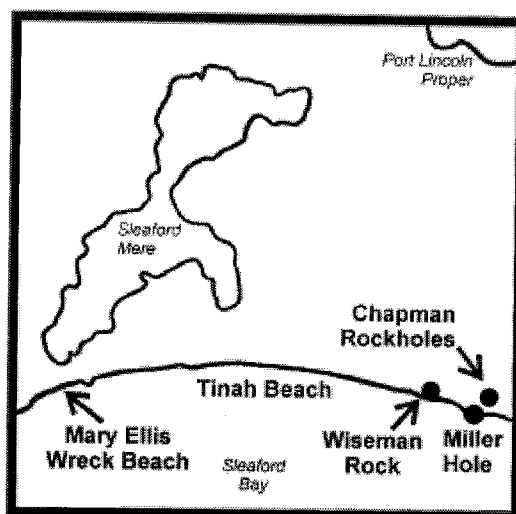
## GEOGRAPHICAL NAMES ACT 1991

*Notice to Assign Names to Places*

NOTICE is hereby given pursuant to the provisions of the above Act that I, KOS SARNECKIS, Acting Surveyor-General and delegate appointed by Hon Robert Lawson, QC, MLC, Minister for Administrative Services, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY assign the following names to those features detailed below and shown on the plan below.

- (a) MARY ELLIS WRECK BEACH, locally known as Wreck Beach and located at grid reference 566150 East, 6142000 North, on 1:50 000 mapsheet Sleaford (6028-3),
- (b) TINAH BEACH, locally known as Wiseman Beach, starting at grid reference 570500 East, 6142100 North on 1:50 000 mapsheet Jussieu (6028-2) and finishing at grid reference 566400 East, 6412100 North on 1:50 000 mapsheet Sleaford (6028-3),
- (c) CHAPMAN ROCKHOLES located at grid reference 572800 East, 6141980 North, on 1:50 000 mapsheet Jussieu (6028-2).
- (d) MILLER HOLE, located at grid reference 572560 East, 6141710 North, on 1:50 000 mapsheet Jussieu (6028-2).
- (e) WISEMAN ROCK, located at grid reference 571670 East, 6142030 North on 1:50 000 mapsheet Jussieu (6028-2).

## THE PLAN



Dated 17 November 1999.

KOS SARNECKIS, Acting Surveyor-General,  
Department for Administrative and  
Information Services

DEHAA 04/0104

## HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the following table to be substandard for the purposes of Part VII of the Housing Improvement Act 1940, and whereas the South Australian Housing Trust is satisfied that each of the houses described hereunder has ceased to be substandard, notice is hereby given that, in exercise of the powers conferred by the said Part, the South Australian Housing Trust does hereby revoke the said declaration in respect of each house.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
333 Carrington Street, Adelaide	Allotment 92 in Filed Plan 170511, Hundred of Adelaide	5322	984	28.1.93, page 484
11 Railway Terrace, Coonalpyn	Allotment 2 in Deposited Plan 35826, Hundred of Coneybeer	5241	805	30.7.92, page 759
45 Main Avenue, Frewville	Allotment 81 in Filed Plan 15856, Hundred of Adelaide	5269	68	25.5.95, page 2206
9 Handyside Street, Naracoorte	Allotment 228 in Deposited Plan 4473, Hundred of Naracoorte	5108	523	29.4.93, page 1556
14 Castle Street, Parkside	Allotment 1 in Deposited Plan 14709, Hundred of Adelaide	5698	715	7.5.92, page 1352
13 Ella Street, Parkside	Allotment 231 in Filed Plan 22220, Hundred of Adelaide	5081	998	29.10.92, page 1439
35 Arthur Street, Penola	Allotment 236 in Filed Plan 191608, Hundred of Penola	5616	588	14.11.89, page 1505
6 George Street, Peterborough	Allotment 4 in Deposited Plan 15789, Hundred of Peterborough	5150	440	28.6.90, page 1721
23 Princess Street, Peterborough	Allotment 417 in Deposited Plan 3873, Hundred of Yongala	5346	661	30.10.97, page 1113
34 Langham Place, Port Adelaide	Allotment 560 in Deposited Plan 3, Hundreds of Port Adelaide and Yatala	5330	640	22.6.67, page 1856
9 May Street, Port Pirie West	Allotment 38 of subdivision of section 545, Hundred of Pirie	1008	102	28.6.90, page 1721
11 Jervois Street, Torrensville	Allotment 96 in Deposited Plan 618, Hundred of Adelaide	5254	688	24.3.94, page 799

Dated at Adelaide, 25 November 1999.

G. BLACK, General Manager, Housing Trust

## HOUSING IMPROVEMENT ACT 1940

NOTICE is hereby given that the South Australian Housing Trust in the exercise of the powers conferred by the Housing Improvement Act 1940, does hereby declare the houses described in the table hereunder to be substandard for the purposes of Part VII of the Housing Improvement Act 1940.

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
41 Kingston Street	Naracoorte	Allotment 4 in Deposited Plan 3926, Hundred of Naracoorte	5594	984

Dated at Adelaide, 25 November 1999.

G. BLACK, General Manager, Housing Trust

## HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust did declare the houses described in the said table to be substandard for the purposes of Part VII of the Housing Improvement Act 1940, the South Australian Housing Trust in the exercise of the powers conferred by the said Part, does hereby fix as the maximum rental per week which shall be payable subject to section 55 of the Residential Tenancies Act 1995, in respect of each house described in the following table the amount shown in the said table opposite the description of such house and this notice shall come into force on the date of this publication in the *Gazette*.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
10 Union Street, Beulah Park	Portion of allotment 71 of subdivision of block 5 and others portion of section 288, Hundred of Adelaide	2362	46	29.5.97, page 2697	155.00
2 Easton Road, Davoren Park	Allotment 17 in Deposited Plan 7277, Hundred of Munno Para	5277	529	24.7.97, page 198	100.00
Flat 9/168D Jetty Road, Glenelg	Allotment 78 in Filed Plan 6534, Hundred of Noarlunga	5078	141	30.9.99, page 1348	85.00
53 Maria Street, Thebarton	Allotments 167 and 168 of portion of section 11, Hundred of Adelaide	939	56	30.7.92, page 760	130.00

Dated at Adelaide, 25 November 1999.

G. BLACK, General Manager, Housing Trust

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that H. and C. Apostolides, 372 Anzac Highway, Plympton, S.A. 5038 have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 6 Lower Portrush Road, Marden and known as Barnacle Bill's Fish & Chippery—Marden.

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 19 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 Lido of Glenelg Pty Ltd (ACN 081 964 507), c/o Scott Lumsden, Thomson Playford, 101 Pirie Street, Adelaide, S.A. 5000, has applied to the Licensing Authority for the grant of an Entertainment Consent in respect of premises to be situated at Shop 2, Marina Pier Plaza at Holdfast Shores.

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

*Conditions*

The following licence conditions are sought:

Entertainment consent to apply from 10 a.m. to midnight on each day of the week.

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 Guiseppe Pangallo, 5 Jenny Place, Grange, S.A. 5022, Antonio Paravia, 8 Atlas Court, Modbury North, S.A. 5092 and Nicolas Paravia, 9 Castres Street, Glynde, S.A. 5070, have applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 102 O'Connell Street, North Adelaide and known as Cafe Fellini.

The application has been set down for hearing on 23 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 applicants at the applicants' addresses 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.

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 Thean Leong Chin, 1/57 Lloyd Street, Moe, Vic. 3825 has applied to the Licensing Authority for a Restaurant Licence in respect of premises to be situated at 83 Commercial Street West, Mount Gambier, S.A. 5290 and to be known as Malaysian House.

The application has been set down for hearing on 23 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 17 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 Fetzer Nominees Pty Ltd has applied to the Licensing Authority to vary the Entertainment Consent in respect of premises situated at 13 King Street, Port Lincoln, S.A. 5606 and known as Hilton Motel.

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

*Conditions*

The following licence conditions are sought:

Entertainment consent is to be varied to include the New Balcony, Deck and Conference Room.

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 18 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 Chelsea Bay Pty Ltd has applied to the Licensing Authority for a variation to an Extended Trading Authorisation in respect of premises situated at 63 Gawler Street, Mount Barker, S.A. 5251 and known as Gray's Inn.

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

*Conditions*

The following licence conditions are sought:

1. To vary the Extended Trading Authorisation to incorporate Areas 1 and 6 in the licensed plan.

2. To vary the Extended Trading Authorisation to permit consumption of liquor during the following additional hours:

Thursday: Midnight to 2 a.m. the following day.

Friday and Saturday: 1.30 a.m. to 2 a.m. the following day.

Sunday: 8 p.m. to midnight.

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 18 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 Ajay and Josephine Bhardwaj, 108 Winzor Street, Salisbury Downs, S.A. 5108 have applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at Shop 2, 117 Portrush Road, Evandale, S.A. 5069 and known as Indian Mahal Restaurant and Take-Away.

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

*Conditions*

The following licence conditions are sought:

Seeking an Extended Trading Authorisation to sell liquor without meals on Sunday from 8 p.m. to 9.30 p.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 18 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 Berridale Vineyards Pty Ltd (ACN 008 218 862), c/o Bonnins, Level 14, 100 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Producer's Licence in respect of the premises situated at Lot 1, Lake Plains Road, Langhorne Creek and known as Berridale Vineyards.

The application has been set down for hearing on 23 December 1999 at 9 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 18 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 T. S. and B. J. Monfries, 27A Fowlers Road, Glenunga, S.A. 5064 have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 53-59 The Parade, Norwood, S.A. 5067 and known as Sip-On.

The application has been set down for hearing on 10 January 2000.

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 22 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 Blue Man Enterprises Pty Ltd, P.O. Box 46, Balhannah, S.A. 5242 has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 110 Flinders Street, Adelaide, S.A. 5000 and known as Tempo Cafe Restaurant.

The application has been set down for hearing on 10 January 2000 at 9 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 22 November 1999.

Applicant

#### 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: Mount Isa Mines Limited 60%

Normandy Minerals Limited 20%

Western Metals Resources Limited 20%

Location: Drew Hill area—Approximately 20 km north of Olary, bounded as follows: Commencing at a point being the intersection of latitude 32°00'S and longitude 140°20'E, thence east to longitude 140°29'E, south to latitude 32°03'S, east to longitude 140°40'E, south to latitude 32°06'S, west to longitude 140°25'E, south to latitude 32°09'S, west to longitude 140°18'E, north to latitude 32°08'S, west to longitude 140°16'E, north to latitude 32°05'S, east to longitude 140°18'E, north to latitude 32°04'S, east to longitude 140°20'E, and north to the point of commencement, but excluding Area Reserved (see *Government Gazette* 22 March 1979), 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: 2 years

Area in km<sup>2</sup>: 343

Ref. D.M.E.: 111/1999

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

#### MINING ACT 1971

NOTICE is hereby given in accordance with section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Paul Gerard Cave

Claim Number: 3144

Location: In section 6, Hundred of Koppio, approximately 30 km north of Port Lincoln

Purpose: To extract granite from an abandoned mined hillside

Ref. D.M.E. No.: T2172

A copy of the proposal has been provided to the District Council of Tumbay Bay.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 21 December 1999.

L. JOHNSTON, Mining Registrar

#### 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: Tasman Resources NL

Location: Melrose area—Approximately 50 km south-east of Port Augusta, bounded as follows: Commencing at a point being the intersection of latitude 32°58'S and longitude 138°05'E, thence west to longitude 138°02'E, north to a southern boundary of Mount Remarkable National Park (*Government Gazette* 27 April 1972 and *Government Gazette* 22 January 1976, single Proclamation portion), thence generally southerly, north-easterly, westerly and northerly along the boundary of the said National Park to latitude 32°42'S, east to longitude 138°09'E, south to a northern boundary of Mount Remarkable National Park (*Government Gazette* 27 April 1972 and *Government Gazette* 22 January 1976, single Proclamation portion), thence generally southerly and north-easterly along the boundary of the said National Park to latitude 32°50'S, east to longitude 138°15'E, south to latitude 33°00'S, west to longitude 138°05'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 km<sup>2</sup>: 431

Ref. D.M.E. No.: 104/1999

L. JOHNSTON, Mining Registrar

#### MOTOR VEHICLES ACT 1959

TAKE notice that I, Diana Vivienne Laidlaw, the responsible Minister of the Crown for the Transport portfolio do hereby approve, in accordance with section 80 (2) of the Motor Vehicles Act 1959, the adoption of the following guidelines for the purpose of assessing a person's competence to drive motor vehicles or motor vehicles of a particular class:

'Medical Examinations of Commercial Drivers'—prepared by the Australasian Faculty of Occupational Medicine on behalf of the National Road Transport Commission and the Federal Office of Road Safety 1994, as amended from time to time.

'Assessing Fitness to Drive—Austroads guidelines for health professionals and their legal obligations'—published by Austroads 1998 as amended from time to time.

Dated at Adelaide, 16 November 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning

#### PASSENGER TRANSPORT ACT 1994

##### Notice by the Minister

PURSUANT to section 5 of the Passenger Transport Act 1994, I exempt a person who is the holder of a taxi licence or the driver of a taxi from Regulation 54 (1) and (2) of the Passenger Transport (General) Regulations 1994, between 6 p.m. on 31 December 1999 and 6 a.m. on 1 January 2000 (the 'period of exemption'), subject to the following conditions:

- (a) the maximum fare that may be demanded or recovered for a hiring of a taxi during the period of exemption is the fare that would apply if this exemption were not in force (calculated in accordance with the requirements of the Passenger Transport (General) Regulations 1994), plus \$2; and

- (b) a person who is taking advantage of this exemption must, during the period of exemption, ensure that a notice of a kind determined by the Passenger Transport Board is displayed in the relevant taxi in a manner determined by the Board.

Dated 16 November 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

#### PETROLEUM (SUBMERGED LANDS) ACT 1982

##### *Notice of Surrender of Exploration Permit for Petroleum SA-1*

I, ROBERT GERARD KERIN, Minister for Primary Industries, Natural Resources and Regional Development in the State of South Australia, hereby consent to the surrender of Exploration Permit for Petroleum No. SA-1 of which Oil Company of Australia Ltd, Cultus Petroleum (Australia) NL, Cultus Timor Sea Ltd and Basin Oil NL are the registered holders, has been totally surrendered in respect of the graticular blocks described hereunder effective 14 November 1999.

##### *Description of Blocks*

The reference hereunder is to the name of a mapsheet of the 1:100 000 series and to the number of graticular sections shown thereon. Area SA1 Map Sheet SJ-54—Hamilton: blocks numbered 957B, 958A, 1029B, 1030A, 1101B, 1102A, 1174B, 1175A, 1247B, 1248A, 1320B, 1321A, 1322B, 1393B, 1394A, 1395A, 1466B, 1467B, 1468A, 1539B, 1540A, 1612B, 1613A, 1684B, 1685B, 1686A and 1758B.

Assessed to contain 27 blocks.

Dated 15 November 1999.

ROB KERIN, Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development

#### ROAD TRAFFIC ACT 1961

##### *Driving Hours and Records for Heavy Trucks Carting Grain, Grapes, Fresh Fruit and Fresh Vegetables*

PURSUANT to the provisions of the Road Traffic (Driving Hours) Amendment Act 1999 and Regulation 5 (4) of the Road Traffic (Driving Hours) Regulations 1999, I, Diana Vivienne Laidlaw, MLC, Minister for Transport and Urban Planning, hereby declare by this notice the following provisions:

- Part 2, Division 2 (driving, work and rest times of regulated hours drivers) Regulations 19, 20 and 21;
- Part 4, Division 3 (driving records for local area work);
- Regulation 62 (local area management records to be kept),

of the said Regulations do not apply to drivers of heavy trucks, as defined in Regulation 8, only when the heavy trucks are being used to cart grain, grapes, fresh fruit or fresh vegetables between a farm property and a receiving point, and subject to the conditions below:

1. This notice applies only to local area work as defined in Regulation 43.
2. This notice does not exempt employers, employed drivers and self-employed drivers from their obligations under sections 19, 20, 21 and 22 of the Occupational Health, Safety & Welfare Act 1986 and Division 1.2 of the Occupational Health, Safety & Welfare Regulations 1995.
3. This notice has effect only for travel entirely within South Australia.

This notice may be varied or revoked by further notice published in the *Gazette*.

Dated 23 November 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning

#### ROAD TRAFFIC ACT 1961

##### *Exemptions for Heavy Vehicles*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, as amended, I, Diana Vivienne Laidlaw, Minister for Transport and Urban Planning, hereby exempt all vehicles, except agricultural vehicles, with a GVM exceeding 4.5 tonnes or any combination that includes a vehicle with a GVM exceeding 4.5 tonnes (herein described as 'Heavy Vehicles'), or a trailer, from the following requirements under Part 4 of the Road Traffic Act 1961, subject to conditions listed below:

##### *Road Traffic (Mass and Loading Requirements) Regulations 1999, Schedule 1, Table 1, Twinsteer axle groups*

A twinsteer axle group without a load-sharing suspension system is exempt from the requirement of table 1 on the condition it must not exceed 11 tonnes.

##### *Road Traffic (Oversize or Overmass Vehicle Exemptions) Regulations 1999, Schedule 1, Table 3, Dimension Limits*

Special Purpose vehicles, other rigid vehicles and semi-trailers are exempt from the length dimension limits of table 3 on the condition they not exceed 20.117 m in length.

##### *Road Traffic (Mass and Loading Requirements) Regulations 1999, Schedule, Item 6, Front and side projections*

If a vehicle or combination is carrying agricultural vehicles, the vehicle is exempt from the front and side projection limits of the Schedule, item 6, on the following conditions:

- that the vehicle is not driven on a road except between sunrise and sunset; and
- that the vehicle has red, orange or yellow fluorescent or any other high visibility material flags being not less than 450 mm<sup>2</sup> attached to the outer extremities of the load; and
- only the load comprising the agricultural vehicle is permitted to exceed 2.5 m in width.

##### *Road Traffic (Vehicle Standards) Rules 1999*

##### *Rule 35—Rear Vision Mirrors*

Tractors, road construction equipment, earth moving equipment and forklift trucks, whilst being used on a road or road related area within a designated worksite or construction zone and the worksite is in accordance with the requirements of Australian Standard 1742.3 1985 (Traffic Control Devices for Works on Roads), as amended, are exempt from the requirement to be fitted with at least one rear vision mirror.

##### *Rule 39—Diesel Engines*

All heavy vehicles are exempt from the requirement to have a device fitted preventing the engine from being started accidentally or inadvertently in circumstances where such a device was not fitted by the vehicle manufacturer.

##### *Rule 41—Electrical wiring, connections and installations*

All heavy vehicles manufactured prior to July 1988 are exempt from the requirement under Rule 41 (1) (a) that electrical wiring be supported at intervals of not over 600 mm.

All heavy vehicles manufactured prior to July 1988 are exempt from the requirement under Rule 41 (3) that a trailer be equipped with electrical conductor, independent of the trailer coupling, that provides a return path between the electrical circuits of the trailer and towing vehicle.

##### *Rule 43—Windscreens and Windows*

All heavy vehicles are exempt from the requirement under Rule 43 (1) for approved material only to be used as a windscreen, window, or interior partition on the condition that any material used is a transparent material which will not shatter.

##### *Rule 63—Left-Hand Drive Signs*

All heavy vehicles are exempt from the requirements under Rule 63 to display the words 'left hand drive' on the rear of the vehicle.

*Rule 66 (1)—Width*

If a vehicle or combination is carrying agricultural vehicles, the vehicle is exempt from the requirement under Rule 66 on the following conditions:

- that the vehicle or combination is not driven on a road except between sunrise and sunset; and
- that the vehicle or combination has red, orange or yellow fluorescent or any other high visibility material flags being not less than 450 mm<sup>2</sup> attached to the outer extremities of the load; and
- only the load comprising the agricultural vehicle is permitted to exceed 2.5 m in width.

*Rule 77—Headlights to be fitted to vehicles*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 77 (2) (a) and (b) to have headlights that operate on a high beam.

*Rule 83—Changing Headlights from high-beam to low-beam position*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 83 (1) to be fitted with a dipping device where only low-beam headlights are fitted.

*Rule 84—Parking Lights*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 84 (1) to have parking lights fitted, on the condition that the vehicle is parked under or near a lighted street lamp or other lamps and is thereby illuminated so as to render the vehicle clearly visible under normal atmospheric conditions from a distance of 200 m and to remove any risk of accident.

*Rule 86—Tail Lights Generally*

A motor vehicle or trailer is exempt from the requirement of Rule 86 (2) and 86 (3) to have two tail lights fitted if the vehicle was built prior to October 1991.

*Rule 98—Fitting Brake Lights*

A motor vehicle or trailer is exempt from the requirement of Rule 98 (2) to have two brake lights fitted if the vehicle was built prior to October 1991.

*Rule 101—Direction Indicator Lights on Motor Vehicles*

Any heavy vehicle in the following category is exempt from the requirement to have signalling devices as defined in Rule 101 (1) and (3):

- Road construction, earth moving and other similar equipment that is transported to its worksite on another vehicle and is not driven or towed to that site; or
- crawler tractors, track-type excavating machines, steel road rollers, vibrating pavement rollers, pavement marking machines and bitumen finishing machines not capable of a speed greater than 20 km/h.

*Rule 105—Front Fog Lights*

Any heavy vehicle is exempt from the requirement under Rule 105 (1) to have fog lights fitted in pairs, on the condition that at least one fog light is fitted and that, when lit, there shall be affixed symmetrically to the front of the vehicle and at equal height from the ground, two lighted lamps of a power not exceeding seven watts with centres not less than 1 m apart.

*Rule 112—Compulsory Front Reflectors on Trailers*

Any trailer built prior to October 1991, is exempt from the requirement under Rule 112 to have compulsory front reflectors toward each side of the front of the trailer on the condition that, if the trailer is 2.2 m or more in width, it is fitted with front clearance lights, as required by Rule 91 (5) 'Front Clearance Lights'.

*Rule 132—Trailer Braking Requirements*

Any trailer the laden mass of which does not exceed six tonnes and that is towed at a speed not exceeding 25 km/h is exempt from the requirements under Rule 132 (1).

Any trailer with a Gross Trailer Mass over 750 kg and not exceeding a laden mass of two tonnes, is exempt from the requirement under Rule 132 (1) to have the required braking systems if the trailer was built before July 1990 and:

- the laden mass of the trailer does not exceed the unladen mass of the towing vehicle; or

- any trailer not comprising of a caravan or machine on wheels, the unladen mass of which does not exceed 0.75 tonnes; or
- any trailer comprising of a caravan or machine on wheels the laden mass of which does not exceed two tonnes.

*Rule 148—Exhaust Systems*

Any heavy vehicle manufactured prior to July 1988, is exempt from the requirement of Rule 148.

These exemptions will come into operation on 1 December 1999 and expire at midnight on 31 May 2000.

Dated 23 November 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

## ROAD TRAFFIC ACT 1961

*Exemptions for Light Vehicles*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, as amended, I, Diana Vivienne Laidlaw, Minister for Transport and Urban Planning, hereby exempt all vehicles with a GVM not exceeding 4.5 tonnes or any combination that include a vehicle with a GVM not exceeding 4.5 tonnes (herein described as 'light vehicles') from the following requirements under Part 4 of the Road Traffic Act 1961, subject to the conditions listed below:

*Road Traffic (Mass and Loading Requirements) Regulations 1999, Schedule, Item 6, Front and side projections*

If a vehicle or combination carrying a load consisting of agricultural vehicles the vehicle is exempt from front and side projection limits of the Schedule, item 6 on the following conditions:

- that the vehicle is not driven on a road except between sunrise and sunset; and
- that the vehicle has red, orange or yellow fluorescent or any other high visibility material flags being not less than 450 mm<sup>2</sup> attached to the outer extremities of the load; and
- only the load comprising the agricultural vehicle is permitted to exceed 2.5 m in width.

*Road Traffic (Vehicle Standards) Rules 1999**Rule 39—Diesel Engines*

All heavy vehicles are exempt from the requirement to have a device fitted preventing the engine from being started accidentally or inadvertently in circumstances where such a device was not fitted by the vehicle manufacturer.

*Rule 41—Electrical wiring, connections and installations*

All vehicles manufactured prior to July 1988, are exempt from the requirement under Rule 41 (1) (a) that electrical wiring be supported at intervals of not over 600 mm.

All vehicles manufactured prior to July 1988, are exempt from the requirement under Rule 41 (3) that a trailer be equipped with electrical conductor, independent of the trailer coupling, that provides a return path between the electrical circuits of the trailer and towing vehicle.

*Rule 43—Windscreens and Windows*

All vehicles are exempt from the requirement under Rule 43 (1) for approved material only to be used as a windscreen, window, or interior partition on the condition that any material used is a transparent material which will not shatter.

*Rule 66 (1)—Width*

If a vehicle or combination is carrying agricultural vehicles, the vehicle is exempt from the requirement under Rule 66 on the following conditions:

- that the vehicle is not driven on a road except between sunrise and sunset; and
- that the vehicle has red, orange or yellow fluorescent or any other high visibility material flags being not less than 450 mm<sup>2</sup> attached to the outer extremities of the load; and
- only the load comprising the agricultural vehicle is permitted to exceed 2.5 m.

*Rule 77—Headlights to be fitted to vehicles*



A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 77 (2) (a) and (b) to have headlights that operate on a high beam.

*Rule 83—Changing Headlights from high-beam to low-beam position*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 83 (1) to be fitted with a dipping device where only low-beam headlights are fitted.

*Rule 84—Parking Lights*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 84 (1) to have parking lights fitted, on the condition that the vehicle is parked under or near a lighted street lamp or other lamps and is thereby illuminated so as to render the vehicle clearly visible under normal atmospheric conditions from a distance of 200 m and to remove any risk of accident.

*Rule 86—Tail Lights Generally*

A motor vehicle or trailer is exempt from the requirement under Rule 86 (2) and 86 (3) to have two tail lights fitted if the vehicle was built prior to October 1991.

*Rule 98—Fitting Brake Lights*

A motor vehicle or trailer is exempt from the requirement under Rule 98 (2) to have two brake lights fitted if the vehicle was built prior to October 1991.

*Rule 101—Direction Indicator Lights on Motor Vehicles*

Any vehicle in the following category is exempt from the requirement to have signalling devices as defined in Rule 101 (1) and (3):

- small power driven lawn mowers;
- pedestrian operated forklift trucks; or
- other small self-propelled machines.

*Rule 105—Front Fog Lights*

Any vehicle is exempt from the requirement of Rule 105 (1) to have fog lights fitted in pairs, on the condition that at least one fog light is fitted and that, when lit, there shall be affixed symmetrically to the front of the vehicle and at equal height from the ground, two lighted lamps of a power not exceeding seven watts with centres not less than 1 m apart.

*Rule 112—Compulsory Front Reflectors on Trailers*

Any trailer built prior to October 1991, is exempt from the requirement of Rule 112 to have compulsory front reflectors on trailers toward each side of the front of the trailer on the condition that, if the trailer is 2.2 m or more in width, it is fitted with front clearance lights.

*Rule 132—Trailer Braking Requirements*

Any trailer the laden mass of which does not exceed six tonnes and that is towed at a speed not exceeding 25 km/h is exempt from the requirements under Rule 132 (1).

Any trailer with a Gross Trailer Mass over 750 kg and not exceeding a laden mass of two tonnes, is exempt from the requirement under Rule 132 (1) to have the required braking systems if the trailer was built before July 1990 and:

- the laden mass of the trailer does not exceed the unladen mass of the towing vehicle; or
- any trailer not comprising of a caravan or machine on wheels, the unladen mass of which does not exceed 0.75 tonnes; or
- any trailer comprising of a caravan or machine on wheels the laden mass of which does not exceed two tonnes.

These exemptions will come into operation on 1 December 1999 and expire at midnight on 31 May 2000.

Dated 23 November 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

ROAD TRAFFIC ACT 1961

*Exemptions for Motor Bikes*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, as amended, I, Diana Vivienne Laidlaw, Minister for Transport and Urban Planning, hereby exempt all vehicles with two wheels, and including a two wheeled motor

vehicle with a sidecar attached to it that is supported by a third wheel (herein described as a 'motor bike') from the following requirements under Part 4 of the Road Traffic Act 1961, subject to the conditions listed below:

*Road Traffic (Vehicle Standards) Rules 1999*

*Rule 41—Electrical wiring, connections and installations*

All vehicles manufactured prior to July 1988, are exempt from the requirement under Rule 41 (1) (a) that electrical wiring be supported at intervals of not over 600 mm.

All vehicles manufactured prior to July 1988, are exempt from the requirement under Rule 41 (3) that a trailer be equipped with electrical conductor, independent of the trailer coupling, that provides a return path between the electrical circuits of the trailer and towing vehicle.

*Rule 77—Headlights to be fitted to vehicles*

A motor bike manufactured prior to October 1991, is exempt from the requirement under Rule 77 (2) (a) and (b) to have headlights that operate on a high beam.

*Rule 83—Changing Headlights from high-beam to low-beam position*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 83 (1) to be fitted with a dipping device where only low-beam headlights are fitted.

*Rule 84—Parking Lights*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 84 (1) to have parking lights fitted, on the condition that the vehicle is parked under or near a lighted street lamp or other lamps and is thereby illuminated so as to render the vehicle clearly visible under normal atmospheric conditions from a distance of 200 m and to remove any risk of accident.

*Rule 98—Fitting of Brake Lights*

A motor bike manufactured prior to 1950, is exempt from the requirement under Rule 98 (1) to have brake lights fitted.

*Rule 101—Direction Indicator Lights on Motor Vehicles*

A motor bike is exempt from the requirement to have signalling devices as defined in Rule 101 (2).

These exemptions will come into operation on 1 December 1999 and expire at midnight on 31 May 2000.

Dated 23 November 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

ROAD TRAFFIC ACT 1961

*Exemptions for Agricultural Vehicles*

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, as amended, I, Diana Vivienne Laidlaw, Minister for Transport and Urban Planning, hereby exempt all agricultural vehicles (tractors used for agricultural purposes; self propelled agricultural machines; and agricultural implements) from the following requirements under Part 4 of the Road Traffic Act 1961, subject to conditions listed below:

*Road Traffic (Mass and Loading Requirements) Regulations 1999, Schedule, Item 6, Front and side projections*

If a vehicle or combination is carrying agricultural vehicles, the vehicle is exempt from the front and side projection limits of the Schedule, item 6, on the following conditions:

- that the vehicle is not driven on a road except between sunrise and sunset; and
- that the vehicle has red, orange or yellow fluorescent or any other high visibility material flags being not less than 450 mm<sup>2</sup> attached to the outer extremities of the load; and
- only the load comprising the agricultural vehicle is permitted to exceed 2.5 m in width.

*Road Traffic (Vehicle Standards) Rules 1999*

*Rule 39—Diesel Engines*

All heavy vehicles are exempt from the requirement to have a device fitted preventing the engine from being started accidentally or inadvertently in circumstances where such a device was not fitted by the vehicle manufacturer.

*Rule 41—Electrical wiring, connections and installations*

All heavy vehicles manufactured prior to July 1988, are exempt from the requirement under Rule 41 (1) (a) that electrical wiring be supported at intervals of not over 600 mm.

All heavy vehicles manufactured prior to July 1988, are exempt from the requirement under Rule 41 (3) that a trailer be equipped with electrical conductor, independent of the trailer coupling, that provides a return path between the electrical circuits of the trailer and towing vehicle.

*Rule 43—Windscreens and Windows*

All heavy vehicles are exempt from the requirement under Rule 43 (1) for approved material only to be used as a windscreen, window, or interior partition on the condition that any material used is a transparent material which will not shatter.

*Rule 63—Left-Hand Drive Signs*

All heavy vehicles are exempt from the requirements of Rule 63 to display the words 'left hand drive' on the rear of the vehicle.

*Rule 66—(1) Width*

A vehicle or combination carrying a load consisting of agricultural vehicles is exempt from the requirement under Rule 66 on the following conditions:

- that the vehicle is not driven on a road except between sunrise and sunset; and
- that the vehicle has red, orange or yellow fluorescent or any other high visibility material flags being not less than 450 mm<sup>2</sup> attached to the outer extremities of the load; and
- only the load comprising the agricultural vehicle is permitted to exceed 2.5 m in width.

*Rule 77—Headlights to be fitted to vehicles*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 77 (2) (a) and (b) to have headlights that operate on a high beam.

*Rule 83—Changing Headlights from high-beam to low-beam position*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 83 (1) to be fitted with a dipping device where only low-beam headlights are fitted.

*Rule 84—Parking Lights*

A motor vehicle manufactured prior to October 1991, is exempt from the requirement under Rule 84 (1) to have parking lights fitted, on the condition that the vehicle is parked under or near a lighted street lamp or other lamps and is thereby illuminated so as to render the vehicle clearly visible under normal atmospheric conditions from a distance of 200 m and to remove any risk of accident.

*Rule 86—Tail Lights Generally*

A motor vehicle or trailer is exempt from the requirement under Rule 86 (2) and 86 (3) to have two tail lights fitted if the vehicle was built prior to October 1991.

*Rule 98—Fitting Brake Lights*

A motor vehicle or trailer is exempt from the requirement under Rule 98 (2) to have two brake lights fitted if the vehicle was built prior to October 1991.

*Rule 101—Direction Indicator Lights on Motor Vehicles*

Any vehicle in the following category is exempt from the requirement to have signalling devices as defined in Rule 101 (1) and (3):

- a tractor, farm implement or farm machine used solely for the purposes of primary production when being driven on a road in accordance with section 12 of the Motor Vehicles Act 1959;
- a tractor or farm machine that is owned by a primary producer and registered under section 25 of the Motor Vehicles Act 1959;
- a trailer, when being towed on a road during the hours between sunrise and sunset by a tractor or farm machine that is owned by a primary producer and registered under section 25 of the Motor Vehicles Act 1959.

*Rule 105—Front Fog Lights*

Any vehicle is exempt from the requirement under Rule 105 (1) to have fog lights fitted in pairs, on the condition that at least one fog light is fitted and that, when lit, there shall be affixed symmetrically to the front of the vehicle and at equal height from the ground, two lighted lamps of a power not exceeding seven watts with centres not less than 1 m apart.

*Rule 112—Compulsory Front Reflectors on Trailers*

Any trailer built prior to October 1991, is exempt from the requirement under Rule 112 to have compulsory front reflectors toward each side of the front of the trailer on the condition that, if the trailer is 2.2 m or more in width, it is fitted with front clearance lights, as required by Rule 91 (5) 'Front Clearance Lights'.

*Rule 132—Trailer Braking Requirements*

1. Any trailer the laden mass of which does not exceed six tonnes and is towed at a speed not exceeding 25 km/h is exempt from Rule 132 (1).

2. Any trailer with a Gross Trailer Mass over 750 kg is exempt from the requirement of Rule 132 (1) to have the required braking systems if the trailer was built before July 1990 and:

- the laden mass of the trailer does not exceed the unladen mass of the towing vehicle; or
- any trailer not comprising of a caravan or machine on wheels, the unladen mass of which does not exceed 0.75 tonnes; or
- any trailer comprising of a caravan or machine on wheels the laden mass of which does not exceed two tonnes; or
- the unladen mass of the trailer is 0.75 tonnes or less.

These exemptions will come into operation on 1 December 1999 and expire at midnight on 31 May 2000.

Dated 23 November 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

SOUTH EASTERN WATER CONSERVATION AND DRAINAGE ACT 1992

Section 34A (2) (b)

I, ROB KERIN, Minister for Primary Industries, Natural Resources and Regional Development, hereby exempt land in the Hundreds of Messent, McNamara and Laffer from the operation of section 34A of the South Eastern Water Conservation and Drainage Act 1992, so as to have the effect of ceasing the liability to pay contributions for the period 1999-2000 financial year with no retrospective effect before 1 July 1999.

Dated 23 November 1999.

ROB KERIN, Minister for Primary Industries, Natural Resources and Regional Development

## FISHERIES ACT 1982

*Appointment*

TAKE notice that pursuant to section 25 of the Fisheries Act 1982, I, Robert Gerard Kerin, Minister for Primary Industries, Natural Resources and Regional Development, hereby appoint the following person as a Fisheries Compliance Officer:

Anthony David Zidarich

Dated 20 November 1999.

ROB KERIN, Minister for Primary Industries,  
Natural Resources and Regional Development

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, G. Ward (hereinafter referred to as the 'fisher'), 37 Esplanade, Kingston, S.A. 5223, holder of Northern Zone Rock Lobster Fishery N020 is exempt from the provisions of Licence Condition No. 161 subject to the conditions set out in the Schedule from the date of gazettal of this notice until 25 November 1999.

## THE SCHEDULE

1. The fisher must ensure all rock lobster pots left in the water are unbaited.

2. The fisher must, upon retrieval of the rock lobster pots, release into the water any rock lobster retained within the pots.

3. The fisher shall not contravene or fail to comply with the Fisheries Act 1982 or any Regulation made under that Act or any condition of her licence, except where specifically exempted by this notice.

4. While engaged in the permitted activity the fisher shall have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries and Aquaculture Compliance Officer if such an officer requests that it be produced.

Dated 19 November 1999.

S. MILLER, Principal Fisheries Manager

## FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Bruce Bennett, P.O. Box 907, Port Lincoln, S.A. 5606 (hereinafter referred to as the 'permit holder') is exempt from regulation 35C of the Fisheries (General) Regulations 1984, in that the permit holder shall not be guilty of an offence when using berley within the waters specified in Schedule 1 to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing only (hereinafter referred to as the 'permitted activity'), subject to the conditions specified in Schedule 2, for the dates specified in Schedule 3.

## SCHEDULE 1

Coastal waters contained within the Neptune Islands Conservation Park, and the following portions of the Sir Joseph Banks Islands Conservation Park; English and Sibsey Islands.

Note: Dangerous Reef is not available under this permit due to Sea lion breeding between 1 May 1999 and 1 January 2000.

## SCHEDULE 2

1. The permit holder must be on board the boat when conducting the permitted activity.

2. All berley used while conducting the permitted activity must consist of fish based products only. All berley (other than fish oil) must be stored below a maximum temperature of 4°C.

3. The permit holder must notify the public by a Notice to Mariners through the Australian Maritime Safety Authority, by public notice in the Adelaide *Advertiser* at least 24 hours in advance of berleying operations, advising the local coastguard and the Fisheries Compliance Unit on 1800 065 522 at least two hours prior to conducting the permitted activities.

4. The permit holder shall allow an officer of the Department for Environment, Heritage and Aboriginal Affairs (DEHAA) or nominee to be present on board the boat during the permitted activities if requested and subject to negotiation and availability of space.

5. The permit holder must comply with all instructions (including ceasing to berley if so instructed) given by an officer from DEHAA.

6. Whilst engaged in the permitted activity, a pennant (approved by DEHAA) must be flown from the boat so as to be clearly visible.

7. Whilst engaged in the permitted activity the permit holder must have in his/her possession a copy of this notice and produce a copy of the notice if required by a Fisheries Compliance Officer.

8. 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 exempted by this notice.

9. The permit holder must maintain a log whilst engaged in the permitted activity which includes the date and location, number of passengers, number of hours berleying, number of sharks observed and any other relevant observations or comments. Records must be kept in a form determined by the operators association in conjunction with CSIRO Marine Research Unit and endorsed by the Minister for Environment and Heritage. A copy of the log must be provided to the relevant DEHAA office within 14 days of each calendar month. Failure to submit a log within the agreed time period may preclude the provision of future permits until such outstanding logs are received by the relevant DEHAA office.

10. The permit holder must conform to a code of ethics developed by the operators association and endorsed by the Minister for Environment and Heritage.

11. The permit holder will operate in cooperation with and in agreement of any other approved operator at the same location.

12. The permit holder must have public liability insurance to an amount determined by the Minister for Environment and Heritage and ensure vessels are surveyed and staffed as per Department of Transport regulations.

## SCHEDULE 3

8 December to 11 December 1999.

Dated 22 November 1999.

R. ALLEN, Manager Parks and Wildlife West

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00001  
(PREVIOUS LICENCE NO. F1700)

*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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director

C. RAPTIS, Witness

## SCHEDULE 1

## Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
753728E 6039937N	50
754090E 6039315N	
754693E 6039662N	
754331E 6040284N	

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.

- Blue Mussels (*Mytilus edulis*)
- Native Oyster (*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

## Mussels

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

## SCHEDULE 3

## Item 1—Fees

Annual licence fees are:	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence).....	152.00
<b>Total Annual Licence Fee.....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

## 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.

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FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00001, (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 FM00001, 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	
753728E 6039937N	50
754090E 6039315N	
754693E 6039662N	
754331E 6040284N	

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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

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FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00001.

SCHEDULE 1

The importation and release of Blue Mussels (*Mytilus edulis*), 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	
753728E 6039937N	50
754090E 6039315N	
754693E 6039662N	
754331E 6040284N	

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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

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FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00002  
(PREVIOUS LICENCE NO. F1701)

*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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 1998 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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director  
C. RAPTIS, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
753108E 6041004N	50
753470E 6040382N	
754073E 6040729N	
753711E 6041351N	

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.

Blue Mussels (*Mytilus edulis*)  
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

###### Mussels

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are:

	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per licence).....	152.00
<b>Total Annual Licence Fee.....</b>	<b>927.00</b>
Quarterly Instalments.....	231.75

##### 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00002, (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 FM00002, 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	
753108E 6041004N	50
753470E 6040382N	
754073E 6040729N	
753711E 6041351N	

*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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00002.

## SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
753108E 6041004N	50
753470E 6040382N	
754073E 6040729N	
753711E 6041351N	

## 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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00003  
(PREVIOUS LICENCE NO. F1702)*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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director  
C. RAPTIS, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
752493E 6042058N	50
752856E 6041436N	
753459E 6041784N	
753096E 6042406N	

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.

Blue Mussels (*Mytilus edulis*)

Native Oyster (*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

*Mussels*

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

SCHEDULE 3

*Item 1—Fees*

Annual licence fees are:

	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence) .....	152.00
<b>Total Annual Licence Fee .....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

*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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00003, (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 FM00003, 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	
752493E 6042058N	50
752856E 6041436N	
753459E 6041784N	
753096E 6042406N	

*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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00003.

## SCHEDULE 1

The importation and release of Blue Mussels (*Mytilus edulis*), 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	
752493E 6042058N	50
752856E 6041436N	
753459E 6041784N	
753096E 6042406N	

## 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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00004  
(PREVIOUS LICENCE NO. F1703)

*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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director

C. RAPTIS, Witness

### SCHEDULE 1

#### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
751879E 6043113N	50
752241E 6042491N	
752844E 6042839N	
752482E 6043461N	

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.

Blue Mussels (*Mytilus edulis*)

Native Oyster (*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 ~~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

*Mussels*

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

## SCHEDULE 3

*Item 1—Fees*

Annual licence fees are:

	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence) .....	152.00
<b>Total Annual Licence Fee .....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

*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.

(S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00004, (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 FM00004, 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	
751879E 6043113N	50
752241E 6042491N	
752844E 6042839N	
752482E 6043461N	

*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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00004

## SCHEDULE 1

The importation and release of Blue Mussels (*Mytilus edulis*), 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	
751879E 6043113N	50
752241E 6042491N	
752844E 6042839N	
752482E 6043461N	

## 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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00008

(PREVIOUS LICENCE NO. F1707)

*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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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.

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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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director

C. RAPTIS, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
746679E 6044108N	50
746929E 6043460N	
747596E 6043732N	
747347E 6044380N	

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.

Blue Mussels (*Mytilus edulis*)

Native Oyster (*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 ~~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

###### Mussels

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

## SCHEDULE 3

## Item 1—Fees

Annual licence fees are:	
	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence) .....	152.00
<b>Total Annual Licence Fee .....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

## 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00008, (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 FM00008, 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	
746679E 6044108N	50
746929E 6043460N	
747596E 6043732N	
747347E 6044380N	

## 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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00008

## SCHEDULE 1

The importation and release of Blue Mussels (*Mytilus edulis*), 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	
746679E 6044108N	50
746929E 6043460N	
747596E 6043732N	
747347E 6044380N	

## 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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00009  
(PREVIOUS LICENCE NO. F1708)*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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director  
C. RAPTIS, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
748275E 6043420N	50
748524E 6042773N	
749192E 6043044N	
748942E 6043692N	

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.

- Blue Mussels (*Mytilus edulis*)
- Native Oyster (*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

Mussels

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

## SCHEDULE 3

## Item 1—Fees

Annual licence fees are:

	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence) .....	152.00
<b>Total Annual Licence Fee .....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

## 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00009, (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 FM00009, 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	
748275E 6043420N	50
748524E 6042773N	
749192E 6043044N	
748942E 6043692N	

## 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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00009

## SCHEDULE 1

The importation and release of Blue Mussels (*Mytilus edulis*), 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	
748275E 6043420N	50
748524E 6042773N	
749192E 6043044N	
748942E 6043692N	

## 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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00010  
(PREVIOUS LICENCE NO. F1709)

## 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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 encumbrance 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 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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director  
C. RAPTIS, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
748894E 6044706N	50
747911E 6044327N	
748081E 6043881N	
749085E 6044288N	

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.

Blue Mussels (*Mytilus edulis*)  
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

###### Mussels

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are:

	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence).....	152.00
<b>Total Annual Licence Fee.....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

##### 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.

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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00010, (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 FM00010, 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	
748894E 6044706N	50
747911E 6044327N	
748081E 6043881N	
749085E 6044288N	

##### 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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00010

#### SCHEDULE 1

The importation and release of Blue Mussels (*Mytilus edulis*), 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	
748894E 6044706N	50
747911E 6044327N	
748081E 6043881N	
749085E 6044288N	

#### 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.

#### FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00011  
(PREVIOUS LICENCE NO. F1710)

#### 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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director  
C. RAPTIS, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
750095E 6044114N	50
749427E 6043842N	
749676E 6043194N	
750344E 6043466N	

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.

- Blue Mussels (*Mytilus edulis*)
- 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

*Mussels*

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

SCHEDULE 3

*Item 1—Fees*

Annual licence fees are:

	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence).....	152.00
<b>Total Annual Licence Fee.....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

*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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00011, (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 FM00011, 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	
750095E 6044114N	50
749427E 6043842N	
749676E 6043194N	
750344E 6043466N	

## 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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00011.

## SCHEDULE 1

The importation and release of Blue Mussels (*Mytilus edulis*), 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	
750095E 6044114N	50
749427E 6043842N	
749676E 6043194N	
750344E 6043466N	

## 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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00223  
(PREVIOUS LICENCE NO. F1572)

## 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:

Australian Aquaculture Industries (S.A.) Pty Ltd (12356)  
1 Port Road  
Hindmarsh, S.A. 5007,

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 15 November 1998.

B. E. HEMMING, Acting Director of Fisheries

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

The Common Seal of Australian Aquaculture Industries (S.A.) Pty Ltd was hereunto affixed in the presence of:

(L.S.) G. RAPTIS, Director  
C. RAPTIS, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
752044E 6037937N	10
752290E 6037699N	
752497E 6037905N	
752251E 6038143N	

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*)
- Scallops (Queen) (*Equichlamys bifrons*)
- Scallops (Dough Boy) (*Chlamys asperrimus*)

*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.

*Racks*

*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

*Mussels*

Size (mm)	Number per Hectare
3	30 000 000
10	20 000 000
20	16 000 000
30	13 000 000
40	6 000 000
50	4 000 000
60	2 000 000
70	1 500 000
80	1 000 000
90	750 000
100	500 000

SCHEDULE 3

*Item 1—Fees*

Annual licence fees are:

	\$
SASQAP (Classified Area) per licence.....	317.00
Base Licence Fee (per licence).....	376.00
Fisheries Research and Development Corporation Levy (per licence).....	82.00
Oyster Environmental Monitoring Program (per Licence).....	152.00
<b>Total Annual Licence Fee.....</b>	<b>927.00</b>
Quarterly instalments.....	231.75

*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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00223, (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 FM00223, 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	
752044E 6037937N	10
752290E 6037699N	
752497E 6037905N	
752251E 6038143N	

## Item 2—Structures to be installed

## Racks

## 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 17 November 1999.

B. E. HEMMING, Acting 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 Australian Aquaculture Industries (S.A.) Pty Ltd, 1 Port Road, Hindmarsh, S.A. 5007 (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 FM00223.

## SCHEDULE 1

The importation and release of Pacific Oysters (*Crassostrea gigas*), Scallops (Queen) (*Equichlamys bifrons*) and Scallops (Dough Boy) (*Chlamys asperrimus*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
752044E 6037937N	10
752290E 6037699N	
752497E 6037905N	
752251E 6038143N	

## 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 17 November 1999.

B. E. HEMMING, Acting Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00049  
(PREVIOUS LICENCE NO. F584)

## 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:

Spiny Dragon International Pty Ltd (14465)  
21 Ocean Avenue  
Port Lincoln, S.A. 5606,

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 19 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 Spiny Dragon International Pty Ltd was hereunto affixed in the presence of:

(L.S.) S. J. MORIARTY, Director

H. M. MORIARTY, Secretary

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
542363E 6172218N	3
542491E 6172118N	
542387E 6171972N	
542253E 6172063N	

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:

	\$
Fisheries Research and Development Corporation Levy per hectare, 3 at \$12.50 each.....	37.50
Environmental Monitoring Program Fee, 3 at \$22.96 each.....	68.88
Base Licence Fee per hectare, 3 at \$57 each.....	171.00
SASQAP (Classified Area) per hectare, 3 at \$60 each....	180.00
<b>Total Annual Licence Fee .....</b>	<b>457.38</b>
Quarterly instalments.....	114.35

*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 Spiny Dragon International Pty Ltd, 21 Ocean Avenue, Port Lincoln, S.A. 5606 (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 the application for Marine Mollusc Farming Licence No. FM00049, (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 No. FM00049 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	
542363E 6172218N	3
542491E 6172118N	
542387E 6171972N	
542253E 6172063N	

*Item 2—Structures to be Installed*

*Longlines*

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

Dated 19 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 Spiny Dragon International Pty Ltd, 21 Ocean Avenue, Port Lincoln, S.A. 5606 (hereafter 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 No. FM00049.

## SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
542363E 6172218N	3
542491E 6172118N	
542387E 6171972N	
542253E 6172063N	

## 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 fish farmer 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 two hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural and 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 19 November 1999.

G. R. MORGAN, Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00052  
(PREVIOUS LICENCE NO. F588)

*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:

David J. Buckland (14411)  
Michael R. Coates (14409)  
Jillian L. Coates (14410)  
6 Playford Road  
Mitcham, S.A. 5062,

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 19 November 1998.

G. R. MORGAN, Director of Fisheries

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

Signed by the said: J. AND M. COATES and D. BUCKLAND

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
537471E 6174801N	5
537608E 6174805N	
537601E 6174395N	
537475E 6174391N	
537510E 6174604N	
537447E 6174733N	

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—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 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
<b>Total Annual Licence Fee .....</b>	<b>762.00</b>

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 David J. Buckland, Michael R. Coates and Jillian L. Coates, 6 Playford Road, Mitcham, S.A. 5062 (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 the application for Marine Mollusc Farming Licence No. FM00052, (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 No. FM00052 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	
537471E 6174801N	5
537608E 6174805N	
537601E 6174395N	
537475E 6174391N	
537510E 6174604N	
537447E 6174733N	

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

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

Dated 19 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 David J. Buckland, Michael R. Coates and Jillian L. Coates, 6 Playford Road, Mitcham, S.A. 5062 (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 No. FM00052.

## SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
537471E 6174801N	5
537608E 6174805N	
537601E 6174395N	
537475E 6174391N	
537510E 6174604N	
537447E 6174733N	

## 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 fish farmer 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 two hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural and 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 19 November 1999.

G. R. MORGAN, Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00143  
(PREVIOUS LICENCE NO. F824)

*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:

Stephen J. Moriarty (1643)  
21 Ocean Avenue  
Port Lincoln, S.A. 5606,

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 19 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 the Spiny Dragon International Pty Ltd was hereunto affixed in the presence of:

(L.S.) S. J. MORIARTY, Director

H. M. MORIARTY, Secretary

## SCHEDULE 1

## Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531092E 6177384N	2
531192E 6177406N	
531192E 6177606N	
531092E 6177584N	

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
<b>Total Annual Licence Fee .....</b>	<b>304.92</b>
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 Stephen J. Moriarty, 21 Ocean Avenue, Port Lincoln, S.A. 5606 (hereafter 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 the application for Marine Mollusc Farming Licence No. FM00143, (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 No. FM00143 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	
531092E 6177384N	2
531192E 6177406N	
531192E 6177606N	
531092E 6177584N	

Item 2—Structures to be Installed

Longlines

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

Dated 19 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 Stephen J. Moriarty, 21 Ocean Avenue, Port Lincoln, S.A. 5606 (hereafter 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 and ending upon the expiration or earlier termination of Licence No. FM00143.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531092E 6177384N	2
531192E 6177406N	
531192E 6177606N	
531092E 6177584N	

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 two hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural and 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 19 November 1999.

G. R. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00149  
(PREVIOUS LICENCE NO. F831)

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:

David J. Buckland (14411)  
Michael R. Coates (14409)  
Jillian L. Coates (14410)  
6 Playford Road  
Mitcham, S.A. 5062,

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 19 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: J. AND M. COATES and D. BUCKLAND

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531072E 6177380N	2
531072E 6177580N	
530972E 6177558N	
530972E 6177358N	

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 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
<b>Total Annual Licence Fee.....</b>	<b>304.92</b>
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 David J. Buckland, Michael R. Coates and Jillian L. Coates, 6 Playford Road, Mitcham, S.A. 5062 (hereafter 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 the application for Marine Mollusc Farming Licence No. FM00149, (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 No. FM00149 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	
531072E 6177380N	2
531072E 6177580N	
530972E 6177558N	
530972E 6177358N	

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

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

Dated 19 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 David J. Buckland, Michael R. Coates and Jillian L. Coates, 6 Playford Road, Mitcham, S.A. 5062 (hereafter 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 No. FM00149.

## SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
531072E 6177380N	2
531072E 6177580N	
530972E 6177558N	
530972E 6177358N	

## 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 fish farmer 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 two hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural and 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 19 November 1999.

G. R. MORGAN, Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00151  
(PREVIOUS LICENCE NO. F833)*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:

R. P. & L. C. Grove-Jones (Marine Farm Development Ser.)  
78 Happy Valley Road  
Port Lincoln, S.A. 5606,

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 19 November 1999.

G. R. MORGAN, Director of Fisheries

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

R. GROVE-JONES, Director

L. GROVE-JONES, Secretary

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
530852E 6177332N	2
530952E 6177354N	
530952E 6177554N	
530852E 6177532N	

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, 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
<b>Total Annual Licence Fee .....</b>	<b>304.92</b>
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 R. P. & L. C. Grove-Jones (Marine Farm Development Ser.), 78 Happy Valley Road, Port Lincoln, S.A. 5606 (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 No. FM00151, (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 No. FM00151 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	
530852E 6177332N	2
530952E 6177354N	
530952E 6177554N	
530852E 6177532N	

*Item 2—Structures to be Installed*

*Longlines*

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

Dated 19 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 R. P. & L. C. Grove-Jones (Marine Farm Development Ser.), 78 Happy Valley Road Port Lincoln, S.A. 5606 (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 No. FM00151.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
530852E 6177332N	2
530952E 6177354N	
530952E 6177554N	
530852E 6177532N	



## 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 two hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural and 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 19 November 1999.

G. R. MORGAN, Director of Fisheries

## PETROLEUM PRODUCTS REGULATION ACT 1995

*Delegation under Section 49*

FURTHER to the delegation given on 6 December 1997 (*Government Gazette*, 18 December 1997, p. 1668), the Treasurer for the State of South Australia, being the Minister to whom administration of the Petroleum Products Regulation Act 1995, has been committed, hereby further delegates pursuant to section 49 of that Act, to the Minister for Primary Industries, Natural Resources and Regional Development the powers conferred by section 6 (2) of the Petroleum Products Regulation Act 1995, subject to the condition that an exemption may only be granted from the application of provisions of, and directions issued and conditions fixed under, Part 5 of the Petroleum Products Regulation Act 1995.

The abovementioned powers may be further delegated by the Minister for Primary Industries, Natural Resources and Regional Development, pursuant to section 49 (2) of the Petroleum Products Regulation Act 1995.

Dated 24 November 1999.

The common seal of the Treasurer was hereunto affixed in the presence of:

(L.S.) G. HICKMAN

ROB LUCAS, Treasurer

## DETERMINATION AND REPORT OF THE REMUNERATION TRIBUNAL

### TRAVELLING AND ACCOMMODATION ALLOWANCES

Adjustments have been made to these allowances having regard to the increased costs that have occurred since the Tribunal last adjusted these allowances in 1998. As the Tribunal currently determines travelling and accommodation allowances for members of the judiciary and other statutory officers in separate Determinations, the Tribunal has determined that these allowances will now be covered by a separate Determination.

#### 1. SCOPE OF DETERMINATION

This Determination applies to Judges, Statutory Officers and Court Officers.

#### 2. INTERPRETATION

2.1 In this Determination, unless the contrary appears:

“**Court Officer**” means any of the following:

the State Coroner;  
Commissioners of the Environment, Resources and Development Court.

“**Judges**” means any of the following members of the judiciary:

the Chief Justice of the Supreme Court;  
Puisne Judges of the Supreme Court;  
Masters of the Supreme Court;  
the Chief Judge of the District Court;  
Judges of the Environment, Resources and Development Court;  
Masters of the District Court;  
other District Court Judges;  
the Chief Magistrate;  
the Deputy Chief Magistrate;  
Supervising Magistrates;  
the Assisting Supervising Magistrate of the Adelaide Magistrates Court;  
Stipendiary Magistrates;  
the Supervising Industrial Magistrate;  
other Industrial Magistrates;  
His Honour Judge WD Jennings, Senior Judge of the Industrial Relations Court and President of the Industrial Relations Commission;  
and other Judges of the Industrial Relations Court who hold joint commissions in the Australian Industrial Relations Commission and the Industrial Relations Commission of South Australia.

**“Statutory Officers”** means any of the following statutory office holders:

Deputy Presidents of the Industrial Relations Commission;  
Commissioners of the Industrial Relations Commission;  
the Auditor General;  
the Electoral Commissioner;  
the Ombudsman;  
the Deputy Electoral Commissioner; and  
the Employee Ombudsman.

### **3. TRAVELLING AND ACCOMMODATION ALLOWANCES**

A person who actually incurs expenditure when travelling on official business and which necessitates absence from home overnight shall be paid an allowance as follows:-

- 3.1 Outside the metropolitan area as defined by the development plan published pursuant to part 4 of the Planning Act, 1982 but within the State - at the rate of one hundred and fifty eight dollars (\$158) for each day which involves an overnight absence, plus any extra expenditure necessarily incurred.
- 3.2 Within the metropolitan area as defined by the development plan published pursuant to part 4 of the Planning Act, 1982 - at the rate of one hundred and eighty eight dollars (\$188) for each day which involves an overnight absence, plus any extra expenditure necessarily incurred.
- 3.3 Interstate - at the rate of three hundred and twenty dollars (\$320) for Sydney and two hundred and eighty five dollars (\$285) for places other than Sydney for each day which involves an overnight absence, plus any extra expenditure necessarily incurred.
- 3.4 When an additional period of less than 24 hours absence occurs without overnight accommodation, then a further payment calculated at the rate of one half of the allowance shall be paid with respect to the excess hours.
- 3.5 Reimbursement is not to be made for luncheon for single day absences within South Australia.
- 3.6 Employees who travel interstate and return on the same day may be reimbursed for luncheon on the basis of actual expenditure up to \$15.

### **4. DATE OF OPERATION**

The allowances prescribed in Clause 3 are operative from 1 October, 1999 and supersede those of all previous Determinations covering persons whose office is listed herein.

RL Dahlenburg AM  
**PRESIDENT**

D. Flux  
**MEMBER**

HR Bachmann  
**MEMBER**

Dated 22 November 1999.

No. 7 of 1999

**DETERMINATION OF THE REMUNERATION TRIBUNAL****AUDITOR GENERAL, ELECTORAL COMMISSIONER, DEPUTY ELECTORAL  
COMMISSIONER, EMPLOYEE OMBUDSMAN AND OMBUDSMAN****1. SCOPE OF DETERMINATION**

This Determination applies to the separate offices of Auditor General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman and Ombudsman.

**2. SALARY****2.1 Auditor General**

The salary of the office of Auditor General shall be \$189,000 per annum from 1 October, 1999.

**2.2 Electoral Commissioner**

The salary of the office of Electoral Commissioner shall be \$105,600 per annum from 1 October, 1999.

**2.3 Deputy Electoral Commissioner**

The salary of the office of Deputy Electoral Commissioner shall be \$75,750 per annum from 1 October, 1999 except when acting as Electoral Commissioner for a continuous period of more than one week in which case the Deputy Electoral Commissioner will be paid for the acting period at the rate of the salary for the Electoral Commissioner.

**2.4 Employee Ombudsman**

The salary of the office of Employee Ombudsman shall be \$81,050 per annum from 1 October, 1999.

**2.5 Ombudsman**

The salary of the office of Ombudsman shall be \$140,000 per annum from 1 October 1999.

**3. TELEPHONE RENTAL AND CALLS ALLOWANCE**

When a person to whom this Determination applies is required to have a telephone at home for official purposes, that person shall be paid the whole of the telephone rental for a single point connection without extra services and one third of the cost of metered calls.

**4. TRAVELLING AND ACCOMMODATION ALLOWANCES**

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

**5. CONVEYANCE ALLOWANCES**

Allowances to be paid will be in accordance with the Tribunal's most recent Determination on these allowances as amended from time to time.

**6. DATE OF OPERATION**

The salaries prescribed in Clause 2 are operative from 1 October, 1999 and supersede those of all previous Determinations covering persons whose office is listed herein.

RL Dahlenburg AM  
**PRESIDENT**

D. Flux  
**MEMBER**

HR Bachmann  
**MEMBER**

Dated 22 November 1999.

**REMUNERATION TRIBUNAL****REPORT RELATING TO DETERMINATION NO. 7 OF 1999****1. INTRODUCTION**

- 1.1 In accordance with the provisions of the Remuneration Act 1990, the Remuneration Tribunal by letters dated 11 August, 1999 invited the Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman and the Ombudsman to make submissions in relation to the remuneration of those respective office holders.
- 1.2 On 23 August, 1999 the following was published in The Advertiser newspaper:

**REMUNERATION TRIBUNAL  
REVIEW OF SALARIES FOR STATUTORY OFFICE HOLDERS**

Pursuant to Section 8(2) of the Remuneration Act, 1990 the Tribunal will be conducting a review of the salaries payable to the following statutory office holders:

Auditor-General;  
Electoral Commissioner;  
Deputy Electoral Commissioner;  
Employee Ombudsman; and  
Ombudsman

Interested persons, organisations and associations are invited to submit in writing any views they consider should be taken into account in the above review.

The closing date is 10 September, 1999 and submissions should be forwarded to:

The Secretary  
Remuneration Tribunal  
GPO Box 2343  
ADELAIDE SA 5001

Telephone: (08) 8226 4045  
Facsimile: (08) 8226 4174

- 1.3 The Tribunal received written submissions from the Auditor-General, the Electoral Commissioner, the Deputy Electoral Commissioner and the Employee Ombudsman, the latter indicating that he did not wish to appear personally before the Tribunal. The Auditor-General, Electoral Commissioner, Deputy Electoral Commissioner and Ombudsman made oral submissions to the Tribunal on 13 October, 1999. In addition, the Government made written and oral submissions in relation to all of the positions being considered.
- 1.4 The Tribunal did not receive any written submissions from the public.

## 2. AUDITOR-GENERAL

- 2.1 The remuneration of the Auditor-General was last determined in Determination No. 3 of 1998 and the salary is currently \$175,000 per annum operative from 1 September, 1998.
- 2.2 The Auditor-General submitted that the work value of the Auditor-General had materially changed as a result of the Electricity Corporations Restructuring and Disposal Act, 1999 (The Disposal Act) which was assented to on 1 July 1999.
- 2.3 Section 22 of this Act requires the Auditor-General to report to Parliament in respect to the following:
- “(1) The Auditor-General must be provided with a copy of each relevant long term lease within the period of seven days after the prescribed date.
  - (2) The Auditor-General must, within the period of six months after the prescribed date, examine each relevant long term lease that has been provided under subsection (1) and any related transactions and prepare a report on –
    - (a) the proportion of the proceeds of the leases used to retire State debt; and
    - (b) the amount of interest on State debt saved as a result of the application of those proceeds.
  - (3) The Auditor-General -
    - (a) must incorporate in the report under subsection (2) a report on the probity of the processes leading up to the making of each relevant long term lease; and
    - (b) for that purpose may, before, during and after the completion of those processes, require reports from the person appointed by the Treasurer (or otherwise on behalf of the Crown) to be the probity auditor in relation to the making of that lease.
  - (4) Section 34 of the Public Finance and Audit Act 1987 applies to the examination of a lease and any related transactions by the Auditor-General under this section.
  - (5) The Auditor-General must deliver copies of a report prepared under this section to the President of the Legislative Council and the Speaker of the House of Assembly.
  - (6) The President of the Legislative Council and the Speaker of the House of Assembly must not later than the first sitting day after receiving a report under this section, lay copies of the report before their respective Houses of Parliament.
  - (7) If a report has been prepared under this section but copies have not been laid before both Houses of Parliament when a writ for a general election of the members of House of Assembly is issued, the Auditor-General must cause the report to be published.”

- 2.4 The Auditor-General also submitted that the effect of this Act required the Auditor-General "to provide assurance to the Parliament that the processes associated with the sale of the electricity assets comply with probity standards and that the monies received are applied to the reduction of the indebtedness as intended by Parliament." Accordingly the work value change "in a substantive sense, is ... to provide audit assurance on a transaction that involves complex legal, financial, commercial and political risks."
- 2.5 In addition, the Auditor-General also provided details on changes to the audit responsibility involving issues associated with:
- "e-commerce;
  - cyber law infringement risks;
  - the relationship between Ministers and delegate Ministers;
  - audited whole-of-government financial statements;
  - indemnification of Ministers for defamation claims; and
  - Chief Executive employment contracts."
- 2.6 The Government submitted that having regard to the recent salary increase of 5.1% for public service executives, operative from 1 July 1999, and the Tribunal's previous Determination that the salaries for Statutory Office Holders "will continue to be determined against the broad background of pay levels of the Executive Structure generally" then the salary increase for Statutory Office Holders should be by an amount not exceeding 5.1%.
- 2.7 The Government also reminded the Tribunal that it had previously considered a number of work value changes particularly those identified in the Tribunal's Report relating to Determination No. 3 of 1998.
- 2.8 The Tribunal notes that an auditor's role is necessarily dynamic. However, it does acknowledge that whilst there has been an increase in work volume, there has also been an increase in the complexity of the Auditor-General's value and role since 1997. This has been as a result of the matters outlined in paragraph 2.3 of the Report Relating to Determination No. 3 of 1998 as well as in paragraphs 2.3 – 2.5 above. Substantial account of the anticipated increased levels of work value was taken in fixing the Auditor-General's remuneration in 1998, and whilst the Tribunal considers that the relativity with Chief Executive Officers is relevant, a re-evaluation of the increases in work value that have transpired indicates some adjustment to that relativity.
- 2.9 Accordingly the Tribunal determines that the salary for the office of Auditor-General will be \$189,000 per annum, operative from 1 October, 1999. Telephone rental and calls allowance for this Office will remain unaffected by this determination.

### 3. **ELECTORAL COMMISSIONER**

- 3.1 The remuneration of the Electoral Commissioner was last determined in Determination No. 3 of 1998 and the salary is currently \$100,000 per annum operative from 1 September, 1998.



- 3.2 The Electoral Commissioner advised the Tribunal of changes in the work currently being undertaken in the Office of the Electoral Commissioner including:
- 3.2.1 work associated with the 1997 election had been completed with the Election Report presented to the Attorney-General in February 1999 which was subsequently tabled in the Parliament.
- 3.2.2 the development of a more extensive electoral education program covering non metropolitan and outer metropolitan areas.
- 3.3 The Tribunal was also informed that the amendments to the Local Government Act "significantly increases the responsibility of the State Electoral Commissioner. In particular, the legislation requires the Electoral Commissioner to be responsible for:
- "maintaining electoral roll for local government purposes;
  - maintaining boundaries affected following reviews;
  - certifying elector representation reviews and upholding the basic principle of one vote, one value;
  - being the returning officer for all councils for all periodic and supplementary elections and for all polls;
  - having the capacity to investigate electoral complaints and taking prosecution action;
  - certifying and regulating the use of technology in local government elections and polls."
- 3.4 In respect to the Government's submission that the salaries for Statutory Office Holders should not be increased by an amount exceeding 5.1%, the Electoral Commissioner did inform the Tribunal that the increase for public service executives was applied to the Total Employment Cost Package and not restricted to 5.1% of salary. This meant that in real terms the salary increases received by executives exceeded 5.1%.

The Government submitted that the work value changes associated with local Government elections had been raised with the Tribunal previously and in any event the salary increase supported represented "ample compensation for any increase in responsibilities that may have impacted on" not only the Electoral Commissioner but the Deputy Electoral Commissioner "in the past 12 months."

- 3.5 The Tribunal has considered all submissions and determined that the salary for this office will be \$105,600 per annum, operative from 1 October, 1999. Telephone rental and calls allowance for this Office will remain unaffected by this determination.

#### 4. **DEPUTY ELECTORAL COMMISSIONER**

- 4.1 The remuneration of the Deputy Electoral Commissioner was last determined in Determination No. 3 of 1998 and the salary is currently \$71,700 per annum operative from 1 September, 1998.

- 4.2 The submissions from both the Government and the Electoral Commissioner on behalf of the Deputy Electoral Commissioner in respect to a salary increase mirrored the submissions made in respect of the Electoral Commissioner. Having regard to all submissions the Tribunal has determined that the salary for this office will be \$75,750 per annum, operative from 1 October, 1999. Telephone rental and calls allowance for this Office will remain unaffected by this determination.

5. **EMPLOYEE OMBUDSMAN**

- 5.1 The remuneration of the Employee Ombudsman was last determined in Determination No. 3 of 1998 and the salary is currently \$75,250 per annum operative from 1 November, 1997.

- 5.2 In that Determination the Tribunal stated:  
"The Tribunal has been placed in a most unusual situation in that the Employee Ombudsman states in his written submission that he is "still of the view that the base salary of the Employee Ombudsman when compared with other positions both in the private and public sector is incorrect" yet does not wish to make a submission for a review of salary until mid 1999. Notwithstanding the Government's submission on the matter the Tribunal felt that it would be inappropriate to make a determination contrary to the expressed wishes of the incumbent. It has therefore been decided not to alter the salary for this office at this time and it will remain at \$75,250 per annum."

- 5.3 The submission received by the Employee Ombudsman proposed a 7.5% increase having regard to the 2.5% salary increase proposed in the Government's submission in 1998 and the public sector salary increases of 5% for the preceding 12 months.

- 5.4 The Government's written submission did not specifically address the Employee Ombudsman's proposal however the Tribunal was advised that to grant salary increases having regard to public service salary movements over a two year period had the opportunity to create an undesirable situation.

- 5.5 Having regard to all submissions the Tribunal has determined that the salary for this office will be \$81,050 per annum, operative from 1 October, 1999. Telephone rental and calls allowance for this Office will remain unaffected by this determination.

6. **OMBUDSMAN**

- 6.1 The remuneration of the Ombudsman was last determined in Determination No. 6 of 1998 and the salary is currently \$133,000 per annum operative from 1 November, 1998.

- 6.2 Although the Ombudsman did not provide a written submission to the Tribunal, the Tribunal did have the opportunity to receive oral submissions from the Ombudsman. The Ombudsman informed the Tribunal that whilst there had been an increase in complexity in a number of areas he did not believe that it was sufficient to warrant an increase in salary greater than that proposed in the Government's submission for all of the Statutory Office Holders.
- 6.3 Having regard to all submissions the Tribunal has determined that the salary for this office will be \$140,000 per annum, operative from 1 October, 1999. Telephone rental and calls allowance for this Office will remain unaffected by this determination.

7. **DATE OF OPERATION**

- 7.1 The Tribunal has considered the Government's submissions which sought that the salary increases should be effective "from a date no earlier than 12 months following the date of operation of the previous increase, viz. From 1 September 1999 for the Auditor-General, Electoral Commissioner and Deputy and the Employee Ombudsman, and 1 November 1999 for the Ombudsman." However the Tribunal has determined that it would be inappropriate to maintain different salary operative dates for individual statutory office holders and accordingly it has determined that the salary increases will be effective on and from 1 October, 1999.

RL DAHLENBURG AM  
**PRESIDENT**

Dated 22 November 1999.

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## CITY OF ADELAIDE

*Temporary Road Closure*

NOTICE is hereby given that the council of the Corporation of the City of Adelaide at its meeting held on 22 November 1999, passed *inter alia* the following resolutions:

Pursuant to section 359 of the Local Government Act 1934, as amended, the roads described in the following Schedule, between the hours specified in the Schedule, be closed to all vehicles except for emergency vehicles or those given express permission to enter by the Chief Executive Officer.

## SCHEDULE

Location	From	To
Osmond Street between Gilles Street and a point 65.7 m south of the southern building alignment of Gilles Street	6.00 a.m. on Saturday, 27 November 1999	11.59 p.m. on Saturday, 27 November 1999

JUDE MUNRO, Chief Executive Officer

## CITY OF HOLDFAST BAY

*Temporary Road Closure*

NOTICE is hereby given that the council of the City of Holdfast Bay at its meeting held on 23 November 1999, passed, *inter alia*, the following resolution:

Pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, the roads described in the following Schedule, between the hours specified in the following Schedule, be closed to all vehicles except emergency vehicles or those given express permission to enter the area subject to approval pursuant to council delegation 102.

## SCHEDULE

Location	From	To
Colley Terrace, between Anzac Highway and Jetty Road	8 a.m. on Sunday, 12 December 1999	Noon on Sunday, 12 December 1999
The portion of Anzac Highway west, between the junction with Old Tapleys Hill Road and the junction with Colley Terrace	8 a.m. on Sunday, 12 December 1999	Noon on Sunday, 12 December 1999

D. R. AYLEN, Chief Executive Officer

## CITY OF HOLDFAST BAY

*Temporary Road Closure*

NOTICE is hereby given that the council of the City of Holdfast Bay at its meeting held on 23 November 1999, passed, *inter alia*, the following resolution:

Pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, the roads described in the following Schedule, between the hours specified in the following Schedule, be closed to all vehicles except those involved with the 1999 Glenelg Christmas Pageant, emergency vehicles or those given express permission to enter the area subject to approval pursuant to council delegation 102.

## SCHEDULE

Location	From	To
Jetty Road, between Brighton Road and Colley Terrace	7 a.m. on Sunday, 28 November 1999	4.30 p.m. on Sunday, 28 November 1999
Colley Terrace, between Anzac Highway and Jetty Road	7 a.m. on Sunday, 28 November 1999	4.30 p.m. on Sunday, 28 November 1999
The portion of Augusta Street, between Brighton Road and Gordon Street	7 a.m. on Sunday, 28 November 1999	4.30 p.m. on Sunday, 28 November 1999
The portion of Gordon Street, between Augusta Street and Jetty Road	7 a.m. on Sunday, 28 November 1999	4.30 p.m. on Sunday, 28 November 1999
The portion of Jetty Road west from the junction with Durham Street to the junction with Colley Terrace	3 p.m. on Sunday, 28 November 1999	7 p.m. on Sunday, 28 November 1999
The portion of Colley Terrace south from the junction with Hope Street to the junction with Jetty Road	3 p.m. on Sunday, 28 November 1999	7 p.m. on Sunday, 28 November 1999

D. R. AYLEN, Chief Executive Officer

## CITY OF PLAYFORD

*Declaration of Public Road*

NOTICE is hereby given that by resolution under delegated authority on 6 August 1999, the Council of the City of Playford resolved pursuant to section 303 (1) (d) of the Local Government Act 1934, as amended, that portion of the walkway between McKenzie Road and Johnston Road, Elizabeth Downs, more particularly described as allotment 458 in Deposited Plan 7072, be declared a public road.

T. JACKSON, Chief Executive Officer

## TOWN OF WALKERVILLE

*Temporary Road Closure*

NOTICE is hereby given that the council, pursuant to section 359 of the Local Government Act 1934, as amended, authorises vehicular traffic to be excluded from Margaret Street, Walkerville between the hours of 5 p.m. and 10 p.m. on Saturday, 4 December 1999, for the purposes of a community activity.

R. H. WALLACE, Chief Executive Officer

## DISTRICT COUNCIL OF BARUNGA WEST

*Temporary Road Closure*

NOTICE is hereby given that pursuant to section 359 (1) of the Local Government Act 1934, as amended at its meeting held on 9 November 1999, council carried the following motion:

High Street, Bute from its northerly junction with North West Terrace to its southerly junction with Railway Terrace be closed on 24 December 1999, from 6.30 p.m. to 10 p.m. for Christmas Eve celebrations; Bay Street and West Terrace, Port Broughton to be closed on 24 December 1999 from 6 p.m. to 10 p.m. for Christmas Eve celebrations; north-east, East Terrace, Snowtown Road and Second Street, Bute at their southerly junction with Third Street, Railway Terrace at its easterly junction with High Street, Harvey Street at its junction with the Snowtown Road and the Adelaide Road at the Martin Street intersection from 7.30 p.m. on 31 December 1999 to 7 a.m. on 1 January 2000 for New Years Eve celebrations.

N. HAND, District Manager

## BERRI BARMERA COUNCIL

*Periodic Representation Review*

NOTICE is hereby given that the Berri Barmera Council in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended, has reviewed its composition and elector representation arrangements.

Pursuant to 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 is reduced from 13 to 11 which will comprise of a Mayor and 10 councillors.
2. The area of the council will not be divided into wards and 10 councillors will represent the whole council area.

M. J. HURLEY, Chief Executive Officer

## FLINDERS RANGES COUNCIL

*Periodical Review of Elector Representation*

NOTICE is hereby given that The Flinders Ranges Council has reviewed its composition and elector representation arrangements, in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended.

Pursuant to the provisions of section 24 (11) of the said Act, the Electoral Commissioner has certified that the review undertaken by council satisfied the requirements of section 24,

and therefore may 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 findings of the review were that:

- (a) The council comprise nine elected members, these being the Mayor and eight Councillors; and
- (b) The council area not be divided into wards, thereby requiring all members to represent the council area as a whole, and be elected from council wide or 'at large' elections.

D. A. CEARNS, Chief Executive Officer

## DISTRICT COUNCIL OF FRANKLIN HARBOUR

*Periodical Representation Review*

NOTICE is hereby given that the District Council of Franklin Harbour, in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended, has reviewed its composition and elector representation arrangements.

Pursuant to section 24 (11) 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 approved composition and representation arrangements are as follows:

1. The number of elected members remain at six councillors (from which one is elected as Chairman).
2. There will continue to be no wards, i.e. each elected member will represent the whole district.

B. A. FRANCIS, District Clerk

## DISTRICT COUNCIL OF FRANKLIN HARBOR

*Appointment*

NOTICE is hereby given that at the ordinary meeting of council held on 10 November 1999 Marc Wordsworth was appointed as an Authorised Officer pursuant to the following Acts:

Pursuant to section 7 (1) of the Public and Environmental Health Act 1987.

Pursuant to section 8 of the Food Act 1985.

B. A. FRANCIS, District Clerk

## REGIONAL COUNCIL OF GOYDER

*Temporary Road Closures*

NOTICE is hereby given that in accordance with section 359 of the Local Government Act 1934, as amended, the Regional Council of Goyder has resolved:

- (1) To exclude all vehicles from that part of Main Street, Terowie between Carter Street and Frederick Street from 5 p.m. until 8 p.m. on Saturday, 18 December 1999 for the purpose of a street pageant.
- (2) To exclude all vehicles from that part of Commercial Street, Burra from Bridge Street to Market Square, all parts of Market Square and Thames Street from Market Square to the Bowling Club, Burra, from 6.30 p.m. until 7.30 p.m. on Friday, 24 December 1999 for the purpose of a street pageant.

S. KERRIGAN, Chief Executive Officer

## DISTRICT COUNCIL OF GRANT

*Temporary Road Closure*

NOTICE is hereby given that pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, council at its meeting held on Monday, 15 November 1999, resolved the following streets at Port MacDonnell be closed on Sunday, 2 January 2000, between the hours of 9 a.m. and 6 p.m. for the Dairy Farmers Bayside Festival:

Sea Parade between Standish Street and Charles Street and Charles Street from Sea Parade to Meylin Street.

Access to the above areas will be granted to any emergency vehicles, vehicles of event organisers, vehicles of the owners of

adjacent properties and the vehicles of fishermen and fish buyers going about their daily business.

R. J. PEATE, District Manager

#### KANGAROO ISLAND COUNCIL

##### *Temporary Road Closure*

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, council at its meeting held on 10 November 1999, resolved to exclude all vehicles generally from Anzac Drive, Kingscote from 6 p.m. until 2 a.m. on New Years Eve, 31 December 1999, for the purpose of the new millennium celebrations.

B. C. HURST, Chief Executive Officer

#### DISTRICT COUNCIL OF KAROONDA EAST MURRAY

##### *Periodical Review*

NOTICE is hereby given that the District Council of Karoonda East Murray 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) 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 this publication of this notice. The revised representation arrangements are as follows:

1. The number of elected members remains at nine, being the Mayor and eight Councillors.
2. The number of wards remains at four.
3. The number of Councillors representing each ward remains the same as follows:
  - East Murray Ward—two Councillors
  - Karoonda Ward—two Councillors
  - Molineux Ward—two Councillors
  - Hooper Ward—two Councillor
4. Alter and adjust the boundaries of Hooper Ward and East Murray Ward of the district Council District of Karoonda East Murray by severing from the said Hooper Ward the land defined in the schedule and annexing same to the said East Murray Ward.
5. No boundary changes to Karoonda and Molineux Wards.

##### SCHEDULE 1

Comprising those portions of the Hundreds of Bowhill and Vincent, County of Buccleuch, bounded as follows:

Commencing at the north-eastern corner of the Hundred of Vincent; thence southerly along portion of the eastern boundary of the Hundred of Vincent to the centre of the road generally south-westerly of and adjoining section 10, Hundred of Vincent; generally north-westerly along the said centre of the road and the centre of the road south of and adjoining section 129 and south-west of and adjoining sections 129 and 13 to the centre of the road generally south-easterly of and adjoining section 14; generally south-westerly along the centre of the road generally south-easterly of and adjoining section 14 and south-east and south of and adjoining section 125 to the centre of Railway Terrace, Town of Kalyan; southerly along the centre of Railway Terrace and its production and continuing along the eastern boundary of section 89 (railway land) to the centre of the said section 89; south-westerly along the said centre of section 89 and the centre of the road south-east of and adjoining sections 130 and 103 to the centre of the road south-west of and adjoining section 103; north-westerly along the centre of the road south-west of and adjoining sections 103, 98 and 15 to the centre of the

road generally southerly of and adjoining section 63; generally westerly along the latter centre of the road and the centre of the road south of and adjoining section 17 and its production westerly to the western boundary of the Hundred of Vincent; northerly along the latter boundary to its intersection with the production easterly of the centre of the road south of and adjoining section 18, Hundred of Bowhill; westerly along the latter production and centre of the road to the centre of the road south east of and adjoining section 48; south-westerly along the centre of the road south-east of and adjoining sections 48, 50 and 83 and its production south-westerly to the intersection with the production northerly of the eastern boundary of section 84; southerly along the latter production and boundary; westerly along the southern boundary of section 84 and its production to a western boundary of the district Council District of Karoonda East Murray; northerly, generally north-easterly, generally north westerly and easterly along the boundaries of the district Council District of Karoonda East Murray to the north-western corner of Hundred of Vincent; thence easterly along the northern boundary of the Hundred of Vincent to the point of commencement and crossing all intervening roads.

P. SMITHSON, District Clerk

#### DISTRICT COUNCIL OF LACEPEDE

##### *Temporary Road Closure*

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, council at a meeting held on Friday, 12 November 1999, resolved to close the following roads, for the purpose of the Kingston Tourism and Development Association Christmas Pageant, in Kingston, SE to be held on Friday, 10 December 1999:

- Hanson Street from the intersection of Marine Parade to the intersection of Holland Street and Cooke Street, from 5.30 p.m. to 6.30 p.m. on 10 December 1999.
- Holland Street from the intersection of Hanson Street and Cooke Street to the intersection of Agnes Street, from 5.30 p.m. to 6.30 p.m. on 10 December 1999.
- Agnes Street from the intersection of Holland Street to the intersection of Strickland Street, from 5.30 p.m. on 10 December 1999 to 6 a.m. on 11 December 1999.
- Cameron Street from the intersection of Agnes Street to the eastern boundary of Lot 888 contained within file plan 205224 from 5.30 p.m. on 10 December 1999 to 6 a.m. on 11 December 1999.
- Portion of Marine Parade from the intersection of Hanson Street travelling in a northerly direction to the Lions Park car park from 5.30 p.m. to 6.30 p.m. on 10 December 1999.

All vehicles other than emergency and official vehicles should be excluded from the designated area during the closure.

S. RUFUS, Chief Executive Officer

#### DISTRICT COUNCIL OF LACEPEDE

##### *Change of Meeting Date*

NOTICE is hereby given that the next ordinary meeting of council will be held on Friday, 17 December 1999, commencing at 9.30 a.m., in lieu of the meeting which was scheduled to be held on Friday, 24 December 1999.

S. J. RUFUS, Chief Executive Officer

#### DISTRICT COUNCIL OF LACEPEDE

##### *Office Closure*

NOTICE is hereby given that at a meeting held on 12 November 1999, council resolved that the Council Office will be closed over the Christmas/New Year period from 5 p.m. on Thursday, 23 December 1999 until 8.30 a.m. on Tuesday, 4 January 2000.

S. J. RUFUS, Chief Executive Officer

## DISTRICT COUNCIL OF LOXTON WAIKERIE

*Temporary Road Closures*

NOTICE is hereby given that at a meeting of council held on 20 October 1999, the following motions were passed:

1. The District Council of Loxton Waikerie, pursuant to section 359 of the Local Government Act 1934, as amended, resolved to exclude all vehicles, with the exception of emergency vehicles from those roads listed in Column A during those times and dates listed in Column B for the purpose of controlling traffic during the Loxton Christmas Lights Festival.

<i>Column A</i>	<i>Column B</i>
Hilbig Street, the western half of the carriageway between First Street in the north and Second Street in the south	10 a.m. on Sunday, 28 November 1999 to 10 a.m. on Sunday, 2 January 2000
Drabsch Street, East Terrace crossover	1 p.m. to 10 p.m. on Sunday, 28 November 1999
East Terrace, eastern and western carriageways between the intersection of Pflaum Terrace in the south and the intersection with the Scenic Drive in the north	3 p.m. to 10 p.m. on Sunday, 28 November 1999
East Terrace, eastern and western carriageways between Pflaum Terrace	6 p.m. to 10 p.m. on Sunday, 28 November 1999
William Street and its continuation Scenic Drive between Henry Street in the south and East Terrace in the west	2 p.m. to 11 p.m. on Sunday, 28 November 1999
East Terrace/Murray Terrace crossover	3.30 p.m. to 6.30 p.m. on Sunday, 28 November, 5, 12, 19 December 1999 and 5.30 p.m. to 8.30 p.m. on Thursday, 23 December 1999

2. The District Council of Loxton Waikerie, pursuant to section 359 of the Local Government Act 1934, resolved to exclude all vehicles, with the exception of emergency vehicles from the eastern and western carriageways of East Terrace, Loxton from 8 p.m. on 31 December 1999 to 1 a.m. on 1 January 2000, for the Year 2000 celebrations.

G. C. CLEAVER, General Inspector

*Temporary Road Closures*

Notice is hereby given that at a meeting of council held on 17 November 1999, the following motions were passed:

1. The District Council of Loxton Waikerie, pursuant to section 359 of the Local Government Act 1934, as amended, resolved to exclude all vehicles with the exception of emergency vehicles and vehicles forming stalls from the East Terrace median car park between the hours of noon and 6 p.m. on 28 November 1999.
2. The District Council of Loxton Waikerie, pursuant to section 359 of the Local Government Act 1934, resolved to exclude all vehicles from the eastern carriageway of East Terrace from Edwards Street to the southern kerb line of the Drabsch Street crossover and the Drabsch Street crossover, with the exception of emergency vehicles and vehicles associated with stalls on 12 December 1999.
3. The District Council of Loxton Waikerie, pursuant to section 359 of the Local Government Act 1934, resolved to exclude all vehicles, with the exception of emergency vehicles, vehicles participating in the Waikerie Christmas Pageant, from Civic Avenue, between Dowling Street and Crush Terrace, Crush Terrace from White Street to and including the

roundabout intersection of Strangman Road, Lawrie Terrace and Campbell Terrace, between the hours of 2.30 p.m. and 3.30 p.m. and McCoy Street, Francis Street and the southern carriageway of White Street, between the hours of 1 p.m. and 5 p.m. on Sunday, 12 December 1999.

G. C. CLEAVER, General Inspector

## MID MURRAY COUNCIL

*Temporary Road Closure*

NOTICE is hereby given that at a meeting of council held on 8 November 1999, it was resolved that pursuant to section 359 of the Local Government Act 1934, as amended, all vehicles with the exception of any vehicles authorised by the Mannum Progress Association Inc. be excluded from the carriageway of Randell Street, Mannum, from the Trewartha Street intersection to the Wattle Street intersection, between the hours of 5 p.m. and 9 p.m. on Friday, 24 December 1999, for the purpose of conducting the Annual Christmas Party.

G. R. BRUS, Chief Executive Officer

## DISTRICT COUNCIL OF MOUNT REMARKABLE

*Periodical Review of Elector Representation*

NOTICE is hereby given that the District Council of Mount Remarkable has reviewed its composition and elector representation arrangements, in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended.

Pursuant to the provisions of section 24 (11) of the said Act, the Electoral Commissioner has certified that the review undertaken by council satisfied the requirements of section 24, and therefore may 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 findings of the review were that there were no changes necessary to council's current composition and/or ward structure.

P. J. MOORE, District Clerk

## 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 the following roads be closed from 4 p.m. to 10 p.m. on Friday, 3 December 1999 for the purpose of the Renmark Christmas Pageant:

Murray Avenue from Para Street to Renmark Avenue.

Renmark Avenue from Murray Avenue to Fifteenth Street.

Ral Ral Avenue from Renmark Avenue to Murtho Street.

During the period of closure all vehicles except emergency service vehicles and other authorised vehicles associated with the Pageant are excluded from the defined areas.

DR ALI KHAN, Chief Executive Officer

## DISTRICT COUNCIL OF ROBE

*Periodical Review*

NOTICE is hereby given that the District Council of Robe, in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended, has reviewed its composition and elector representation arrangements.

Pursuant to 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 is reduced from eight to seven and comprises a Mayor and six councillors.



2. The number of wards remains at two.
3. The number of councillors representing each ward to be as follows:
  - Rural Ward—two councillors
  - Town Ward—four councillors
4. The boundaries of the wards remain unchanged.

R. J. KAY, District Clerk

#### DISTRICT COUNCIL OF TUMBY BAY

##### *Periodical Review*

NOTICE is hereby given that the District Council of Tumby Bay, in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended, has reviewed its composition and elector representation arrangements.

Pursuant to 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 representation arrangements are as follows:

- There shall be nine elected members who shall represent the entire district.

E. A. ROBERTS, District Clerk

#### DISTRICT COUNCIL OF TUMBY BAY

##### DEVELOPMENT ACT 1993

##### *Amendment to the Development Plan— Draft for Public Consultation*

NOTICE is hereby given that the District Council of Tumby Bay has, pursuant to section 25 (7) of the Development Act 1993, prepared an amendment to its Development Plan, as it affects the existing Residential (Waterfront) (Tumby Bay), Recreation Coastal (Tumby Bay), Coastal and Tourist Accommodation (Tumby Bay) Zones.

Pursuant to section 25 (11) of the Act, the draft Plan Amendment Report and Statement will be available for inspection and purchase during normal office hours from 25 November 1999 until 4 February 2000, at the council office located at the corner of Mortlock Street and West Terrace, Tumby Bay, and the Department for Transport, Urban Planning and the Arts, Level 5, 136 North Terrace, Adelaide.

Copies of the Plan Amendment Report can be purchased for \$10 at the council office in Tumby Bay.

Persons interested in making submissions on the Plan Amendment Report should do so by 4 February 2000. All submissions should be addressed to the District Clerk, District Council of Tumby Bay, P.O. Box 61, Tumby Bay, S.A. 5605.

Submissions received by the council will be available for public inspection at the council office from 4 February 2000 until the date of the public hearing.

A public hearing will commence at 10 a.m. at the council chambers, at the corner of Mortlock Street and West Terrace, Tumby Bay on 18 February 2000, at which interested persons may appear and be heard in relation to the amendment to the Development Plan and the submissions.

Dated 25 November 1999.

E. A. ROBERTS, District Clerk

#### DISTRICT COUNCIL OF YANKALILLA

##### *Periodical Review*

NOTICE is hereby given that the District Council of Yankalilla 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 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 Elector Members will be nine.
2. One of the Elector Members will be appointed by the council as Chairman.
3. The number of wards will be six.
4. The number of councillors representing each ward is described in Schedule 1.
5. The boundaries of wards are defined in Schedule 2.

##### SCHEDULE 1

##### *Ward Representation*

Ward Name:	Number of Councillors
Carrickalinga Ward.....	2
Cape Jervis Ward.....	1
Myponga Ward.....	1
Normanville/Callawonga Ward.....	2
Second Valley/Rapid Bay Ward.....	1
Yankalilla/Inman Valley Ward.....	2

##### SCHEDULE 2

##### *Definition of Boundaries*

Cape Jervis Ward: Comprising those portions of the Hundreds of Waitpinga and Yankalilla, County of Hindmarsh, bounded as follows:

Commencing at a point on a north-western boundary of the district Council District of Yankalilla, being its intersection with the production north-westerly of the north-eastern boundary of section 32, Hundred of Yankalilla; thence south-easterly along the latter production and boundary and generally southerly along eastern boundaries of section 32 and production south-westerly to the centre of the road north-east of and adjoining allotment 1 (FP 40105); south-easterly along the centre of the road north-east of and adjoining allotment 1 (FP 40105), through section 338 (Mount Rapid Reserve) and continuing generally southerly along the centre of the road generally easterly of and adjoining section 187, allotment 374 (FP 165093), allotment 3 (DP 38463) and sections 1 and 1461 to the centre of the road north of and adjoining section 1457; easterly along the centre of the road north of and adjoining section 1457 and allotment 3 (FP 40118) to the centre of the road west of and adjoining allotment 363 (FP 165082); northerly along the latter centre of the road to the centre of the road north of and adjoining allotment 363 (FP 165082) and allotment 362 (FP 165081); easterly along the latter centre of the road to the centre of the road east of and adjoining allotment 362 (FP 165081); southerly along the latter centre of the road to the centre of the road south-east of and adjoining allotment 362 (FP 165081); generally southerly along the centre of the road south-east of and adjoining allotment 362 (FP 165081) and generally easterly of and adjoining sections 1499, 341 and allotment 12 (DP 40844) to a north-western boundary of the Hundred of Waitpinga; generally north-easterly along the latter boundary to the centre of the road generally northerly of and adjoining allotment 2 (FP 521), and section 46, Hundred of Waitpinga; generally easterly along the latter centre of the road to the centre of the road east of and adjoining section 46; generally south-easterly along the centre of the road east of and adjoining section 46, north of and adjoining section 412, and generally north-easterly of and adjoining sections 412 and 50, and continuing generally southerly along the centre of the road generally easterly of and adjoining sections 50, 51 and 1382 to the northern boundary of allotment 2 (DP 16534); westerly, south-westerly and southerly along the northern, north-western and western boundaries of allotment 2 (DP 16534) and production southerly to a southern boundary of the district Council District of Yankalilla; thence generally westerly and generally north-easterly along the boundaries of the district Council District of Yankalilla to the point of commencement and crossing all intervening roads.

Second Valley/Rapid Bay/Parawa Ward: Comprising those portions of the Hundreds of Waitpinga and Yankalilla, County of Hindmarsh, bounded as follows:

Commencing at a point on a north-eastern boundary of the district Council District of Yankalilla, being a north-eastern corner of section 325, Hundred of Waitpinga; thence generally westerly along northern boundaries of the Hundred of Waitpinga to the intersection with the production south-easterly of the centre of the road north-east of and adjoining

section 286, Hundred of Yankalilla; north-westerly along the latter production and centre of the road and continuing generally north-westerly along the centre of the road generally north-easterly of and adjoining sections 286, 283, 229, 230 and 87 to the centre of the road generally easterly of and adjoining section 89; generally northerly along the centre of the road generally easterly of and adjoining sections 89, 1598, the north-western portion of section 1600, section 1110, allotment 3 (FP 101688) and section 219 and production northerly to a north-western boundary of the district Council District of Yankalilla; generally south-westerly along the boundaries of the district Council District of Yankalilla to the intersection with the production north-westerly of the north-eastern boundary of section 32, Hundred of Yankalilla; thence south-easterly along the latter production and boundary and generally southerly along eastern boundaries of section 32 and production south-westerly to the centre of the road north-east of and adjoining allotment 1 (FP 40105); south-easterly along the centre of the road north-east of and adjoining allotment 1 (FP 40105), through section 338 (Mount Rapid Reserve) and continuing generally southerly along the centre of the road generally easterly of and adjoining section 187, allotment 374 (FP 165093), allotment 3 (DP 38463) and sections 1 and 1461 to the centre of the road north of and adjoining section 1457; easterly along the centre of the road north of and adjoining section 1457 and allotment 3 (FP 40118) to the centre of the road west of and adjoining allotment 363 (FP 165082); northerly along the latter centre of the road to the centre of the road north of and adjoining allotment 363 (FP 165082) and allotment 362 (FP 165081); easterly along the latter centre of the road to the centre of the road east of and adjoining allotment 362 (FP 165081); southerly along the latter centre of the road to the centre of the road south-east of and adjoining allotment 362 (FP 165081); generally southerly along the centre of the road south-east of and adjoining allotment 362 (FP 165081) and generally easterly of and adjoining sections 1499, 341 and allotment 12 (DP 40844) to a north-western boundary of the Hundred of Waitpinga; generally north-easterly along the latter boundary to the centre of the road generally northerly of and adjoining allotment 2 (FP 521), and section 46, Hundred of Waitpinga; generally easterly along the latter centre of the road to the centre of the road east of and adjoining section 46; generally south-easterly along the centre of the road east of and adjoining section 46, north of and adjoining section 412, and generally north-easterly of and adjoining sections 412 and 50, and continuing generally southerly along the centre of the road generally easterly of and adjoining sections 50, 51 and 1382 to the northern boundary of allotment 2 (DP 16534); westerly, south-westerly and southerly along the northern, north-western and western boundaries of allotment 2 (DP 16534) and production southerly to a southern boundary of the district Council District of Yankalilla; thence generally easterly and generally northerly along the boundaries of the district Council District of Yankalilla to the point of commencement and crossing all intervening roads.

Normanville Ward: Comprising those portions of the Hundreds of Yankalilla and Encounter Bay, County of Hindmarsh, bounded as follows:

Commencing at a point on a north-eastern boundary of the district Council District of Yankalilla, being a north-eastern corner of section 325, Hundred of Waitpinga; thence generally westerly along southern boundaries of the Hundred of Yankalilla to the intersection with the production south-easterly of the centre of the road north-east of and adjoining section 286, Hundred of Yankalilla; north-westerly along the latter production and centre of the road and continuing generally north-westerly along the centre of the road generally north-easterly of and adjoining sections 286, 283, 229, 230 and 87 to the centre of the road generally easterly of and adjoining section 89; generally northerly along the centre of the road generally easterly of and adjoining sections 89, 1598, the north-western portion of section 1600, section 1110, allotment 3 (FP 101688) and section 219 and production northerly to a north-western boundary of the district Council District of Yankalilla; generally north-easterly along north-western boundaries of the district Council District of Yankalilla to the intersection with the production north-westerly of the centre of Marrata Street in the area of Normanville, north-east of and adjoining allotment 1 (DP 32410), Hundred of Yankalilla; south-easterly along the latter production and centre of Marrata Street to the centre of Purrumba Street; south-westerly along the centre of Purrumba Street to its intersection with the production north-westerly of the north-

eastern boundary of piece 16 (DP 22128); south-easterly along the latter production and boundary and its production to the centre of Carrickalinga Road; south-westerly along the centre of Carrickalinga Road to its intersection with the production north-westerly of the north-eastern boundary of piece 15 (DP 22128); south-easterly along the latter production and boundary and its production to the centre of Norman Avenue; south-westerly along the centre of Norman Avenue to the centre of Main South Road; south-easterly along the centre of Main South Road to the centre of the road south-east of and adjoining allotment 2 (DP 26071); generally southerly along the centre of the road south-east of and adjoining allotment 2 (DP 26071) and generally easterly of and adjoining sections 1042 and 1045 to the centre of the road generally north-easterly of and adjoining section 1058; generally south-easterly along the centre of the road generally north-easterly of and adjoining sections 1058, 1063, 1151 and 1148 to the intersection with the production south-westerly of the north-western boundary of section 1154; north-easterly along the latter production and boundary; south-easterly along the north-eastern boundary of section 1154; north-easterly along the north-western boundary of allotment 1 (FP 40095) and its production to the centre of the Yankalilla-Victor Harbor Road; generally south-easterly and generally easterly along the centre of the Yankalilla-Victor Harbor Road to the centre of the road south-west of and adjoining section 414, Hundred of Encounter Bay; south-easterly along the latter centre of the road to its intersection with the production westerly of a northern boundary of allotment 6 (DP 44428); easterly along the latter production and continuing generally easterly along the northern and western boundaries of allotment 6 (DP 44428), the northern boundary of allotment 2 (DP 44428) and continuing along the centre of the road north of and adjoining sections 624 and 297 to an eastern boundary of the district Council District of Yankalilla; thence southerly and generally south-westerly along the boundaries of the district Council District of Yankalilla to the point of commencement and crossing all intervening roads.

Yankalilla/Inman Valley Ward: Comprising those portions of the Hundreds of Yankalilla and Encounter Bay, County of Hindmarsh, bounded as follows:

Commencing at a point on an eastern boundary of the district Council District of Yankalilla, being its intersection with the centre of the road south of and adjoining section 296, Hundred of Encounter Bay; thence generally northerly, generally westerly and north-westerly along the boundaries of the district Council District of Yankalilla to a northern boundary of the Hundred of Encounter Bay (adjacent to allotment 21—DP 20994); generally westerly along northern boundaries of the Hundreds of Encounter Bay and Yankalilla to the centre of the road (Willson Drive) adjacent to allotment 6 (DP 17119), Hundred of Yankalilla; generally north-westerly along the centre of Willson Drive to the centre of Norman Avenue; south-westerly along the centre of Norman Avenue to the centre of Main South Road; south-easterly along the centre of Main South Road to the centre of the road south-east of and adjoining allotment 2 (DP 26071), generally southerly along the centre of the road south-east of and adjoining allotment 2 (DP 26071) and generally easterly of and adjoining sections 1042 and 1045 to the centre of the road generally north-easterly of and adjoining section 1058; generally south-easterly along the centre of the road generally north-easterly of and adjoining sections 1058, 1063, 1151 and 1148 to the intersection with the production south-westerly of the north-western boundary of section 1154; north-easterly along the latter production and boundary; south-easterly along the north-eastern boundary of section 1154; north-easterly along the north-western boundary of allotment 1 (FP 40095) and its production to the centre of the Yankalilla-Victor Harbor Road; generally south-easterly and generally easterly along the centre of the Yankalilla-Victor Harbor Road to the centre of the road south-west of and adjoining section 414, Hundred of Encounter Bay; south-easterly along the latter centre of the road to its intersection with the production westerly of a northern boundary of allotment 6 (DP 44428); thence easterly along the latter production and continuing generally easterly along the northern and western boundaries of allotment 6 (DP 44428), the northern boundary of allotment 2 (DP 44428) and continuing along the centre of the road north of and adjoining sections 624 and 297 to the point of commencement and crossing all intervening roads.

Carrickalinga Ward: Comprising those portions of the Hundreds of Yankalilla and Myponga, County of Hindmarsh, bounded as follows:

Commencing at a point on a north-western boundary of the district Council District of Yankalilla, being its intersection with the production north-westerly of the centre of Marrata Street in the area of Normanville, south-west of and adjoining section 1018, Hundred of Yankalilla; thence generally north-easterly along the boundaries of the district Council District of Yankalilla to the intersection with the production northerly of an eastern boundary of allotment 3 (FP 40152), Hundred of Myponga; southerly along the latter production and boundary; south-easterly along the north-eastern boundaries of allotment 3 (FP 40152) and production south-easterly to the centre of the road east of and adjoining allotment 3 (FP 40152); generally southerly along the centre of the road generally easterly of and adjoining allotment 3 (FP 40152), allotment 1 (FP 3257), allotment 1 (FP 40153), allotment 2 (FP 6739) and allotment 535 (FP 165254) to the centre of the road north-west of and adjoining piece 4 (FP 40138); generally easterly along the centre of the road north-west of and adjoining piece 4 (FP 40138) and generally northerly of and adjoining allotment 1 (FP 40146), allotment 1 (FP 151724), the northern portion of allotment 20 (DP 19790) and allotment 202 (FP 164921) to the centre of the road south-east of and adjoining allotment 202 (FP 164921) and allotment 1 (FP 7611); south-westerly along the latter centre of the road to the centre of the road north of and adjoining the southern portion of allotment 20 (DP 19790); easterly along the latter centre of the road to its intersection with the production north-westerly of the north-eastern boundary of the southern portion of allotment 20 (DP 19790); south-easterly along the latter production and boundary and the north-eastern boundary of allotment 21 (DP 19790) and production to the centre of the road north-west of and adjoining a north-western boundary of section 69; north-easterly along the latter centre of the road to its intersection with the production westerly of the northern boundary of section 69; easterly along the latter production and boundary; southerly along portion of the eastern boundary of section 69 to the centre of the road generally northerly of and adjoining sections 72 and 71; generally easterly along the centre of the road generally northerly of and adjoining sections 72 and 71 and continuing generally southerly along the centre of the road generally easterly of and adjoining section 71 to a south-eastern boundary of the district Council District of Yankalilla (a south-eastern boundary of the Hundred of Myponga adjacent to the south-western corner of allotment 91—FP 161539); generally south-westerly and generally westerly along the south-western and southern boundaries of the Hundred of Myponga to the centre of Willson Drive adjacent to the northern corner of allotment 6 (DP 17118), Hundred of Yankalilla; generally north-westerly along the centre of Willson Drive to the centre of Norman Avenue in the area of Normanville; north-easterly along the centre of Norman Avenue to its intersection with the production south-easterly of the north-eastern boundary of piece 15 (DP 22128); north-westerly along the latter production and boundary and its production to the centre of Carrickalinga Road; north-easterly along the centre of Carrickalinga Road to its intersection with the production south-easterly of the north-eastern boundary of piece 16 (DP 22128); north-westerly along the latter production and boundary and its production to the centre of Purumba Street; north-easterly along the centre of Purumba Street to the centre of Marrata Street; thence north-westerly along the centre of Marrata Street and its production to the point of commencement and crossing all intervening roads.

Myponga Ward: Comprising that portion of the Hundred of Myponga, County of Hindmarsh, bounded as follows:

Commencing at a point on a north-western boundary of the district Council District of Yankalilla, being its intersection with the production northerly of an eastern boundary of allotment 3 (FP 40152), Hundred of Myponga; southerly along the latter production and boundary; south-easterly along the north-eastern boundaries of allotment 3 (FP 40152) and production south-easterly to the centre of the road east of and adjoining allotment 3 (FP 40152); generally southerly along the centre of the road generally easterly of and adjoining allotment 3 (FP 40152), allotment 1 (FP 3257), allotment 1 (FP 40153), allotment 2 (FP 6739) and allotment 535 (FP 165254) to the centre of the road north-west of and adjoining piece 4 (FP 40138); generally easterly along the centre of the road north-west of and adjoining piece 4 (FP 40138) and

generally northerly of and adjoining allotment 1 (FP 40146), allotment 1 (FP 151724), the northern portion of allotment 20 (DP 19790) and allotment 202 (FP 164921) to the centre of the road south-east of and adjoining allotment 202 (FP 164921) and allotment 1 (FP 7611); south-westerly along the latter centre of the road to the centre of the road north of and adjoining the southern portion of allotment 20 (DP 19790); easterly along the latter centre of the road to its intersection with the production north-westerly of the north-eastern boundary of the southern portion of allotment 20 (DP 19790), south-easterly along the latter production and boundary and the north-eastern boundary of allotment 21 (DP 19790) and production to the centre of the road north-west of and adjoining a north-western boundary of section 69; north-easterly along the latter centre of the road to its intersection with the production westerly of the northern boundary of section 69; easterly along the latter production and boundary; southerly along portion of the eastern boundary of section 69 to the centre of the road generally northerly of and adjoining sections 72 and 71; generally easterly along the centre of the road generally northerly of and adjoining sections 72 and 71 and continuing generally southerly along the centre of the road generally easterly of and adjoining section 71 to a south-eastern boundary of the district Council District of Yankalilla (a south-eastern boundary of the Hundred of Myponga adjacent to the south-western corner of allotment 91—FP 161539); thence generally north-easterly, generally northerly, generally north-westerly and generally south-westerly along the boundaries of the district Council District of Yankalilla to the point of commencement and crossing all intervening roads.

M. DAVIS, Chief Executive Officer

#### DISTRICT COUNCIL OF YANKALILLA

##### *Declaration of Public Road*

NOTICE is hereby given that pursuant to section 303 (1) of the Local Government Act 1934, as amended, the District Council of Yankalilla at a meeting held on 16 November 1999, resolved to declare that portion of land shown as 'A' in Deposited Plan 30495 as public road.

M. DAVIS, Chief Executive Officer

IN the matter of the estates of the undermentioned deceased persons:

- Anderson, Sarah Clark*, late of 52 Esplanade, Semaphore, of no occupation, who died on 14 October 1999.
- Arnold, Beatrice Nellie*, late of 21 Foster Street, Parkside, of no occupation, who died on 2 October 1999.
- Bates, Elva Grace*, late of Everard Street, Largs Bay, of no occupation, who died on 9 October 1999.
- Bishop, Ricki George*, late of 4 Thiele Crescent, West Lakes Shore, company director, who died on 18 November 1998.
- Collins, Robert John*, late of 4 Muirkirk Street, Jamestown, retired fitter, who died on 2 September 1999.
- Coventry, Phyllis Elizabeth*, late of 16 Hooking Avenue, Royston Park, married woman, who died on 23 July 1999.
- Dunn, Thomas*, late of 50 Gulfview Road, Christies Beach, retired metallurgist, who died on 16 September 1999.
- Dwiar, Eileen*, late of 110 Strathfield Terrace, Largs North, of no occupation, who died on 25 October 1999.
- Gondek, Franciszek*, late of 63 Angus Avenue, Edwardstown, retired driver, who died on 29 July 1999.
- Horgan, Robert James*, late of 50 Davenport Terrace, Richmond, of no occupation, who died on 18 October 1999.
- Jacobs, Marion June*, late of 3 Godson Street, Woodville South, married woman, who died on 3 October 1999.
- Johnston, Leonard Archibald*, late of 407 Esplanade, Henley Beach, retired labourer, who died on 28 September 1999.
- Keeney, Ernest Lindsay*, late of 7 Dawson Avenue, South Plympton, retired public servant, who died on 14 September 1999.
- Latz, Dora Esther*, late of Edward Street, Glynde, widow, who died on 10 August 1999.
- Messenger, Gladys Alice*, late of 51 Eighth Avenue, St Peters, widow, who died on 15 September 1999.
- Mugg, Betty Yvonne*, late of 5 Fairfield Drive, Strathalbyn, widow, who died on 10 August 1999.
- Mulholland, Patrick Charles*, late of 84 Valley View Drive, McLaren Vale, retired public servant, who died on 13 October 1999.

*Munt, Marjorie Clarice*, late of Fosters Road, Oakden, of no occupation, who died on 2 October 1999.

*Onn, Alice May*, late of 5 Leader Avenue, Toorak Gardens, home duties, who died on 15 October 1999.

*Rajopadhyaya, Deepak Kanta*, late of 73 O.G. Road, Klemzig, research associate, who died on 21 November 1998.

*Ralph, Earl Leslie Frank*, late of 285 Goodwood Road, Kings Park, of no occupation, who died on 16 September 1999.

*Richards, Melva Margaret*, late of 364 Grange Road, Kidman Park, home duties, who died on 20 August 1999.

*Roberts, Mary Ann*, late of 18 Cross Road, Myrtle Bank, widow, who died on 6 October 1999.

*Robinson, Ruth Clare*, late of 412 Burbridge Road, Brooklyn Park, home duties, who died on 14 October 1999.

*Spargo, David John*, late of 285 Goodwood Road, Kings Park, retired clerk, who died on 6 August 1999.

*Stewart, Vera Dunleavy*, late of 51 Eve Road, Bellevue Heights, of no occupation, who died on 12 October 1999.

*Tink, Colin Lyall*, late of Vorwerk Road, Glenburnie, retired millhand, who died on 18 September 1999.

*Twilley, Shirley*, late of 71 Stokes Terrace, Port Augusta West, of no occupation, who died on 9 October 1999.

*Webb, Alwyn Ralph*, late of 20 Thirteenth Street, Gawler South, retired council foreman, who died on 7 April 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 24 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 25 November 1999.

J. H. WORRALL, Public Trustee

IN the matter of the estates of the undermentioned deceased persons:

*Asser, Robert Alfred*, late of 15 Esperance Terrace, Valley View, retired senior projects officer, who died on 30 October 1999.

*Gill, Margaret Anne*, late of Kiama Bay Road, Victor Harbor, widow, who died on 5 November 1999.

*Howling, Ronald Allan*, late of Helping Hand Retirement Village, Shackleton Avenue, Ingle Farm, retired clerk, who died on 4 November 1999.

*Payne, Randolph Douglas*, late of Apartment 61, Leabrook Place, 17 Tusmore Avenue, Leabrook, retired chartered accountant, who died on 7 November 1999.

*Riemann, Charles Wallace*, late of 9 Dyott Avenue, Hampstead Gardens, retired manager, who died on 5 October 1999.

*Spear, George*, late of 27 Arrow Crescent, Paralowie, retired mechanic, who died on 10 August 1999.

*Swatten, John Frederick*, late of 22 Pratt Avenue, Pooraka, painter, who died on 20 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 23 December 1999, otherwise they will be excluded from the distribution of the said estate.

Dated 25 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.

#### ADELAIDE LIFT INVESTMENTS PTY LTD

(ACN 064 584 569)

ADELAIDE LIFT TRUCKS PTY LTD (in liquidation) (ACN 007 610 602) has brought a summons in Action No. 1357 of 1999 in the Supreme Court of South Australia seeking the winding up of Adelaide Lift Investments Pty Ltd. The summons is listed for hearing on 7 December 1999 at not before 2.15 p.m. Any creditor or contributory of Adelaide Lift Investments 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 Piper Alderman, Solicitors, 167 Flinders Street, Adelaide, S.A. 5000.

SOUTH AUSTRALIA—In the Supreme Court. No. 2644 of 1992. In the matter of Adelaide Opticians Pty Limited (ACN 055 058 663) and in the matter of the Corporations Law.

#### Notice of Release of Liquidator

Take notice that by an order of the Supreme Court of South Australia dated 8 November 1999, I, Peter Ivan Macks, 10th Floor, 26 Flinders Street, Adelaide, S.A. 5000, the liquidator of the abovenamed company was granted my release as liquidator.

Dated 19 November 1999.

P. I. MACKS, Liquidator

#### CARDINAL RED PTY LTD

(ACN 008 269 761)

NEVILLE DOUGLAS CHILTON and LYNNE MARIE CHILTON, 2 Lakin Crescent, Tumbly Bay, S.A. 5605 have brought a summons in Action No. 1389 of 1999, in the Supreme Court of South Australia seeking the winding up of Cardinal Red Pty Ltd. The summons is listed for hearing on 21 December 1999 at not before 2.15 p.m. Any creditor or contributory of Cardinal Red 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 Lynch & Meyer, Solicitors, 190 Flinders Street, Adelaide, S.A. 5000.

**FILTER FRESH PTY LTD**

(ACN 008 119 702)

AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD has brought a summons in Action No. 1350 of 1999 in the Supreme Court of South Australia seeking the winding up of Filter Fresh Pty Ltd. The summons is listed for hearing on 7 December 1999 at not before 2.30 p.m. Any creditor or contributory of Filter Fresh 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 costs from Marshalls, Level 2, 81 Flinders Street, Adelaide, S.A. 5000.

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**FORFABS PTY LTD**

(ACN 002 458 077)

WORKERS REHABILITATION AND COMPENSATION CORPORATION has brought a summons in Action No. 1354 of 1999 in the Supreme Court of South Australia seeking the winding up of Forfabs 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 Forfabs 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 costs from Barratt Lindquist, 162 Halifax Street, Adelaide, S.A. 5000.

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**JOMARDINE PTY LTD**

(ACN 008 191 526)

ADELAIDE LIFT TRUCKS PTY LTD (in liquidation) (ACN 007 610 602) has brought a summons in Action No. 1356 of 1999 in the Supreme Court of South Australia seeking the winding up of Jomardine Pty Ltd. The summons is listed for hearing on 7 December 1999 at not before 2.15 p.m. Any creditor or contributory of Jomardine 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 Piper Alderman, Solicitors, 167 Flinders Street, Adelaide, S.A. 5000.

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**SHERLOCK NAPIER PTY LTD**

(ACN 007 447 994)

CARTER HOLT HARVEY (CARTONS) PTY LTD has brought a summons in Action No. 1366 of 1999 in the Supreme Court of South Australia seeking the winding up of Sherlock Napier Pty Ltd. The summons is listed for hearing on 21 December 1999 at not before 2.15 p.m. Any creditor or contributory of Sherlock Napier 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 Donaldson Walsh, Solicitors for the Plaintiff, 320 King William Street, Adelaide, S.A. 5000.

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**WADEMAX PTY LTD**

(ACN 080 864 286)

ON Tuesday, 16 November 1999, the Supreme Court of South Australia in Action No. 711 of 1999, made an order for the winding up of Wademax Pty Ltd and appointed Austin Robert Meerten Taylor, 99 Frome Street, Adelaide, S.A. 5000, to be the liquidator of the company.

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# 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.**