



# 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, 21 OCTOBER 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, 21 October 1999

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

Member: (from 21 October 1999 until 20 October 2003)

Peter Anthony Norman  
Jeffrey William Parish  
William Robert Paterson  
The Hon Peter Bruce Arnold

By command,

IAIN EVANS, for Premier

MEH 64/99CS

Department of the Premier and Cabinet  
Adelaide, 21 October 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, BSc BEc, MBA, MLC, Treasurer, to be also Acting Minister for Government Enterprises and Acting Minister for Information Economy for the period 23 October 1999 to 27 October 1999, inclusive, during the absence of the Honourable Michael Harry Armitage, MB, BS, MP.

By command,

IAIN EVANS, for Premier

MGE 102/99CS

Department of the Premier and Cabinet  
Adelaide, 21 October 1999

HIS Excellency the Governor in Executive Council has been pleased to the Honourable Diana Vivienne Laidlaw, BA, MLC, Minister for Transport and Urban Planning, Minister for the Arts and Minister for the Status of Women to be also Acting Minister for Government Enterprises and Acting Minister for Information Economy for the period 28 October 1999 to 7 November 1999, inclusive, during the absence of the Honourable Michael Harry Armitage, MB, BS, MP.

By command,

IAIN EVANS, for Premier

MGE 102/99CS

#### CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, 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:

1. Dedicate the Crown Land defined in The First Schedule as a Public Road.
2. Dedicate the Crown Land defined in The Second Schedule as a Walkway Reserve and declare that such land shall be under the care, control and management of The District Council of Yankalilla.

#### The First Schedule

Allotment 1340 of DP 51951, Hundred of Myponga, County of Hindmarsh, being within the district council district of Yankalilla.

#### The Second Schedule

Allotments 1348 and 1349 of DP 51951, Hundred of Myponga, County of Hindmarsh, exclusive of all necessary roads.

Dated 19 October 1999.

P. M. KENTISH, Surveyor-General

DENR 3629/1995

#### CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, 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 Public Road.

#### The Schedule

Allotment 60 of DP 52393, Hundred of Haines, County of Carnarvon, being within the Kangaroo Island district.

Dated 19 October 1999.

P. M. KENTISH, Surveyor-General

DENR 12/0233

#### CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, 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:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Public Road.

#### The First Schedule

Water Reserve, section 903, Cowirra Irrigation Area, Hundred of Younghusband, County of Russell, the proclamation of which was published in the *Government Gazette* of 21 February 1980 at page 364, The Second Schedule, being the whole of the land comprised in Crown Record Volume 5631 Folio 629.

#### The Second Schedule

Allotment 6 of DP 53014, Cowirra Irrigation Area, Hundred of Younghusband, County of Russell, being within the Mid Murray district.

Dated 19 October 1999.

P. M. KENTISH, Surveyor-General

DENR 3595/1995

#### DETERMINATION OF THE REMUNERATION TRIBUNAL

No. 4 of 1999

MINISTERS OF THE CROWN AND OFFICERS AND MEMBERS OF PARLIAMENT

#### 1. Scope of Determination

This Determination applies to the undermentioned Ministers of the Crown and Officers and Members of Parliament.

#### 2. Electorate Allowances for Members

2.1 There shall be payable to a Member in respect of the expenses of discharging duties in the Electoral District the Member represents, an electorate allowance at the following annual rate:

Electoral District	\$ per annum
2.1.1 House of Assembly	
(a) Adelaide, Bragg, Bright, Coles, Colton, Davenport, Elder, Elizabeth, Fisher, Florey, Hanson, Hart, Hartley, Kaurna, Lee, Mawson, Mitchell, Morphett, Napier, Newland, Norwood, Peake, Playford, Price, Ramsey, Reynell, Ross-Smith, Spence, Torrens, Unley, Waite and Wright .....	15 335
(b) Heysen, Kavel, Light and Taylor .....	21 728
(c) Frome, Gordon and Schubert .....	25 294
(d) Chaffey, Goyder and Finnis.....	32 526
(e) Hammond and McKillop.....	36 707
(f) Flinders.....	42 082
Electoral District	
(g) Giles and Stuart .....	47 118
2.1.2 Legislative Council	

(a) Members of the Legislative Council..... 20 659

2.2 The electorate allowance payable to a Member under clause 2.1 shall, in the case of a Member elected after 1 October 1999, be calculated from the day on which he or she commences to be a Member, but in the case of those who are already Members on 1 October 1999, shall be calculated from 1 October 1999, and except as provided by clause 2.3, shall cease to be payable on the day which such person ceases to be a Member.

2.3 A former Member of Parliament shall be deemed to continue as a Member of the Parliament until a successor is elected in his or her place.

### 3. Expense Allowances of Ministers of the Crown

3.1 The Minister for the time being holding an office listed below shall be paid an expense allowance as follows:

Office	\$ per annum
(a) Premier .....	8 020
(b) Deputy Premier.....	6 660
(c) Leader of Government in the Legislative Council.....	6 320
(d) Minister (other than a Minister holding an office listed in (a) to (c) of this paragraph).....	5 550

3.2 If a person holds more Ministerial offices than one he or she shall be paid an expense allowance under this paragraph in respect of one only of those offices.

### 4. Expense Allowances of Officers of Parliament

4.1 The person for the time being holding an office listed below shall be paid an expense allowance as follows:

Office	\$ per annum
4.1.1 House of Assembly	
(a) Speaker.....	3 140
(b) Chairman of Committees.....	1 580
(c) Leader of the Opposition.....	5 550
(d) Deputy Leader of the Opposition .....	1 760
4.1.2 Legislative Council	
(a) President .....	3 140
(b) Leader of the Opposition.....	1 760

4.2 If immediately before ceasing to be a Member of the Parliament the former Member held an office mentioned in 4.1.1(a), 4.1.1(b) or 4.1.2(a) or was a person referred to in 4.1.1(c) or 4.1.1(d) or 4.1.2(b) the former Member shall be deemed to continue in that office until:

- (a) a successor is elected as a Member in his or her place; or
- (b) the office is filled by someone other than the former Member,

whichever first occurs.

### 5. Country Members' Accommodation Allowance

A Member of either House of Parliament (including a Minister of the Crown or the Leader of the Opposition in the House of Assembly) whose usual place of residence is more than 75 km by road from the General Post Office at Adelaide and who is required to stay in Adelaide overnight in order to attend not only to Parliamentary duties but also to the Member's duties to be actively involved in community affairs and to represent and assist constituents in dealings with Governmental and other public agencies and authorities shall be paid an accommodation allowance up to \$140 for each such night up to a maximum of \$18 900 in each twelve month period, the first such period commencing from 1 July 1999.

### 6. Travelling and Accommodation Allowances

6.1 A Minister who actually incurs expenditure when travelling on official business shall be paid:

- 6.1.1 outside the metropolitan area, as defined by the Development Plan published pursuant to Part 4 of the Planning Act 1982, but within the State—up to \$158 per day;
- 6.1.2 Interstate—up to \$320 per day for Sydney and up to \$285 per day for places other than Sydney;
- 6.1.3 any extra expenditure necessarily incurred in addition to the allowances provided in 6.1.1 and 6.1.2.

6.2 The allowances provided by this clause shall also be payable to the Leader of the Opposition who actually incurs expenditure when travelling on official business, and to the Deputy Leader of the Opposition when he or she deputises, at the Leader's request, for the Leader of the Opposition in his or her official capacity.

### 7. Date of Operation

The provisions of this Determination, which supersede those of all preceding Determinations, shall operate from 1 October 1999.

Dated 15 October 1999.

R. L. DAHLENBURG, A.M., President

D. FLUX, Member

H. R. BACHMANN., Member

## REMUNERATION TRIBUNAL

### REPORT RELATING TO DETERMINATION NO. 4 OF 1999

#### 1. Introduction

1.1 Section 4(1)(c) of the Parliamentary Remuneration Act 1990 confers jurisdiction on the Remuneration Tribunal to determine from time to time electorate allowances and other allowances and expenses for Members of Parliament.

1.2 On 11 August 1999, the Tribunal wrote to all Members of Parliament advising that the Tribunal will conduct a review of those allowances and expenses, having regard to existing electoral boundaries, and seeking submissions on any matter relevant to such a review, including evidence of increased costs and expenses incurred for the allowances.

1.3 On 16 August 1999, the following was published in *The Advertiser* newspaper:

#### REMUNERATION TRIBUNAL

##### *Review of Electorate and Other Allowances*

Section 4(1)(c) of the Parliamentary Remuneration Act 1990 confers jurisdiction on the Remuneration Tribunal to determine from time to time electorate allowances and other allowances and expenses for Members of Parliament.

Electorate allowances compensate Members of Parliament for the expenses they necessarily incur in the performance of their duties. Other allowances referred to include:

- Expense Allowances of Ministers of the Crown;
- Expense Allowances of Officers of Parliament;
- Country Members' Accommodation Allowance; and
- Travelling and Accommodation Allowances.

It should be noted that the Remuneration Tribunal does not set salaries for members of Parliament.

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

The closing date is 3 September 1999, and submissions should be forwarded to:

The Secretary,  
Remuneration Tribunal,  
G.P.O. Box 2345, Adelaide, S.A. 5001  
Telephone: (08) 8226 4045  
Facsimile: (08) 8226 4174

#### 1.4 Written submissions were received from:

- 1.4.1 the Parliamentary Liberal Party to the effect that should any increase be granted to the Electorate and expense allowances this increase should be no more than the increase in CPI in South Australia;
- 1.4.2 the Hon. Bob Such who sought a review in relation to the existing structure of metropolitan electorate allowances on the basis of differing motor vehicle usage resulting from the changes to the electoral boundaries due to come into effect at the next State election;
- 1.4.3 the Hon. Dean Brown, who acknowledged receipt of the Tribunal's letter and advised that he did not wish to appear before the Tribunal;
- 1.4.4 the Hon. Jamie Irwin who acknowledged receipt of the Tribunal's letter and advised that he did not wish to make a personal submission to the Tribunal; and
- 1.4.5 members of the public. All of the four submissions received opposed increases to the allowances on the basis of South Australian economic circumstances.

#### 2. Electorate Allowances

- 2.1 Electorate allowances are provided to compensate Members of Parliament for the expenses they necessarily incur in the performance of their duties. A significant component of the allowance covers the cost of running a motor vehicle in the servicing of electorates. Other items of expense may include accommodation and travelling expenses (not otherwise covered), donations, subscriptions, telephone, printing, stationery and postage, without attempting to give a fully exhaustive list.
- 2.2 These allowances were last increased from 6 November, 1997 having regard to movement in the Consumer Price Index for the period June 1995 to June 1997.
- 2.3 The Tribunal has considered the submission of Mr. Such. As the existing electorate boundaries have not altered the Tribunal will consider his comments when the Tribunal examines the changes to electorate boundaries at the next State election.
- 2.4 There is no evidence before the Tribunal as to the measure of increase (if any) in any of those components specifically, since the date of the last Determination. However, the Tribunal is prepared to accept that the movement in the Consumer Price Index justifies a minimal adjustment to the electorate allowances and has therefore determined new allowances as set out in the Determination.
3. *Expense allowances of Ministers of the Crown and Officers of Parliament*
- 3.1 These allowances are to compensate Ministers of the Crown and Officers of Parliament for the extraordinary expenses incurred when performing the duties of these officers and were last increased in 1992.
- 3.2 There is no evidence before the Tribunal as to the measure of increase (if any) in any of those components specifically, since the date of the last Determination. However, the Tribunal is prepared to accept that the movement in the Consumer Price Index since that time justifies a minimal adjustment to these allowances and has therefore determined new allowances as set out in the Determination.
4. *Country Members' Accommodation Allowance*
- 4.1 This allowance was last increased from \$115 to \$117 per night in 1993 and is payable to Members of Parliament whose usual place of residence is more than 75 km by road from the General Post Office at Adelaide and who are required to stay in Adelaide overnight in order to attend to Parliamentary duties and to also meet their duties to be actively involved in community affairs and represent and assist constituents in dealings with Governmental and other public agencies and authorities.
- 4.2 The maximum amount payable for a 12 month period is \$15 795 and this amount was also effective from 1 July 1993.
- 4.3 Having regard to the increased costs that have occurred since the Tribunal last adjusted these allowances in 1993 the Tribunal has determined new allowances as set out in the Determination.
5. *Travelling and Accommodation Allowances of Ministers and the Leader and Deputy Leader of the Opposition*
- 5.1 These allowances are payable when expenditure is incurred when travelling on official business with the current rates operative from 1 July 1993.

5.2 Having regard to the increased costs that have occurred since the Tribunal last adjusted these allowances in 1993 the Tribunal has determined new allowances as set out in the Determination.

6. *Date of Operation*

6.1 The Tribunal has decided that the date of operation of this Determination will be 1 October 1999.

Dated 15 October 1999.

R. L. DAHLENBURG AM, President

HARBORS AND NAVIGATION ACT 1993

*Determination of State Crewing Committee*

THE following determination made on 21 December 1998, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

TSA 98/11859

HARBORS AND NAVIGATION ACT 1993

*Determination of State Crewing Committee in respect of the M.V. 'Stress Relief II'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Stress Relief II* whilst operating within 15 nautical miles of the coast of South Australia.

*Minimum complement*

One person—Master

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Coxswain and has successfully completed approved Elements of Shipboard Safety and Restricted Radio Telephony courses.

CAPT. W. J. STUART, Presiding Member, State Crewing Committee.

HARBORS AND NAVIGATION ACT 1993

*Determination of State Crewing Committee*

THE following determination made on 22 September 1999, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport and Urban Planning.

TSA 99/08828

HARBORS AND NAVIGATION ACT 1993

*Determination of State Crewing Committee in respect of the M.V. 'Miss Wendy'*

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Miss Wendy* whilst operating within 15 nautical miles of the coast of South Australia.

*Minimum complement*

One person—Master

*Minimum Qualifications of Crew*

Master—Certificate of Competency as Coxswain and has successfully completed approved Elements of Shipboard Safety and Restricted Radio Telephony courses.

CAPT. W. J. STUART, Presiding Member, State Crewing Committee.

DEVELOPMENT ACT 1993, SECTION 29 (2) (a): AMENDMENT TO THE HAPPY VALLEY (CITY) DEVELOPMENT PLAN  
*Preamble*

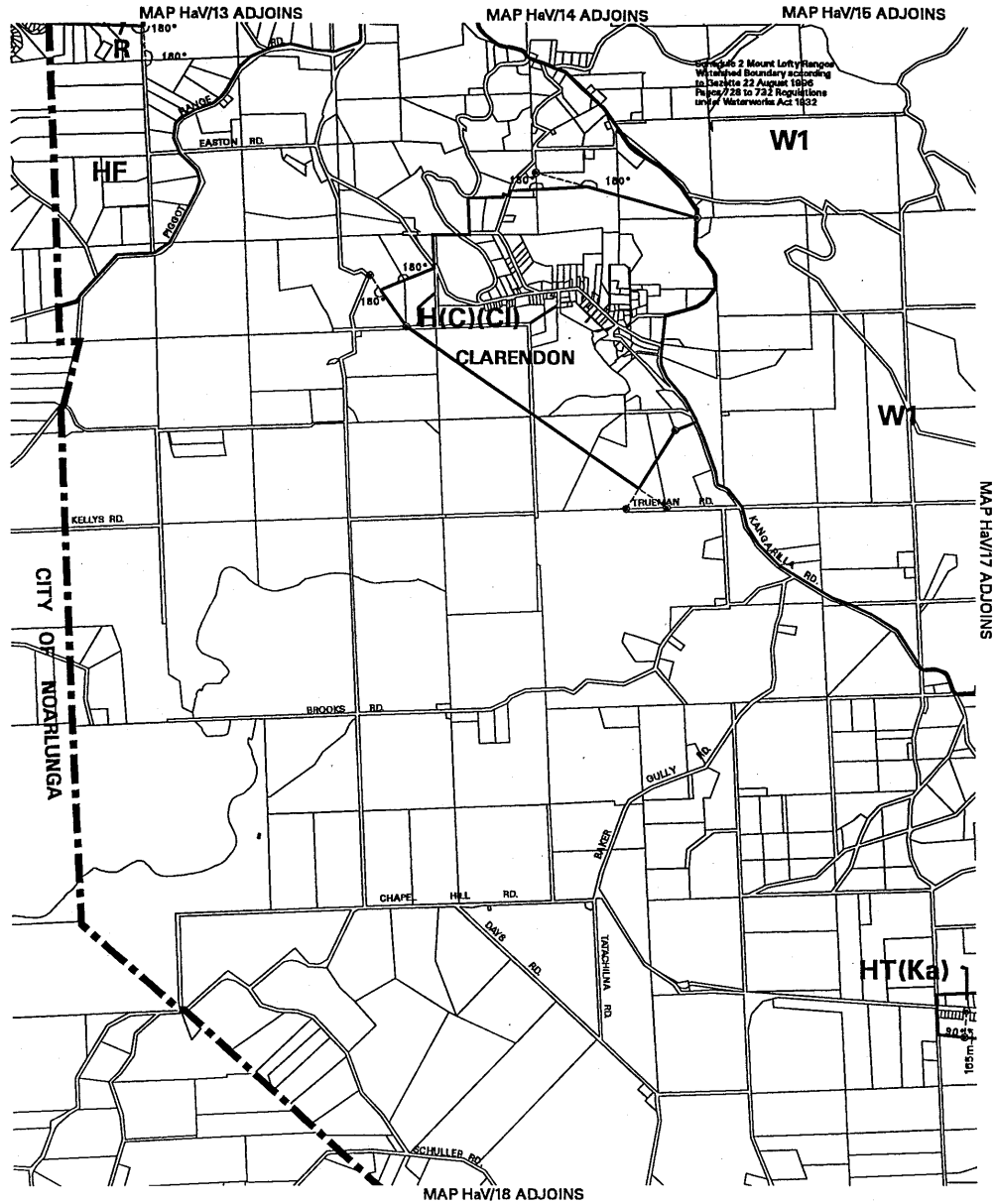
It is necessary to amend the Happy Valley (City) Development Plan dated 23 September 1999.

NOTICE

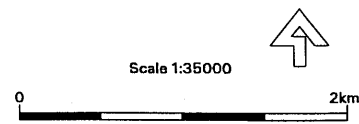
PURSUANT to Section 29 (2) (a) of the Development Act 1993, I, Diana Laidlaw, being the Minister administering the Act, amend The Happy Valley (City) Development Plan, as dated 23 September 1999, as follows:

*Delete* MAP HaV/16, and replace with the contents of Attachment A.

ATTACHMENT A



**NOTE :** For Policy Areas See MAPS HaV/26, HaV/30 and HaV/31  
 H(C)(CI) Historic(Conservation)(Clarendon)  
 HF Hills Face  
 HT(Ka) Historic Township (Kangarilla)  
 R Residential  
 W1 Watershed 1



**HAPPY VALLEY (CITY)  
 ZONES  
 MAP HaV/16**

— Zone Boundary  
 - - - - - Development Plan Boundary

Dated 21 October 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning

NATIONAL ELECTRICITY (SOUTH AUSTRALIA)  
ACT 1996

*Notices Under National Electricity Law and National  
Electricity Code*

NOTICE is hereby given pursuant to section 6(2) (b) of the National Electricity Law which forms the Schedule to the National Electricity (South Australia) Act 1996 and Clause 8.3.9 (d) of the National Electricity Code approved under section 6 of the National Electricity Law, that Chapters 2, 3, 4 and 7 of the National Electricity Code are amended to allow market network service providers to operate under the National Electricity Code and to provide for the application of the National Electricity Code to market network service providers.

These amendments to the National Electricity Code commence on 21 October 1999.

As required by Clause 8.3.9 (d) of the National Electricity Code, a copy of the ACCC's letter dated 6 October 1999 is set out below.

The amendments referred to above and a copy of the ACCC's letter of 6 October 1999 are set out in full in the relevant documents entitled 'Transmission and Distribution Pricing Review Code Changes' under the document 'Other Chapters' which can be viewed on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at [www.neca.com.au](http://www.neca.com.au) under 'The Code' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at [www.neca.com.au](http://www.neca.com.au) and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 21 October 1999.

National Electricity Code Administrator

*ACCC Letter of Authorisation*

6 October 1999

Stephen Kelly  
Managing Director  
National Electricity Code Administrator Limited  
Level 5, 41 Currie Street  
ADELAIDE, S.A. 5000

Dear Stephen

*Interim Authorisation of the MNSP Code Changes*

In your application of 26 July 1999, you sought authorisation of the Code changes to allow market network services to operate under the National Electricity Code. This application was amended on 18 August 1999 to include the remainder of the Code changes resulting from the NECA review of transmission and distribution pricing. At that time, you also sought interim authorisation of the changes to Chapters 2, 3, 4 and 7 dealing with the market network service provider (MNSP) Code changes.

The MNSP Code changes application was further amended in your letter of 27 September 1999, where you withdrew Clauses 3.12.1 (d), 3.12.3 (b), 3.12.5, 3.12.11 (a), (b) and (c), 3.14.2 (e), 3.14.5, 3.14.6 and 4.8.13. In addition, Clause 3.9.2 (g) was renumbered as 3.9.1 (3A). You indicated that these matters would be considered as part of the VoLL, capacity mechanisms and zero price floor removal application.

At its meeting on 6 October 1999, the Commission agreed to provide interim authorisation of the MNSP Code changes to Chapters 2, 3, 4 and 7 of the Code as submitted and amended by NECA. As usual, this interim authorisation will be subject to any conditions the Commission may impose as part of its final determination.

In arriving at its decision, the Commission noted the concerns of a number of interested parties in relation to the obligations of MNSPs in contrast to those on interconnected NSPs. These and other matters will be addressed through the remainder of our assessment processes of the Code changes resulting from the NECA review of transmission and distribution prices.

If you wish to discuss this matter further, please do not hesitate to either contact myself on (02) 6243 1249 or Paul Bilyk on (02) 6243 1254.

Yours sincerely,

M. RAWSTRON, General Manager, Regulatory  
Affairs—Electricity.

FISHERIES ACT 1982

MARINE TUNA FARMING LICENCE FB00007  
(PREVIOUS LICENCE NO. F606)

*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 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 below mentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Australian Bluefin Pty Ltd (1720),  
Australian Tuna Fisheries Pty Ltd (13912),  
Blaslov Fishing Pty Ltd (14231),  
Emily Krstina (Australia) Pty Ltd (13053),  
Sarunic & Sons Pty Ltd (14034)  
P.O. Box 792,  
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 Schedule 2 of this licence.

#### 6. *Sea Cages*

The licensee:

- 6.1 must ensure that all sea cages on the site have anti-predator protection satisfactory to the Minister at all times during the term; and
- 6.2 must immediately inform an officer of PIRSA (Fisheries) on 1800 065 522 or such other officer as the Minister from time to time notifies to the licensee in writing if any marine animal, other than the permitted species, is caught in any sea cage or other farm structure used by the licensee on the site.

#### 7. *Location of Sea Cages*

The licensee must not erect or use any sea cages in any location on the site where stocked sea cages have been used in the immediately preceding two year period.

#### 8. *Marking and Maintaining the Site*

The licensee:

- 8.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 8.2 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;
- 8.3 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
- 8.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

#### 9. *Site Inspection and Supervision*

The licensee:

- 9.1 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
- 9.2 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.

#### 10. *Fees and Returns*

The licensee:

- 10.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 10.2 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.

#### 11. *Compliance With Relevant Laws*

- 11.1 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;
- 11.2 in particular, without derogating from the general requirement under condition 11 of this licence:
- 11.2.1 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

- 11.2.2 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.

#### 12. *Public Risk Indemnity*

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.

#### 13. *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.

#### 14. *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.

#### 15. *Guarantee or Indemnity Scheme*

The licensee must either:

- 15.1 provide a guarantee from its bankers; or
- 15.2 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.

#### 16. *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.

#### 17. *Default by Licensee and Termination*

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

- 17.1 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

- 17.2 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 17.1 notwithstanding rectification of the previous breach or default; or
- 17.3 the licence fee referred to in condition 10 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 17.4 if the licensee is a body corporate, any of the following occur:
- 17.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 17.4.2 an order is made for the winding up or liquidation of the licensee;
- 17.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 17.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 17.4.5 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
- 17.5 if the licensee is an individual, the licensee:
- 17.5.1 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
- 17.5.2 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.
18. *Interpretation*
- Subject to any inconsistency of subject or context, the following rules of construction shall be used in the interpretation of this licence:
- 18.1 any word importing the plural includes the singular and *vice versa*;
- 18.2 any wording importing a gender shall include all other genders;
- 18.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 18.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;
- 18.5 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;
- 18.6 a reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to;
- 18.7 where two or more persons are named as licensees, this licence shall bind the licensees jointly and each of them severally; and
- 18.8 time is of the essence in respect of any obligation relating to time in this licence.

#### 19. *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.

#### 20. *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.

#### 21. *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.

#### 22. *Waiver*

22.1 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.

22.2 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.

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

#### 23. *Notices*

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

23.1.1 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);

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

23.1.3 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.

23.2 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 18 October 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 Australian Bluefin Pty Ltd was hereunto affixed in the presence of:

(L.S.) R. B. WALLER, Director  
R. WRIGHT, Secretary

The Common Seal of Australian Tuna Fisheries was hereunto affixed in the presence of:

(L.S.) G. CHILLINGWORTH, Secretary

The Common Seal of Blaslov Tuna Farm was hereunto affixed in the presence of:

(L.S.) A. BLASLOV, Secretary

The Common Seal of Emily Krstina (Australia) Pty Ltd was hereunto affixed in the presence of:

(L.S.) C. SANTIC, Secretary

The Common Seal of Sarunic & Sons Pty Ltd was hereunto affixed in the presence of:

(L.S.) J. SARUNIC, Secretary

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
585888E 6156478N	20
585752E 6156106N	
585306E 6156277N	
585440E 6156648N	

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 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.*

*All sea cages on the site must be marked with a unique sea cage number and the site's unique 'FB number'; that is, the licence number. All St Andrew's crosses must be marked with the site's unique 'FB number'; that is the licence number.*

##### Item 2—Marked-Off Areas

Marked-off areas must be marked with no less the 8 equally spaced white buoys, each of at least 12 inches in diameter, each positioned no more than 70 m from each relevant sea cage situated on the site.

#### SCHEDULE 2

##### 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.

Southern Bluefin Tuna (*Thunnus maccoyii*)

##### 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.

Sea Cages 10

##### Stocking Rates

The maximum stocking density of fish introduced into the Site must not exceed 4 kg/m<sup>3</sup>.

The maximum weight of fish introduced into the Site must not exceed 162 tonnes in total during the term of the Licence.

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are:

	\$
TEMP Environmental Monitoring Fee (per hectare)	
20 at \$136 each.....	2 720.00
Base Licence Fee (per hectare) 20 at \$183 each .....	3 660.00
Fisheries Research & Development Corporation per 20 at \$342 each.....	6 840.00
<b>Total Annual Licence Fee.....</b>	<b>13 220.00</b>
Quarterly Instalments.....	3 305.00

##### 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

MARINE MOLLUSC FARMING LICENCE FM00036  
(PREVIOUS LICENCE NO. F554)

*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:

B. K. Swincer (12159)  
46 Esplanade  
Cowell, S.A. 5602,

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 18 October 1999.

G. R. MORGAN, Director of Fisheries

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

Signed by the said B. SWINCER

In the presence of: P. SWINCER, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:	
Licensed Area	Licensed Hectares
AGD 66—Zone 53	
673825E 6265340N	10
674000E 6265190N	
673650E 6264875N	
673500E 6265000N	

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.

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 ~~3/4~~ Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 10 at \$12.50 each.....	125.00
EMP Fee per hectare 10 at \$22.96 each.....	229.60
Base Licence Fee per hectare 10 at \$57 each.....	570.00
SASQAP (Classified Area) per hectare, 10 at \$60 each.....	600.00
<b>Total Annual Licence Fee.....</b>	<b>1 524.60</b>
Quarterly Instalments.....	381.15

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

## SCHEDULE 4

*Returns*

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

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

## FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorised B. K. Swincer, 46 Esplanade, Cowell, S.A. 5602 (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 FM00036, (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 FM00036, 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	
673825E 6265340N	10
674000E 6265190N	
673650E 6264875N	
673500E 6265000N	

*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 18 October 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 B. K. Swincer, 46 Esplanade, Cowell, S.A. 5602 (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 FM00036.

## 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	
673825E 6265340N	10
674000E 6265190N	
673650E 6264875N	
673500E 6265000N	

## 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 or 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 18 October 1999.

G. R. MORGAN, Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00115  
(PREVIOUS LICENCE NO. F791)

*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:

D. Ormsby (12225)  
3 North Terrace  
Penong, S.A. 5690,

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.
- 5.5 must conduct an environmental monitoring program as set out in Schedule 5 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

**14. No Assignment**

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

**15. Default by Licensee and Termination**

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

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

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

**16. Interpretation**

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

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

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

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

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

**17. Delegation**

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

**18. Severance**

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

**19. Modification**

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

**20. Waiver**

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

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

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

**21. Notices**

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

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

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

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

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

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

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

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

**22. SASQAP**

22.1 The licensee:

22.1.1 must submit to the Manager, South Australian Shellfish Quality Assurance Program ('SASQAP') for testing such sample as the Manager, SASQAP requires of

- the fish farmed at the site and specified in Item 1.1 of Schedule 2;
- 22.1.2 must comply with all reasonable requirements of the Manager, SASQAP in relation to such testing; and
- 22.1.3 must obtain the written consent of the Manager, SASQAP, prior to making any of the fish farmed at the site and specified in Item 1.1 of Schedule 2, available for human consumption.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 18 October 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 D. ORMSBY

In the presence of: S. G. KANE, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
310850E 6447470N	10
311010E 6447270N	
310700E 6447020N	
310550E 6447200N	

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*)

Item 1.1—Fish subject to SASQAP testing

Blue Mussels (*Mytilus edulis*)

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

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:

	\$
Base Licence Fee per hectare 10 at \$57.00 each.....	570.00
<b>Total Annual Licence Fee.....</b>	<b>570.00</b>
Quarterly Instalments.....	142.50

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.



## SCHEDULE 5

*Approved Environmental Monitoring Program*

An Environmental Monitoring Program for the site must comply with the relevant schedule of Guidelines for Licensing discharges to the Marine Environment, November 1993 pursuant to the Environment Protection Act 1993.

The licensee must submit a draft Environmental Monitoring Program in writing to the Director of Fisheries within 60 days after the grant of the licence by the Minister.

## FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise D. Ormsby, 3 North Terrace, Penong, S.A. 5690 (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 FM00115, (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 FM00115, issued pursuant to section 53 of the Fisheries Act 1982.

## SCHEDULE 1

*Item 1—Local Co-ordinates*

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
310850E 6447470N	10
311010E 6447270N	
310700E 6447020N	
310550E 6447200N	

*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 18 October 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 D. Ormsby, 3 North Terrace, Penong, S.A. 5690 (hereinafter referred to as '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 FM00115.

## SCHEDULE 1

The importation and release of Blue Mussels, (*Mytilus edulis*) within the water defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
310850E 6447470N	10
311010E 6447270N	
310700E 6447020N	
310550E 6447200N	

## 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 or 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 18 October 1999.

G. R. MORGAN, Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00128  
(PREVIOUS LICENCE NO. F805)*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:

Craig N. Ivey (12232)  
2 Casey Street,  
Port Broughton, S.A. 5522,

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.
- 5.5 must conduct an environmental monitoring program as set out in Schedule 5 of this licence.

#### 6. Marking and Maintaining the Site

The licensee:

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

#### 7. Site Inspection and Supervision

The licensee:

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

#### 8. Fees and Returns

The licensee:

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

#### 9. Compliance With Relevant Laws

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

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

#### 10. Public Risk Liability

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

#### 11. Release

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

#### 12. Public Risk Insurance

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

#### 13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

#### 14. No Assignment

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

#### 15. Default by Licensee and Termination

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

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

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

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

#### 16. Interpretation

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

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

#### 17. Delegation

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

#### 18. Severance

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

#### 19. Modification

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

#### 20. Waiver

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

#### 21. Notices

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

#### 22. SASQAP

- 22.1 The licensee:
- 22.1.1 must submit to the Manager, South Australian Shellfish Quality Assurance Program ('SASQAP') for testing such sample as the Manager, SASQAP requires of the fish farmed at the site and specified in Item 1.1 of Schedule 2;

- 22.1.2 must comply with all reasonable requirements of the Manager, SASQAP in relation to such testing; and
- 22.1.3 must obtain the written consent of the Manager, SASQAP, prior to making any of the fish farmed at the site and specified in Item 1.1 of Schedule 2, available for human consumption.

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 18 October 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 C. N. IVEY

In the presence of: J. SMITH, Witness

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

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
767417E 6281475N	2
767490E 6281432N	
767564E 6281659N	
767489E 6281700N	

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 1.1—Fish subject to SASQAP testing

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.

*BST Longlines*

*Racks*

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

##### Item 3 ~~3/4~~ Stocking Rates

##### Oysters

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

#### SCHEDULE 3

##### Item 1—Fees

	\$
Fisheries Research and Development Corporation Levy per hectare 2 at \$12.50 each.....	25.00
Environmental Monitoring Program 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.

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.

## SCHEDULE 5

*Approved Environmental Monitoring Program*

An Environmental Monitoring Program for the site must comply with the general requirements for environmental monitoring specified in the notes to the Decision Notification Form issued for the site under Regulation 42 of the Development Regulations 1993.

The licensee must submit a draft Environmental Monitoring Program in writing to the General Manager Aquaculture within 60 days after the grant of the licence by the Minister.

## FISHERIES ACT 1982: SECTION 48G (2)

TAKE notice that pursuant to section 48G (2) of the Fisheries Act 1982, I hereby authorise C. N. Ivey, 2 Casey Street, Port Broughton, S.A. 5522 (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 FM00128 (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 FM00128, issued pursuant to section 53 of the Fisheries Act 1982.

## SCHEDULE

*Item 1—Location Co-ordinates*

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
767417E 6281475N	2
767490E 6281432N	
767564E 6281659N	
767489E 6281700N	

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

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

Dated 18 October 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 C. N. Ivey, 2 Casey Street, Port Broughton, S.A. 5522 (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 FM00128.

## SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
767417E 6281475N	2
767490E 6281432N	
767564E 6281659N	
767489E 6281700N	

## 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 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 PIRSA Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 18 October 1999.

G. R. MORGAN, Director of Fisheries

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00162  
(PREVIOUS LICENCE NO. F822)*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. E. and B. A. Connell,  
8 Wheelton Street,  
Kingscote, S.A. 5223,

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 18 October 1999.

G. R. MORGAN, Director of Fisheries

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

Signed by the said R. E. CONNELL and B. A. CONNELL

In the presence of: R. R. JAMIESON, Witness

## SCHEDULE 1

## Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
742799E 6041700N	5
743050E 6041700N	
743050E 6041500N	
742800E 6041500N	
742800E 6041500N	

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	Number per Hectare
Size (mm)	
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

	\$
Fisheries Research and Development Corporation Levy per hectare 5 at \$12.50 each.....	62.50
Environmental Monitoring Program 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>762.30</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:

- 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 R. E. and B. A. Connell, 8 Wheelton Street, Kingscote, S.A. 5223 (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 FM00162 (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 FM00162, issued pursuant to section 53 of the Fisheries Act 1982.

## SCHEDULE

## Item 1—Location Co-ordinates

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
742799E 6041700N	5
743050E 6041700N	
743050E 6041500N	
742800E 6041500N	

## 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 18 October 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. E. and B. A. Connell, 8 Wheelton Street, Kingscote, S.A. 5223 (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 FM00162.

## SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
742799E 6041700N	5
743050E 6041700N	
743050E 6041500N	
742800E 6041500N	

## 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 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 PIRSA Fisheries and Aquaculture Officer, produce that permit for inspection.

Dated 18 October 1999.

G. R. MORGAN, Director of Fisheries

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Mary Perich, P.O. Box 1240, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Almonta* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M172.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M172.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 43.45 units at 7.712 tonnes per unit (which is equal to 335.09 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

(a) **Unloading to a shore based processing plant:**

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to but not including** the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

(b) **Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1

Base Lines and Bay Closure Lines of South Australia

Location	From		to	Location
<i>Base Lines</i>				
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S 138°18.17'E The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S 138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S 138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S 138°07.95'E Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S 135°37.37'E Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S 135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S 133°57.77'E Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S 133°17.07'E Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S 133°16.58'E Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S 133°15.03'E West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S 133°06.62'E Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S 132°59.32'E Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S 132°58.72'E
	32°07.62'S	132°58.72'E	to	32°01.87'S 132°28.27'E Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S 134°45.05'E
	33°35.83'S	134°45.90'E	to	33°35.98'S 134°46.50'E
	33°36.72'S	134°48.33'E	to	33°37.47'S 134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S 138°57.40'E
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S 139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S 140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S 140°00.63'E
<i>Bay Closure Lines</i>				
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S 135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S 135°19.65'E

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Gary Feuerherdt, P.O. Box 712, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Odyssey S* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M153.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M153.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 56.42 units at 7.712 tonnes per unit (which is equal to 435.11 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From			to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, E. F. Hendry Pty Ltd, P.O. Box 1, Warooka, S.A. 5577, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

#### SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Para Star* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M210.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M210.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 30.48 units at 7.712 tonnes per unit (which is equal to 235.06 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

#### (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS.**

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

**SCHEDULE 2**

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

**SCHEDULE 3**

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
*Base Lines and Bay Closure Lines of South Australia*

Location	From		to	Location
<i>Base Lines</i>				
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S
	35°45.63'S	138°18.17'E	to	35°46.65'S
	35°46.88'S	138°17.43'E	to	35°47.10'S
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S
	35°53.25'S	136°31.97'E	to	34°57.20'S
Vennachar Point	34°57.20'S	135°37.37'E	to	34°56.90'S
	32°54.38'S	134°03.53'E	to	32°43.60'S
Pt Westall	32°43.60'S	133°57.77'E	to	32°35.18'S
Olives Island	32°34.92'S	133°16.73'E	to	32°33.80'S
Fenelon Island	32°33.80'S	133°16.58'E	to	32°30.90'S
Masillon Island	32°30.47'S	133°14.87'E	to	32°13.52'S
West Island	32°13.52'S	133°06.62'E	to	32°08.75'S
	32°08.67'S	132°59.28'E	to	32°07.62'S
Sinclair Island	32°07.62'S	132°58.72'E	to	32°01.87'S
	33°12.05'S	134°19.63'E	to	33°35.68'S
Anxious Bay	33°35.83'S	134°45.90'E	to	33°35.98'S
	33°36.72'S	134°48.33'E	to	33°37.47'S
	35°35.80'S	138°36.10'E	to	35°35.80'S
Encounter Bay	36°35.80'S	139°50.00'E	to	36°56.60'S
Lacepede Bay	37°34.02'S	140°06.33'E	to	37°30.05'S
Rivoli Bay	37°29.95'S	140°00.68'E	to	37°29.87'S
<i>Bay Closure Lines</i>				
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Stan Lukin, 62 Lincoln Highway, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Aislinn* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M255.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M255.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 15.56 units at 7.712 tonnes per unit (which is equal to 120 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

**(a) Unloading to a shore based processing plant:**

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Tony Lukin, P.O. Box 603, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

#### SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Karie* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M273.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M273.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 43.45 units at 7.712 tonnes per unit (which is equal to 335.09 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

#### (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS.**

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

**SCHEDULE 2**

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

**SCHEDULE 3**

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1

*Base Lines and Bay Closure Lines of South Australia*

Location	From		to	Location
<i>Base Lines</i>				
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S 138°18.17'E The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S 138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S 138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S 138°07.95'E Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S 135°37.37'E Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S 135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S 133°57.77'E Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S 133°17.07'E Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S 133°16.58'E Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S 133°15.03'E West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S 133°06.62'E Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S 132°59.32'E Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S 132°58.72'E
	32°07.62'S	132°58.72'E	to	32°01.87'S 132°28.27'E Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S 134°45.05'E
	33°35.83'S	134°45.90'E	to	33°35.98'S 134°46.50'E
	33°36.72'S	134°48.33'E	to	33°37.47'S 134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S 138°57.40'E
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S 139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S 140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S 140°00.63'E
<i>Bay Closure Lines</i>				
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S 135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S 135°19.65'E



## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Brendan Sheehy, 25 Highview Drive, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Stafanie* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M274.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M274.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 27 units at 7.712 tonnes per unit (which is equal to 208.22 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to but not including** the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Jim Makris, 10 Fisher Place, West Lakes, S.A. 5021, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

#### SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Maria Louisa* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M285.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M285.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 43.45 units at 7.712 tonnes per unit (which is equal to 335.09 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

#### (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS.**

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

**SCHEDULE 2**

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

**SCHEDULE 3**

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
*Base Lines and Bay Closure Lines of South Australia*

Location	From		to Location
<i>Base Lines</i>			
Newland Head	35°38.68'S	138°31.32'E	to 35°45.63'S 138°18.17'E The Pages
	35°45.63'S	138°18.17'E	to 35°46.65'S 138°17.57'E
	35°46.88'S	138°17.43'E	to 35°47.10'S 138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to 35°50.70'S 138°07.95'E Cape Willoughby
	Vennachar Point	35°53.25'S	136°31.97'E
		34°57.20'S	135°37.37'E
Pt Westall	32°54.38'S	134°03.53'E	to 32°43.60'S 133°57.77'E Olives Island
	Olives Island	32°43.60'S	133°57.77'E
Fenelon Island		32°34.92'S	133°16.73'E
	Masillon Island	32°33.80'S	133°16.58'E
West Island		32°30.47'S	133°14.87'E
		32°13.52'S	133°06.62'E
Sinclair Island	32°08.67'S	132°59.28'E	to 32°07.62'S 132°58.72'E
	32°07.62'S	132°58.72'E	to 32°01.87'S 132°28.27'E Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to 33°35.68'S 134°45.05'E
	33°35.83'S	134°45.90'E	to 33°35.98'S 134°46.50'E
	33°36.72'S	134°48.33'E	to 33°37.47'S 134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to 35°35.80'S 138°57.40'E
	Lacepede Bay	36°35.80'S	139°50.00'E
Rivoli Bay		37°34.02'S	140°06.33'E
		37°29.95'S	140°00.68'E
<i>Bay Closure Lines</i>			
Coffin Bay	34°09.07'S	135°14.39'E	to 34°25.86'S 135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to 34°41.78'S 135°19.65'E

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Zorica Lukin, 62 Lincoln Highway, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Scarlet Rose* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M324.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M324.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 87.79 units at 7.712 tonnes per unit (which is equal to 677.04 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to but not including** the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

G. R. MORGAN, Director of Fisheries

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Mark Forster, P.O. Box 154, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Pinta 3* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M329.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M329.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 49.93 units at 7.712 tonnes per unit (which is equal to 385.06 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS.**

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

**SCHEDULE 2**

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

**SCHEDULE 3**

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1

*Base Lines and Bay Closure Lines of South Australia*

Location	From		to	to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	
	Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E
		34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	
	Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Branko Sarunic, P.O. Box 993, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Nazare* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M354.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M354.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 43.45 units at 7.712 tonnes per unit (which is equal to 335.09 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Joe Puglisi (junior), P.O. Box 1607, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

#### SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Sardinops* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M429.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M429.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 43.45 units at 7.712 tonnes per unit (which is equal to 335.09 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

#### (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.



The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS.**

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

**SCHEDULE 2**

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

**SCHEDULE 3**

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
*Base Lines and Bay Closure Lines of South Australia*

Location	From		to Location
<i>Base Lines</i>			
Newland Head	35°38.68'S	138°31.32'E	to 35°45.63'S 138°18.17'E The Pages
	35°45.63'S	138°18.17'E	to 35°46.65'S 138°17.57'E
	35°46.88'S	138°17.43'E	to 35°47.10'S 138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to 35°50.70'S 138°07.95'E Cape Willoughby
	Vennachar Point	35°53.25'S	136°31.97'E
		34°57.20'S	135°37.37'E
Pt Westall	32°54.38'S	134°03.53'E	to 32°43.60'S 133°57.77'E Olives Island
	Olives Island	32°43.60'S	133°57.77'E
Fenelon Island		32°34.92'S	133°16.73'E
	Masillon Island	32°33.80'S	133°16.58'E
West Island		32°30.47'S	133°14.87'E
		32°13.52'S	133°06.62'E
Sinclair Island	32°08.67'S	132°59.28'E	to 32°07.62'S 132°58.72'E
	32°07.62'S	132°58.72'E	to 32°01.87'S 132°28.27'E Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to 33°35.68'S 134°45.05'E
	33°35.83'S	134°45.90'E	to 33°35.98'S 134°46.50'E
	33°36.72'S	134°48.33'E	to 33°37.47'S 134°49.67'E
	35°35.80'S	138°36.10'E	to 35°35.80'S 138°57.40'E
Encounter Bay	36°35.80'S	139°50.00'E	to 36°56.60'S 139°40.40'E
	Lacepede Bay	37°34.02'S	140°06.33'E
Rivoli Bay		37°29.95'S	140°00.68'E
<i>Bay Closure Lines</i>			
Coffin Bay	34°09.07'S	135°14.39'E	to 34°25.86'S 135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to 34°41.78'S 135°19.65'E

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Vic Valcic, 6 The Mews, Lincoln Cove, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Irene A* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M488.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M488.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 36.97 units at 7.712 tonnes per unit (which is equal to 285.11 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to but not including** the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Mark Waller, 9 Krestral Place, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Rhylan* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M491.

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M491.

5. Whilst engaged in the permitted activity the fisher shall not use any of the devices registered on the fisher's Marine Scalefish Fishery Licence.

6. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

7. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 43.45 units at 7.712 tonnes per unit (which is equal to 335.09 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be taken in the area as described (and disposed of as described) in the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS.**

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

**SCHEDULE 2**

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

**SCHEDULE 3**

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1

*Base Lines and Bay Closure Lines of South Australia*

Location	From		to	to Location	
<i>Base Lines</i>					
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E
	Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S
Pt Westall	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E
	Olives Island	32°54.38'S	134°03.53'E	to	32°43.60'S
Fenelon Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E
	Masillon Island	32°34.92'S	133°16.73'E	to	32°33.80'S
West Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E
	Sinclair Island	32°30.47'S	133°14.87'E	to	32°13.52'S
Anxious Bay	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E
	Encounter Bay	32°08.67'S	132°59.28'E	to	32°07.62'S
Lacepede Bay	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E
	Rivoli Bay	33°12.05'S	134°19.63'E	to	33°35.68'S
Avoid Bay	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E
	Coffin Bay	33°36.72'S	134°48.33'E	to	33°37.47'S
Avoid Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E
	Encounter Bay	36°35.80'S	139°50.00'E	to	36°56.60'S
Avoid Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E
	Encounter Bay	37°29.95'S	140°00.68'E	to	37°29.87'S
<i>Bay Closure Lines</i>					
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Mark Waller, 9 Krestal Place, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Rhylan* (hereinafter referred to as the 'permitted boat').

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.

5. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

6. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

7. The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 15.56 units at 7.712 tonnes per unit (which is equal to 120 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

**(a) Unloading to a shore based processing plant:**

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Compliance Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location	
<i>Base Lines</i>					
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E
<i>Bay Closure Lines</i>					
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Stanislav Lukin, 62 Lincoln Highway, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Aislinn* (hereinafter referred to as the 'permitted boat').

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.

5. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

6. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

7. The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 4.28 units at 7.712 tonnes per unit (which is equal to 33 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

**(b) Unloading at sea or direct to a tuna cage:**

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and

- (b) produce that notice to a Fisheries Compliance Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
*Base Lines and Bay Closure Lines of South Australia*

Location	From			to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
The Pages	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	Cape Willoughby
	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	West Island
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	Island 1 mile SW Pt Bell
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	Sinclair Island
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
Encounter Bay	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	Point Fowler
	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
Rivoli Bay	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Joe Puglisi, P.O. Box 1607, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Sardinops* (hereinafter referred to as the 'permitted boat').

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.

5. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

6. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

7. The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 102.18 units at 7.712 tonnes per unit (which is equal to 788 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Compliance Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager



TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	Location	
<i>Base Lines</i>					
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E
<i>Bay Closure Lines</i>					
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Australian Fishing Enterprises, P.O. Box 1073, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Maria Luisa* (hereinafter referred to as the 'permitted boat').

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.

5. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

6. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

7. The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 26.71 units at 7.712 tonnes per unit (which is equal to 205.99 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after

capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and

- (b) produce that notice to a Fisheries Compliance Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

#### SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

#### SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
*Base Lines and Bay Closure Lines of South Australia*

Location	From		to	Location
<i>Base Lines</i>				
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S 138°18.17'E The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S 138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S 138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S 138°07.95'E Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S 135°37.37'E Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S 135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S 133°57.77'E Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S 133°17.07'E Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S 133°16.58'E Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S 133°15.03'E West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S 133°06.62'E Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S 132°59.32'E Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S 132°58.72'E
	32°07.62'S	132°58.72'E	to	32°01.87'S 132°28.27'E Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S 134°45.05'E
	33°35.83'S	134°45.90'E	to	33°35.98'S 134°46.50'E
	33°36.72'S	134°48.33'E	to	33°37.47'S 134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S 138°57.40'E
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S 139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S 140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S 140°00.63'E
<i>Bay Closure Lines</i>				
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S 135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S 135°19.65'E

## FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Mary Perich, P.O. Box 1240, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

## SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Almonta* (hereinafter referred to as the 'permitted boat').

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.

5. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

6. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

7. The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 15.56 units at 7.712 tonnes per unit (which is equal to 120 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

## (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

## (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and  
(b) produce that notice to a Fisheries Compliance Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

## SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

## SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location	
<i>Base Lines</i>					
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E
<i>Bay Closure Lines</i>					
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Mark Forster, P.O. Box 154, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

#### SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 30 November 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Pinta 3* (hereinafter referred to as the 'permitted boat').

3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.

4. Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.

5. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

6. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.

7. The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms.

8. The fisher shall not, during the period 1 January 1999 to 30 November 1999, take a quantity of permitted species which exceeds their quota of 5.05 units at 7.712 tonnes per unit (which is equal to 38.94 tonnes).

9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.

10. Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.

11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.

12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.

13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.

14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

#### (a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

#### (b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after

capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must:

- (a) have in their possession the copy of this notice with which the Director of Fisheries has supplied them; and

- (b) produce that notice to a Fisheries Compliance Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

21. The fisher shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

#### SCHEDULE 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

#### SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1  
*Base Lines and Bay Closure Lines of South Australia*

Location	From		to	Location
<i>Base Lines</i>				
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S 138°18.17'E The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S 138°17.57'E
	35°46.88'S	138°17.43'E	to	35°47.10'S 138°17.33'E
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S 138°07.95'E Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S 135°37.37'E Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S 135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S 133°57.77'E Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S 133°17.07'E Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S 133°16.58'E Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S 133°15.03'E West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S 133°06.62'E Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S 132°59.32'E Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S 132°58.72'E
	32°07.62'S	132°58.72'E	to	32°01.87'S 132°28.27'E Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S 134°45.05'E
	33°35.83'S	134°45.90'E	to	33°35.98'S 134°46.50'E
	33°36.72'S	134°48.33'E	to	33°37.47'S 134°49.67'E
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S 138°57.40'E
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S 139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S 140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S 140°00.63'E
<i>Bay Closure Lines</i>				
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S 135°12.41'E
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S 135°19.65'E

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



## 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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When sending a document via Email please confirm your transmission with a faxed copy, including the date the notice is to be published.



## GAMING MACHINES ACT 1992

*Notice of Application for Grant of Gaming Machine Licence*

NOTICE is hereby given, pursuant to section 29 of the Gaming Machines Act 1992, that Robert Oakey, Lower Light Hotel, Port Wakefield Road, Lower Light, S.A. 5501 has applied to the Liquor and Gaming Commissioner for the Grant of a Gaming Machine Licence in respect of premises situated at Port Wakefield Road, Lower Light, S.A. 5501 and to be known as Lower Light Hotel.

The application has been set down for hearing on 19 November 1999.

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 4 October 1999.

Applicant

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

SOUTH AUSTRALIAN WATER CORPORATION (the 'Authority'), Level 18, Australis Building, 77 Grenfell Street, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

An easement for water supply purpose over those pieces of land being allotments 17 and 18 in Deposited Plan No. 527, in the area laid out as Kensington and being the balance of the land comprised and described in certificate of title register book volume 243, folio 138.

An easement for sewerage purpose over those pieces of land being allotments 17 and 18 in Deposited Plan No. 527, in the area laid out as Kensington and being the balance of the land comprised and described in certificate of title register book volume 243, folio 138.

*Extent of Interest Vested in the Authority*

A full free and unrestricted right and liberty of entry, egress and regress from time to time and at all times hereafter for the Authority and his agents, servants and workmen with or without vehicles, plant equipment and materials in, through, over, across and along the said piece of land for the purposes hereinafter mentioned and also a full free and unrestricted right and liberty for the Authority and his agents, servants and workmen from time to time and at all times hereafter to break the surface of, dig, open up and use the said piece of land for the purpose of laying down, fixing, taking up, repairing, relaying or examining pipes therein and of using and maintaining such pipes.

*Offer of Compensation*

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

*Inquiries*

Inquiries should be directed to:

The Property Manager  
S.A. Water Corporation  
Level 18, Australis Building  
77 Grenfell Street, Adelaide, S.A. 5000  
Telephone (08) 8204 1674

Dated 12 October 1999.

By Order of the Authority,

E. LEWANDOWSKI

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT  
1994*Section 23*

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

## SCHEDULE 1

Joanne Kate Hakendorf, officer/employee of Brock Real Estate Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5049, folio 527, situated at Unit 11, 225-227 Anzac Highway, Plympton, S.A. 5038.

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

W. J. SPEHR, Acting Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT  
1994*Section 23*

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

## SCHEDULE 1

Francine Shirley St John, officer/employee of Geo Kennedy Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5410, folio 11, situated at 1 Village Road, Hackham West, S.A. 5163.

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

W. J. SPEHR, Acting Commissioner

## LIQUOR LICENSING ACT 1997

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that HR Pty Ltd (ACN 085 998 009) has applied to the Licensing Authority for a variation to the Extended Trading Authorisation which is in force in respect of premises situated at Mundy Terrace, Robe and known as Robe Hotel.

The application has been set down for hearing on 19 November 1999 at 9 a.m.

*Conditions*

The following licence conditions are sought:

1. That the licensee be permitted to sell liquor for consumption on the licensed premises from midnight to 2 a.m. of the morning following each Thursday, Friday and Saturday.
2. That the extended trading authorisation shall apply to the whole of the licensed premises during the days and times sought in this application and all other days and times previously authorised for extended trading.
3. That entertainment may be permitted in the Bistro during the times authorised for extended trading.

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

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

Dated 11 October 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 Chace Agencies Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises currently situated at 55 Charles Street, Norwood to the premises to be situated at 99 Magill Road, Stepney, S.A. 5069 and known as Chace Agencies.

The application has been set down for hearing on 28 October 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 13 October 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 Delta Social and Sports Club Inc., has applied to the Licensing Authority for a Limited Club Licence with an Extended Trading Authorisation and Entertainment Consent in respect of the premises situated at 6 Peat Avenue, Holden Hill, S.A. 5088 and known as Delta Social & Sports Club.

The application has been set down for hearing on 19 November 1999.

*Conditions*

The following licence conditions are sought:

Hours of operation: Wednesday, midnight to 2 a.m.; Friday, midnight to 2 a.m.; Sunday, 8 a.m. to 11 a.m. and 8 p.m. to 2 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 October 1999.

Applicant

## LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Saturno's West End Hotel Pty Ltd has applied to the Liquor Licensing Commissioner for the transfer of a Liquor and Gaming Machine Licence in respect of premises situated at 253-255 Hindley Street, Adelaide, S.A. 5000 and known as Running Man and to be known as West End Hotel.

The application has been set down for hearing on 19 November 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, 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 October 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 Stockland Hotel Group Pty Ltd has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 253-255 Hindley Street, Adelaide, S.A. 5000 and to be known as Running Man.

The application has been set down for hearing on 19 November 1999.

*Conditions*

The following licence conditions are sought:

- Entertainment consent is sought.
- The licensee is authorised to sell liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons:
  - (a) seated at a table; or
  - (b) attending a function at which food is provided.
- Extended trading authorisation:

Hours of operation: Monday to Saturday, 7 a.m. to 5 a.m. the following morning; Sunday, 8 a.m. to 11 a.m. and 8 p.m. to 5 a.m. the following morning.

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

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

Dated 18 October 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 Ferrum Pty Ltd has applied to the Licensing Authority for a variation to an Extended Trading Authorisation in respect of premises situated at 52 Commercial Road, Salisbury, S.A. 5108 and known as Salisbury Hotel.

The application has been set down for hearing on 19 November 1999.

*Conditions*

The following licence conditions are sought:

- Hours of operation: Monday and Tuesday, midnight to 2 a.m. the following morning; Sunday, midnight to 2 a.m. the following morning.

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

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

Dated 14 October 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 A. C. and L. R. Sanders, P.O. Box 293, Christies Beach, S.A. 5165 have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 19 Colbert Road, Christies Beach, S.A. 5165 and known as The Old South Caterers.

The application has been set down for hearing on 19 November 1999.

*Condition*

The following licence condition is sought:

The licence will authorise the sale and supply of liquor on the licensed premises on any day and at any time for consumption at a place other than the licensed premises provided that such consumption is only by persons attending a pre-booked function.

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 13 October 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 Southcorp Wines Pty Ltd, c/o Finlaysons, 81 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at Sturt Highway, Nuriootpa, S.A. 5355 and to be situated at 78 Penfold Road, Magill, S.A. 5072, and known as Southcorp Wines.

The application has been set down for hearing on 19 November 1999.

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

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

Dated 12 October 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 Brigitte Owen and David Arrizza have applied to the Licensing Authority for the removal of a Restaurant Licence in respect of premises situated at Shop 41, 119 Princes Road, Torrens Park, S.A. 5062 and to be situated at Shop 35, 119 Belair Road, Torrens Park, S.A. 5062 known as Billy Baxters Café—Mitcham.

The application has been set down for hearing on 19 November 1999.

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

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

Dated 15 October 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 Anderson Charter Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 96 Highfield Drive, Hillbank, S.A. 5112 and to be known as Anderson Charters.

The application has been set down for hearing on 19 November 1999.

*Conditions*

The following licence conditions are sought:

1. The licence will authorise the sale and supply of liquor for consumption on the vessel at any time on any day to persons on board the vessel except Sunday between 5 a.m. and 8 a.m.; Good Friday, midnight to 5 a.m. the day after Good Friday and midnight to 5 a.m. the day after Christmas Day:

- (a) for the purpose of a voyage and during the course of that voyage; or

2. There shall be no trading on Good Friday other than to a diner for consumption with or ancillary to a meal provided by the licensee.

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

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

Dated 13 October 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 Phillip Ryan Bidgood, c/o Kelly & Co., Solicitors, Level 17, 91 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the grant of a Restaurant Licence in respect of premises situated at 12 Bridge Street, Salisbury, S.A. 5108 and known as Cavaliers Function Centre.

The application has been set down for hearing on 19 November 1999.

##### *Conditions*

The following licence conditions are sought:

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

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

The applicant applies for an Extended Trading Authorisation to authorise the sale of liquor on Friday and Saturday between the hours of midnight and 2 a.m. the next day and on Sundays, 8 a.m. to 11 a.m. and 8 p.m. to midnight.

The applicant applies for consent to use the whole of the licensed premises for the purpose of providing entertainment.

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 14 October 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 West Adelaide Footballers Club Inc. has applied to the Licensing Authority for an Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 57 Milner Road, Richmond, S.A. 5033 and known as West Adelaide Footballers Club.

The application has been set down for hearing on 19 November 1999.

##### *Conditions*

The following licence conditions are sought:

- An extended trading authorisation to authorise the sale of liquor for consumption on the licensed premises in Areas 1, 2, 3, 4, 5 and 6 as shown on the Deposited Plan between the following hours: Friday and Saturday, midnight to 2 a.m. the following morning and Sunday 8 a.m. to 11 a.m. and 8 p.m. to 10 p.m.
- Entertainment consent is sought for the area outlined in blue on the Deposited Plan.

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

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

Dated 15 October 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 Malic Investments Pty Ltd (ACN 089 964 670), c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Restaurant Licence with Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Shop 7, Cinema Place, Adelaide, S.A. 5000.

The application has been set down for hearing on 19 November 1999.

##### *Conditions*

The following licence conditions are sought:

1. A condition authorising the sale of liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons seated at a table or attending a function at which food is provided.

2. Extended Trading Authorisation (including Entertainment Consent) to apply at the following times:

- Monday to Saturday, midnight to 3 a.m. the following day.
- Sunday, 8 a.m. to 11 a.m. and 8 p.m. to 3 a.m. the following day.
- Christmas Day, midnight to 2 a.m. the following day.

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

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

Dated 15 October 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 The Opal Inn Pty Ltd, c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a variation to conditions of Extended Trading Authorisation (including Entertainment Consent) of the Hotel Licence held in respect of premises situated at Coober Pedy, S.A. 5723 and known as the Opal Inn to include Sunday, 8 a.m. to 11 a.m. and 8 p.m. to 9 p.m. for off-licence sales, midnight for on-licence sales.

The application has been set down for hearing on 19 November 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, 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 13 October 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 Tea Tree Gully Tennis Club Incorporated has applied to the Licensing Authority for a Limited Club Licence with Entertainment Consent in respect of the premises to be situated at 88-100 Elizabeth Street, Banksia Park, S.A. 5091 and to be known as Tea Tree Gully Tennis Club.

The application has been set down for hearing on 19 November 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 12 October 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 Darryl Edmund, Vicki Anne, Trevor William and Geraldine Faye Fullerton have applied to the Licensing Authority for a Special Circumstances Licence in respect of the premises situated at Keer Street, Port Augusta, S.A. 5700 and known as Port Augusta Bus Service.

The application has been set down for hearing on 19 November 1999 at 9 a.m.

*Conditions*

The following licence conditions are sought:

- The licence shall authorise the consumption of, but not the sale of liquor to persons travelling on the bus and areas adjacent on any day and at any time except Sunday between 5 a.m. and 8 a.m. Good Friday, the day after Good Friday and the day after Christmas Day.
- No sale of liquor to or consumption of liquor by an employee of the licensee whilst in the course of his employment on the bus is permitted.
- The licensee shall ensure that no public nuisance, disturbance or disorder is caused by passengers whilst on the buses whilst embarking or disembarking.

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

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

Dated 12 October 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 SJF Hotels Pty Ltd (ACN 081 981 820), Second Valley, S.A. 5024 has applied to the Licensing Authority for a transfer of the Licence from Victor Simko and Maria Simko in respect of the premises situated at 4A Linden Avenue, Hazelwood Park, S.A. 5066 and known as A Taste of Provence.

The application has been set down for hearing on Monday, 22 November 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 7 October 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 Tumma Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 16A Albert Place, Victor Harbor, S.A. 5211 and to be known as Tony's Seafood Plus.

The application has been set down for hearing on 22 November 1999 at 10 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 15 October 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 Tygem Pty Ltd (ACN 089 797 419), c/o Bonnins, Level 14, 100 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at 1 Marine Parade, Kingston, S.A. 5275 and known as Beehive Motel Inn.

The application has been set down for hearing on 22 November 1999 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the 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 14 October 1999.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING  
MACHINES ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Sheila Lesley Carroll and Claudia Sara Simone Carroll have applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and a Gaming Machine Licence in respect of premises situated at Main Street, Charleston, S.A. 5244 and known as Charleston Hotel.

The application has been set down for hearing on 19 November 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the 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 13 October 1999.

Applicants

## 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: Garry Charles Brown

Claim No.: 3130

Location: Section 66, Hundred of Dutton, 12 kms north of Truro

Purpose: Recovery of siltstone

Ref. DME No.: T2155

A copy of the proposal has been provided to the Goyder Regional Council.

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 16 November 1999.

Dated 21 October 1999.

L. JOHNSTON, Mining Registrar

## 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: Pauline Bruce

Claim No.: 3133

Location: Section 2325, Hundred of Nangkita, 14 kms north of Goolwa

Purpose: For recovery of sandstone by open pit

Ref. DME No.: T2166

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

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 5 November 1999.

Dated 21 October 1999.

L. JOHNSTON, Mining Registrar

## 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: Frank Cazzolato

Claim No.: 3122

Location: In section 174, Hundred of Brinkley, approximately 11 km south-west of Taillem Bend

Purpose: Excavate sand from a shallow pit

Ref. DME No.: T2162

A copy of the proposal has been provided to the Rural City of Murray Bridge.

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 9 November 1999.

Dated 21 October 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 areas:

Applicant: Oxford Resources Pty Limited

Location: Snake Rocks Area—Approximately 80 km north-west of Tarcoola, bounded as follows: Commencing at a point being the intersection of latitude 30°20'S and longitude 133°51'E, thence east to longitude 134°05'E, south to latitude 30°24'S, west to longitude 134°02'E, north to latitude 30°22'S, west to longitude 133°51'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>: 101

Ref. DME No.: 100/1999

Dated 21 October 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 areas:

Applicant: Redfire Resources NL

Location: Mabel Creek Area—Approximately 50 km north-west of Coober Pedy, bounded as follows: Commencing at a point being the intersection of latitude 28°30'S and longitude 134°07'E, thence east to longitude 134°13'E, south to latitude 28°37'S, east to longitude 134°45'E, south to latitude 28°38'S, west to longitude 134°24'E, south to latitude 29°00'S, west to longitude 134°07'E, and north to the point of commencement, but excluding 25 m either side of fenced and unfenced boundaries *Government Gazette* 13 October 1977, Tarcoola-Alice Springs Railway *Government Gazette* 13 November 1975 and Areas Reserved *Government Gazette* 13 October 1977 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>: 1363

Ref. DME No.: 477/1997

Dated 21 October 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 Exploration Licences over the undermentioned areas:

Applicants: Resolute Resources Limited and Dominion Gold Operations Pty Ltd

Location: Mobella Area—Approximately 140 km west-north-west of Tarcoola, bounded as follows: Commencing at a point being the intersection of latitude 30°08'S and longitude 133°07'E, thence east to longitude 133°15'E, south to latitude 30°20'S, east to longitude 133°23'E, south to latitude 30°30'S, west to longitude 133°19'E, south to latitude 30°31'S, west to longitude 133°18'E, south to the northern boundary of Yellabinna Regional Reserve, thence generally westerly along the boundary of the said Regional Reserve to longitude 133°11'E, north to latitude 30°31'S, west to longitude 133°10'E, north to latitude 30°29'S, east to longitude 133°11'E, north to latitude 30°25'S, west to longitude 133°07'E, north to latitude 30°24'S, west to longitude 133°05'E, north to latitude 30°21'S, east to longitude 133°06'E, north to latitude 30°20'S, east to longitude 133°07'E, north to latitude 30°18'S, east to longitude 133°08'E, north to latitude 30°17'S, west to longitude 133°06'E, north to latitude 30°16'S, west to the eastern boundary of Maralinga Lands, thence generally north-easterly and north-westerly along the boundary of the said Lands to latitude 30°05'S, east to longitude 133°07'E, and south 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>: 879

Ref. DME No.: 099/1999

Dated 21 October 1999.

L. JOHNSTON, Mining Registrar

## ROADS (OPENING AND CLOSING) ACT 1991

*Road Closure—Ridgeland Drive/Norton Summit Road, Teringie*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the ADELAIDE HILLS COUNCIL proposes to make a Road Process Order to close and transfer to MICHAEL CRAIG ABBOTT portion of the public roads (Ridgeland Drive and Norton Summit Road) adjoining the north-western boundaries of allotment 1 in Deposited Plan 7330, shown more particularly delineated and lettered 'A' on the Preliminary Plan No. PP32/0499.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council at 28 Main Street, Woodside, S.A. 5204 and the Adelaide office of the Surveyor-General during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council at P.O. Box 44, Woodside, S.A. 5204 WITHIN 28 DAYS OF THE DATE OF THE LAST PUBLICATION OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 21 October 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT, 1991:  
SECTION 24NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER

*Clark Place, Mount Gambier*  
*Deposited Plan 53085*

BY Road Process Order made on 2 August 1999, the City of Mount Gambier ordered that:

1. The whole of the public road (Clark Place) west of Reginald Street adjoining allotment 202 in Filed Plan 194004 more particularly lettered 'A' in Preliminary Plan No. PP32/0453 be closed.

2. The whole of the land subject to closure be transferred to ROMA GENEVIEVE KING in accordance with agreement for transfer dated 22 June 1999 entered into between the City of Mount Gambier and R. G. King.

3. The following easements are granted over portion of the land subject to that closure:

Grant to ETSA Utilities Pty Ltd an easement for overhead electricity supply purposes.

Grant to the South Australian Water Corporation an easement for sewerage purposes.

On 9 September 1999 that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 21 October 1999.

P. M. KENTISH, Surveyor-General

SOUTH AUSTRALIAN COMMUNITY HOUSING  
AUTHORITY

*Cancellation of Incorporation*

NOTICE is hereby given that the South Australian Community Housing Authority by virtue of the powers conferred by section 78 (2) of the South Australian Co-operative and Community Housing Act 1991, has declared the Marion Housing Co-operative defunct and has cancelled the incorporation of the Co-operative, whereupon the registered housing co-operative is dissolved.

Dated 14 October 1999.

D. MELDRUM, Acting General Manager

WATER RESOURCES ACT 1997

*Draft State Water Plan*

NOTICE inviting submissions in relation to the draft State Water Plan, pursuant to section 91 of the Water Resources Act 1997. The current State Water Plan, *South Australia—Our Water Our Future*, is to be updated to provide a contemporary assessment of the state and condition of the State's water resources and to set out the South Australian Government's strategic policy directions for development and management of our water resources into the year 2000 and beyond.

A draft of the proposed new State Water Plan is now available for public comment. The Plan is in two parts: Volume 1, Policies for a Sustainable Future, sets out the Government's policies for water use and management. Volume 2, South Australia's Water Resources, supports the policy statement by providing information on the condition of water resources throughout the State, what is being done to protect these resources, and what opportunities exist to ensure that the water resources can be used and enjoyed by future generations.

The draft Plan can be accessed from the Department for Environment, Heritage and Aboriginal Affairs Internet site, at <http://www.environment.sa.gov.au/water>. The draft Plan is also available in hard copy or on CD, from:

<p>The Environment Shop 77 Grenfell Street Adelaide Phone: (618) 8204 1911</p>	<p>Sue Leahy Environment Policy Division Department for Environment, Heritage and Aboriginal Affairs Phone: (618) 8207 1621</p>
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and Department for Environment, Heritage and Aboriginal Affairs regional offices in:

<p>Port Augusta 9 Mackay Street Port Augusta, S.A. 5700 Phone: (618) 8648 5300</p> <p>Murray Bridge Level 2, Mobilong House 7th Street Murray Bridge, S.A. 5253 Fax (61 8) 8535 6110 Phone: (618) 8535 6111</p> <p>Riverland 28 Vaughan Terrace Berri, S.A. 5343 Phone: (618) 8595 2111</p> <p>Mount Gambier SGIC Building 11 Helen Street Mount Gambier Phone: (618) 8735 1111</p>	<p>Port Lincoln 75 Liverpool Street Port Lincoln, S.A. 5606 Phone: (618) 8688 3111</p> <p>Naracoorte Naracoorte Caves Conservation Park Naracoorte/Penola Road Naracoorte, S.A. 5271 Phone: (618) 8762 3412</p> <p>Kangaroo Island 37 Dauncey Street Kingscote, KI 5223 Phone: (618) 8553 2381</p>
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Written submissions, in relation to the draft Plan, are invited by no later than 10 December 1999. Comments should be provided to State Water Plan, Department for Environment, Heritage and Aboriginal Affairs, G.P.O. Box 1047, Adelaide, S.A. 5001, or by Email to [statewaterplan@dehaa.sa.gov.au](mailto:statewaterplan@dehaa.sa.gov.au).

Dated 12 October 1999.

D. C. KOTZ, Minister for Environment and Heritage

**WATER MAINS AND SEWERS**

Office of the South Australian Water Corporation  
Adelaide, 21 October 1999.

**WATER MAINS LAID**

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

**ADELAIDE WATER DISTRICT**

**CITY OF HOLDFAST BAY**  
Pasquin Street, Glenelg North. p4  
Buckle Street, Glenelg North. p4

**CITY OF MARION**  
Newton Avenue, Clovelly Park. p11

**CITY OF ONKAPARINGA**  
Verbena Court, Morphett Vale. p1  
Emmerson Drive, Morphett Vale. p2  
Grange Walk, Morphett Vale. p2  
Capilano Court, Morphett Vale. p2  
Kooyonga Way, Morphett Vale. p3  
Birksdale Court, Morphett Vale. p3

**CITY OF PORT ADELAIDE ENFIELD**  
Clyde Street, Wingfield. p10

**MOONTA WATER DISTRICT**

**DISTRICT OF THE COPPER COAST**  
Gulf Street, Moonta Bay. p12 and 13  
Tipara Court, Moonta Bay. p12 and 13

**WATER MAINS ABANDONED**

Notice is hereby given that the undermentioned water mains have been abandoned by the South Australian Water Corporation.

**ADELAIDE WATER DISTRICT**

**CITY OF CHARLES STURT**  
Wotton Street, Cheltenham. p8  
Easement in lot 201, Wotton Street, Cheltenham. p8

**CITY OF HOLDFAST BAY**  
Pasquin Street, Glenelg North. p4  
Across Tapleys Hill Road, Glenelg North. p4  
Buckle Street, Glenelg North. p4

**CITY OF MARION**  
Easement in lot 31 (formerly Anders Avenue), Morphett Road, Oaklands Park. p9

**SEWERS LAID**

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections.

**ADELAIDE DRAINAGE AREA**

**CITY OF ADELAIDE**  
Phillip Street, Adelaide. FB 1082 p8

**CITY OF BURNSIDE**  
Easements in lot 26, Nelson Court, Burnside. FB 1082 p19 and 20

**CORPORATE TOWN OF GAWLER**  
Easement in lots 96, 97 and 95 (known as Thorupps Lane), High Street, Gawler. FB 1082 p10



CITY OF PORT ADELAIDE ENFIELD  
Clyde Street, Wingfield. FB 1082 p18

CITY OF SALISBURY  
Milford Avenue, Salisbury North. FB 1082 p17

#### PORT AUGUSTA COUNTRY DRAINAGE AREA

CITY OF PORT AUGUSTA  
Easements in lot 704, Shirley Street, Port Augusta West.  
FB 1082 p11

#### SEWERS ABANDONED

Notice is hereby given that the undermentioned sewers have been abandoned by the South Australian Water Corporation.

#### ADELAIDE DRAINAGE AREA

CITY OF ADELAIDE  
Phillip Street, Adelaide. FB 1082 p8

CITY OF CHARLES STURT  
The Esplanade, Henley Beach. FB 1082 p15  
Easement in LTRO Strata Plan 11428, The Esplanade, Henley Beach. FB 1082 p15

CORPORATE TOWN OF GAWLER  
Thorupps Lane, Gawler. FB 1082 p10

CITY OF MARION  
Easement in lot 31 (formerly Anders Avenue), Morphett Road, Oaklands Park. FB 1082 p16

S. SULLIVAN, Chief Executive Officer, South Australian Water Corporation

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Helen Tassie, Education Officer of the Malacological Society of South Australia Inc. (hereinafter referred to as the 'permit holder') c/o Marine Invertebrates Section, South Australian Museum, North Terrace, Adelaide, S.A. 5000, or her agents are exempt from the provisions of clause 63D of Schedule 1 of the Fisheries (General) Regulations 1984, to engage in the activities specified in Schedule 1 (hereinafter referred to as the 'permitted activity'), subject to the conditions set out in Schedule 2 from 23 October 1999 to 29 October 1999, inclusive.

##### SCHEDULE 1

The collection of aquatic organisms from South Australian coastal waters (including intertidal rocky reefs) adjacent to Yorke Peninsula.

##### SCHEDULE 2

1. All specimens collected by the permit holder pursuant to this notice must not be sold.

2. Before collecting any specimens pursuant to this notice, the permit holder must notify PIRSA Fisheries and Aquaculture on 1800 065 522 with details, of the proposed locations and the dates on which the collections are to be made.

3. While engaging in the permitted activity, the permit holder must carry identification proving membership of the Malacological Society.

4. While engaging in the permitted activity, the permit holders must be in possession of 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.

5. Within 14 days of the collection of organisms pursuant to this notice, the permit holder must provide a report in writing to the Director of Fisheries, (Attention: Roger Hill, G.P.O. Box 1625, Adelaide, S.A. 5001), giving the following details:

- the date and time of collections;
- the description of all species collected; and
- the number of each species collected.

6. The permit holders shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 13 October 1999.

W. ZACHARIN, Principal Fisheries Manager

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Clean Seas Aquaculture Pty Ltd or their agents (hereinafter referred to as the 'permit holder') P.O. Box 80, Arno Bay, S.A. 5603, are exempt from the Fisheries Act 1982, insofar as they may take greenlip abalone (*Haliotis laevis*) for the purpose of aquaculture broodstock in the waters specified in Schedule 1 subject to the conditions in Schedule 2 (hereinafter referred to as the 'permitted activity').

##### SCHEDULE 1

South Australian coastal waters south and east of a line drawn due south through Point Brown (latitude 32°32.6'S, longitude 133°50.8'E) and west of the meridian of longitude 136°30'E.

##### SCHEDULE 2

1. The permit holder may take a maximum of 100 greenlip abalone (*Haliotis laevis*). All abalone taken pursuant to this notice may not be sold or transferred to another party.

2. The permit holder may engage in the permitted activity from the date of gazettal of this notice until 30 September 2000.

3. The permitted activity may only be conducted by Martin Loipersberger and/or Neil Ramsey and/or George Tovo.

4. The permit holder shall notify PIRSA Fisheries and Aquaculture on 1800 065 522 at least 24 hours prior to conducting the permitted activity with the following information:

- (a) details of the boat that will be used to engage in the permitted activity;
- (b) the name of the person who will be conducting the permitted activity;
- (c) the intended place and time of launching and retrieval of the nominated boat for that day; and
- (d) the intended area of conducting the permitted activity.

5. The permit holder must, within 50 m of the point of landing of any abalone taken pursuant to this notice, complete the PIRSA Fisheries and Aquaculture form Abalone Broodstock Collection Statement. Immediately upon arrival at the permit holders registered aquaculture site, this form must be faxed to PIRSA Fisheries and Aquaculture on (08) 8226 2320. Prior to release into the registered aquaculture site, all abalone taken pursuant to this notice must be tagged so as to be clearly identified as wild broodstock.

6. The permit holder shall record the number of wild broodstock held pursuant to this notice in a register to be maintained at the registered aquaculture site, which must be made available for inspection by a Fisheries Compliance Officer upon request.

7. PIRSA Fisheries and Aquaculture retains the right for a departmental officer to accompany the permit holder at any time during the permitted activity.

8. While engaged in the permitted activity the permit holder shall carry or have about or near his person a copy of this notice. Such notice must be produced to a Fisheries Compliance Officer upon request.

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

Dated 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

**REGULATIONS UNDER THE POLICE ACT 1998**

No. 207 of 1999

*At the Executive Council Office at Adelaide 21 October 1999*

PURSUANT to the *Police Act 1998* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

K. T. GRIFFIN Minister for Justice

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Variation of reg. 20—Confidentiality of information
4. Variation of reg. 38—Grievance process for selection decision

**Citation**

1. The *Police Regulations 1999* (see *Gazette* 5 August 1999 p. 684) are referred to in these regulations as "the principal regulations".

**Commencement**

2. (1) Subject to subregulation (2), these regulations come into operation on the day on which they are made.

(2) Regulation 4 will come into operation 4 months after the day on which these regulations are made.

**Variation of reg. 20—Confidentiality of information**

3. Regulation 20 of the principal regulations is varied by striking out "and only obtain access to, use or disclose the information in the proper execution of his or her duties" and substituting—

"and must not—

- (a) seek to obtain access to such information except in the proper execution of his or her duties; or
- (b) improperly use or disclose such information".

**Variation of reg. 38—Grievance process for selection decision**

4. Regulation 38 of the principal regulations is varied by inserting in subregulation (4) "within 28 days after receipt of the application (or within such longer period as may be agreed between the applicant and the Commissioner)" after "the grievance application".

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Please include a contact person, phone number and order number so that we can phone back with any queries we may have regarding the fax copy.

**NOTE: Closing time for lodging new copy (either fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication.**

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[govgaz@riv.ssa.sa.gov.au](mailto:govgaz@riv.ssa.sa.gov.au)

Documents should be sent as attachments in Word format.

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Fax transmission: (08) 8207 1040  
Enquiries: (08) 8207 1045

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## CITY OF MITCHAM

*Temporary Road Closure*

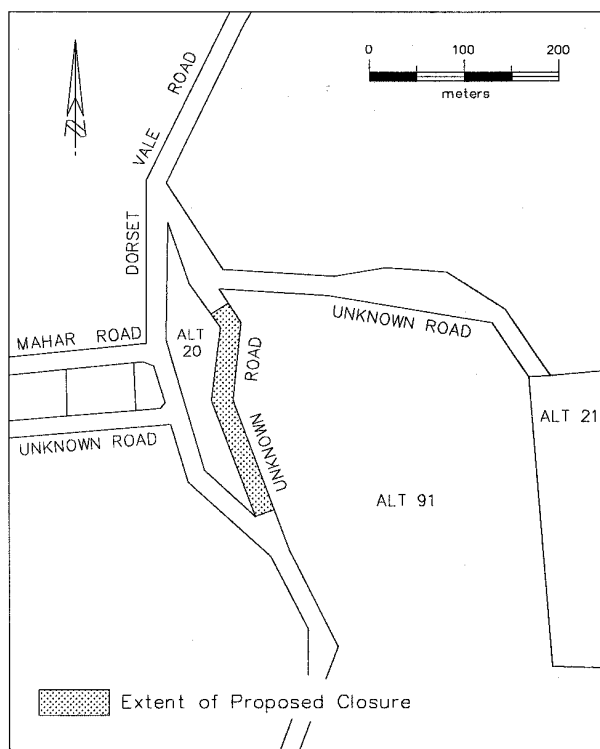
NOTICE is hereby given that pursuant to section 359 (1) of the Local Government Act 1934, as amended, vehicles will be excluded from the portion of Oxford Circus, Colonel Light Gardens from its junction with Springbank Road and Goodwood Road, Colonel Light Gardens, between the hours of 7.30 a.m. and 4 p.m. on Sunday, 31 October 1999.

R. MALCOLM, Chief Executive Officer

## CITY OF ONKAPARINGA

*Temporary Road Closure*

NOTICE is hereby given that the council of the City of Onkaparinga at its meeting held on 21 September 1999, resolved pursuant to section 359 of the Local Government Act 1934, as amended, to exclude vehicles other than emergency, public utility and council vehicles, from a section of unnamed, unsealed road, bisecting allotment 20, FP 152396, and allotment 91, FP 152367, Dorset Vale Road, Cherry Gardens. That the exclusion be between the southern access point off Dorset Vale Road, and heading north to within 5 m of the intersection with a second unnamed, unsealed road.



J. S. TATE, City Manager

## CITY OF UNLEY

*Temporary Road Closure*

NOTICE is hereby given that the council of the Corporation of the City of Unley at its meeting held on 27 September 1999, passed the following resolution:

That pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, vehicles generally be excluded from Oxford Terrace, Unley (between Unley Road and Trimmer Terrace) and Trimmer Terrace (between Frederick Street and Edmund Avenue) on Sunday, 24 October 1999, between the hours of 8 a.m. and 10 a.m.

R. J. GREEN, City Manager

## DISTRICT COUNCIL OF ELLISTON

*Periodical Representation Review*

NOTICE is hereby given that the District Council of Elliston, 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 new composition and representation arrangements are as follows:

1. The number of elected members remain at eight and comprises eight councillors (from which one is elected as Chairman).
2. The number of wards is reduced from four to two.
3. The number of Councillors representing each ward is as follows:

Anxious Bay Ward—four Councillors;

Terre Ward—four Councillors.

4. The boundaries of wards are defined as follows:

**Anxious Bay Ward:** Comprising the whole of the Hundreds of Downer and Wallis, portion of the Hundred of Wright and portion of Out of Hundreds (Elliston), County of Robinson; the whole of the Hundreds of Colton, Talia, Ward, Hudd, Kappawanta, Pearce and Way and portions of Out of Hundreds (Elliston and Kimba), County of Musgrave, bounded as follows:

Commencing at a north-eastern corner of the District Council of Elliston, being the north-eastern corner of the Hundred of Wallis; thence southerly along the eastern boundary of the Hundred of Wallis to the northern boundary of the Hundred of Talia; easterly along the latter boundary and southerly along the eastern boundary of the Hundred of Talia to the northern boundary of the Hundred of Hudd; easterly along the northern boundaries of the Hundreds of Hudd and Kappawanta; southerly along the eastern boundary of the Hundred of Kappawanta to the northern boundary of the Hundred of Pearce; easterly along the latter boundary and southerly along the eastern boundary of the Hundred of Pearce to the southern boundary of the District Council of Elliston; thence westerly, generally north-westerly and generally easterly along the boundaries of the District Council of Elliston to the point of commencement and crossing all intervening roads, together with all islands adjacent to the mainland.

**Terre Ward:** Comprising the whole of the Hundreds of Tinline, Squire, McIntosh, Ulyerra, McLachlan, Barwell, Blesing, Cowan, Peachna and Haig, County of Musgrave, and the whole of the Hundreds of Hambidge, Palkagee and Tooligie, County of Jervois, bounded as follows:

Commencing at the north-eastern corner of the District Council of Elliston, being the north-eastern corner of the Hundred of Hambidge; thence southerly, westerly, southerly and westerly along the boundaries of the District Council of Elliston to the south-western corner of the Hundred of Haig; northerly along the western boundary of the Hundred of Haig to the southern boundary of the Hundred of Blesing; westerly along the latter boundary and northerly along the western boundary of the Hundred of Blesing to the southern boundary of the Hundred of Squire; westerly along the southern boundaries of the Hundreds of Squire and Tinline; northerly along the western boundary of the Hundred of Tinline to a northern boundary of the District Council of Elliston; thence easterly along the latter boundary to the point of commencement and crossing all intervening roads and railways.

D. E. HITCHCOCK, Chief Executive Officer

## DISTRICT COUNCIL OF GRANT

*Aerodrome Fees*

NOTICE is hereby given that pursuant to the delegated powers contained in section 6 of the Aerodrome Fees Act 1998, the Mount Gambier and District Airport Management Committee at its meeting held on Wednesday, 5 May 1999, resolved that the following fees be fixed for aircraft using the Mount Gambier Airport:

*Regular Passenger Transport:*

- Arrival Fees \$5 per adult  
\$2.50 per child
- Departure Fees \$5 per adult  
\$2.50 per child

*Private Aircraft:*

\$10 per landing

*Commercial Aircraft less than 5 700 kg:*

\$15 per landing

*Commercial Aircraft heavier than 5 700 kg:*

\$75 per landing

*Local Private Aircraft:*

\$100 per annum

*Local Business Aircraft:*

\$250 per annum

M. S. DAVIS, Airport Manager

## MID MURRAY COUNCIL

*Temporary Road Closure*

NOTICE is hereby given at a meeting of council held on 11 October 1999, it was resolved that pursuant to section 359 of the Local Government Act 1934, as amended, for the purpose of conducting a television program, the following streets be closed to all vehicular traffic other than vehicles associated with the program from 6 a.m. to 10 a.m. on Wednesday, 27 October 1999, that part of Railway Terrace between High Street and Tenth Street and that part of Eighth Street between First Street and Railway Terrace.

G. R. BRUS, Chief Executive Officer

## DISTRICT COUNCIL OF MOUNT REMARKABLE

*Definition of Booleroo Centre Township*

NOTICE is hereby given that the area of the township of Booleroo Centre in accordance with the provisions of section 5 (1) of the Local Government Act 1934, as amended, shall be that land situated in the Hundred of Booleroo, County of Frome, within the following boundaries:

Commencing at the north-eastern corner of allotment 46 (DP28938), Hundred of Booleroo; thence southerly, westerly and southerly along eastern and southern boundaries of allotment 46 (DP28938) and an eastern boundary of allotment 226 (DP35672) to the south-eastern corner of allotment 226 (DP35672); westerly along the southern boundary of allotment 226 (DP35672) and its production and continuing along the southern boundary of the land contained in FP1986 and portion of the southern boundary of allotment 753 (FP184835) to the north-eastern corner of allotment 751 (FP184833); southerly and south-westerly along the eastern and south-eastern boundaries of allotment 751 (FP184833); westerly across road to the north-eastern corner of allotment 720 (FP184802); southerly along the eastern boundary of allotment 720 (FP184802); generally north-westerly along the south-western boundaries of allotment 720 (FP184802), allotment 705 (FP184787) and allotment 704 (FP184786) and the western boundaries of allotment 704 (FP184786) and allotment 698 (FP184780) to the south-eastern boundary of piece 12 (FP185029); south-westerly along the latter boundary to the western corner of piece 12 (FP185029); north-westerly across Arthur Street to a point on the south-eastern boundary of allotment 73 (DP22139), being the western corner of piece 13 (FP185029); south-westerly along the south-eastern boundaries of allotment 73 (DP22139) and the land contained in DP1744 and certificate of title volume 3964, folio 159; north-westerly and north-easterly along the south-western boundary and portion of the north-western boundary of the land contained in certificated of title volume 3964, folio 159

to the south-western corner of allotment 222 (DP27503); northerly along the western boundaries of allotments 222, 223 and 224 (DP27503); easterly and south-easterly along the northern and north-eastern boundaries of allotment 224 (DP27503); northerly along an eastern boundary of allotment 227 (DP27503); westerly, northerly and easterly along the southern, western and northern boundaries of allotment 225 (DP27503); northerly and easterly along the western and northern boundaries of the road north of and adjoining allotment 56 (DP1744) to the western boundary of Colin Road; northerly and easterly along the western and northern boundaries of Colin Road, and continuing generally easterly along the northerly boundary of the road generally southerly of and adjoining piece 91 (FP164695) and the northern boundary of Zilm Road to the south-eastern corner of allotment 72 (DP14704); southerly across Zilm Road and along portion of the eastern boundary of allotment 757 (FP184839) to its intersection with the production westerly of the northern boundary of allotment 7 (DP1393); easterly along the latter production and boundary and the northern boundary of allotment 8 (DP1393); generally southerly along the north-eastern and eastern boundaries of allotment 8 (DP1393) and the eastern boundaries of allotments 10 and 12 (DP1393); southerly across Borgas Street to the north-western corner of allotment 101 (DP29888); easterly along the northern boundaries of allotment 101 (DP29888), allotments 28 and 26 (DP2944) and allotment 730 (FP184812); and the eastern boundary of allotment 725 (FP184807) and production southerly to a northern boundary of allotment 46 (DP28938); thence generally easterly along the northern boundaries of allotment 46 (DP28938) to the point of commencement and crossing all intervening roads.

P. J. MOORE, District Clerk

## DISTRICT COUNCIL OF PETERBOROUGH

*Temporary Road Closure*

NOTICE is hereby given that in the interest of public safety and pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, council at its meeting held on 6 October 1999, resolved to close Main Street, between Hurlstone Street and Silver Street, Peterborough, between the hours of 6 p.m. and 11 p.m. on Friday, 17 December 1999, for the purpose of Christmas Pageant and Festivities.

J. W. OLIVER, Chief Executive Officer

*Temporary Road Closure*

NOTICE is hereby given that in the interest of public safety and pursuant to the powers contained in section 359 of the Local Government Act 1934, as amended, council at its meeting held on 16 August 1999, resolved to close Main Street, from Edith Street to Hurlstone Street, Peterborough, from 6 p.m. on Friday, 31 December 1999 to 1 a.m. on Saturday, 1 January 2000 for the purpose of New Year's Eve Festivities.

J. W. OLIVER, Chief Executive Officer

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

- Bell, Gordon Evans*, late of 50 Gulfview Road, Christies Beach, of no occupation, who died on 1 July 1999.
- Bradshaw, Mignon Alice*, late of 40 Winchester Street, Malvern, of no occupation, who died on 17 August 1999.
- Carr, Mary Ellen*, late of 147 Frost Road, Salisbury South, widow, who died on 3 September 1999.
- Carroll, Molly Dawn*, late of 114 Princes Highway, Littlehampton, home duties, who died on 1 September 1999.
- Chaney, Kenneth Reuben*, late of 27 Carey Street, Salisbury, retired electrical planner, who died on 21 August 1999.
- Clayton, Clement*, late of 516 Tapleys Hill Road, Fulham Gardens, retired painter, who died on 1 May 1999.
- Cocks, Douglas Allan*, late of 16 Elizabeth Street, Murray Bridge, retired dairy farmer, who died on 16 August 1999.
- Cutts, Mavis Florence*, late of 34 Norman Terrace, Everard Park, retired stenographer, who died on 6 September 1999.
- Denholm, Harold Cecil*, late of Sturdee Street, Linden Park, retired salvation army officer, who died on 22 August 1999.
- Forbes, Agnes*, late of 70 East Terrace, Gawler East, of no occupation, who died on 17 August 1999.

*Gummow, Lancelot Arthur*, late of 19 Victoria Street, Queenstown, retired fitter, who died on 21 June 1999.

*Hewish, Annie Jean*, late of 2 Government Road, Edithburgh, home duties, who died on 27 August 1999.

*Hough, Edna Elizabeth*, late of 99 Macedonia Street, North Haven, home duties, who died on 12 September 1999.

*Knowles, Andrewina*, late of Ruwoldt Road, Yahl, of no occupation, who died on 5 September 1999.

*Lake, Robin James*, late of Kenton Hill Road, Gumeracha, retired purchasing officer, who died on 12 April 1999.

*Leader, Lloyd William*, late of 20 Vulcan Avenue, Modbury Heights, retired stores officer, who died on 10 August 1999.

*McCullough, John Edward*, late of 61-63 Oxford Terrace, Port Lincoln, retired shearer, who died on 17 July 1999.

*McKee, Eric Llewellyn*, late of 1 Steele Street, Campbelltown, retired publican who died on 8 September 1999.

*MacMahon, Mary Alice*, late of Everard Street, Largs Bay, of no occupation, who died on 5 September 1999.

*Morris, Aileen Elizabeth*, late of 3 Grant Avenue, Gilles Plains, retired shopkeeper, who died on 14 August 1999.

*Morrison, Henrietta May*, late of 34 Grange Road, West Hindmarsh, widow, who died on 11 August 1999.

*Murphy, Mary Anita*, late of 54 Jervois Avenue, West Hindmarsh, retired music teacher, who died on 24 July 1998.

*Penrose, Warren Gerald*, late of 34 Bishopstone Road, Davoren Park, retired telecommunications officer, who died on 18 August 1999.

*Perger, Shirley Ethel*, late of 695 Lower North East Road, Paradise, home duties, who died on 16 September 1999.

*Phillips, Gerald Adrian*, late of 50 Woodcroft Drive, Morphett Vale, retired deputy principal, who died on 24 July 1999.

*Ruediger, Betty Margaret*, late of 58 High Street, Kapunda, home duties, who died on 19 August 1999.

*Salter, Lancelot Richard*, late of 9 Roma Grove, Campbelltown, retired textile worker, who died on 26 August 1999.

*Smith, Beryl Pattingale*, late of 1 Taunton Parade, Christies Beach, home duties, who died on 11 August 1999.

*Soper, Thelma Irene*, late of Ethelbert Square, Brompton, of no occupation, who died on 15 September 1999.

*Stevens, Heather Dawn*, late of Grand Junction Road, Oakden, of no occupation, who died on 17 June 1999.

*Turner, Mervyn Alfred*, late of 103 Fisher Street, Fullarton, retired clerk, who died on 1 September 1999.

*Ward, Marjory Bruce*, late of 6 Mumford Avenue, St Agnes, retired administrative secretary, who died on 9 August 1999.

*Wright, Patricia Wyllie*, late of 90 Railway Terrace, Ascot Park, widow, who died on 23 August 1999.

Notice is hereby given pursuant to the Trustee Act 1936, 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, S.A. 5000, full particulars and proof of such claims, on or before 19 November 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 21 October 1999.

J. H. WORRALL, Public Trustee

IN the matter of the estate of the undermentioned deceased person:

*Brice, Arthur Raymond*, late of Orroroo, farmer and grazier, who died on 16 September 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 estate are directed to send full particulars of such claims to the undersigned on or before 26 November 1999, otherwise they will be excluded from the distribution of the said estate.

Dated 21 October 1999.

TOWER TRUST LIMITED (ACN 007 869 794),  
44 Pirie Street, Adelaide, S.A. 5000.

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DUEBOLD PTY LTD

(ACN 008 286 075)

TUNBAC NATIONAL PTY LTD (ACN 062 755 426) has brought a summons in Action No. 1208 of 1999, in the Supreme Court of South Australia seeking the winding up of Duebold Pty Ltd. The summons is listed for hearing on Tuesday, 16 November 1999, at not before 2.15 p.m. Any creditor or contributory of Duebold Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australian) 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 Patsouris & Associates, Barristers and Solicitors, 82 Halifax Street, Adelaide, S.A. 5000.

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FRASER PRECISION ENGINEERING PTY LTD

(ACN 061 775 817)

ON Thursday, 7 October 1999, the Supreme Court of South Australia in Action No. 864 of 1999, made an order for the stay of winding up of Fraser Precision Engineering Pty Ltd until 3 p.m. on Monday, 1 November 1999.

MELLOR OLSSON, 80 King William Street,  
Adelaide, S.A. 5000. Solicitors for  
Fraser Precision Engineering Pty Ltd

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R. & V. HART NOMINEES PTY LTD

(ACN 050 197 067)

SPORTSMED SA HOSPITALS PTY LTD (ACN 071 101 776) has brought a summons in Action No. 1203 of 1999, in the Supreme Court of South Australia seeking the winding up of R. & V. Hart Nominees Pty Ltd. The summons is listed for hearing on Tuesday, 2 November 1999 at not before 2.15 p.m. Any creditor or contributory of R. & V. Hart Nominees 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 Kym David Ryder, of O'Loughlins, Barristers & Solicitors.

SOUTH AUSTRALIA—In the Supreme Court. No. 1231 of 1997. In the matter of The Freight Company Pty Limited (in liquidation) (ACN 073 863 457) and in the matter of the Corporations Law.

*Notice by a Liquidator of His Intention to Seek His Release*

Take notice that I, David John Olifent of Pricewaterhouse-Coopers, Level 14, 91 King William Street, Adelaide, S.A. 5000, the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator of the abovenamed company.

And further take notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me within 21 days of the publication in the *Gazette* of the notice of my intention to apply for a release a notice of objection in the form laid down by the Corporations (South Australia) Rules 1993.

Dated 12 October 1999.

D. J. OLIFENT, Liquidator

Note: Section 481 (3) of the Corporations Law enacts that an order of the Court releasing the liquidator discharges him/her from all liability in respect of any act done or default made by him or her in the administration of the affairs of the company, or otherwise in relation to his or her conduct as liquidator, but any such order may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material fact.

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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.**