



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 22 APRIL 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.*

CROWN LANDS ACT 1929 SECTION 5AA(1)(c): HUNDRED OF BLANCHE—DEDICATED LAND RESUMED

Proclamation By The Governor

(L.S.) E. J. NEAL

Preamble

1. The following land is dedicated as a reserve for school purposes (see *Gazette* 5 February 1970 p. 595):

Section 479, Hundred of Blanche, County of Grey, being the whole of the land contained in Land Grant Register Book Volume 3250, Folio 78.

2. The registered proprietor of the land has consented to the resumption of the land.

Proclamation

PURSUANT to section 5AA(1)(c) of the *Crown Lands Act 1929* and with the advice and consent of the Executive Council, I resume the land defined in the preamble to this proclamation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 22 April 1999.

By command,

IAIN EVANS, for Acting Premier

MEH 21/99 CS

CROWN LANDS ACT 1929 SECTION 5AA(1)(c): TOWN OF CARRIETON, HUNDRED OF EURELIA—DEDICATED LAND RESUMED

Proclamation By The Governor

(L.S.) E. J. NEAL

Preamble

1. The following land is dedicated as sites for school buildings (see *Gazette* 29 May 1879 p. 1525):

Allotments 127, 128, 129 and 130, Town of Carrieton, Hundred of Eurelia, being the whole of the land contained in Land Grant Register Book Volume 323, Folio 58.

2. The registered proprietor of the land has requested the resumption of the land.

Proclamation

PURSUANT to section 5AA(1)(c) of the *Crown Lands Act 1929* and with the advice and consent of the Executive Council, I resume the land defined in the preamble to this proclamation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 22 April 1999.

By command,

IAIN EVANS, for Acting Premier

MEH 12/99 CS

CROWN LANDS ACT 1929 SECTION 5AA(1)(c): TOWN OF STREAKY BAY, HUNDRED OF RIPON—DEDICATED LAND RESUMED

Proclamation By The Governor

(L.S.) E. J. NEAL

Preamble

1. The following land is dedicated as a reserve for Harbors Board purposes (see *Gazette* 26 July 1962 p. 173; 10 February 1983 p. 357 (*road order notice*)):

Allotment 6 of Filed Plan No. 34474, Town of Streaky Bay, Hundred of Ripon (formerly allotment 176, Town of Streaky Bay), being the whole of the land contained in Certificate of Title Register Book Volume 4210, Folio 884.

2. The registered proprietor of the land has requested the resumption of the land.

Proclamation

PURSUANT to section 5AA(1)(c) of the *Crown Lands Act 1929* and with the advice and consent of the Executive Council, I resume the land defined in the preamble to this proclamation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 22 April 1999.

By command,

IAIN EVANS, for Acting Premier

MEH 16/99 CS

NATIONAL PARKS AND WILDLIFE ACT 1972 SECTION 41A: NARACOORTE CAVES CONSERVATION PARK—ALTERATION OF BOUNDARIES FOR PURPOSES OF PUBLIC ROAD

Proclamation By The Governor

(L.S.) E. J. NEAL

Preamble

1. The following land forms part of the Naracoorte Caves Conservation Park:

Those portions of allotment 2 of DP 48334 and Section 466, Hundred of Jessie, now numbered as allotments 23 and 24 of Plan No. DP 51601 accepted for deposit in the Lands Titles Registration Office at Adelaide.

That portion of Section 395, Hundred of Joanna, now numbered as allotment 25 of Plan No. DP 51601 accepted for deposit in the Lands Titles Registration Office at Adelaide.

2. It is intended that that land be excluded from the conservation park for the purpose of making minor alterations or additions to a public road that intersects or is adjacent to the park.

Proclamation

PURSUANT to section 41A of the *National Parks and Wildlife Act 1972*, on the recommendation of the Minister for Environment and Heritage and with the advice and consent of the Executive Council, I alter the boundaries of the Naracoorte Caves Conservation Park by excluding from that park the land described in the preamble.

Given under my hand and the Public Seal of South Australia, at Adelaide, 22 April 1999.

By command,

IAIN EVANS, for Acting Premier

MEH 14/99 CS

SECOND-HAND VEHICLE DEALERS (COMPENSATION FUND) AMENDMENT ACT 1999 (Act No. 21 of 1999): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 1 May 1999 as the day on which the *Second-hand Vehicle Dealers (Compensation Fund) Amendment Act 1999* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 22 April 1999.

By command,

IAIN EVANS, for Acting Premier

OCBA 3/98 CS

SUPREME COURT (RULES OF COURT) AMENDMENT ACT
1999 (Act No. 6 of 1999): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 23 April 1999 as the day on which the *Supreme Court (Rules of Court) Amendment Act 1999* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 22 April 1999.

By command,

IAIN EVANS, for Acting Premier

AG 33/98 CS

Department of the Premier and Cabinet
Adelaide, 22 April 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint Colin Dean Brine and Janet Mary Glenister as Inspectors for a period ending 31 July 2000, pursuant to section 28 of the Prevention of Cruelty to Animals Act 1985.

By command,

IAIN EVANS, for Acting Premier

MEH 17/99CS

Department of the Premier and Cabinet
Adelaide, 22 April 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint Peter Westall Fountain as Deputy Valuer-General until 30 July 1999 or until the appointment of a Valuer-General, whichever is the sooner, pursuant to section 6 (2) of the Valuation of Land Act 1971.

By command,

IAIN EVANS, for Acting Premier

MAS 010/99CS

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 dedicate the Crown Land defined in The Schedule as a Community Purposes Reserve and declare that such land shall be under the care, control and management of The Corporation of the City of Whyalla.

The Schedule

Allotment 100 of DP 50834, Hundred of Randell, County of York, exclusive of all necessary roads, subject nevertheless to an easement to ETSA Utilities Pty Ltd for the transmission of electricity by underground cable more particularly described in RLG 8643243 over those portions of allotment 6660 marked A, B, C and D on FP 39598.

Dated 20 April 1999.

P. M. KENTISH, Surveyor-General

DENR 13/0426

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 resume the land defined in The Schedule.

The Schedule

Reserve for the purposes of the Minister of Forests, allotment 271, Town of Nangwarry, Hundred of Nangwarry, County of Grey, the proclamation of which, together with other land was published in the *Government Gazette* of 28 July 1977 at page 234, being the whole of the land comprised in Crown Record Volume 5607 Folio 262.

Dated 20 April 1999.

P. M. KENTISH, Surveyor-General

DL 1058/1977

DEVELOPMENT ACT 1993*Notice under Section 50 (5)*

1. The contributions in respect of open space under Section 50 (5) of the Development Act 1993 are:

land within Metropolitan Adelaide.....	\$1355
land outside Metropolitan Adelaide	\$ 685

for each allotment that does not exceed one hectare in area.

2. The "Valuer-General" has advised that the average variation in the market value of land in the year that ended on 30 June 1998 were:

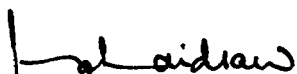
land within Metropolitan Adelaide - an increase of 10.84 per cent; and

land outside Metropolitan Adelaide - an increase of 5.06 per cent.

3. On and after 1 June 1999, the contributions in respect of open space under Section 50 (5) of the Development Act 1993, shall be as follows:

land within Metropolitan area	\$1500
land outside Metropolitan area.....	\$ 720

for each new allotment that does not exceed one hectare in area.



Diana Laidlaw MLC

MINISTER FOR TRANSPORT AND URBAN PLANNING

Date: 10.4.99

DEVELOPMENT ACT, 1993
SECTION 29(2)

AMENDMENT TO THE DISTRICT COUNCIL OF STIRLING
DEVELOPMENT PLAN

Preamble

It is necessary to amend mapping and map references within the Development Plan for District Council of Ceduna

NOTICE

Pursuant to Section 29(2) of the Development Act, 1993, I, Diana Laidlaw, being the Minister administering the Act, amend

The District Council of Ceduna Development Plan, dated , 18th March, 1999 as follows:

1. Delete Map: Ceduna (DC) Ceduna-Thevenard Zones Map Ced/5 dated 18th March 1999 and;

Insert: Contents of Attachment 'A'

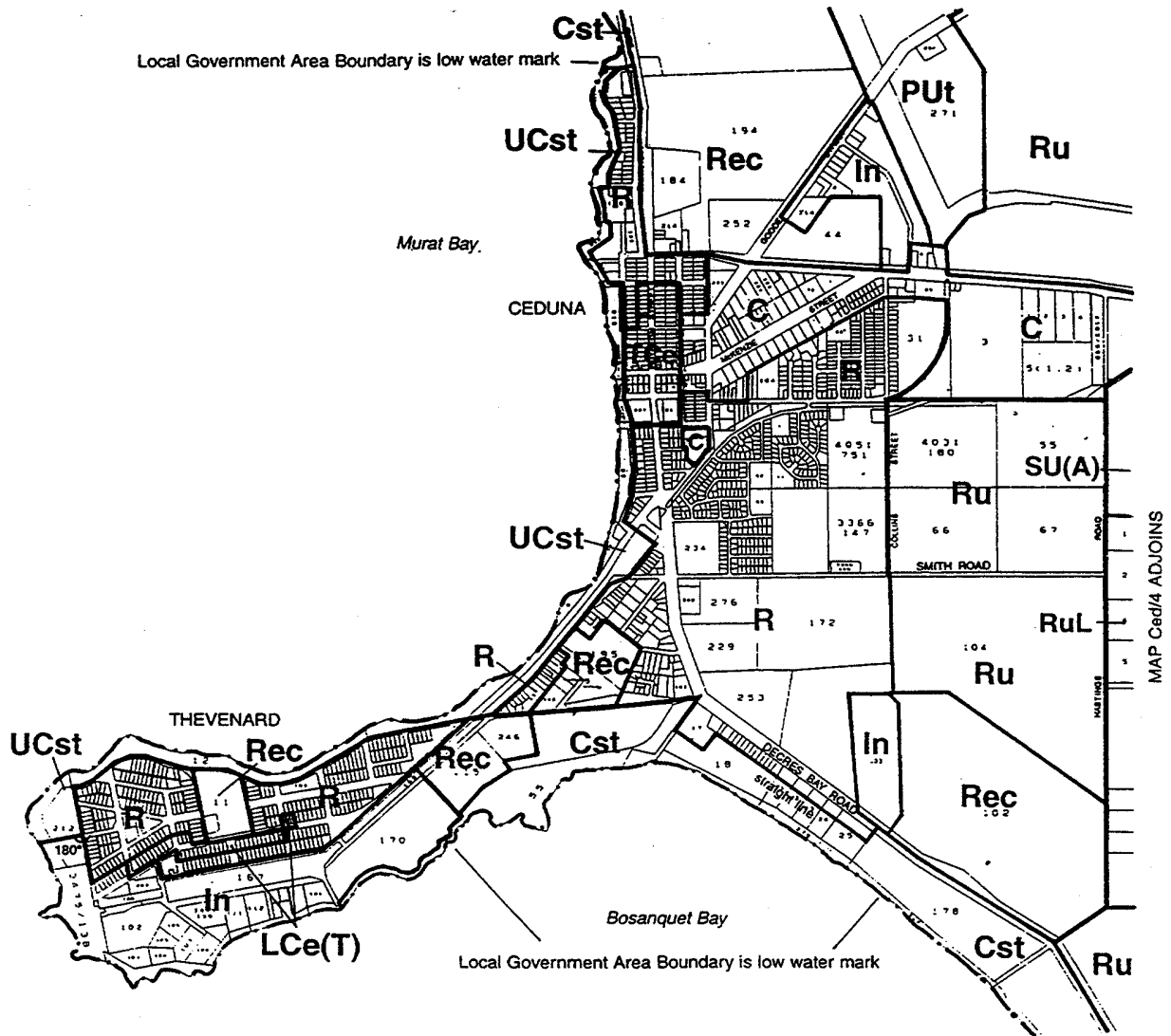
2. Delete Map: Ceduna (DC) Ceduna – Thevenard Policy Areas Map Ced/11 dated 18th March 1999 and;

Insert: Contents of Attachment 'B'

Dated 22 April 1999.

Diana Laidlaw MLC
MINISTER FOR TRANSPORT, URBAN PLANNING AND THE ARTS

ATTACHMENT 'A'



MAP Ced/4 ADJOINS

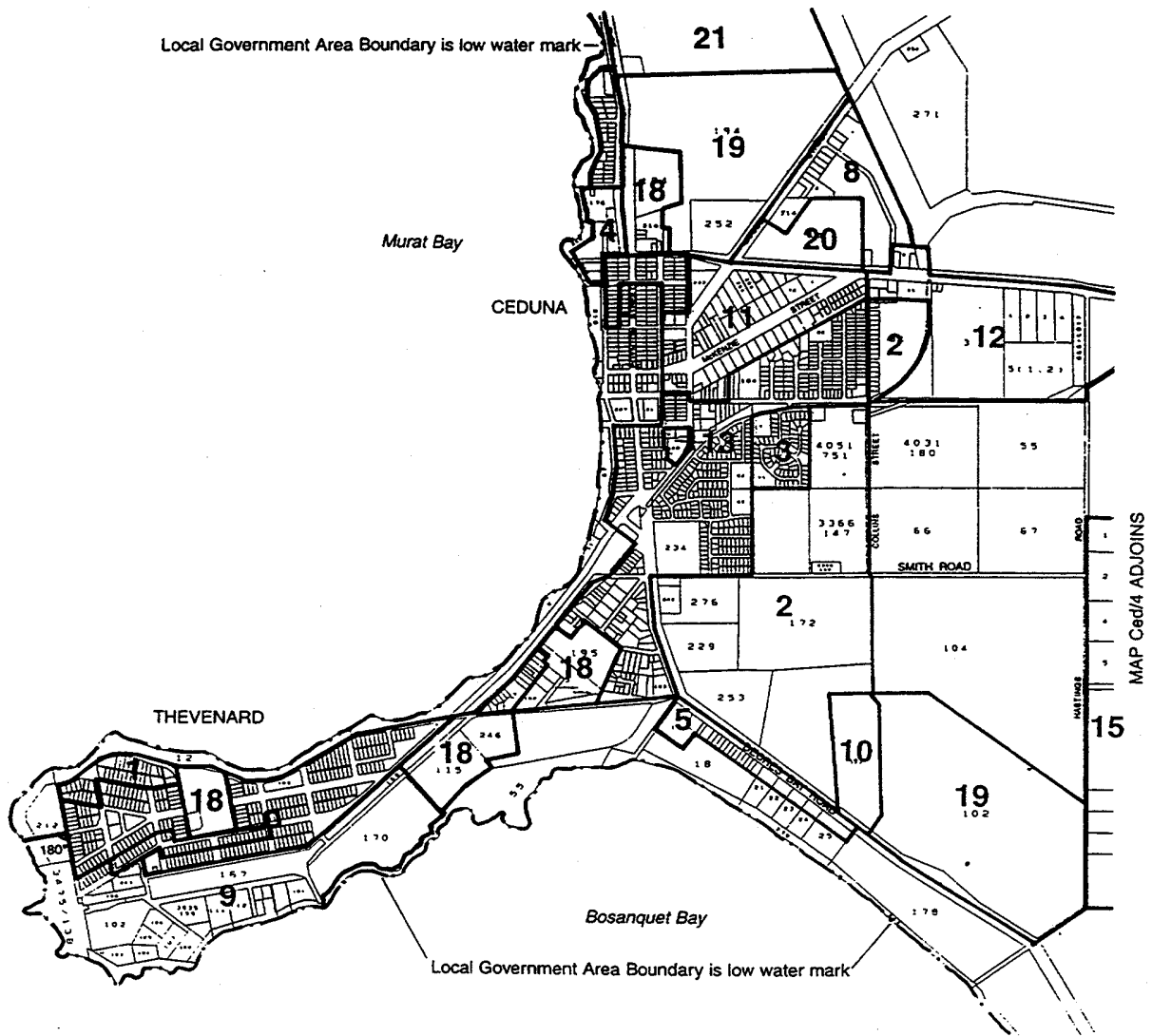
- R Residential
- TCe Town Centre
- LCe(T) Local Centre (Thevenard)
- In Industry
- C Commercial
- Ru Rural
- RuL Rural Living
- PUt Public Utilities
- Rec Recreation
- UCst Urban Coastal
- Cst Coastal
- SU(A) Special Use (Airport)
- · - Local Government Area Boundary
- Zone Boundary



0metres 400 800 1200

**CEDUNA (DC)
CEDUNA - THEVENARD
ZONES
MAP Ced/5**

ATTACHMENT 'B'



- Local Government Area Boundary
- 1 Policy Area 1
- 2 Policy Area 2
- 3 Policy Area 3
- 4 Policy Area 4
- 5 Policy Area 5
- 8 Policy Area 8
- 9 Policy Area 9
- 10 Policy Area 10
- 11 Policy Area 11
- 12 Policy Area 12
- 13 Policy Area 13
- 15 Policy Area 15

- 18 Policy Area 18
- 19 Policy Area 19
- 20 Policy Area 20
- 21 Policy Area 21
- Policy Area Boundary



0metres 400 800 1200

**CEDUNA (DC)
CEDUNA - THEVENARD
POLICY AREAS
MAP Ced/11**

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 September 1998

	\$		\$
Agents, Ceasing to Act as.....	27.70	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	20.70
Incorporation.....	14.10	Discontinuance Place of Business.....	20.70
Intention of Incorporation.....	34.75	Land—Real Property Act:	
Transfer of Properties.....	34.75	Intention to Sell, Notice of.....	34.75
Attorney, Appointment of	27.70	Lost Certificate of Title Notices.....	34.75
Bailiff's Sale.....	34.75	Cancellation, Notice of (Strata Plan).....	34.75
Cemetery Curator Appointed.....	20.70	Mortgages:	
Companies:		Caveat Lodgment	14.10
Alteration to Constitution.....	27.70	Discharge of	14.95
Capital, Increase or Decrease of	34.75	Foreclosures.....	14.10
Ceasing to Carry on Business	20.70	Transfer of.....	14.10
Declaration of Dividend.....	20.70	Sublet.....	7.10
Incorporation.....	27.70	Leases—Application for Transfer (2 insertions) each.....	7.10
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	20.70
First Name.....	20.70	Licensing.....	41.30
Each Subsequent Name.....	7.10	Municipal or District Councils:	
Meeting Final.....	23.20	Annual Financial Statement—Forms 1 and 2	390.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20	276.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	55.40
First Name.....	27.70	Each Subsequent Name	7.10
Each Subsequent Name.....	7.10	Noxious Trade.....	20.70
Notices:		Partnership, Dissolution of.....	20.70
Call.....	34.75	Petitions (small).....	14.10
Change of Name	14.10	Registered Building Societies (from Registrar-	
Creditors.....	27.70	General).....	14.10
Creditors Compromise of Arrangement.....	27.70	Register of Unclaimed Moneys—First Name	20.70
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name.....	7.10
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	34.75	Rate per page (in 8pt).....	176.00
Release of Liquidator—Application—Large Ad.	55.40	Rate per page (in 6pt).....	233.00
—Release Granted.....	34.75	Sale of Land by Public Auction.....	35.25
Receiver and Manager Appointed.....	32.30	Advertisements.....	1.95
Receiver and Manager Ceasing to Act	27.70	Advertisements, other than those listed are charged at \$1.95	
Restored Name.....	26.30	per column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	48.35	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	41.30	Councils to be charged at \$1.95 per line.	
Order of Supreme Court for Winding Up Action	27.70	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	62.45	that which is usually published a charge of \$1.95 per column line	
Removal of Office	14.10	will be applied in lieu of advertisement rates listed.	
Proof of Debts.....	27.70	South Australian Government publications are sold on the	
Sales of Shares and Forfeiture.....	27.70	condition that they will not be reproduced without prior	
Estates:		permission from the Government Printer.	
Assigned.....	20.70		
Deceased Persons—Notice to Creditors, etc.	34.75		
Each Subsequent Name.....	7.10		
Deceased Persons—Closed Estates.....	20.70		
Each Subsequent Estate	0.90		
Probate, Selling of.....	27.70		
Public Trustee, each Estate.....	7.10		

GOVERNMENT GAZETTE NOTICES

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MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 SEPTEMBER 1998

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	1.55	0.75	497-512	22.70	21.85
17-32	2.25	1.40	513-528	23.30	22.45
33-48	2.85	2.05	529-544	24.05	23.20
49-64	3.60	2.70	545-560	24.65	23.85
65-80	4.25	3.45	561-576	25.40	24.55
81-96	4.90	4.10	577-592	26.00	25.20
97-112	5.60	4.75	593-608	26.70	25.80
113-128	6.25	5.45	609-624	27.50	26.70
129-144	7.00	6.15	625-640	28.00	27.25
145-160	7.70	6.80	641-656	28.85	27.80
161-176	8.35	7.50	657-672	29.35	28.55
177-192	9.00	8.20	673-688	30.20	29.35
193-208	9.70	8.85	689-704	30.95	29.90
209-224	10.35	9.50	705-720	31.45	30.70
225-240	10.95	10.20	721-736	32.30	31.25
241-257	11.75	10.85	737-752	33.00	32.00
258-272	12.50	11.50	753-768	33.55	32.50
273-288	13.10	12.30	769-784	34.05	33.35
289-304	13.75	12.90	785-800	34.90	34.05
305-320	14.45	13.55	801-816	35.45	34.60
321-336	15.15	14.25	817-832	36.25	35.45
337-352	15.80	15.05	833-848	37.00	35.95
353-368	16.50	15.65	849-864	37.50	36.80
369-384	17.15	16.40	865-880	38.35	37.50
385-400	17.85	17.05	881-896	38.85	38.05
401-416	18.50	17.65	897-912	39.70	38.85
417-432	19.25	18.40	913-928	40.25	39.70
433-448	19.85	19.00	929-944	40.95	40.25
449-464	20.60	19.65	945-960	41.80	40.75
465-480	21.20	20.40	961-976	42.30	41.50
481-496	21.85	21.00	977-992	43.15	42.00

Legislation—Acts, Regulations, etc:

Subscriptions:		\$
Acts.....	140.00	
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Rules and Regulations.....	335.00	
Parliamentary Papers.....	335.00	
Bound Acts.....	155.00	
Index.....	75.00	

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- Gala Dinner
- Special Breakfast Addresses
- Senior HR Forums



Dr Jarl Bengtsson
OECD, France



Row Henson
PeopleSoft



Lance Hockridge
BHP, Australia



Masaaki Imai
KAIZEN Institute,
Japan



Allen Blewitt
AICA, Australia



Professor Elena
Granell de Aldaz
Chair HDO,
Venezuela



Zita Antonios
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Grant Gustafson
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FISHERIES ACT 1982: SECTION 43

TAKE notice that pursuant to the Fisheries Act 1982, it is hereby declared that it shall be unlawful for any persons to engage in the act or an act preparatory to or involved in the taking of fish from those waters specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

All the waters of Lake George situated in the Hundreds of Lake George and Rivoli Bay.

SCHEDULE 2

From 20 April 1999 to 30 June 2000 inclusive.

Dated 21 April 1999.

G. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north of latitude 33°37.00'S.

SCHEDULE 2

2359 hours on 15 April 1999 to 0630 hours on 18 April 1999.

Dated 15 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0015/99

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, the class of persons described in schedule 1 (hereinafter referred to as the 'fishers') are exempt from the notice published in the *South Australian Government Gazette*, dated 2 October 1997 at page 951, being the last notice on that page and referring to the taking of abalone from Waterloo Bay, and the provisions of regulation 23 (2a) (b) of the Fisheries (General) Regulations 1984 subject to the conditions specified in schedule 2, in that the fisher shall not be guilty of an offence when taking blacklip abalone (*Haliotis rubra*), from the waters specified in schedule 3.

SCHEDULE 1

All persons.

SCHEDULE 2

1. The fishers may only take blacklip abalone (*Haliotis rubra*) with a maximum size greater than 130 mm measured at its greatest dimension.

2. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982 or any regulation made under that act except where specifically exempted by this notice.

SCHEDULE 3

South Australian coastal waters of Waterloo Bay.

Dated 16 April 1999.

G. R. MORGAN, Director of Fisheries

98/0605

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north of a line commencing at position latitude 33°37.50'S, longitude 137°14.00'E, then to position latitude 33°37.50'S, longitude 137°53.00'E.

SCHEDULE 2

2100 hours on 18 April 1999 to 0630 hours on 19 April 1999.

1900 hours on 19 April 1999 to 0630 hours on 21 April 1999.

Dated 18 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0016/99

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north of a line commencing at position latitude 33°38.00'S, longitude 137°14.00'E, then to position latitude 33°38.00'S, longitude 137°53.00'E.

SCHEDULE 2

1900 hours on 21 April 1999 to 0630 hours on 24 April 1999.

Dated 20 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0017/99

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf bounded by a line commencing at position latitude 33°57.00'S, longitude 136°33.00'E, then to position latitude 34°05.00'S, longitude 136°45.00'E, then to position latitude 34°15.00'S, longitude 136°45.00'E, then to position latitude 34°15.00'S, longitude 136°57.50'E, then to position latitude 34°00.00'S, longitude 137°10.00'E, then to position latitude 33°41.00'S, longitude 137°10.00'E, then to the point of commencement.

SCHEDULE 2

2359 hours on 15 April 1999 to 0630 hours on 25 April 1999.

Dated 15 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0014/99

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in waters of Spencer Gulf north of a line commencing at position latitude 33°38.50'S, longitude 137°14.00'E, then to position latitude 33°38.50'S, longitude 137°35.00'E.

SCHEDULE 2

1900 hours on 24 April 1999 to 0630 hours on 25 April 1999.
Dated 20 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0018/99

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of the Spencer Gulf prawn fishery between 0630 hours and 2200 hours.

SCHEDULE 2

16 April 1999 to 17 April 1999.

Dated 16 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0019/99

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of the Spencer Gulf prawn fishery between 0630 hours and 2100 hours.

SCHEDULE 2

18 April 1999.

Dated 18 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0020/99

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of the Spencer Gulf prawn fishery between 0630 hours and 1900 hours.

SCHEDULE 2

19 April 1999 to 24 April 1999.

Dated 19 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0021/99

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

The act of taking or the act preparatory to or involved in the taking of western king prawn (*Penaeus latisulcatus*) in all waters of Spencer Gulf.

SCHEDULE 2

0630 hours on 25 April 1999 to 2400 hours on 31 December 1999.

Dated 20 April 1999.

W. ZACHARIN, Principal Manager, Shellfish

P0022/99

FISHERIES ACT 1982

MARINE TUNA FARMING LICENCE FB00008

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

Australian Fishing Enterprises Pty Ltd
P.O. Box 1073
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 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;

5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;

5.4 must apply the permitted farming methods set out in 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 2 April 1999.

G. MORGAN, Director of Fisheries

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

The Common Seal of Australian Fishing Enterprises Pty Ltd was hereunto affixed in the presence of:

(L.S.) S. SARIN, Director

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
588016E 6162075N 135°57'38" -34°40'45"	30
588676E 6161977N 135°58'04" -34°40'48"	
588610E 6161532N 135°58'02" -34°41'03"	
587950E 6161630N 135°57'36" -34°41'00"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) 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 than 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 14

Stocking Rates

The maximum weight of fish introduced into the site must not exceed 400 tonnes in total during the term of the Licence.

The maximum stocking density of fish introduced into the site must not exceed 4kg/m³.

SCHEDULE 3

Item 1—Fees

	\$
TEMP Environmental Monitoring Fee	
30 @ \$126.70 each.....	3 801.00
Base Licence Fee 30 @ \$321.34 each.....	9 640.20
Total Annual Licence Fee	13 441.20

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

MARINE TUNA FARMING LICENCE FB00009

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 Fishing Enterprises Pty Ltd
P.O. Box 1073
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 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in 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 2 April 1999.

G. MORGAN, Director of Fisheries

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

The Common Seal of Australian Fishing Enterprises Pty Ltd was hereunto affixed in the presence of:

(L.S.) S. SARIN, Director

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
586561E 6160681N 135°56'42" -34°41'31"	30
587137E 6161016N 135°57'04" -34°41'20"	
587363E 6160627N 135°57'13" -34°41'33"	
586786E 6160292N 135°56'51" -34°41'44"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) 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 than 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 14

Stocking Rates

The maximum weight of fish introduced into the site must not exceed 40 tonnes in total during the term of the licence.

The maximum stocking density of fish introduced into the site must not exceed 4 kg/m³.

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
TEMP Environmental Monitoring Fee 30 at \$126.70 each	3 801.00
Base Licence Fee 30 at \$321.34 each	9 640.20
Total Annual Licence Fee	13 441.20

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 TUNA FARMING LICENCE FB00013

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:

DI Fishing Co. Pty Ltd
MG Kailis Tuna
P.O. Box 1491
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 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in 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 13 April 1999.

G. MORGAN, Director of Fisheries

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

The Common Seal of DI Fishing Co. Pty Ltd was hereunto affixed in the presence of:

(L.S.) R. PIKE, Director
K. TURLEY, Secretary

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
589843E 6159284N 135°58'51" -34°42'15"	30
590213E 6159436N 135°59'06" -34°42'10"	
590498E 6158742N 135°59'17" -34°42'33"	
590128E 6158590N 135°59'03" -34°42'38"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) 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 than 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 14

Stocking Rates

The maximum weight of fish introduced into the site must not exceed 430 tonnes in total during the term of the licence.

The maximum stocking density of fish introduced into the site must not exceed 4 kg/m².

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
TEMP Environmental Monitoring Fee 30 at	
\$126.70 each	3 801.00
Base Licence Fee 30 at \$321.34 each	9 640.20
Total Annual Licence Fee	13 441.20

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

MARINE MOLLUSC FARMING LICENCE FM00019
(PREVIOUS LICENCE NO. F510)

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:

G. J. Olds
63 Esplanade Avenue
Coffin Bay, S.A. 5607,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and

- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or

earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or

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

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

16. Interpretation

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

21. *Notices*

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

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

G. MORGAN, Director of Fisheries

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

Signed by the said G. J. OLDS

In the presence of: M. LORKIN, Witness

SCHEDULE 1

Item 1—*The Site*

Area applicable to this licence:

Licensed Area				Licensed Hectares
Zone 53				
537500E	6171825N	135°24'32"	-34°35'40"	4
537550E	6171700N	135°24'34"	-34°35'44"	
537600E	6171575N	135°24'36"	-34°35'48"	
537550E	6171500N	135°24'34"	-34°35'51"	
537325E	6171650N	135°24'25"	-34°35'46"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) All buoys, posts, crosses and markers must be maintained in good condition.

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

Item 2—*Marked-Off Areas*

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

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

SCHEDULE 2

Item 1 ³/₄ *Permitted Species*

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

Pacific Oysters (*Crassostrea gigas*)

Item 2 ³/₄ *Permitted Farming Methods*

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

Longlines

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

*Item 3 3/4 Stocking Rates**Oysters*

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

SCHEDULE 3

Item 1—Fees

	\$
Environmental Monitoring Program 4 at \$20 each.....	80.00
SASQAP (Classified Area) 4 at \$37 each.....	148.00
Base Licence Fee.....	328.00
Fisheries Research and Development Corporation Levy.....	92.60
Total Annual Licence Fee.....	648.60

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

MARINE MOLLUSC FARMING LICENCE FM00035
(PREVIOUS LICENCE NO. F537)

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:

W. A. and L. G. Green
28 Denton Street
Smokey Bay, S.A. 5680,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

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

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

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

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 13 April 1999.

G. MORGAN, Director of Fisheries

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

Signed by the said W. A. GREEN for W. A. and L. G. GREEN

In the presence of: P. J. BITMEAD, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectare
Zone 53	
400763E 6415261N 133°56'41" -32°23'42"	1
400841E 6415304N 133°56'44" -32°23'41"	
400893E 6415209N 133°56'46" -32°23'44"	
400814E 6415165N 133°56'43" -32°23'45"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
 - (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
 - (4) 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 1¾ 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 2¾ 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 3¾ 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

	\$
Environmental Monitoring Program 1 at \$20 each.....	20.00
SASQAP (Classified Area) 1 at \$37 each.....	37.00
Base Licence Fee.....	328.00
Fisheries Research and Development Corporation Levy.....	92.60
Total Annual Licence Fee.....	477.60

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 FM00136
(PREVIOUS LICENCE NO. F813)

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:

Ian Jeffrey and Sheryl Rae Sellen
17 Rodda Avenue
Port Lincoln, S.A. 5606,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 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
- 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:

- must not farm or introduce any species at the site other than the permitted species; and
- 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:

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

- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

G. MORGAN, Director of Fisheries

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

Signed by the said S. R. SELLEN and I. J. SELLEN

In the presence of: P. G. OWEN, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectare
Zone 53	
534500E 6175500N 135°22'33" -34°33'41"	1
534600E 6175500N 135°22'37" -34°33'41"	
534600E 6175400N 135°22'37" -34°33'44"	
534500E 6175400N 135°22'33" -34°33'44"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) All buoys, posts, crosses and markers must be maintained in good condition.

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 3/4 Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 2 3/4 Permitted Farming Methods

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

Longlines

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

Item 3 3/4 Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

	\$
Environmental Monitoring Program 1 at \$20 each.....	20.00
SASQAP (Classified Area) 1 at \$37 each.....	37.00
Base Licence Fee.....	328.00
Fisheries Research and Development Corporation Levy.....	92.60
Total Annual Licence Fee	477.60

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

MARINE MOLLUSC FARMING LICENCE FM00164
(PREVIOUS LICENCE NO. F1519)

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:

Andrew M. Dyer
16 Gawler Terrace
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 January 1999 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 1.1 the rights, powers and privileges granted to or vested in the licensee under this licence are contractual only and shall not create or vest in the licensee any estate, interest or right of a proprietary nature in the site; and

- 1.2 that, subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site and that the rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.
- 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 General Manager, Aquaculture Group, Primary Industries South Australia, 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 2 April 1999.

G. MORGAN, Director of Fisheries

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

Signed by the said A. M. DYER

In the presence of: N. DYER, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
586600E 6154700N 135°56'45" -34°44'45"	3.5
587806E 6154924N 135°57'33" -34°44'38"	
588032E 6154700N 135°57'42" -34°44'45"	
587822E 6154477N 135°57'34" -34°44'52"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) All buoys, posts, crosses and markers must be maintained in good condition.

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1^{3/4} Permitted Species

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

Blue Mussels (*Mytilus edulis*)

Item 1.1—Fish Subject to SASQAP Testing

Blue Mussels (*Mytilus edulis*)

Item 2^{3/4} Permitted Farming Methods

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

Longlines

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

Item 3^{3/4} Stocking Rates

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

	\$
Base Licence Fee	164.00
SASQAP (Under Classification)	657.14
Total Annual Licence Fee.....	821.14

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 General Manager, Aquaculture Group, Primary Industries South Australia, 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.

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

MARINE MOLLUSC FARMING LICENCE FM00242
(PREVIOUS LICENCE NO. F1553)

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:

Alistair Smart
29 Hall Street
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 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.
- 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 2 April 1999.

G. MORGAN, Director of Fisheries

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

Signed by the said A. SMART

In the presence of: P. MAWBY, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area				Licensed Hectare
Zone 53				
581000E	6151100N	135°53'06"	-34°46'44"	1
581000E	6151000N	135°53'06"	-34°46'47"	
580900E	6151000N	135°53'03"	-34°46'47"	
580900E	6151100N	135°53'03"	-34°46'44"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) 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 2¾ 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 3¾ 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

	\$
Base Licence Fee.....	328.00
SASQAP (Under Classification).....	657.14
Total Annual Licence Fee	985.14

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.

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 53

TAKE note that the licence to farm fish made under section 53 of the Fisheries Act 1982 and published in the *South Australian Government Gazette*, dated 18 February 1999, on page 1099, being the second notice on that page, through to page 1102 and referring to Jeremy Boot is hereby revoked.

Dated 16 April 1999.

G. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00171
(PREVIOUS LICENCE NO. F1574)

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:

Jeremy Boot
Unit 1, 59 Walkers Road
Somerton Park, S.A. 5044,

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 23 December 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

- 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
- 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 16 April 1999.

G. MORGAN, Director of Fisheries

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

Signed by the said J. BOOT

In the presence of: B. HARDING, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
751802E 6037551N 137°47'07" -35°46'25"	10
751991E 6037401N 137°47'15" -35°46'30"	
752223E 6037632N 137°47'24" -35°46'22"	
751975E 6037872N 137°47'14" -35°46'14"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) 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 ¾ Permitted Species

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

- Native Oysters (*Ostrea angasi*)
- Pacific Oysters (*Crassostrea angasi*)
- Scallops (Queen) (*Equichlamys bifrons*)
- Scallops (Dough Boy) (*Chlamys asperrimus*)

Item 2 ¾ 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 ¾ 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

Scallops

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

	\$
Environmental Monitoring Program 10 at \$20 each.....	200.00
SASQAP (Classified Area) 10 at \$37 each.....	370.00
Base Licence Fee.....	328.00
Fisheries Research and Development Corporation Levy.....	92.60
Total Annual Licence Fee.....	990.60

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 53

TAKE note that the licence to farm fish made under section 53 of the Fisheries Act 1982 and published in the *South Australian Government Gazette*, dated 18 February 1999, on page 1106, being the second notice on that page, through to page 1109 and referring to Jeremy Boot is hereby revoked.

Dated 16 April 1999.

G. MORGAN, Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00170
(PREVIOUS LICENCE NO. F1573)*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:

Jeremy Boot
Unit 1, 59 Walkers Road
Somerton Park, S.A. 5044,

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 23 December 1998 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

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

- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

- 6.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and

- 6.4 must mark the site boundary in accordance with the specifications in Schedule 1 of this licence.

7. *Site Inspection and Supervision*

The licensee:

- 7.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and

- 7.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

8. *Fees and Returns*

The licensee:

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

- 8.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

9. *Compliance With Relevant Laws*

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

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

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

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

10. *Public Risk Liability*

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

11. *Release*

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

15.5 if the licensee is an individual, the licensee:

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

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 16 April 1999.

G. MORGAN, Director of Fisheries

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

Signed by the said J. BOOT

In the presence of: B. HARDING, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
752321E 6038220N 137°47'27" -35°46'03"	10
752568E 6037975N 137°47'37" -35°46'11"	
752803E 6038209N 137°47'47" -35°46'03"	
752621E 6038389N 137°47'39" -35°46'57"	

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) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
 - (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).

- (4) 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 1¾Permitted Species

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

- Native Oysters (*Ostrea angasi*)
- Pacific Oysters (*Crassostrea angasi*)
- Scallops (Queen) (*Equichlamys bifrons*)
- Scallops (Dough Boy) (*Chlamys asperrimus*)

Item 2¾Permitted 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 3¾Stocking 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

Scallops

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

Environmental Monitoring Program 10 at \$20 each	200.00	\$
SASQAP (Classified Area) 10 at \$37 each	370.00	
Base Licence Fee	328.00	
Fisheries Research and Development Corporation Levy	92.60	
Total Annual Licence Fee	990.60	

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.

GAMING MACHINES ACT 1992

Notice of Application for Transfer of Gaming Machine Licence

NOTICE is hereby given, pursuant to section 29 (1) (d) of the Gaming Machines Act 1992, that I. & D. Alexander Enterprises Pty Ltd (ACN 061 552 672), 305 Unley Road, Malvern, S.A. 5061 has applied to the Liquor Licensing Commissioner for the transfer of a Gaming Machine Licence in respect of premises and known as Pretoria Hotel.

The application has been set down for hearing on 25 May 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.

Applicant

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 Penneshaw Oceanview Pty Ltd, c/o Griffins Lawyers, Level 14, 26 Flinders Street, Adelaide, S.A. 5000, has applied to the Liquor Licensing Commissioner for the grant of a Gaming Machine Licence in respect of premises situated at Lot 17, North Terrace, Penneshaw, S.A. 5222 and known as Penneshaw Hotel.

The application has been set down for hearing on 21 May 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 14 April 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 I. & D. Alexander Enterprises Pty Ltd (ACN 061 552 672), has applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at 50 Randell Street, Mannum, S.A. 5238 and known as Pretoria Hotel.

The application has been set down for hearing on 21 May 1999.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation—Hours of operation: Thursday to Saturday inclusive, midnight to 2 a.m. Sunday, 10 a.m. to 11 a.m. and 8 p.m. to midnight.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Warrakilla Wines Pty Ltd (ACN 076 986 037), has applied to the Licensing Authority for the grant of a Producer's Licence in respect to premises situated at Lot 5, Strathalbyn Road, Mylor, S.A. 5153 and to be known as Warrakilla Wines Pty Ltd.

The application has been set down for hearing on 21 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 15 April 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 Glenelg Footballers' Club Inc. has applied to the Licensing Authority for a variation to the Extended Trading Authorisation in respect of premises situated at Glenelg Oval, Brighton Road, Glenelg, S.A. 5045 and known as Glenelg Footballers' Club Inc.

The application has been set down for hearing on 21 May 1999.

Conditions

The following licence conditions are sought:

Monday to Wednesday: midnight to 1 a.m., Thursday to Saturday: midnight to 2 a.m. and Sunday: 8 p.m. to 11 p.m. including non-members.

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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 14 April 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 Truro Properties Pty Ltd and D. S. Chatwood have applied to the Licensing Authority for a Residential Licence with Entertainment Consent in respect of premises situated at Moorundie Street, Truro, S.A. 5356 and known as Truro Weighbridge Motel Licensed Restaurant.

The application has been set down for hearing on 21 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 29 March 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 Angas Park Cellars Pty Ltd, c/o Kelly & Co., Level 17, 91 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the grant of a Retail Liquor Merchant's Licence in respect of premises situated at Shop 6, Barossa Shopping Centre, Murray Street, Nuriootpa and trading there currently as Angas Park Cellars pursuant to the Hotel Licence of the Angas Park Hotel.

The application has been set down for hearing on 21 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 13 April 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 Walbrig Pty Ltd has applied to the Licensing Authority for a Residential Licence in respect of premises situated at Nelson Road, O.B. Flat, Mount Gambier and known as the Barn Motel.

The application has been set down for hearing on 21 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 12 April 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 Cummins Rambler Football Club Inc., c/o Kelly & Co., Level 17, Santos House, 91 King William Street, Adelaide, S.A. 5000, the holder of a Limited Club Licence has applied to the Licensing Authority for an Extended Trading Authorisation in respect of premises situated at the Cummins Showgrounds, Cummins, S.A. 5631 and known as the Cummins Rambler Football Club.

The application has been set down for hearing on 21 May 1999.

Conditions

The following licence conditions are sought:

To sell liquor for consumption on the licensed premises under an extended trading authorisation as follows:

Wednesday: Midnight to 1.30 a.m. the following day
 Friday: Midnight to 1.30 a.m. the following day
 Saturday: Midnight to 1.30 a.m. the following day
 Sunday: 8 p.m. to 10 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the 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, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 15 April 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 Shane Dedrick and Ashley Banner, P.O. Box 415, Henley Beach, S.A. 5022, have applied to the Licensing Authority for the transfer of an Entertainment Venue Licence in respect of premises situated at 149 Waymouth Street, Adelaide, S.A. 5000 and known as Venus Bar Night Club Restaurant.

The application has been set down for hearing on 21 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 9 April 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 Ramelec Pty Ltd as trustee for Keogh Estate Trust, 2 Ontario Avenue, Panorama, S.A. 5041, has applied to the Licensing Authority for a Producer's Licence in respect of premises to be situated at 2 Ontario Avenue, Panorama, and known as Anvers Wines.

The application has been set down for hearing on 21 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 23 February 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 Lano Developments Pty Ltd (ACN 086 962 469) has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 78 Commercial Street West, Mount Gambier, S.A. 5290 and known as Peking Palace and to be known as Sage & Muntries Cafe.

The application has been set down for hearing on 24 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 13 April 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 Perks Hotels Pty Ltd has applied to the Licensing Authority for an Extended Trading Authorisation in respect of premises situated at Montifore Street, Callington, S.A. 5253 and known as Callington Hotel.

The application has been set down for hearing on 28 May 1999.

Conditions

The following licence conditions are sought:

Hours of Operation: Monday to Saturday, midnight to 2 a.m. the following morning; Sunday, 8 a.m. to 11 a.m. and 8 p.m. to midnight on the licensed premises and Sunday, 8 a.m. to 11 a.m. and 8 p.m. to 9 p.m. off the licensed premises.

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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 15 April 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 Kaligro Vineyards Pty Ltd, 12 Harrow Road, College Park, S.A. 5069 has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 12 Harrow Road, College Park and known as Kaligro Vineyards Pty Ltd.

The application has been set down for hearing on 28 May 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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 14 April 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 Brian Richard Medcalf, 1 Rowe Road, Echunga has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 262 Sturt Street, Adelaide, S.A. 5000 and known as Jupiter Creek Wines.

The application has been set down for hearing on 28 May 1999.

Condition

The following licence condition is sought:

Wine tasting on premises.

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 Licensing Commissioner, 2nd Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 19 March 1999.

Applicant

NATIONAL PARKS REGULATIONS 1990

Closure of the Chowilla Game Reserve, Chowilla Regional Reserve, Katarapko section of the Murray River National Park, Lyrup Flats section of the Murray River National Park, Pike River Conservation Park, Danggali Conservation Park, Moorook Game Reserve, Loch Luna Game Reserve, Cooltong Conservation Park

PURSUANT to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Chowilla Game Reserve, including Chowilla Island, Monoman Island, Boat Creek Island, Slaney Island, Punkah Island and Horseshoe Lagoon, Grand Junction Island, Wilperna Island and Hypurna Island and extending to the New South Wales and Victorian borders, from 5p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Chowilla Regional Reserve, from 5 p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Katarapko section of the Murray River National Park including Katarapko Island, from 5p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Lyrup Flats section of the Murray River National Park, from 5 p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Moorook Game Reserve, from 5p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Loch Luna Game Reserve, from 5 p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Pike River Conservation Park, from 5p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Cooltong Conservation Park, from 5p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

Pursuant to Regulation 7(3)(c) of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, close to the public the whole of the Danggali Conservation Park, from 5p.m. on Friday, 21 May 1999 until 7 a.m. on Tuesday, 25 May 1999.

The purpose of the abovementioned closures is to ensure the safety of the public during a feral animal culling program within the reserves during the period.

Use of Firearms within the Reserves

Pursuant to Regulations 7(4), 18(1) and 37 of the National Parks Regulations 1990, I, Allan Norman Holmes, the Director of National Parks and Wildlife, grant permission to members of the Field and Game Association and the Sporting Shooters Association of Australia, in possession of both a current Hunting Permit and a firearm, to enter and remain in the Chowilla Game Reserve, Chowilla Regional Reserve, Katarapko section of the Murray River National Park, Lyrup Flats section of the Murray River National Park, Pike River Conservation Park, Danggali Conservation Park, Moorook Game Reserve, Loch Luna Game Reserve, Cooltong Conservation Park from 5p.m. on Friday, 21 May 1999 until 7a.m. on Tuesday, 25 May 1999, for the purpose of taking feral animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, the National Parks Regulations 1990, and the National Parks and Wildlife (Hunting) Regulations 1996,

including those requiring compliance with the directions, requests, requirements and orders of Wardens.

Dated 14 April 1999.

A. N. HOLMES, Director, National Parks and Wildlife

DISTRICT COURT OF SOUTH AUSTRALIA

PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 14 April 1999

IN pursuance of a precept from the District Court of South Australia to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Port Augusta on the day and at the time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be, unless a Judge otherwise orders, as follows:

Monday, 3 May 1999, at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences.

Juries will be summoned for Tuesday, 4 May 1999, and persons will be tried on this and subsequent days of the sittings.

Prisoners in HM Gaol and on bail for sentence and for trial at the sittings of the Port Augusta Courthouse, commencing Monday, 3 May 1999.

S	Rape	On Bail
L	Rape	On Bail
M	Rape	In Gaol
Brady, Dion Lee	Armed robbery; false imprisonment	In Gaol
Gregorovic, Walter Rudi	False pretences	On Bail
Gregorovic, Walter Rudi	False pretences	On Bail
K	Unlawful sexual intercourse with a person under 12	On Bail
McLachlan, Wayne Anthony	Threatening life; damaging property	On Bail
Caldwell, Graham	Assault occasioning actual bodily harm; act likely to cause harm	On Bail
Walker, Josephine Eve	Robbery in company	On Bail
Kelly, Denise Eileen	Robbery in company	On Bail
Strong, Wayne Ernest	Causing death by dangerous driving; fail to stop after accident injury	On Bail
M	Rape	On Bail
Ward, Carol Frances	Possessing a controlled substance for sale; unlawful possession	On Bail
Press, Ronald Adrian	Robbery in company	On Bail
Gates, Leslie William Roy	Robbery in company	On Bail
Insch, Paul Andrews	Producing a controlled substance	On Bail
McLean, Robert Charles	Producing a controlled substance	On Bail
McLean, Robert Bruce	Producing a controlled substance	On Bail
Chenhall, Mark Anthony	Break and enter building and commit offence; assault occasioning actual bodily harm; threatening life; damaging property; resist Police	In Gaol
Horrace, Brenton Wayne	Wounding with intent to do grievous bodily harm	In Gaol
Seagrim, Darren Michael	Wounding with intent to do grievous bodily harm; armed robbery	In Gaol
Chambers, Robert Glen	Wounding with intent to do grievous bodily harm; armed robbery	In Gaol

Ryan, Branden Alfred Norman	Drive or use motor vehicle without consent; break and enter building and commit offence; robbery in company; armed robbery	On Bail
Rupert, Ingkatji	Robbery	In Gaol
Sachse, Murray Gordon	Endangering life; resist Police; hinder Police	—
Cassell, Kenneth Gordon Patrick James	Threatening life; commit common assault on member of own family	—
Pompey, Peter	Arson	In Gaol
Bishop, Nathan	Larceny; receiving	On Bail
T	Rape	On Bail
Lang, William Paul	Escape from custody; damaging property	In Gaol
Lang, William Paul	Larceny in a dwellinghouse	In Gaol
Goodwin, Benjamin	Burglary; commit common assault on member of own family	In Gaol
Ryan, Brandon Alfred Norman	Drive or use motor vehicle without consent; arson; damaging property; burglary	On Bail

Prisoners on bail must surrender at 10 a.m. on the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.

By order of the Court,

J. A. CARR, Sheriff

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Railway Terrace and Bowyer Road, Wingfield
Deposited Plan 51970*

BY Road Process Order made on 22 February 1999, the City of Port Adelaide Enfield ordered that:

1. Portions of the public roads (Railway Terrace) adjoining and east of Wingfield Road and (Bowyer Road) north of Cormack Road, more particularly delineated and lettered 'A', 'B' and 'C' in the Preliminary Plan No. PP32/0364.

2. Transfer the whole of the land subject to closure lettered 'A' to DELCON PTY LTD in accordance with agreement for transfer dated 19 February 1999 entered into between the City of Port Adelaide Enfield and Delcon Pty Ltd.

3. Transfer the whole of the land subject to closure lettered 'B' to EPANI PTY LTD in accordance with agreement for transfer dated 19 February 1999 entered into between the City of Port Adelaide Enfield and Epani Pty Ltd.

4. Transfer the whole of the land subject to closure lettered 'C' to N & V INVESTMENTS PTY LTD in accordance with agreement for transfer dated 19 February 1999 entered into between the City of Port Adelaide Enfield and N & V Investments Pty Ltd.

On 7 April 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 22 April 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Hindmarsh Place and Chapel Street, Hindmarsh
Deposited Plan 51280*

BY Road Process Order made on 18 August 1998, The Development Assessment Commission ordered that:

1. Portion of allotment 66 in Filed Plan 120085 situated west of Chapel Street, more particularly delineated and numbered '1' in the Preliminary Plan No. PP32/0269 be opened as road.

2. Portion of the public roads (Hindmarsh Place and Chapel Street) between Manton Street and Holden Street, more particularly delineated and lettered part 'A' in Preliminary Plan No. PP32/0269 be closed.

3. Issue a Certificate of Title to the CITY OF CHARLES STURT for the whole of the land subject to closure which land is being retained by Council for merging with the adjoining Council owned land.

4. The following easement be granted over the land subject to that closure:

Grant a right of way over portion of the land appurtenant to Certificate of Title Volume 2231, Folio 112.

On 1 December 1998, 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 22 April 1999.

P. M. KENTISH, Surveyor-General

REAL PROPERTY ACT NOTICE

WHEREAS the person named in the schedule appear to be entitled to the land set forth and described before their names, notice is hereby given that unless caveat be lodged with me at the Lands Titles Registration Office, 101 Grenfell Street, Adelaide, by some person having an estate or interest in the said land on or before the date specified, it is my intention to bring the said land under the provisions of the Real Property Act 1886, pursuant to the authority vested in me by the Real Property (Registration of Titles) Act 1945. Plans of the land may be inspected at this Office, and in the office of the Corporation or District Council in which the land is situated.

THE SCHEDULE

Search No.	Description of Property	Name	Date up to and inclusive of which caveat may be lodged
2779	Allotment 92 of portion of Section 1051, Hundred of Adelaide in the area named Burnside in Filed Plan No. 209703.	William Lockett	22 June, 1999
2877	Town Acre 203 Hundred of Adelaide in the area named City of Adelaide in Filed Plan No. X20828.	The Corporation of the City of Adelaide	22 June, 1999
2901	Allotment 91 of portion of Section's 1075 and 1146, Hundred of Adelaide in the area named Lynton in Filed Plan No. 207437.	TransAdelaide	22 June, 1999
2991	Portion of Allotment 11 of portion of Section 288, Hundred of Adelaide in the area named Beulah Park in Deposited Plan No. 3338, subject to rights more particularly set forth in Indentures No. 194 Book 31, No. 253 Book 34, No. 254 Book 34, No. 255 Book 34, No. 334 Book 34, No. 345 Book 37 and No. 230 Book 41.	Frederick Tarver Smith	22 June, 1999

Dated 20 April, 1999, at the Lands Titles Registration Office, Adelaide.

A. J. SHARMAN Registrar-General

VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT 1994

PART 4 - CONTRACTS OF TRAINING

Pursuant to the provisions of the Vocational Education, Employment and Training Act (VEET Act) the Accreditation and Registration Council (ARC) gives notice that it has determined the following:

Occupations that Constitute Trades and Other Declared Vocations

The following schedule, approved by the Minister for Education, Children's Services & Training, is additional to:

1. the gazettal of 24th April 1996 (page 2045),
 3. the gazettal of 5th December 1996 (page 1818),
 5. the gazettal of 17th April 1997 (page 1571)
 7. the gazettal of 12th June 1997 (page 2984)
 9. the gazettal of 7th August 1997 (page 311)
 11. the gazettal of 22nd December 1997 (page 1776)
 13. the gazettal of 18th June 1998 (page 2594)
 15. the gazettal of 24th September (page 990)
 17. the gazettal of 15th October 1998 (page 1150)
 19. the gazettal of 19th November 1998 (page 1583)
 21. the gazettal of 10th December 1998 (1870)
 23. the gazette of 11th March 1999 (page 1359)
 25. the gazette of 1st April 1999 (page 1605) (Errata)
2. the gazettal of 31st October 1996 (page 1544),
 4. the gazettal of 6th February 1997 (page 830),
 6. the gazettal of 29th May 1997 (page 2758)
 8. the gazettal of 3rd July 1997 (page 33)
 10. the gazettal of 18th December 1997 (page 1677)
 12. the gazettal of 23rd April 1998 (page 1959)
 14. the gazettal of 6th August 1998 (page 339)
 16. the gazettal of 1st October 1998 (page 1038)
 18. the gazettal of 12th November 1998 (page 1389)
 20. the gazettal of 3rd December 1998 (1742)
 22. the gazettal of 23rd December 1998 (page 2039)
 24. the gazette of 25th March 1999 (page 1480)

which set out the occupations that constitute trades and other declared vocations and the terms and conditions applicable to such declared vocations.

ATTACHMENT A
SCHEDULE - DECLARED VOCATIONS, REQUIRED COURSES OF INSTRUCTION AND ASSOCIATED CONDITIONS

Entries recorded in italics denote previous courses and conditions determined by ARC for existing declared vocations. Variations appear in bold

Occupation/Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
* <i>Bricklaying</i>	<i>GDA</i> <i>December 1999</i>	<i>Certificate III in Building and Construction</i> General Construction Training Package Qualification	<i>48 months</i>	<i>800 hours</i>	<i>3 months</i>
	BCG30698 October 2001	Certificate III in General Construction (Bricklaying/Blocklaying)	48 months	976 hours	3 months
* <i>Carpentry and/or Joinery</i>	<i>GDA</i> <i>December 1999</i>	<i>Certificate III in Building and Construction</i> General Construction Training Package Qualification	<i>48 months</i>	<i>800 hours</i>	<i>3 months</i>
	BCG30798 October 2001	Certificate III in General Construction (Carpentry - Framework /Formwork / Finishing)	48 months	1100 hours	3 months
* <i>Painting & Decorating</i>	<i>FDD</i> <i>December 1999</i>	<i>Certificate in Painting & Decorating</i> General Construction Training Package Qualification	<i>48 months</i>	<i>800 hours</i>	<i>3 months</i>
	BCG30498 October 2001	Certificate III in General Construction (Painting and Decorating)	48 months	962 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
* Roof Tiling	FDH December 1998	<i>Certificate in Roof Tiling</i> General Construction Training Package Qualification	48 months	440 hours	3 months
	BCG30898 October 2001	Certificate III in General Construction (Roof Tiling)	48 months	666 hours	3 months
* Plastering (Solid and/or Fibrous)	GDA December 1999	<i>Certificate III in Building and Construction</i> General Construction Training Package Qualification	48 months	800 hours	3 months
	BCG30398 October 2001	Certificate III in General Construction (Solid Plastering)	48 months	984 hours	3 months
* Tiling (Wall and Floor)	12307SA FDP December 1999	<i>Certificate in Floor and Wall Tiling</i> General Construction Training Package Qualification	48 months	800 hours	3 months
	BCG30198 October 2001	Certificate III in General Construction (Wall and Floor Tiling)	48 months	944 hours	3 months

Occupation/Occupation Levels Declared Vocation # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of instruction	Probationary Period
# Farming	--- KLS December 2000	<i>Certificate in Farm Practice</i>	24 months	480 hours	2 months
		Agriculture Training Package Qualifications			
		New Apprenticeships for these qualifications are available from 1 May 1999. From 1 July 1999 contracts of training will be registered only for qualifications from the Training Package. Trainees employed under existing related contracts of training may complete their current training.			
		Agriculture Training Package Qualifications			
	RUA20798 December 2001	Certificate II in Agriculture (Horse Breeding)	18 months	500 hours	6 weeks
	RUA20898 December 2001	Certificate II in Agriculture (Milk Harvesting)	18 months	500 hours	6 weeks
	RUA20998 December 2001	Certificate II in Agriculture (Pig Production)	18 months	500 hours	6 weeks
	RUA20498 December 2001	Certificate II in Agriculture (Dairy)	18 months	500 hours	6 weeks
	RUA20198 December 2001	Certificate II in Agriculture	18 months	500 hours	6 weeks
	RUA22498 December 2001	Certificate II in Agriculture (Shearing)	18 months	500 hours	6 weeks
	RUA21498 December 2001	Certificate II in Agriculture (Wool Handling)	18 months	500 hours	6 weeks

Occupation/Occupation Levels Declared Vocation # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period	
Farming (continued)	RUA21298 December 2001	Agriculture Training Package Qualifications Certificate II in Agriculture(Rural Merchants)	18 months	500 hours	6 weeks	
	RUA20298 December 2001	Certificate II in Agriculture (Beef Cattle Production)	18 months	500 hours	6 weeks	
	RUA20598 December 2001	Certificate II in Agriculture (Goat Production)	18 months	500 hours	6 weeks	
	RUA20698 December 2001	Certificate II in Agriculture (Grain Production)	18 months	500 hours	6 weeks	
	RUA21698 December 2001	Certificate II in Agriculture (Production Horticulture)	18 months	500 hours	6 weeks	
	RUA21398 December 2001	Certificate II in Agriculture (Sheep and Wool)	18 months	500 hours	6 weeks	
	RUA30198 December 2001	Certificate III in Agriculture	30 months	700 hours	10 weeks	
	RUA30598 December 2001	Certificate III in Agriculture (Goat Production)	30 months	700 hours	10 weeks	
	RUA30798 December 2001	Certificate III in Agriculture (Horse Breeding)	30 months	700 hours	10 weeks	
	RUA30898 December 2001	Certificate III in Agriculture (Milk Harvesting)	30 months	700 hours	10 weeks	
	10 weeks					

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of instruction	Probationary Period
Farming (continued)		Agriculture Training Package Qualifications			
		Certificate III in Agriculture (Pig Production)	30 months	700 hours	10 weeks
	RUA30998 December 2001	Certificate III in Agriculture (Rural Merchants)	30 months	700 hours	10 weeks
	RUA31298 December 2001	Certificate III in Agriculture (Clip Preparation)	30 months	470 hours	10 weeks
	RUA31498 December 2001	Certificate III in Agriculture (Beef and Cattle Production)	30 months	700 hours	10 weeks
	RUA30298 December 2001	Certificate III in Agriculture (Dairy)	30 months	700 hours	10 weeks
	RUA30498 December 2001	Certificate III in Agriculture (Grain Production)	30 months	700 hours	10 weeks
	RUA30698 December 2001	Certificate III in Agriculture (Poultry Production)	30 months	700 hours	10 weeks
	RUA31098 December 2001	Certificate III in Agriculture (Sheep and Wool)	30 months	700 hours	10 weeks
	RUA31398	Certificate IV in Agriculture (Horse Breeding)	36 months	900 hours	3 months
RUA40798 December 2001	Certificate IV in Agriculture (Dairy)	36 months	900 hours	3 months	
RUA40498 December 2001					

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
Farming (continued)		Agriculture Training Package Qualifications			
	RUA40898 December 2001	Certificate IV in Agriculture (Milk Harvesting)	36 months	900 hours	3 months
	RUA40998 December 2001	Certificate IV in Agriculture (Pig Production)	36 months	900 hours	3 months
	RUA41198 December 2001	Certificate IV in Agriculture (Rural Business Management)	36 months	900 hours	3 months
	RUA41298 December 2001	Certificate IV in Agriculture (Rural Merchants)	36 months	900 hours	3 months
	RUA41498 December 2001	Certificate IV in Agriculture (Wool Classing)	36 months	730 hours	3 months
	RUA40198 December 2001	Certificate IV in Agriculture	36 months	900 hours	3 months
	RUA40298 December 2001	Certificate IV in Agriculture (Beef Cattle Production)	36 months	900 hours	3 months
	RUA40598 December 2001	Certificate IV in Agriculture (Goat Production)	36 months	900 hours	3 months
	RUA40698 December 2001	Certificate IV in Agriculture (Grain Production)	36 months	900 hours	3 months
	RUA41098 December 2001	Certificate IV in Agriculture (Poultry Production)	36 months	900 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
Farming (continued)		Agriculture Training Package Qualifications			
		Certificate IV in Agriculture (Sheep and Wool)	36 months	900 hours	3 months
		Diploma of Agriculture	48 months	1300 hours	3 months
		Diploma of Agriculture (Beef Cattle Production)	48 months	1300 hours	3 months
		Diploma of Agriculture (Dairy)	48 months	1300 hours	3 months
		Diploma of Agriculture (Goat Production)	48 months	1300 hours	3 months
		Diploma of Agriculture (Grain Production)	48 months	1300 hours	3 months
		Diploma of Agriculture (Rural Business Management)	48 months	1300 hours	3 months
		Diploma of Agriculture (Sheep and Wool)	48 months	1300 hours	3 months
		Diploma of Agriculture (Production Horticulture)	48 months	1300 hours	3 months
		Advanced Diploma of Agriculture	48 months	1300 hours	3 months

Occupation/Occupation Levels Declared Vocation * (trade # Other than trade)	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
Farming (continued)		Agriculture Training Package Qualifications			
	RUA60498 December 2001	Advanced Diploma of Agriculture (Dairy)	48 months	1300 hours	3 months
	RUA61698 December 2001	Advanced Diploma of Agriculture (Production Horticulture)	48 months	1300 hours	3 months
	RUA61198 December 2001	Advanced Diploma of Agriculture (Rural Business Management)	48 months	1300 hours	3 months
# Horticulture	--- KLS December 2000	<i>Certificate in Farm Practice (for those training in the Floriculture streams)</i>	48 months	830 hours	3 months
	7498 LMB December 2000	<i>Certificate III in Horticulture (Gardening)</i>	48 months	830 hours	3 months
	7500 LMC December 2000	<i>Certificate III in Horticulture (Turf)</i>	48 months	830 hours	3 months
		Horticulture Training Package Qualifications			
		New Apprenticeships for these qualifications are available from 1 May 1999. From 1 July 1999 contracts of training will be registered only for qualifications from the Training Package.. Trainees employed under existing related contracts of training may complete their current training.			
# Horticulture		Certificate I in Horticulture is not available as a New Apprenticeship but may be issued to trainees who meet the requirements for Certificate I and who exit prior to completing Certificate level II			

Occupation/Occupation Levels Declared Vocation + trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
# Horticulture (continued)		Horticulture Training Package Qualifications			
	RUH20198 21 May 2001	Certificate II in Horticulture (General Horticulture)	18 months	510 hours	6 weeks
	RUH20398 21 May 2001	Certificate II in Horticulture (Floriculture)	18 months	510 hours	6 weeks
	RUH20898 21 May 2001	Certificate II in Horticulture (Production)	18 months	510 hours	6 weeks
	RUH20598 21 May 2001	Certificate II in Horticulture (Nursery)	18 months	510 hours	6 weeks
	RUH20698 21 May 2001	Certificate II in Horticulture (Parks and Gardens)	18 months	510 hours	6 weeks
	RUH20498 21 May 2001	Certificate II in Horticulture (Landscape)	18 months	510 hours	6 weeks
	RUH20298 21 May 2001	Certificate II in Horticulture (Arboriculture)	18 months	510 hours	6 weeks
	RUH20798 21 May 2001	Certificate II in Horticulture (Turf Management)	18 months	510 hours	6 weeks
	RUH30198 21 May 2001	Certificate III in Horticulture (General Horticulture)	36 months	850 hours	3 months
	RUH30398 21 May 2001	Certificate III in Horticulture (Floriculture)	36 months	850 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of instruction	Probationary Period
# Horticulture (continued)		Horticulture Training Package Qualifications			
	RUH30898 21 May 2001	Certificate III in Horticulture (Production)	36 months	850 hours	3 months
	RUH30598 21 May 2001	Certificate III in Horticulture (Nursery)	36 months	850 hours	3 months
	RUH30698 21 May 2001	Certificate III in Horticulture (Parks and Gardens)	36 months	850 hours	3 months
	RUH30498 21 May 2001	Certificate III in Horticulture (Landscape)	36 months	850 hours	3 months
	RUH30298 21 May 2001	Certificate III in Horticulture (Arboriculture)	36 months	850 hours	3 months
	RUH30798 21 May 2001	Certificate III in Horticulture (Turf Management)	36 months	850 hours	3 months
	RUH40198 21 May 2001	Certificate IV in Horticulture (General Horticulture)	36 months	970 hours	3 months
	RUH40398 21 May 2001	Certificate IV in Horticulture (Floriculture)	36 months	970 hours	3 months
	RUH40898 21 May 2001	Certificate IV in Horticulture (Production)	36 months	970 hours	3 months
	RUH40598 21 May 2001	Certificate IV in Horticulture (Nursery)	36 months	970 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of instruction	Probationary Period
# Horticulture (continued)		Horticulture Training Package Qualifications			
	RUH40698 21 May 2001	Certificate IV in Horticulture (Parks and Gardens)	36 months	970 hours	3 months
	RUH40498 21 May 2001	Certificate IV in Horticulture (Landscape)	36 months	970 hours	3 months
	RUH40298 21 May 2001	Certificate IV in Horticulture (Arboriculture)	36 months	970 hours	3 months
	RUH40798 21 May 2001	Certificate IV in Horticulture (Turf Management)	36 months	970 hours	3 months
	RUH50198 21 May 2001	Diploma of Horticulture (General Horticulture)	48 months	1240 hours	3 months
	RUH50398 21 May 2001	Diploma of Horticulture (Floriculture)	48 months	1240 hours	3 months
	RUH50598 21 May 2001	Diploma of Horticulture (Nursery)	48 months	1240 hours	3 months
	RUH50698 21 May 2001	Diploma of Horticulture (Parks and Gardens)	48 months	1240 hours	3 months
	RUH50498 21 May 2001	Diploma of Horticulture (Landscape)	48 months	1240 hours	3 months
	RUH50298 21 May 2001	Diploma of Horticulture (Arboriculture)	48 months	1240 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
# Horticulture (continued)		Horticulture Training Package Qualifications			
	RUH50798 21 May 2001	Diploma of Horticulture (Turf Management)	48 months	1240 hours	3 months
	RUH60198 21 May 2001	Advanced Diploma of Horticulture (General Horticulture)	48 months	1515 hours	3 months
	RUH60398 21 May 2001	Advanced Diploma of Horticulture (Floriculture)	48 months	1515 hours	3 months
	RUH60598 21 May 2001	Advanced Diploma of Horticulture (Nursery)	48 months	1515 hours	3 months
	RUH60698 21 May 2001	Advanced Diploma of Horticulture (Parks and Gardens)	48 months	1515 hours	3 months
	RUH60798 21 May 2001	Advanced Diploma of Horticulture (Turf Management)	48 months	1515 hours	3 months
	RUH60498 21 May 2001	Advanced Diploma of Horticulture (Landscape)	48 months	1515 hours	3 months
	RUH60298 21 May 2001	Advanced Diploma of Horticulture (Arboriculture)	48 months	1515 hours	3 months
# Civil Construction and Maintenance Worker	1998 SAT20 December 1999	<i>Certificate II in Municipal Works</i>	12 months	390 hours	1 month

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
# Civil Construction and Maintenance Worker (Plant)	1442 QLCN0011 December 1999	Certificate III in Construction (Civil Operations) Exit point Completion of Stage 1 of the Certificate (Level 1) Exit point Completion of Stages 1 and 2 of the Certificate (Level 2) Exit point Completion of all stages of the Certificate (Level 3) Civil Construction Training Package Qualifications	12 months 24 months 36 months	240 hours 480 hours 960 hours	1 month 2 months 3 months
Civil Construction and Maintenance Worker (Plant)	BCC20198 October 2001	This qualification is available from 1 May 1999. From 1 July 1999 contracts of training will be registered only for the qualification from the Training Package. Trainees employed under existing related contracts of training may complete their current training. Certificate II in Civil Construction	24 months	608 hours	2 months
	BCC30198 October 2001	This qualification is available from 1 May 1999. From 1 July 1999 contracts of training will be registered only for the qualification from the Training Package. Trainees employed under existing related contracts of training may complete their current training. Certificate III in Civil Construction (Plant)	36 months	1008 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
# Clerical Processing (Office Administration)	BSA 10197 BSA10197 December 2001	Exit point Administrative Training Package Qualification Certificate I in Business (Office Skills) - Training Package qualification	12 months	265 hours	1 month
Declared (ARC) March 1997	0189 QLCN160 December 1999	Initial exit point Certificate II in Office Administration (National Traineeship) (Level 2) No new students are to be enrolled in the above course after 31 December 1998. This course is replaced by the Training Package qualification BSA20197 Certificate II in Business (Office Administration)	12 months	360 hours	1 month
ARC June 1998 Change in hours ARC November 1998	BSA20197 BSA20197 December 2001	Administration Training Package qualification Certificate II in Business (Office Administration) (Level 2)	12 months	575 hours	1 month
	3817 QLCNCAB001 March 2001	Second exit point Certificate III in Office Administration (National Traineeship) (Level 3) No new students are to be enrolled in the above course after 31 December 1998. This course is replaced by the Training Package qualification BSA30197 Certificate III in Business (Office Administration)	12 months		1 month

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
# Clerical Processing (Office Administration) (continued)					
ARC June 1997	3947 NS95/525LFX November 2000	Arts Administration Traineeship Stream: Certificate II in Arts Administration (Level 2)	12 months	328 hours	1 month
ARC June 1998	12319SA CFF December 2001	Certificate III in Business (Real Estate Corporate Support) (Level 3) Administrative Training Package Qualification	12 months	580 hours	1 month
ARC June 1998 Change in hours ARC November 1998	BSA30197 BSA30197 September 2000	Certificate III in Business (Office Administration) (Administration Training Package) (Level 3) People entering at Level 3 may be required to undertake some training in order to gain Level 2 competencies where skill gaps are identified	12 months	235 - 315 hours	1 month
	BSA40197 December 2001	Administrative Training Package Qualification Certificate IV in Business (Administration)	12 months	345 - 360 hours	1 month
* Locksmithing	V13212ERA	Certificate in Engineering (Mechanical) Metals and Engineering Training Package qualification (below)	48 months	864 hours	3 months
Change of hours	MEM30298 October 2001	Certificate III in Engineering Mechanical Trade (Locksmithing)	48 months	912 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
Engineering					
# Engineering Production Employee Level III Change of hours	0185 V13100ERA December 2000 13981SA SAX654 December 1999	Certificate in Engineering Production Level I Certificate I in Engineering Production	12 months 12 months	320 hours 304 hours	1 month 1 month
# Engineering Production Employee Level IV Change of hours	0186 V13221ERA December 2000 13984SA SAX 655 December 1999	Certificate in Engineering Production Certificate Level II Certificate II in Engineering Production	36 months 36 months	640 hours 608 hours	3 months 3 months
# Production System Employee Change of hours	187 V13222ERA December 2000 13986SA SAX 656 December 1999	Certificate in Engineering Production Level III Certificate III in Engineering Production	48 months 48 months	960 hours 912 hours	3 months 3 months
* Engineering Tradesperson (Electrical/Electronics) Declared (ICTC) December 1990	0473 FKP/FKR December 2000	Certificate in Engineering (Electrical/Electronics)	48 months	864 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
Change of hours	13973SA SAX648 December 1999	Certificate III in Engineering (Electrical)	48 months	912 hours	3 months
Change of hours	13977SA SAX651 December 1999	Certificate III in Engineering (Electronics)	48 months	912 hours	3 months
* Engineering Tradesperson (Fabrication)	0473 FKW December 2000	Certificate in Engineering (Light Fabrication)	48 months	864 hours	3 months
Declared (ICTC) December 1990	13978SA SAX652 December 1999	Certificate III in Engineering (Fabrication)	48 months	912 hours	3 months
Change of hours	TBA	Certificate in Engineering (Fabrication) - (Shipwrighting/Boat Building)	48 months	900 hours	3 months
ARC Sept 1997	0473 FKM December 2000	Certificate in Engineering (Mechanical)	48 months	864 hours	3 months
* Engineering Tradesperson (Mechanical)	13979SA SAX653 December 1999	Certificate III in Engineering (Mechanical)	48 months	912 hours	3 months
Declared (ICTC) December 1990					
Change of hours					

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of instruction	Probationary Period
* Higher Engineering Tradesperson Declared ARC September 1997 Change of hours	6745 QLMAN001 July 2001 14074SA SAX661 December 1999	Certificate IV in Engineering (Higher Engineering Tradesperson) Certificate IV in Engineering (Higher Engineering Tradesperson)	48 months 48 months	1080 hours 1140 hours	3 months 3 months
Engineering - Electrical / Electronics Trades					
* Electrical Tradesperson (Armature Winding) Change of hours	0473 FKP December 2000 13973SA SAX648 December 1999	Certificate in Engineering (Electrical) Certificate III in Engineering (Electrical)	48 months 48 months	864 hours 912 hours	3 months 3 months
* Electrical Tradesperson (Electrician) Change of hours	0473 FKP December 2000 13973SA SAX648 December 1999	Certificate in Engineering (Electrical) Certificate III in Engineering (Electrical)	48 months 48 months	864 hours 912 hours	3 months 3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of Instruction	Probationary Period
* <i>Electrical Tradesperson (Refrigeration and/or Air Conditioning)</i>	0473 FKS December 2000	<i>Certificate in Engineering (Refrigeration/Air Conditioning)</i>	48 months	864 hours	3 months
Change of hours	1397SSA SAX649 December 1999	Certificate III in Engineering (Refrigeration and Air Conditioning)	48 months	912 hours	3 months
* <i>Instrumentation Tradesperson (Electrical/Electronics)</i>	0473 FKT December 2000	<i>Certificate in Engineering (Instrumentation)</i>	48 months	864 hours	3 months
Change of hours	13976SA SAX650 December 1999	Certificate III in Engineering (Instrumentation)	48 hours	912 hours	3 months
* <i>Office Machine Tradesperson (Electrical/Electronics)</i>	0473 FKR December 2000	<i>Certificate in Engineering (Electronics)</i>	48 months	864 hours	3 months
Change of hours	13977SA SAX651 December 1999	Certificate III in Engineering (Electronics)	48 hours	912 hours	3 months

Occupation/Occupation Levels Declared Vocation * trade # Other than trade	Course code numbers (National) (State) and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at an approved course of instruction	Probationary Period
* Scalemaking Tradesperson	0473 FKR December 2000	Certificate in Engineering (Electrical/Electronics)	48 months	864 hours	3 months
Change of hours	13977SA SAX651 December 1999	Certificate III in Engineering (Electronics)	48 hours	912 hours	3 months
* Television/Radio/Electronics Tradesperson	0473 FKR December 2000	Certificate in Engineering (Electronics)	48 months	864 hours	3 months
Change of hours	13977SA SAX651 December 1999	Certificate III in Engineering (Electronics)	48 hours	912 hours	3 months

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 22 April 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
Singleton Road, Kingston Park. p17

CITY OF MARION
Charles Street, Ascot Park. p19
Calstock Avenue, Edwardstown. p20

CITY OF MITCHAM
Gladys Paech Court, Torrens Park. p23

CITY OF PORT ADELAIDE ENFIELD
Freebairn Street, Windsor Gardens. p1
Ross Street, Clearview. p21
Meadows Avenue, Blair Athol. p24

CITY OF WEST TORRENS
Anstey Crescent, Kurralt Park. p18

BURRA WATER DISTRICT

REGIONAL COUNCIL OF GOYDER
Commercial Street, Burra. p14
Easement in lot 103, Commercial Street, Burra. p14
Justice Lane, Burra. p14
Hill Street, Burra. p14

CALLINGTON WATER DISTRICT

DISTRICT OF MOUNT BARKER
West Terrace, Callington. p6

PORT PIRIE WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL
Ramsay Street, Port Pirie South. p11
Batty Street, Port Pirie South. p11

PORT VICTOR WATER DISTRICT

DISTRICT OF VICTOR HARBOR
Gum Avenue, Victor Harbor. p15 and 16
Across and in The Parkway, Victor Harbor. p16

TOD RIVER COUNTRY LANDS WATER DISTRICT

DISTRICT OF CLEVE
Wake Road, Cleve. p2-5
Easement in lot 2, Wake Road, Cleve. p5

WHYALLA WATER DISTRICT

CITY OF WHYALLA
Cottage Place, Whyalla. p12
Mirambeena Drive, Whyalla. p12 and 13
Essington Lewis Avenue, Whyalla. p13

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 HOLDFAST BAY
Singleton Road, Kingston Park. p17

CITY OF MARION
Charles Street, Ascot Park. p19
Calstock Avenue, Edwardstown. p20

CITY OF WEST TORRENS
Anstey Crescent, Kurralt Park. p18

BURRA WATER DISTRICT

REGIONAL COUNCIL OF GOYDER
Commercial Street, Burra. p14
Easement in lot 103, Commercial Street, Burra. p14
Justice Lane, Burra. p14
Hill Street, Burra. p14

PORT PIRIE WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL
Ramsay Street, Port Pirie South. p11
Batty Street, Port Pirie South. p11

PORT VICTOR WATER DISTRICT

DISTRICT OF VICTOR HARBOR
Sowden Avenue, Victor Harbor. p15
The Parkway, Victor Harbor. p16

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
Ashley Street, North Adelaide. FB 1081 p6

CITY OF CHARLES STURT
Heading Street, West Croydon. FB 1081 p7

CITY OF PORT ADELAIDE ENFIELD
Ross Street, Clearview. FB 1081 p1
Easement in lot 34, North East Road, Hillcrest. FB 1081 p2
Cavendish Avenue, Devon Park. FB 1081 p4
Easement in lot 105, Grand Junction Road, Blair Athol. FB 1081 p3
Meadows Avenue, Blair Athol. FB 1081 p5

PORT LINCOLN COUNTRY DRAINAGE AREA

CITY OF PORT LINCOLN
Easements in reserve (section 788, hundred of Lincoln), North Quay Boulevard and reserve (section 793), Monterey Drive, Port Lincoln. FB 1030 p54 and 55
Monterey Drive, Port Lincoln. FB 1030 p54 and 55

WHYALLA COUNTRY DRAINAGE AREA**CITY OF WHYALLA**

Lacey Street, Whyalla. FB 1073 p26 and 27
Cottage Place, Whyalla. FB 1073 p26 and 27
Essington Lewis Avenue, Whyalla. FB 1073 p26 and 27
Mirambeena Drive, Whyalla. FB 1073 p26-28
Easement in lots 10-13, Mirambeena Drive, Whyalla. FB 1073 p26 and 28
Easement in lots 23 and 22, Mirambeena Drive, Whyalla. FB 1073 p26 and 28
Easement in lot 19, Mirambeena Drive, Whyalla. FB 1073 p26 and 28

SEWERS LAID

Notice is hereby given that the undermentioned sewer has been laid down by the South Australian Water Corporation and is not available for house connections.

ADELAIDE DRAINAGE AREA**CITY OF PLAYFORD**

Commodore Parade, Andrews Farm. FB 1076 p59

H. LACY, Acting Chief Executive, South
Australian Water Corporation

WATER RESOURCES ACT 1997

Notice of Intent to Prescribe the Morambro Creek and Nyroca Channel Watercourses, and the Morambro Creek Catchment as a Surface Water Prescribed Area, pursuant to Section 8 (4) of the Water Resources Act 1997

TAKE note that, I, DOROTHY KOTZ, Minister for Environment and Heritage in the State of South Australia, hereby give notice that I propose to recommend that the Morambro Creek and Nyroca Channel watercourses as indicated in the GRO Plan No. 143/99 be prescribed watercourses, pursuant to section 8 (1) of the Water Resources Act 1997, (the Act), and the surface water within the area bounded by the bold line, described as the proposed prescribed surface water area, in GRO Plan No. 143/99 be a surface water prescribed area, pursuant to section 8 (2) of the Act.

The proposal will enable the surface water and watercourses indicated above to be managed and used in accordance with the object of the Act in a manner which sustains the physical, economic and social well being of the people of the State and facilitates the economic development of the State while:

- ensuring that those resources are able to meet the reasonably foreseeable needs of future generations; and
- protecting the ecosystems (including their biodiversity) that depend on those resources.

I invite all interested persons to make written submissions to me in relation to this proposal. The closing date for submissions will be 30 July 1999.

Dated 20 April 1999.

DOROTHY KOTZ, Minister for Environment and Heritage

REGULATIONS UNDER THE ROAD TRAFFIC ACT 1961-----
No. 30 of 1999
-----*At the Executive Council Office at Adelaide 22 April 1999*

PURSUANT to the *Road Traffic Act 1961* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW Minister for Transport and Urban Planning
-----**SUMMARY OF PROVISIONS**

1. Citation
 2. Commencement
 3. Variation of reg. 3.10—Duty to report accidents
-

Citation

1. The *Road Traffic Regulations 1996* (see *Gazette* 29 August 1996 p. 888), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 1 May 1999.

Variation of reg. 3.10—Duty to report accidents

3. Regulation 3.10 of the principal regulations is varied by striking out "\$600" and substituting "\$1 000".

TSA 1058/99 CS

E. D. WILSON Clerk of the Council

REGULATIONS UNDER THE MOTOR VEHICLES ACT 1959

No. 31 of 1999

At the Executive Council Office at Adelaide 22 April 1999

PURSUANT to the *Motor Vehicles Act 1959* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW Minister for Transport and Urban Planning

SUMMARY OF PROVISIONS

1. Citation
 2. Commencement
 3. Variation of reg. 4—Interpretation
 4. Variation of reg. 14—Purposes for which trade plates may be issued and used
 5. Variation of Sched. 1—Conditional registration
 6. Variation of Sched. 5—Fees
-

Citation

1. The *Motor Vehicles Regulations 1996* (see *Gazette* 30 May 1996 p. 2751), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations come into operation on the day on which they are made.

Variation of reg. 4—Interpretation

3. Regulation 4 of the principal regulations is varied by inserting after the definition of "road train" in subregulation (1) the following definition:

"special purpose vehicle" means a motor vehicle that does not carry passengers or goods and whose primary purpose is not the carriage of passengers or goods;

Variation of reg. 14—Purposes for which trade plates may be issued and used

4. Regulation 14 of the principal regulations is varied by striking out subparagraphs (i) to (iv) (inclusive) of paragraph (m) and substituting the following subparagraphs:

- (i) the repairer does not receive any separate monetary consideration in respect of the provision of the loan vehicle; and
- (ii) if the loan vehicle is a commercial motor vehicle—the loan vehicle is not used to carry a load during the loan period except within the State; and
- (iii) if the loan vehicle is not a special purpose vehicle—
 - (A) the repairer is licensed as a dealer under the *Second-hand Vehicle Dealers Act 1995*; and

- (B) the loan vehicle is a second-hand vehicle that is being offered or exposed for sale by the repairer; and
- (C) a notice that complies with section 16 of the *Second-hand Vehicle Dealers Act 1995* is attached to the loan vehicle;.

Variation of Sched. 1—Conditional registration

5. Schedule 1 of the principal regulations is varied by striking out the definition of "**special purpose vehicle**" in clause 1.

Variation of Sched. 5—Fees

6. Schedule 5 of the principal regulations is varied by striking out item 32.

TSA 9223/97 CS

E. D. WILSON Clerk of the Council

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In exercise of its powers under section 303 (1) (a) of the Local Government Act 1934, as amended, the council of the Corporation of the City of Adelaide declares Leigh Street as depicted in Filed Plan No. FP24484, to be a public street.

JUDE MUNRO, Chief Executive Officer

CITY OF CHARLES STURT

Supplementary Election—Albert Park-Cheltenham Ward

NOTICE is hereby given that as a result of the supplementary election held by advanced postal voting prior to Monday, 12 April 1999, Tolley Ivan Wasylenko was elected to fill the casual vacancy in the office of councillor for the Albert Park-Cheltenham Ward for the remainder of the term up to the next periodical election.

P. PERRY, Returning Officer

CITY OF CHARLES STURT

Declaration of Public Road

NOTICE is hereby given that council at its meeting held on 12 April 1999 resolved that pursuant to section 301 (1) III of the Local Government Act 1934 as amended:

1. Allotment 9 in DP 51204 being portion of the land comprised in certificate of title volume 5463, folio 815 being transferred to the City of Charles Sturt from the Minister for Environment, Heritage and Aboriginal Affairs, be accepted by council as public road and is hereby declared to be public road and named Monmouth Street.

2. Allotment 20 in DP 51782 being portion of the land comprised in certificate of title register volume 1719, folio 90 being transferred to the City of Charles Sturt from Maurice Turner be accepted by the council as public road and is hereby declared to be public road and named Chief Street.

3. Allotment 22 in DP 51783 being portion of the land comprised in certificate of title register book volume 5284, folio 175 being transferred to the City of Charles Sturt from Michael Anthony Carroll be accepted by the council as public road and is hereby declared to be public road and named Chief Street.

4. Allotments 53 and 54 in DP 51893 being portion of the land comprised in certificate of title register book volume 5176 folio 259 being transferred to the City of Charles Sturt from Maximillian Kurt Hruska and Louise Antoinette Hruska be accepted by the council as public road and is hereby declared to be public road and named Noble Street.

S. LAW, Chief Executive Officer

CITY OF CHARLES STURT

Temporary Road Closure

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, council has resolved that the following road be closed to traffic from 5 a.m. to 8 a.m. on Sunday, 25 April 1999, for a Dawn Service, to commemorate Anzac Day:

Seaview Road, Henley Beach between Marlborough Street and Main Street.

S. LAW, Chief Executive Officer

CITY OF MOUNT GAMBIER

Supplementary Election—Result

NOTICE is hereby given that Patrick James Lane was elected to fill the vacancy at the Supplementary Election held on Saturday, 17 April 1999 for the election of one councillor for North West Ward.

G. MULLER, Returning Officer

CITY OF TEA TREE GULLY

Supplementary Election—Nominations

NOTICE is hereby given that at the close of nominations on Friday, 16 April 1999 the following nominations had been received for the Supplementary Election for Steventon Ward:

Purdom, Lesley D.
Siemers, Sioux
Barbaro, Paul A.
Loader, Matthew T.
Posta, Christine M.

There being more nominations received than required (one vacancy) all further proceedings have been adjourned for an election to be held by postal ballot, closing at 6 p.m. on Friday, 14 May 1999.

The Public Gallery and the Civic Dining Room, 571 Montague Road, Modbury is the designated location for the counting of votes.

J. C. ROSS, Returning Officer

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 22 February 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 Wilgena Avenue, Myrtle Bank (between Fisher Street and Lindsay Avenue) on Saturday, 24 April 1999 between the hours of 1.30 p.m. and 6 p.m.

R. J. GREEN, City Manager

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

ROADS (OPENING AND CLOSING) ACT 1991

Road Realignment South of North Shields

NOTICE is hereby given that, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the District Council of Lower Eyre Peninsula intends to make a Road Process Order to:

1. Close portion of public road dividing allotment 764 in Filed Plan 179986 from allotment 763 in Filed Plan 179987 marked 'A' as delineated on Preliminary Plan No. PP 32/0430. The closed road is to be transferred to P. W. and E. A. Southam and merged with allotment 764 in filed plan 179986. (In exchange for '1' below).

2. Open as road portion of allotment 763 in Filed Plan 179986 shown numbered '1' on Preliminary Plan No. PP 32/0430 forming a straightening of the road thereat.

A copy of the Preliminary Plan and Statement of persons affected are available for public inspection at the Council Office, Railway Terrace, Cummins 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 41, Cummins, S.A. 5631, within 28 days of this notice and a copy must be forwarded to the Surveyor-General at G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

P. W. AIRD, District Clerk

DISTRICT COUNCIL OF MOUNT BARKER

By-Law made under the Local Government Act 1934

BY-LAW No. 5—KEEPING OF DOGS

FOR the control of dogs within the area, to limit the number of dogs kept on the premises.

A. The Council's existing By-Law No. 5—Keeping of Dogs made on 4 December 1995 is hereby repealed.

Definitions

1. In this by-law, unless the context otherwise requires, words and phrases shall have the same meaning respectively as they have in the Dog and Cat Management Act 1995, and:

- (1) "approved as a kennel establishment" means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993, for the purposes of receiving, maintaining, boarding or keeping of dogs;
- (2) "flat" means—
 - (a) a room or suite of rooms which is wholly occupied or designed, or intended or adapted to be occupied as a separate dwelling;
 - (b) a service flat;
 - (c) a suite of rooms in the nature of a service flat; or
 - (d) a room or rooms in the nature of a home unit; but does not include a detached, semi-detached or non-dwelling house;
- (3) "the Act" means the Dog and Cat Management Act 1995;
- (4) "the Council" means the District Council of Mount Barker;
- (5) "township" means a township as defined pursuant to Section 5 of the Local Government Act 1934; and
- (6) "working dog" means a dog used principally for the driving or tending of stock.

Number of dogs

2. (1) The limit on the number of dogs kept shall be:
 - (a) in a township:
 - (i) in a flat, one dog; and
 - (ii) in premises other than a flat, two dogs over the age of three months.
 - (b) outside of a township:
 - (i) three dogs (other than working dogs) over the age of three months; and
 - (ii) two working dogs over the age of three months.

(2) No person shall, without obtaining the written permission of the Council, keep any dog on any premises where the number of dogs on those premises exceeds the limit unless the premises are approved as a kennel establishment.

The foregoing by-law was duly made and passed at a meeting of the Council of the District Council of Mount Barker held on 12 April 1999 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

D. H. GOLLAN, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

By-Law made under the Local Government Act 1934

BY-LAW NO. 17—STRAYING STOCK

FOR preventing nuisances, danger and obstructions to public streets and roads by straying stock.

Definitions

1. In this by-law "cattle" has the same meaning as in the Impounding Act 1920.

Straying animals

2. If any cattle are found unattended on any public street or road, parkland or reserve:

- (1) the person responsible for looking after those animals is guilty of an offence;
- (2) an authorised officer of the Council or a Police Officer may, if he or she chooses not to impound the cattle under the Impounding Act 1920:
 - (a) mark such cattle in a temporary manner for the purposes of identification;
 - (b) if the person responsible for looking after the cattle is known, place the cattle on that person's property;

(c) if the person responsible for looking after the cattle is unknown or if the officer is uncertain as to the owner's identity, place the cattle on an adjoining or neighbouring property on a temporary basis, and advise the adjoining or neighbouring owner of this, until the person responsible for looking after the cattle can be identified or until there is a subsequent decision by the officer to impound the cattle under the Impounding Act 1920;

(3) the person responsible for looking after those animals will pay on demand the Council's costs in taking action under this by-law.

Inadequate fencing

3. (1) If any cattle stray or are likely to stray onto any public street or road by reason of no fencing or inadequate fencing around the land on which the cattle are kept, the Council may cause notice to be served on the owner or occupier of that land, requiring that person to erect or repair a fence around that land so that the cattle are prevented from straying onto any public street or road and causing a nuisance, obstruction or danger to traffic;

(2) Any person to whom such a notice is given shall comply with it;

(3) If the person to whom notice is given fails to comply with it, the Council may carry out the requirements thereof (and in so doing may do all such things as are necessary or expedient for that purpose) and may recover costs of so doing from that person.

The foregoing by-law was duly made and passed at a meeting of the Council of the District Council of Mount Barker held on 12 April 1999 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

D. H. GOLLAN, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

By-Law made under the Local Government Act 1934

BY-LAW NO. 16—WASTE MANAGEMENT

TO regulate and control the removal of household and recyclable waste from premises, for the prevention and suppression of nuisances, and for regulating the management of Council property.

Definitions

1. (1) "household waste" means any kind of domestic and kitchen waste generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead acid batteries and any dangerous or toxic waste; and

(2) "recyclable waste" means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the council, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council.

Provide Containers

2. Every occupier of domestic premises shall provide and keep thereon a waste container for the reception of household waste/recyclable waste.

Management of waste collection service

3. In this by-law an occupier of property shall:

Household/recyclable waste containers

(1) ensure that the waste container shall be either:

- (i) a watertight split mobile garbage container of approved manufacture style, constructed of rigid plastic, divided into two equal compartments with a plastic divider having a capacity of 240 litres, with a hinged lid that when closed keeps the container rain and fly proof, and which is designed in such a way as to allow it to be

mechanically lifted from the position in which it was placed for emptying by apparatus on trucks employed in the collection of rubbish; or

- (ii) of a kind approved by the council; and
- (iii) that the front compartment of the container (when facing the opening from the front) contains only household wastes; and
- (iv) the rear compartment of the container (when facing the opening from the front) contains only recyclable waste.

Keep container clean

- (2) cause each waste container to be kept in a clean and sanitary condition, maintained in good order and repair, and kept water tight.

Sealing of container

- (3) cause each waste container to be continuously and securely covered or sealed except when waste is being deposited in or removed from the container.

Damage

- (4) ensure that each waste container is maintained so that it is not damaged or worn to the extent that:
 - (a) it is not robust or water tight;
 - (b) it is unable to be moved on its wheels (if any) efficiently when empty or full;
 - (c) the lid does not seal on the container when closed;
 - (d) any vertical partition becomes damaged to the extent that it does not properly keep separate the kinds of waste in the compartments, or becomes loose; or
 - (e) its efficiency or use is otherwise impaired.

Collection services

- (5) (a) to facilitate the collection and removal of waste on the day of or on the night before and not before hand, and prior to the time specified by the council for the collection of a particular kind of waste from those premises, place the waste container containing that kind of waste out for collection in a position:
 - (i) on the street in front of and on the same side as those premises, abutting the edge of (but not on) the carriageway and so positioned that the side of the container on which hinges of the lid are situated faces those premises; or
 - (ii) as approved by the Council; and
- (b) remove the waste container from that position on the same day after the collection of waste has taken place.

Interference with garbage

4. No person shall remove, disburse or interfere with any waste (including bottled, newspapers, cans, containers or packaging) that has been placed:

- (1) for disposal in or near a waste container; or
- (2) on a public street or road for collection by the Council, its agents or contractors,

except with the permission of the Council or the authority of the owner.

The foregoing by-law was duly made and passed at a meeting of the Council of the District Council of Mount Barker held on 12 April 1999 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

D. H. GOLLAN, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

By-Law made under the Local Government Act 1934

BY-LAW NO. 7—COUNCIL LAND

FOR the management of streets, roads, public places, parklands, reserves, and other land vested in or under, or deemed to be under the care, control and management of the Council.

A. The Council's existing By-Law No. 7—Streets made on 4 December 1995 is hereby repealed.

B. The Council's existing By-Law No. 8—Parklands made on 4 December 1995 is hereby repealed.

Definitions

1. In this by-law:

- (1) "authorised person" shall mean either a person defined as such in the Local Government Act 1934, or a member of the South Australian Police Force;
- (2) "childrens' playground" means any enclosed area on parklands in which there are erected swings, slippery dips, climbing apparatus and other devices for the amusement of children (or within 30 m of such devices if there is no enclosed area);
- (3) "Council land" means all parklands, reserves, ornamental grounds, streets, roads, bridges, public places and other land, vested in or under, and deemed to be, under the control and management of the Council;
- (4) "liquor" has the same meaning as defined in the Liquor Licensing Act 1997;
- (5) "open container" means a container which:
 - (a) after the contents thereof have been sealed at the time of manufacture and:
 - (i) being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
 - (ii) being a can, it has been opened or punctured;
 - (iii) being a cask, has had its tap placed in a position to allow it to be used;
 - (iv) being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
 - (b) is a flask, glass or mug or other container used for drinking purposes;
- (6) "parklands" means and includes parklands, plantations, public squares, ornamental grounds and reserves, or any part thereof.

Activities requiring permission

2. No person shall, without permission, on any Council land:

Selling

- (1) sell anything or display anything for sale;

Distribution

- (2) distribute any handbill, book, notice or other printed matter to any bystander, passerby or other person;

Pedicabs

- (3) hire out any vehicle or drive or use any vehicle, which is propelled by human power, for the purpose of plying for hire;

Horses

- (4) ride, lead or drive a horse, except on any street, road or car park or where the Council has set aside a track or other area for use by or in connection with the horse;

Vehicles on Parklands

- (5) comprising parklands drive or propel a motor vehicle unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;

Erection of Structures

- (6) erect or allow to remain erected thereon any tent, pavilion, shed, hut or other structure;

Busking

- (7) sing, busk or play a musical instrument for the purpose of or so as to appear to be for the purpose of entertaining others or receiving money;

No Liquor

- (8) (a) consume, carry or be in possession or charge of any liquor on any Council land to which this subparagraph applies (except streets and roads which are not part of parklands);
- (b) except in sealed containers, consume, carry, be in possession or charge of any liquor in an open container on any Council land to which this subparagraph applies (except streets and roads which are not part of parklands);

Fires

- (9) light any fire except:
- (a) in a place provided by the Council for that purpose; or
- (b) in any commercial type barbeque and only during the times permitted and under the conditions prescribed by any law enforced in the area;

Climbing Trees

- (10) climb or swing upon any tree, bush or plant;

Playing Games

- (11) (a) play or practice any athletic or ball sports in any parklands:
- (i) which are likely to cause damage to lawns, gardens, trees or other property;
- (ii) which endanger the safety or interfere with the comfort of any other persons therein;
- (b) to which this subparagraph applies, play or practice the game of golf;

Lawns and Gardens

- (12) on any council land to which this subparagraph applies (except streets and roads which are not part of parklands) walk, run or stand on:
- (a) the edges or bordering of any lawn, flower bed or garden area;
- (b) any flower bed or garden area;
- (c) any lawn or newly planted lawn area where signs displayed by the Council indicate that persons are to keep off.

Prohibited Activities

3. No person shall on any Council land:

Interference

- (1) act in such a manner as to unreasonably interfere with the normal use of parklands, reserves, public squares and ornamental grounds by another person;

Equipment

- (2) in any children's playground use any device, equipment or apparatus installed therein:
- (a) where that person is over the age of sixteen years;
- (b) other than in the manner for which it was apparently designed or constructed;

Animals

- (3) allow any animal of which that person is in charge to enter or remain in any childrens' playground.
- (4) on any street or road while in charge of any cattle or horses cause, suffer or allow the same to eat or damage any tree, hedge, shrub, lawn, plant, flower or damage any other part of the street or road.

*Fences and Verandahs**4. Height of Fences*

- (1) no person shall without permission erect on any land within 6 m of the intersection or junction of any streets or roads, any fence or hoarding of greater height than 1 m from the footpath or roadway abutting the same;

Notice Regarding Fence Near Intersection

- (2) the Council may serve notice on the occupier of any land within 6 m of the intersection or junction of any streets or roads requiring him to reduce or keep reduced and fence, hedge or hoarding on that land to a height of not more than 1 m from the footpath or roadway abutting the same;

Dangerous Fences

- (3) no person shall erect any fence abutting any street or road or public place which is made of barbed wire which otherwise presents a danger to users of the street or road;

Watertight Verandahs

- (4) the owner or occupier of a building on which there is a verandah or balcony which encroaches onto or over a street or road should keep that balcony or verandah clean and watertight;

Notices

- (5) where the Council considers that a requirement contained in this paragraph has not been complied with, the Council may serve a notice on the owner and/or occupier of the relevant land which must state:
- (a) the nature of the breach;
- (b) the name of the person to whom it is directed;
- (c) what action the person is required to take; and
- (d) the time within which the action must be taken;

Compliance with Notices

- (6) a person who receives a notice under subparagraph (5) must comply with the notice;

Council may do Work

- (7) if a person who receives a notice fails to comply with it, then the Council may:
- (a) carry out the requirements of the notice; and
- (b) recover the cost of doing so as a debt due from that person.

Obstructions

5. In this paragraph "object" includes any sign, placard, advertisement, box, shopping trolley, article or thing:

Removal

- (1) if an object is obstructing a footpath or roadway other than with permission of the Council, then any authorised officer may remove such object;

Ownership Enquiries

- (2) upon such removal, the Council make enquiries to ascertain the owner of the object;

Notice to Owner

- (3) if the Council can ascertain the owner, notice in writing shall be given to him or her:
- (a) advising that the object was removed from the footpath or roadway because it was causing an obstruction; and
- (b) inviting that person to collect the object from the Council;

Costs

- (4) the Council may recover, as a debt due from the owner of any object removed under this paragraph, the Council's costs of and incidental to the removal and storage of the object;

Collection

- (5) the owner may collect the object, but must first pay the Council's costs as referred to in subparagraph (4) above;

Disposal

- (6) if the object is not collected within:
- (a) three months from the date of removal; or
 - (b) one month from the date of service of the notice in subparagraph (3),
- whichever is the sooner, then the Council may dispose of the object in any manner it thinks fit;

Liability

- (7) the Council is not liable for any loss caused by the exercise of its powers under this paragraph.

Removal of Persons

6. Any authorised person may remove any person from Council land who is found committing a breach of a by-law.

Application of Paragraphs

7. Any of paragraphs 2(8), 2(11)(b) and 2(12) of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct (in accordance with Section 670 of the Local Government Act 1934).

The foregoing by-law was duly made and passed at a meeting of the Council of the District Council of Mount Barker held on 12 April 1999, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

D. H. GOLLAN, Chief Executive Officer

DISTRICT COUNCIL OF RENMARK PARINGA

Roads (Opening and Closing) Act 1991

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Renmark Paringa proposes to make a road process order to:

1. Close that portion of the public road dividing section 190 from section 217, Out of Hundreds, Eighth Street, Renmark, and more particularly delineated as 'Q' and 'R' on Preliminary Plan No. PP6793/94. The closed road portion 'Q' shall merge with the whole of land comprised and described in certificate of title register book volume 5450, folio 32, held by John Tsolomitis and others in exchange for '3' below and portion 'R' shall merge with the whole of land comprised and described in certificate of title register book volume 5582, folio 909, held in the name of Luciano Angeletti and others.

2. Open as public road that portion of section 217, Out of Hundreds, Eighth Street, Renmark, as more particularly delineated and numbered '3' in Preliminary Plan No. PP6793/94.

A copy of the plan and statement of persons affected are available for public inspection at the Council Offices, Ral Ral Avenue, Renmark, and the Adelaide office of the Surveyor-General during normal business hours.

Any person is entitled to object to the proposed road process or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

The objection or application for an easement must be made in writing to the said District Council of Renmark Paringa, within 28 days of this notice and a copy shall be forwarded to the Surveyor-General at Adelaide. Where a submission is made, the council will give notification of a meeting at which the matter will be considered, so that the person making the submission, or a representative may attend, if so desired.

I. L. BURFITT, District Manager

SOUTHERN MALLEE DISTRICT COUNCIL

Temporary Road Closure

NOTICE is hereby given that, pursuant to section 359 of the Local Government Act 1934, as amended, council has approved of the temporary closure of the roads adjacent to sections 114, 118, 129, 130, 191, Hundred of Cotton and including the railway reserve crossing adjacent to sections 130 and 142, Hundred of Cotton for the purpose of an off-road race conducted by the Onkaparinga Ramblers Car Club on 15 May 1999 and 16 May 1999.

P. WOOD, Chief Executive Officer

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

Arnold, Alice Margaret, late of 6 Broxmores Street, Elizabeth North, widow, who died on 8 March 1999.

Baldwin, Leslie Charles, late of 18 Meath Avenue, Salisbury Downs, retired electrical fitter, who died on 25 February 1999.

Buddle, Rose Evelyn, late of 100 Murray Road, Port Noarlunga, widow, who died on 25 February 1999.

Cosh, Jean, late of 14 Frew Street, Fullarton, retired book-keeper, who died on 4 March 1999.

Dicker, Gwendoline, late of 53-59 Austral Terrace, Morphettville, retired stenographer, who died on 28 February 1999.

Dunling, Joyce Margaret, late of 19 Windsor Avenue, Pennington, of no occupation, who died on 2 November 1998.

Firth, Douglas Walter, late of Fosters Road, Oakden, of no occupation, who died on 7 March 1999.

Fischer, Edith Kate, late of 52 Dunrobin Road, Hove, widow, who died on 21 February 1999.

Holdig, Thelma Joan, late of 6 Booth Avenue, Linden Park, of no occupation, who died on 23 January 1999.

Hossack, Flora De Elva, late of 3 Grant Avenue, Gilles Plains, of no occupation, who died on 14 March 1999.

Jorgensen, Mira Thirza, late of 15 Rosemary Street, Woodville West, of no occupation, who died on 26 February 1999.

Muster, Alma Linda, late of 14 Frew Street, Fullarton, of no occupation, who died on 9 January 1999.

Richter, Ronald Colin, late of 217 Prospect Road, Prospect, retired plasterer, who died on 4 March 1999.

Schultz, Kevin Oscar, late of 11 Third Avenue, Port Lincoln, retired stores clerk, who died on 11 February 1999.

Sheehan, Thyra Lorraine, late of 478 Greenhill Road, Hazelwood Park, home duties, who died on 7 March 1999.

Sheppard, Katherine Mary, late of Grand Junction Road, Oakden, of no occupation, who died on 23 December 1998.

Simpson, Edith Peggy, late of 86 Oaklands Road, Glengowrie, retired nurse, who died on 3 January 1999.

Wallace, Rita Olive, late of 160 Walkerville Terrace, Walkerville, of no occupation, who died on 11 March 1999.

Winton, Rose Kathleen, late of corner Bay Road and Tabernacle Road, Encounter Bay, widow, who died on 11 March 1999.

Ziepes, Leslie Roy, late of 4 Cottell Street, Port Pirie South, retired boilermaker's assistant who died on 8 March 1999.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 21 May 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 22 April 1999.

J. H. WORRALL, Public Trustee

AUSTMARINE PTY LTD

(ACN 010 602 909)

MENZEL PLASTIC TRADERS PTY LTD (Receivers and Managers appointed) (in liquidation) has brought a summons in Action No. 433 of 1999 in the Supreme Court of South Australia seeking the winding up of Austmarine Pty Ltd. The summons is listed for hearing on Tuesday, 18 May 1999 at not before 2.30 p.m. Any creditor or contributory of Austmarine 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 Marshalls, Level 2, 81 Flinders Street, Adelaide, S.A. 5000.

listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained on payment of the proper costs from Barratt Lindquist, 162 Halifax Street, Adelaide, S.A. 5000.

FARMWORLD EXPORT LIMITED

(ACN 062 480 826)

ON Tuesday, 20 April 1999 the Supreme Court of South Australia in Action No. 297 of 1999 appointed Mark Christopher Hall, 26 Flinders Street, Adelaide, S.A. 5000 to be the liquidator of Farmworld Export Limited.

BONNINS, Level 14, Commonwealth Bank Building,
100 King William Street, Adelaide, S.A. 5000,
solicitors for the plaintiff.

CAPRICORN PACKAGING AND FILLING PTY LTD

(ACN 009 651 325)

EVINS STORES PTY LTD (ACN 008 012 833) has brought a summons in Action No. 401 of 1999 in the Supreme Court of South Australia seeking the winding up of Capricorn Packaging and Filling Pty Ltd. The summons is listed for hearing on Tuesday, 18 May 1999, at not before 2.15 p.m. Any creditor or contributory of Capricorn Packaging and Filling 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 Warmings, Barristers & Solicitors, 94-98 Sturt Street, Adelaide, S.A. 5000.

NORMAN SHEUN ARCHITECTS PTY LTD

(ACN 069 143 442)

FREEMAN WAUCHOPE PTY LTD has brought a summons in Action No. 429 of 1999 in the Supreme Court of South Australia seeking the winding up of Norman Sheun Architects Pty Ltd. The summons is listed for hearing on 18 May 1999 at not before 2.30 p.m. Any creditor or contributory of Norman Sheun Architects Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993 at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained on payment of the proper costs from Marshalls, Level 2, 81 Flinders Street, Adelaide, S.A. 5000.

EXTRAMAN PTY LTD

(ACN 007 950 352)

WORKERS REHABILITATION AND COMPENSATION CORPORATION has brought a summons in Action No. 121 of 1999 in the Supreme Court of South Australia seeking the winding up of Extraman Pty Ltd. The summons is listed for hearing on Tuesday, 18 May 1999 at not before 2.15 p.m. Any creditor or contributory of Extraman 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

C. & C. PROMOTIONS CO. PTY LTD

(ACN 007 945 931)

Voluntary Liquidation

NOTICE is hereby given that, pursuant to section 491 (2) of the Corporations (South Australia) Rules 1993, at a general meeting of members of the abovenamed company, duly convened and held at Suite 2, 4-8 Angas Street, Kent Town on 12 April 1999, the following special resolution was passed:

That the company be wound up voluntarily.

Dated 12 April 1999.

R. MUSOLINO, Liquidator

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.