



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 18 MAY 2000

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GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to Riverside 2000 so as to be received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: Riv2000@sau.gov.sa.gov.au. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5:
ADMINISTRATION OF CO-OPERATIVES ACT 1997
COMMITTED TO THE ATTORNEY-GENERAL

Department of the Premier and Cabinet
Adelaide, 18 May 2000

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 5 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I commit the administration of the *Co-operatives Act 1997* to the Attorney-General.

Given under my hand and the Public Seal of South Australia at Adelaide, 18 May 2000.

By command,

MARK BRINDAL, for Premier

AG 25/2000 CS

DISTRICT COURT (ADMINISTRATIVE AND DISCIPLINARY DIVISION) AMENDMENT ACT 2000 (Act No. 4 of 2000): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I—

- (a) fix 1 June 2000 as the day on which the *District Court (Administrative and Disciplinary Division) Amendment Act 2000* (except for clause 27 of Schedule 1) will come into operation; and
- (b) fix the day on which section 52 of the *Motor Vehicles (Miscellaneous) Amendment Act 1999* comes into operation as the day on which paragraph (a) of clause 27 of Schedule 1 of that Act comes into operation; and
- (c) fix the day on which section 75 of the *Motor Vehicles (Miscellaneous) Amendment Act 1999* comes into operation as the day on which paragraphs (b) to (e) (inclusive) of clause 27 of Schedule 1 of that Act come into operation.

Given under my hand and the Public Seal of South Australia at Adelaide, 18 May 2000.

By command,

MARK BRINDAL, for Premier

AG 9/93 CS

GOODS SECURITIES (MISCELLANEOUS) AMENDMENT ACT 2000 (Act No. 5 of 2000): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 1 June 2000 as the day on which the *Goods Securities (Miscellaneous) Amendment Act 2000* will come into operation.

Given under my hand and the Public Seal of South Australia at Adelaide 18 May 2000.

By command,

MARK BRINDAL, for Premier

TSA 1510/97 TC1 CS

Department of the Premier and Cabinet
Adelaide, 18 May 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, BSc, BEc, MBA, MLC, Treasurer and Minister for Industry and Trade to be also Acting Minister for Government Enterprises and Acting Minister for Information Economy for the period 29 May 2000 to 15 June 2000 inclusive, during the absence of the Honourable Michael Harry Armitage, MB, BS, MP.

By command,

MARK BRINDAL, for Premier

MGE 038/00CS

HIS Excellency the Governor in Executive Council has been pleased to appoint Brian Patrick Gilchrist as a Deputy President of the Industrial Relations Commission of South Australia for a period of six years, pursuant to the provisions of the Industrial and Employee Relations Act 1994.

By command,

MARK BRINDAL, for Premier

MWPR 011/00CS

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MCLAREN KENTISH, Surveyor-General and Delegate appointed by IAIN EVANS, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Community Purposes Reserve and declare that such land shall be under the care, control and management of The District Council of Le Hunte.

The First Schedule

Waterworks Reserve, section 52, Hundred of Wudinna, the proclamation of which, together with other land was published in the *Government Gazette* of 6 June 1940 at page 1210, The Second Schedule, being the whole of the land comprised in Crown Record Volume 5753 Folio 978.

The Second Schedule

Section 52, Hundred of Wudinna, County of Le Hunte, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 5753 Folio 978.

Dated 16 May 2000.

P. M. KENTISH, Surveyor-General

DENR 2364/1995

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MCLAREN KENTISH, Surveyor-General and Delegate appointed by IAIN EVANS, 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

Camping Reserve, section 279, Hundred of Hutchison, County of Flinders, the proclamation of which was published in the *Government Gazette* of 10 March 1977 at page 641, The Second Schedule, being the whole of the land comprised in Crown Record Volume 5737 Folio 436.

Dated 16 May 2000.

P. M. KENTISH, Surveyor-General

DENR 08/0067

DEVELOPMENT ACT 1993, SECTION 27(1): THE ALEXANDRINA COUNCIL—STRATHALBYN (DC), PORT ELLIOT AND GOOLWA (DC) AND WILLUNGA (DC) (OUTER METROPOLITAN) DEVELOPMENT PLANS—CONSOLIDATION PLAN AMENDMENT INCORPORATING THE ALEXANDRINA COUNCIL—STRATHALBYN (DC)—FLOOD PRONE AREAS PLAN AMENDMENT

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'Alexandrina Council—Strathalbyn (DC), Port Elliot and Goolwa (DC) and Willunga (DC) (Outer Metropolitan) Development Plans—Consolidation Plan Amendment, Incorporating the Alexandrina Council—Strathalbyn (DC)—Flood Prone Areas Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 18 May 2000 as the day on which it will come into operation.

Dated 18 May 2000.

E. J. NEAL, Governor

MTUP-PL CAB 6/00CS

DEVELOPMENT REGULATIONS 1993

*Schedule of Construction Indices**Preamble*

Schedule 6 of the *Development Regulations 1993* refers to a Schedule of Construction Indices. This Schedule will be used in the determination of fees payable by applicants seeking Provisional Building Rules Consent under the *Development Act 1993*.

NOTICE

PURSUANT to Schedule 6 of the *Development Regulations 1993*, I have determined the construction indices in the Schedule for the purposes of Schedule 6 of the *Development Regulations 1993*.

This notice will come into effect on 1 July 2000.

SCHEDULE

Building Classes	July 2000 Construction Indices
Classes 1, 2 and 4	722
Classes 3, 5 and 6	962
Classes 7 and 8	637
Class 9a	1091
Class 9b	992
Class 10	215

DIANA LAIDLAW, Minister for Transport and Urban Planning

PLN 91/1444
PLAN 2502/91 TC1

ELECTORAL ACT 1985

Registration of Political Parties

NOTICE is hereby given that the following application for registration as a registered political party under the provisions of Part 6 of the Electoral Act 1985, has been received.

Name of Party: No Pokies Party

Name of Applicant: Leonard Andrew Spencer

Any elector who believes that the party should not be registered:

- because the party does not have as a purpose, the promotion of the election to the State Parliament of its endorsed candidate(s); or
- because the application does not fulfil the technical requirements specified in the Act; or
- because the party's name is likely to be confused with that of another registered party,

can formally object in writing to the Electoral Commissioner by close of business on 19 June 2000. Objections must contain the postal address and signature of the objector.

Dated 18 May 2000.

S. H. TULLY, Electoral Commissioner

SEO 118/00

ELECTORAL ACT 1985

Registration of Political Parties

NOTICE is hereby given that the following application for registration as a registered political party under the provisions of Part 6 of the Electoral Act 1985, has been received.

Name of Party: No Emergency Services Levy Party

Name of Applicant: Leonard Andrew Spencer

Any elector who believes that the party should not be registered:

- because the party does not have as a purpose, the promotion of the election to the State Parliament of its endorsed candidate(s); or
- because the application does not fulfil the technical requirements specified in the Act; or
- because the party's name is likely to be confused with that of another registered party,

can formally object in writing to the Electoral Commissioner by close of business on 19 June 2000. Objections must contain the postal address and signature of the objector.

Dated 18 May 2000.

S. H. TULLY, Electoral Commissioner

SEO 117/00

EQUAL OPPORTUNITY TRIBUNAL

No. 20 of 2000

NOTICE OF EXEMPTION

*Before Deputy Presiding Officer Robertson
Members Krumins and Steuart*

I HEREBY certify that on 5 May 2000, the Equal Opportunity Tribunal of South Australia, on the application of Anglicare S.A. made the following orders for exemption:

1. Anglicare S.A. is granted exemption from compliance with sections 30 and 39 of the Equal Opportunity Act 1984, for the purpose of advertising for and appointing a male Family Support Worker as part of the Anglicare Family Support Team.

2. That the above exemption is to apply for a period of 3 years commencing this day.

Dated 8 May 2000.

M. MOORE, Registrar, Equal Opportunity Tribunal

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00097
(PREVIOUS LICENCE NO. F773)

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

P. S. and V. Farrow
P.O. Coobowie, S.A. 5583

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. *Interpretation*

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

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

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

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

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

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

21. *Notices*

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

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

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

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

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

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

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

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

22. SASQAP

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 2 May 2000.

I. NIGHTINGALE, General Manager of Aquaculture

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

Signed by the said P. S. FARROW

C. FARROW, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
750554E 6117529N	10
750691E 6117403N	
750542E 6117272N	
750200E 6117262N	
750161E 6117448N	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3/4~~ Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

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

Longlines

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

Item 3 ~~3/4~~ Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 10 at \$12.50 each.....	125.00
EMP fee per hectare 10 at \$22.96 each.....	229.60
Base Licence Fee per hectare 10 at \$57 each.....	570.00
SASQAP (Classified Area) per hectare 10 at \$60 each.	600.00
Total Annual Licence Fee.....	1524.60
Quarterly Instalments.....	381.15

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

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

- Name of licensee.
- Address of licensee.
- Species of fish farmed and held on the site.
- Location of aquaculture operation.
- Period covered by return.
- Number of life stage of each species of fish held.
- Number, weight and value of each species of fish held.
- Details of any disease detected in any fish kept.
- Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
- If any fish were brought into the state, the number of fish and the life stage of the fish.
- If fish were brought into the state, the purpose for which they were brought in.

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

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise P. S. and V Farrow, P.O. Coobowie, S.A. 5583 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00097.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
750554E 6117529N	10
750691E 6117403N	
750542E 6117272N	
750200E 6117262N	
750161E 6117448N	

SCHEDULE 2

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

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

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

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

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

Dated 2 May 2000.

I. NIGHTINGALE, General Manager Aquaculture as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00133
(PREVIOUS LICENCE NO. F810)

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

P. S. and V. Farrow
P.O. Coobowie, S.A. 5583

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

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

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

16. Interpretation

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

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

22. SASQAP

22.1 The licensee:

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 2 May 2000.

I. NIGHTINGALE, General Manager of Aquaculture

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

Signed by the said P. S. FARROW

C. FARROW, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
753000E 6118150N	10
753500E 6118150N	
753500E 6118350N	
753000E 6118350N	

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

The boundary of the site to be marked either with:

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

or

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3~~ Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

*Item 2 ~~3~~ Permitted Farming Methods**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~~ Stocking Rates**Oysters*

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

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

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

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

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

- Method of disposal of diseased or dead fish and the number disposed of.
- Signature, date and telephone number.
- Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise P. S. and V Farrow, P.O. Coobowie, S.A. 5583 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00133.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
753000E 6118150N	10
753500E 6118150N	
753500E 6118350N	
753000E 6118350N	

SCHEDULE 2

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

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

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

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

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

Dated 2 May 2000.

I. NIGHTINGALE, General Manager Aquaculture as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00005
(PREVIOUS LICENCE NO. F1704)

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

Alistair R. Smart (13200)
Philippa A. Mawby (19674)
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 May 2000 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.
- 5.5 must conduct an environmental monitoring program as set out in Schedule 5 of this licence.

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. *Interpretation*

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

- 16.1 any word importing the plural includes the singular and *vice versa*;
- 16.2 any wording importing a gender shall include all other genders;
- 16.3 a reference to a body corporate shall include a natural person and *vice versa*;
- 16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;

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

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

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

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

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

21. *Notices*

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

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

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

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

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

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

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

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

22. SASQAP

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said R. E. SMART
and J. M. MAWBY

In the presence of: C. J. SMART, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
586650E 6162105N	20
586935E 6161613N	
587242E 6161781N	
586958E 6162274N	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

- Blue Mussels (*Mytilus edulis*)
- Native Oysters (*Ostrea angasi*)
- Pacific Oysters (*Crassostrea gigas*)
- Scallops (Queen) (*Equichlamys bifrons*)
- Scallops (Dough Boy) (*Chlamys asperrimus*)

Item 1.1—Fish subject to SASQAP testing

- Blue Mussels (*Mytilus edulis*)
- Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

Longlines

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

Item 3—Stocking Rates

Oysters

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

Mussels

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 20 at \$12.50 each.....	250.00
EMP fee per hectare 20 at \$22.96 each.....	459.20
Base Licence Fee per hectare 20 at \$57 each.....	1 140.00
SASQAP (Under Classification) per hectare 20 at \$158 each	849.00
Total Annual Licence Fee.....	2 698.20
Quarterly Instalments.....	674.55

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

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

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

SCHEDULE 5

Approved Environmental Monitoring Program

An Environmental Monitoring Program for the site must comply with the general requirements for environmental monitoring specified in 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 Director of Fisheries within 60 days after the grant of the licence by the Minister.

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, as the delegate of the Director of Fisheries, I hereby authorise A. R. Smart and Philippa A. Mawby, 29 Hall Street, Port Lincoln, S.A. 5606 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00005.

SCHEDULE 1

The importation and release of Blue Mussels, (*Mytilus edulis*); Native Oysters (*Ostrea agasi*); Pacific Oysters (*Crassostrea gigas*); Scallops (Queen), (*Equichlamys bifrons*); Scallops (Dough Boy) (*Chlamys asperrimus*) within the waters defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
586650E 6162105N	20
586935E 6161613N	
587242E 6161781N	
586958E 6162274N	

SCHEDULE 2

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

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

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

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

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

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00117
(PREVIOUS LICENCE NO. F793)

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') the Minister for Primary Industries, ('the Minister') hereby grants to:

David J. McCarthy (19769)
Stephen R. Langford (19832)
Barbara L. Langford (19833)
Dorothea E. McCarthy (19830)
79 Marnie Avenue,
Christies Beach, S.A. 5165

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 April 2000 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;

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

6. *Marking and Maintaining the Site*

The licensee:

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

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

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

21. Notices

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

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

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

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

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

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

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

Granted by the General Manager Aquaculture as delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager, Aquaculture

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

Signed by the said D. J. MCCARTHY, D. E. MCCARTHY,
B. L. LANGFORD and S. R. LANGFORD

In the presence of: D. O. BUTTERFIELD, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
396478E 6415885N	2
396578E 6415881N	
396570E 6415681N	
396470E 6415685N	

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

The boundary of the site to be marked either with:

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

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

Racks

Longlines

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

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

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

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

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

- 1. Name of licensee.
- 2. Address of licensee.

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

FISHERIES ACT 1982: SECTION 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, as the delegate of the Director of Fisheries, I, hereby authorise David J. McCarthy, Stephen R. Langford, Barbara L. Langford and Dorothea E. McCarthy, 79 Marnie Avenue, Christies Beach, S.A. 5165 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00117.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
396478E 6415885N	2
396578E 6415881N	
396570E 6415681N	
396470E 6415685N	

SCHEDULE 2

- 1. Fish obtained within South Australia for use in the fish farm shall only be obtained from registered fish farmers, licensed fishers or other persons approved by the Director of Fisheries.
- 2. The permit holder shall not import any live fish (ova, fry or adult) into South Australia unless the shipment has certification from an appropriate authority in the State from which they are obtained that they are free from all relevant notifiable diseases listed in Schedule 4 of the Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984.
- 3. Any oysters brought into South Australia must undergo a soakage process whereby they are completely submerged in fresh water for a period of not less than 2 hours before being placed in the approved structures. Fresh water is deemed to be water suitable for human consumption or horticultural or agricultural use.
- 4. The permit holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under the Act, except where specifically permitted by this notice.
- 5. The permit holder must retain the supplied copy of this permit and if requested by a PIRSA Fisheries and Aquaculture Compliance Officer, produce that permit for inspection.

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture, as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00345

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') the Minister for Primary Industries ('the Minister') hereby grants to:

David J. Mitchell (12189)
Debra A. Mitchell (18629)
1-3 Barlow Court
Smoky Bay, S.A. 5680

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

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

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. *Interpretation*

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

21. *Notices*

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

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

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

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

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

22. SASQAP

22.1 The licensee:

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said D. A. MITCHELL

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

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
397215E 6421313N	10
397307E 6421042N	
397530E 6420787N	
397742E 6420787N	
397494E 6421042N	
397390E 6421313N	

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

The boundary of the site to be marked either with:

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

or

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

(2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).

(3) All buoys, posts, crosses and markers must be maintained in good condition.

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

Racks

Each structure must comply with the construction requirements specified in the Decision Notification Form issued for the site under Regulation 42 of the Development Regulation Act 1993.

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are (Fees are pro-rata for 4 months):

	\$
FRDC Levy per hectare 10 at \$12.50 each.....	41.25
EMP fee per hectare 10 at \$22.96 each.....	75.77
Base Licence Fee per hectare 10 at \$57 each.....	188.10
Total Annual Licence Fee.....	305.12
Quarterly Instalments.....	76.28

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 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, as the delegate of the Director of Fisheries I hereby authorise David J. Mitchell and Debra A. Mitchell, 1-3 Barlow Court, Smoky Bay, S.A. 5680 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00345.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
397215E 6421313N	10
397307E 6421042N	
397530E 6420787N	
397742E 6420787N	
397494E 6421042N	
397390E 6421313N	

SCHEDULE 2

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

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

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

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

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

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00351

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') the Minister for Primary Industries, ('the Minister') hereby grants to:

Andre J. Seidl (19777)
Gary Seidl (13008)
59 Bergmann Drive
Ceduna, S.A. 5690

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

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

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

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

7. *Site Inspection and Supervision*

The licensee:

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

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

8. *Fees and Returns*

The licensee:

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

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

9. *Compliance With Relevant Laws*

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

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

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

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

13.1 provide a guarantee from its bankers; or

13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or

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

15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;

15.4.2 an order is made for the winding up or liquidation of the licensee;

15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

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

22. SASQAP

- 22.1 The licensee:

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said G. SEIDL

In the presence of: S. M. RENDELL, Witness

SCHEDULE 1**Item 1—The Site**

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
377306E 6434971N	
377415E 6434960N	
377385E 6434649N	
377276E 6434667N	3.4

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

The boundary of the site to be marked either with:

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

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

BST Longlines

Each structure must comply with the construction requirements specified in the Decision Notification Form issued for the site under Regulation 42 of the Development Regulation Act 1993.

Item 3—Stocking Rates

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are (Pro-rata for three months):

	\$
FRDC Levy per hectare 3.4 at \$12.50 each.....	10.63
EMP fee per hectare 3.4 at \$22.96 each.....	19.52
Base Licence Fee per hectare 3.4 at \$57 each.....	48.45
Total Annual Licence Fee	78.59
Quarterly Instalments.....	19.65

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 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Andre J. Seidl and Gary Seidl, 59 Bergmann Drive, Ceduna, S.A. 5690 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00351.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
377306E 6434971N	3.4
377415E 6434960N	
377385E 6434649N	
377276E 6434667N	

SCHEDULE 2

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

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

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

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

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

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00352

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') the Minister for Primary Industries, ('the Minister') hereby grants to:

Leon K. Stott (13009)
Christine M. Stott (19776)
Section 4 and 5, Hundred of Moule
Ceduna, S.A. 5690

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

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

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

7. *Site Inspection and Supervision*

The licensee:

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

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

8. *Fees and Returns*

The licensee:

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

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

9. *Compliance With Relevant Laws*

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

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

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

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. *Interpretation*

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

21. *Notices*

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

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

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

22. SASQAP

22.1 The licensee:

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said L. K. STOTT
and C. M. STOTT

In the presence of: G. GARDNER, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
377178E 6434685N	6.6
377385E 6434649N	
377331E 6434339N	
377124E 6434375N	

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

The boundary of the site to be marked either with:

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

or

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

BST Longlines

Each structure must comply with the construction requirements specified in the Decision Notification Form issued for the site under Regulation 42 of the Development Regulation Act 1993.

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are (pro-rata for 3 months):

	\$
FRDC Levy per hectare 6.60 at \$12.50 each.....	20.63
EMP fee per hectare 6.60 at \$22.96 each.....	37.88
Base Licence Fee per hectare 6.60 at \$57 each.....	94.05
Total Annual Licence Fee.....	152.56
Quarterly Instalments.....	38.14

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:

- 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 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Leon K. Stott, Christine M. Stott, Sections 4 and 5, Hundred of Moule, Ceduna, S.A. 5690 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit ending upon the expiration or earlier termination of Licence Number FM00352.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
377178E 6434685N	
377385E 6434649N	6.6
377331E 6434339N	
377124E 6434375N	

SCHEDULE 2

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

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

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

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

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

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00354

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') the Minister for Primary Industries, ('the Minister') hereby grants to:

M. D. & R. A. Lowe Pty Ltd (12138)
Lot 2, Government Road
Denial Bay, S.A. 5690

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

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

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

22. SASQAP

- 22.1 The licensee:

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

The Common Seal of M. D. & R. A. Lowe Pty Ltd was hereunto affixed in the presence of:

(L.S.) M. D. LOWE, Director
R. A. LOWE, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
376817E 6433979N	2.2
376877E 6434059N	
377055E 6433926N	
376995E 6433846N	

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

The boundary of the site to be marked either with:

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

or

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

BST Longlines

Each structure must comply with the construction requirements specified in the Decision Notification Form issued for the site under Regulation 42 of the Development Regulation Act 1993.

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are (pro-rata for 3 months):

	\$
FRDC Levy per hectare 2.20 at \$12.50 each.....	6.88
EMP fee per hectare 2.20 at \$22.96 each	12.63
Base Licence Fee per hectare 2.20 at \$57 each.....	31.35
Total Annual Licence Fee	50.85
Quarterly Instalments.....	12.71

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 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise M. D. & R. A. Lowe Pty Ltd, Lot 2, Government Road, Denial Bay, S.A. 5690 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00354.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
376817E 6433979N	2.2
376877E 6434059N	
377055E 6433926N	
376995E 6433846N	
376995E 6433846N	

SCHEDULE 2

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

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

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

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

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

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00355

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') the Minister for Primary Industries, ('the Minister') hereby grants to:

Ian C. Hart (12166)
 Jacqueline Hart (18462)
 Lot 36, McKenzie Street
 Denial Bay, S.A. 5690

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

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

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

7. *Site Inspection and Supervision*

The licensee:

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

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

8. *Fees and Returns*

The licensee:

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

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

9. *Compliance With Relevant Laws*

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

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

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

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

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

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

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

16. *Interpretation*

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

21. *Notices*

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

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

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

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

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

22. SASQAP

22.1 The licensee:

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said I. C. HART

In the presence of: J. T. HART, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
376817E 6433979N	1.1
376995E 6433846N	
376965E 6433806N	
376787E 6433939N	

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

The boundary of the site to be marked either with:

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

or

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

(2) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).

(3) All buoys, posts, crosses and markers must be maintained in good condition.

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

BST Longlines

Each structure must comply with the construction requirements specified in the Decision Notification Form issued for the site under Regulation 42 of the Development Regulation Act 1993.

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are (pro-rata for 3 months):

	\$
FRDC Levy per hectare 1.10 at \$12.50 each.....	3.44
EMP fee per hectare 1.10 at \$22.96 each.....	6.31
Base Licence Fee per hectare 1.10 at \$57 each.....	15.68
Total Annual Licence Fee.....	25.43
Quarterly Instalments.....	6.36

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 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise Ian C. Hart and Jacqueline Hart, Lot 36, McKenzie Street, Denial Bay, S.A. 5690 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00355.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
376817E 6433979N	1.1
376995E 6433846N	
376965E 6433806N	
376787E 6433939N	

SCHEDULE 2

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

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

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

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

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

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00356

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') the Minister for Primary Industries, ('the Minister') hereby grants to:

Darren K. Tressider (14812)
51 London 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 April 2000 and ending, subject to any earlier termination under this licence, on 30 June 2000 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

- 5.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
- 5.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
- 5.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;
- 5.4 must apply the permitted farming methods set out in Item 2 of Schedule 2 of this licence.
- 5.5 must conduct an environmental monitoring program as set out in Schedule 5 of this Licence.

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

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

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

7. Site Inspection and Supervision

The licensee:

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

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

8. Fees and Returns

The licensee:

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

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

9. Compliance With Relevant Laws

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

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

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

13.1 provide a guarantee from its bankers; or

13.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or

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

15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;

15.4.2 an order is made for the winding up or liquidation of the licensee;

15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said D. K. TRESSIDER

In the presence of: M. TRESSIDER, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
597921E 6179922N	10
598367E 6179917N	
598484E 6179698N	
598032E 6179695N	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3/4~~ Permitted Species

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

- Blacklip Abalone (*Haliotis rubra*)
- Greenlip Abalone (*Haliotis laevigata*)

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

Longlines

The Licence Holder must source all farm stock from either:

- (a) registered South Australian growers or hatcheries; or
- (b) wholly from, or the progeny of, wild stocks from South Australian waters.

The Licence Holder must maintain a Stock Movement Register which must be kept to immediately record all movements of abalone stock to and from the farm and to be kept regardless of the purpose of the movement of the stock. The Stock Movement Register must be a bound book with consecutively numbered pages, each entry must be recorded in ink in the order of events, each entry must be made immediately below the previous entry and each page must be filled before commencing the next page.

The Stock Movement Register must include the following information:

- (a) the time, date and number of stock placed on the site; and
- (b) the time, date and number of stock removed from the site.

The Licence Holder must keep the Stock Movement Register for 12 months from the last entry date. A photocopy of the Register for the period from the date of this licence to 30 June 2000 must be forwarded to PIRSA General Manager Aquaculture on or before 14 July 2000. A photocopy of the Registers for the period from 1 July 2000 to 30 June 2001 must be forwarded to the General Manager Aquaculture on or before 14 July 2001.

The Licence Holder must maintain a Mortality Register and record the mortalities of all farm abalone. Mortalities must be physically counted at intervals of no more than 3 months.

The Licence Holder must keep the Mortality Register for 12 months from the last entry date. A photocopy of the Register for the period from the date of this licence to 30 June 2000 must be forwarded to PIRSA General Manager Aquaculture on or before 14 July 2000. A photocopy of the Registers for the period from 1 July 2000 to 30 June 2001 must be forwarded to the General Manager Aquaculture on or before 14 July 2001.

The Licence Holder must make available all farm Registers for inspection by PIRSA Fisheries and Aquaculture Compliance Officers immediately upon being requested by such an officer.

The Licence Holder must complete a 'Farmed Abalone Disposal Statement' and forward this Statement to PIRSA Fisheries and Aquaculture Compliance at least 48 hours prior to disposal of farmed stock. The Licence holder must comply with the Fisheries Act 1982 while transporting fish. All fish moved from the site must be moved 'in shell'. The Licence holder must ensure that no processing occurs at sea and must further ensure that no dead farm fish or waste is deposited at sea.

Item 3 ~~3/4~~ Stocking Rates

The Licence Holder must not stock the site with more than 50 000 individuals of the permitted species at any time. The size of the abalone shell measured at the greatest shell dimension, must not be less than 20 mm in length and must not be greater than 90 mm in length.

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
Base Licence Fee (pro-rata for 3 months)	275.48
Total Annual Licence Fee	275.48

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

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

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

SCHEDULE 5

Approved Environmental Monitoring Program

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

An Environmental Monitoring Program for the site must comply with Schedule 10 of the Environmental Protection (Marine) Policy 1994.

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 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise D. K. Tressider, 51 London Street, Port Lincoln, S.A. 5606 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00356.

SCHEDULE 1

The importation and release of Blacklip Abalone (*Haliotis rubra*) and Greenlip Abalone (*Haliotis laevigata*) within the water defined by the following co-ordinates:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
597921E 6179922N	10
598367E 6179917N	
598484E 6179698N	
598032E 6179695N	

SCHEDULE 2

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

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

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

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

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

Dated 10 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00173
(PREVIOUS LICENCE NO. F545)

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') the Minister for Primary Industries, ('the Minister') hereby grants to:

R. A. and M. F. Sullivan
c/o Post Office
Smoky Bay, S.A. 5690

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

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 by the General Manager Aquaculture, delegate of the Minister, on 11 May 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said M. F. SULLIVAN

In the presence of: S. A. MORTIMER, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
395549E 6416844N	6
395761E 6416828N	
395740E 6416545N	
395529E 6416561N	

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

The boundary of the site to be marked either with:

- (a) (1) At the corners with posts extending 900 mm above mean high water springs. Such posts to be marked with a St Andrews cross, each cross arm measuring 900 mm from tip to tip, minimum width 75 mm.

- (2) Posts to be not less than 125 mm in diameter.
- (3) Posts and crosses to be painted yellow.
- (4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.
- (5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.
- (6) All buoys, posts, crosses and markers must be maintained in good condition.

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3/4~~ Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

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

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

Racks

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

Item 3 ~~3/4~~ Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Annual licence fees are:

	\$
FRDC Levy per hectare 6 at \$12.50 each.....	75.00
EMP fee per hectare 6 at \$22.96 each.....	137.76
Base Licence Fee per hectare 6 at \$57 each.....	342.00
SASQAP (Classified Area) per hectare, 6 at \$60 each .	360.00
Total Annual Licence Fee.....	914.76
Quarterly Instalments.....	228.69

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 50 (2)

TAKE notice that pursuant to section 50 (2) of the Fisheries Act 1982, I hereby authorise R. A. and M. F. Sullivan, c/o P.O. Smoky Bay, S.A. 5680 (hereinafter referred to as the 'permit holder') to engage in the activities and to do the acts specified in Schedule 1, subject to the conditions specified in Schedule 2 from the date of this permit and ending upon the expiration or earlier termination of Licence Number FM00345.

SCHEDULE 1

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

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
395549E 6416844N	6
395761E 6416828N	
395740E 6416545N	
395529E 6416561N	

SCHEDULE 2

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

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

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

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

5. The permit holder must retain the copy of this permit and if requested by a PIRSA Fisheries and Aquaculture Compliance Officer, produce that permit for inspection.

Dated 11 May 2000.

I. NIGHTINGALE, General Manager Aquaculture,
as the delegate of the Director of Fisheries

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 McCracken Operations Pty Ltd (ACN 091 621 108), c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Liquor and Gaming Commissioner for the grant of a Gaming Machine Licence in respect of premises situated at Adelaide Road, Victor Harbor, S.A. 5211.

The application has been set down for hearing on 16 June 2000 at 9 a.m.

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

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

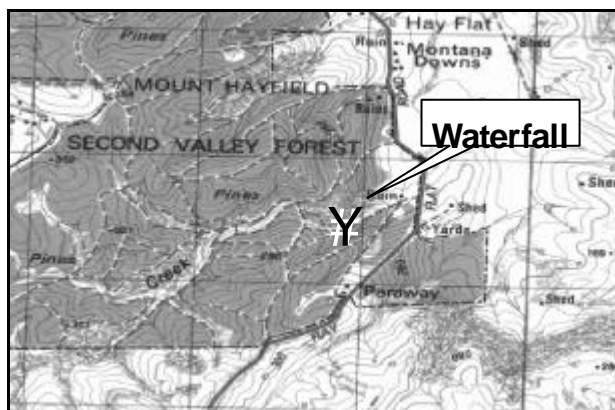
Dated 10 May 2000.

Applicant

GEOGRAPHICAL NAMES ACT 1991

Notice to Assign the Name of a Feature

NOTICE is hereby given pursuant to the provisions of the above Act that I, Robert David Lawson, Minister for Administrative and Information Services, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY assign the name INGALALLA WATERFALLS to that waterfall locally identified as either INGALALLA WATERFALLS or HAY FLAT WATERFALLS, located on 1:50 000 mapsheet 6526-1 "Torrens Vale" at grid reference 258950 East, 6064600 North as shown on the plan below.



THE PLAN

Dated 16 May 2000.

ROBERT LAWSON, Minister for Administrative
and Information Services

DEHAA 04/0263

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Steven Darryl Moffatt and Dianne Margaret Moffatt, 354 Military Road, Semaphore Park, S.A. 5019 have applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and a Gaming Machine Licence in respect of premises situated at 29-31 Commercial Road, Port Adelaide, S.A. 5015 and known as First Commercial Inn.

The applications have been set down for hearing on 16 June 2000.

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

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

Applicants

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Barry John Speed, Marleen Esther Speed, 62 Wavell Road, Port Lincoln, S.A. 5606 and Peter Watherston and Gail Wendy Watherston, 16 Dorward Street, North Shields, S.A. 5607 have applied to the Liquor and Gaming Commissioner for the transfer of a Liquor Licence and a Gaming Machine Licence in respect of premises situated at Dorward Street, North Shields, S.A. 5607 and known as Wheatsheaf Hotel.

The applications have been set down for hearing on 16 June 2000 at 9 a.m.

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

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

Dated 11 May 2000.

Applicants

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Warengi Pty Ltd (ACN 069 322 612), c/o Fisher Jeffries, Level 15, 211 Victoria Square, Adelaide, S.A. 5000 has applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and a Gaming Machine Licence held in respect of premises situated at Main Street, Swan Reach, S.A. 5354 and known as Swan Reach Hotel.

The applications have been set down for hearing on 16 June 2000 at 9 a.m.

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

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

Dated 11 May 2000.

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 B. J. Elix and D. B. O'Riley have applied to the Licensing Authority for the transfer of a Restaurant Licence with Extended Trading Authorisation and to vary the Entertainment Consent in respect of premises situated at 1 Sturt Reserve Road, Murray Bridge, S.A. 5233 and known as Riverscape Enterprises.

The application has been set down for hearing on 16 June 2000.

Conditions

The following licence conditions are sought:

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

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

2. Extended Trading Authorisation Hours of Operation:

Monday to Saturday—Midnight to 3 a.m. the following morning.

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

3. Entertainment consent hours is to vary from 11 a.m. to midnight to 11 a.m. to 3 a.m. the following morning.

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

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

Dated 10 May 2000.

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 Greek Macedonian Social Club Florina Incorporated has applied to the Licensing Authority for the grant of a Limited Club Licence in respect of premises situated at 20 Kylie Crescent, Ingle Farm, S.A. 5098 and known as Florina House.

The application has been set down for hearing on 16 June 2000.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation Hours of Operation:

Friday and Saturday—Midnight to 2 a.m. the following morning.

Sunday—8 a.m. to 11 a.m. and 8 p.m. to midnight.

Entertainment consent is sought.

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

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

Dated 20 April 2000.

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 McCracken Operations Pty Ltd (ACN 091 621 108), c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Hotel Licence with Entertainment Consent in respect of premises situated at Adelaide Road, Victor Harbor.

The application has been set down for hearing on 16 June 2000 at 9 a.m.

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

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

Dated 10 May 2000.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that T. H. Glenelg Pty Ltd (ACN 092 407 371), c/o Griffins Lawyers, Level 14, 26 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Restaurant Licence with Extended Trading Authorisation, Entertainment Consent and section 34 (1) (c) in respect of premises situated at Moseley Square, Glenelg, S.A. 5045 and known as Glenelg Town Hall.

The application has been set down for hearing on 16 June 2000 at 9 a.m.

Conditions

The following licence conditions are sought:

The Extended Trading Authorisation is to apply to trade in liquor for consumption on the licensed premises on any day except Good Friday and Christmas Day to persons seated at a table or attending a function at which food is provided, during the following hours:

- Monday to Thursday—midnight to 1 a.m. the following day.
- Friday to Saturday—midnight to 2 a.m. the following day.
- Sunday—8 p.m. to midnight.
- Any day preceding a Public Holiday—midnight to 2 a.m. the following day.
- Christmas Day—midnight to 2 a.m. the following day.

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

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

Dated 12 May 2000.

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 Mekuti Pty (ACN 092 046 476), c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at the corner of Mellor and Waymouth Streets, Adelaide, S.A. 5000 and known as The Garage Sale Bar and Bistro.

The application has been set down for hearing on 14 June 2000.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, on or before 12 June 2000.

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

Dated 11 May 2000.

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 Michael John McMahon and Heather Mary McMahon, 6 Neil Avenue, Nuriootpa, S.A. 5355 have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Barossa Valley Way, Nuriootpa, S.A. 5355 and known as Kaesler Wines.

The application has been set down for hearing on 14 June 2000.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, on or before 12 June 2000.

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

Dated 11 May 2000.

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 T. H. Glenelg Pty Ltd (ACN 092 407 371), c/o Griffins Lawyers, Level 14, 26 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the grant of a Special Circumstances Licence with Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Moseley Square, Glenelg, S.A. 5045 and known as Glenelg Town Hall.

The application has been set down for hearing on 16 June 2000.

Conditions

The following licence conditions are sought:

The licence will authorise the licensee to sell liquor to patrons, whether seated or standing, for consumption on the licensed premises from 11 a.m. on any day, with or without a meal.

The Extended Trading Authorisation is to apply to trade in liquor for consumption on the licensed premises during the following hours:

- Monday to Thursday—midnight to 1 a.m. the following day.
- Friday to Saturday—midnight to 2 a.m. the following day.
- Sunday—8 p.m. to midnight.

- Any day preceding a Public Holiday—midnight to 2 a.m. the following day.

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

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

Dated 11 May 2000.

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 Kutch Export Company Pty Ltd, Regina Twiss, Theo Maras and Keith Najjar, c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 have applied to the Licensing Authority for the removal of a Hotel Licence in respect of premises situated at 47 Archer Street, North Adelaide, S.A. 5006 and known as Dover Castle Hotel to premises to be situated at the corner of 59 O'Connell and 123 Archer Streets, North Adelaide, S.A. 5006

The application has been set down for hearing on 16 June 2000.

Conditions

The following licence conditions are sought:

1. Extended Trading Authorisation (including Entertainment Consent) to apply to the whole of the licensed premises as follows:

- Monday to Saturday—midnight to 2 a.m. the following day.
- Sunday 8 a.m. to 11 a.m. and 8 p.m. to 9 p.m. for off-licence and 2 a.m. the following day for on-licence consumption.
- Christmas Day—midnight to 2 a.m.

2. Deletion of existing conditions 1 to 8 (inclusive) on the licence which relate to the existing site and which will no longer be relevant at the new site.

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

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

Dated 11 May 2000.

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 2 Smooth Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 68-70 Belair Road, Hawthorn, S.A. 5062 and known as Game Restaurant.

The application has been set down for hearing on 19 June 2000.

Conditions

The following licence conditions are sought:

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

- (a) seated at a table; or

- (b) attending a function at which food is provided.

- Extended Trading Authorisation Hours of Operation:

Thursday to Saturday—midnight to 2 a.m. the following morning.

Sunday—8 p.m. to 11 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 and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 11 May 2000.

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 Trevor Collins and Michele Collins, 5/4 Alton Avenue, Torrens Park, S.A. 5062 have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 56 Jetty Road, Glenelg, S.A. 5045 currently known as Postofino Caffè and to be known as Cafe Viva

The application has been set down for hearing on 19 June 2000.

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

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

Dated 8 May 2000.

Applicants

PUBLIC CORPORATIONS ACT 1993

Direction

I, ROB LUCAS, Treasurer (acting as a body corporate) hereby direct Generation Lessor Corporation, a subsidiary of the Treasurer established under the Public Corporations (Generation Lessor Corporation) Regulations 1999:

1. To execute and deliver the Synergen Generation Business Sale Agreement between (among others) the Treasurer, Synergen Pty Ltd, Generation Lessor Corporation, National Power Synergen Pty Limited (ACN 092 560 819) and National Power PLC with such amendments (if any) as are approved by an Executive Director of the Electricity Reform and Sales Unit of the Department of Treasury and Finance.
2. To execute and deliver such other documents as Generation Lessor Corporation is required by an Executive Director of the Electricity Reform and Sales Unit of the Department of Treasury and Finance to execute and deliver.
3. To do anything which in the opinion of an Executive Director of the Electricity Reform and Sales Unit of the Department of Treasury and Finance is necessary, advisable or incidental in connection with any transaction contemplated by a document referred to above.

Dated 11 May 2000.

The common seal of the Treasurer of the State of South Australia was duly affixed in the presence of:

(L.S.) ROB LUCAS, Treasurer

A. BONOLLO, Witness

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 1999

Acts, Bills, Rules, Parliamentary Papers and Regulations

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

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ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to Riverside 2000 so as to be **received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: Riv2000@saugov.sa.gov.au.** Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

ROAD TRAFFIC ACT 1961

Exemption from the fitting of an anti-lock braking system to Prime Movers forming part of B-Double combination

PURSUANT to section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt prime movers manufactured prior to 1 July 1991, which form part of a B-Double combination, from the requirements of Rule 136 (2) (a), (b) and (c)—Braking system design for a prime mover in a B-double, of the Road Traffic (Vehicle Standards) Rules 1999:

Subject to the following condition:

This exemption is not valid while either the prime mover and/or semi-trailer are operated as part of a B-double combination which includes a road tank vehicle and is used for carrying dangerous goods in bulk.

The notice titled 'Exemption from the fitting of an anti-lock braking system to Prime Mover and/or semi-trailers forming part of B-Double combinations' appearing in the *South Australian Government Gazette*, dated 16 March 2000, is hereby revoked.

This exemption expires at midnight on 31 July 2001.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption from the Requirements for the Position of Exhaust Outlets for Vehicles with a Gross Vehicle Mass Exceeding 4.5 Tonnes Manufactured Prior to July 1988

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt, vehicles with a Gross Vehicle Mass exceeding 4.5 tonnes which were manufactured prior to July 1988, from the requirements of Rule 148—Exhaust systems, of the *Road Traffic (Vehicle Standards) Rules 1999*.

Subject to the following conditions:

1. That the outlet of the exhaust must extend;
 - 1.1 To the perimeter of the vehicle; and
 - 1.2 Not beyond the perimeter of the vehicle to an extent that would create a dangerous protrusion.

This exemption expires at midnight on 30 June 2001.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption from the Fitting of Direction Indicator Lights on Motor Bikes Manufactured Prior to October 1991

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor bikes and motor bikes fitted with a side-car, manufactured prior to 1 October 1991, from Division 11—Direction Indicator Lights, of the *Road Traffic (Vehicle Standards) Rules 1999*.

Subject to the following conditions:

1. That the motor bike or motor bike fitted with a side-car was manufactured prior to 1 October 1991.
2. That the rider of the motor bike gives hand signals in accordance with the Australian Road Rules.
3. That the vehicle complies with all other requirements of the Road Traffic Act and Regulations, 1961.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for Motor Vehicles or Combinations Carrying Agricultural Vehicles or Implements to exceed Front and Side Projection Limits and a Width of 2.5 m

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor vehicles or vehicle combinations carrying agricultural vehicles:

From the provisions of:

- Rule 66—Width, of the *Road Traffic (Vehicle Standards) Rules 1999*; and
- Schedule 1, Part 2, Regulation 6—Front and side projections, of the *Road Traffic (Mass and Loading Requirements) Regulations 1999*:

Subject to the following conditions:

1. General Conditions:

- 1.1 That only a load comprising of the agricultural vehicle or implement is permitted to exceed a width of 2.5 m.
- 1.2 The height of the vehicle and load must not exceed 4.3 m.
- 1.3 The overall length of a vehicle or vehicle combination must not exceed 20.117 m.

2. Travel

- 2.1 Travel is not permitted between the hours of sunset and sunrise or during periods of low visibility.
- 2.2 For the purposes of this notice 'a period of low visibility' means any time, when, owing to insufficient daylight or unfavourable conditions, persons or vehicles on a road are not clearly visible at a distance of 250 m to a person of normal vision.

3. Vehicle Flags

- 3.1 Brightly coloured red, yellow, or red and yellow flags, at least 450 mm long and at least 450 mm wide shall be attached to each side of the front and rear of any projecting load;
- 3.2 The flags must be clearly visible at a distance of 100 m to any person with normal vision and comply with Class 1 or 2 of Australian Standard AS 1906, 'Retro-reflective Materials and Devices for Road Traffic Control Purposes' 1990.

This exemption expires at midnight on 31 December 2000.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption from the Fitting of Direction Indicator Lights, Chain Guards and Pillion Passenger Footrests to Competition Motor Bikes

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor bikes and motor bikes fitted with a side-car.

From the following provisions of the *Road Traffic (Vehicle Standards) Rules 1999*:

- Division 11—Direction Indicator Lights;
- Rule 57—Chain Guards;
- Rule 20—Compliance with third edition Australian Design Rules:
 - ADR 19/01, Clause 6.3—Direction Indicator Lamp;
 - ADR 57/00, Clause 57.2.6—Foot Rests; and
 - ADR 57/00, Clause 57.2.8—Chain Guards:

Subject to the following conditions:

1. This exemption only applies while the motor bike or motor bike fitted with a side-car, is competing in an official Road Trial Event sanctioned by Motorcycling Australia (SA) Inc.
2. That the rider of the motor bike and the passenger riding in any attached side-car is the holder of a current licence issued by Motorcycling Australia (SA) Inc.
3. That this exemption only applies while the motorbike or motor bike and sidecar is being ridden on those roads which are designated as part of the trial course and only for the duration of that event.
4. That the rider of the motor bike gives hand signals in accordance with the Australian Road Rules.
5. That any footrests fitted for use by a pillion passenger are removed.
6. That footrests are fitted for use by the rider of the motor bike.
7. That a pillion passenger must not ride on the motor bike.
8. That the vehicle complies with all other requirements of the Road Traffic Act and Regulations, 1961.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for single axle pig trailers built prior to December 1999, to exceed the maximum mass limit of 8.5 tonnes

PURSUANT to section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt pig trailers fitted with a single axle, manufactured prior to 1 December 1999, from the maximum mass limit requirement of 8.5 tonnes specified in Schedule 1, Table 1 *Mass limits for single axles and axle groups*, of the Road Traffic (Mass and Loading Requirements) Regulations 1999.

Subject to the following conditions:

1. That all axles are fitted with dual tyres.
2. That the wheels and tyres fitted to an axle of the vehicle must be of sufficient size and capacity to carry the part of the vehicle's gross mass transmitted to the ground through the axle.
3. That the trailer was manufactured prior to 1 December 1999.
4. That the mass carried on the pig trailer does not exceed the lesser of:
 - 4.1 The manufacturer's specified Aggregate Trailer Mass; or
 - 4.2 The manufacturer's specified Gross Trailer Mass; or
 - 4.3 The Gross Vehicle Mass Limit specified by the Registering Authority; or
 - 4.4 9.0 tonnes.

This exemption expires at midnight on 30 September 2001.

The notice titled 'Exemption for single axle pig trailers to exceed the maximum mass limit of 8.5 tonnes' appearing in the *South Australian Government Gazette*, dated 16 March 2000, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for tandem axle pig trailers to exceed the maximum mass limit of 15 tonnes

PURSUANT to section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt pig trailers fitted with a tandem axle group, manufactured prior to 1 December 1999, from the maximum mass limit requirement of 15 tonnes specified in Schedule 1, Table 1 *Mass limits for single axles and axle groups*, of the Road Traffic (Mass and Loading Requirements) Regulations 1999.

Subject to the following conditions:

1. The pig trailer is fitted with a load sharing tandem axle group.
2. Both axles are fitted with dual tyres.
3. The wheels and tyres fitted to an axle of the vehicle must be of sufficient size and capacity to carry the part of the vehicle's gross mass transmitted to the ground through the axle.
4. That the trailer was manufactured prior to 1 December 1999.
5. The mass carried on the pig trailer does not exceed the lesser of:
 - 5.1 The manufacturer's specified Aggregate Trailer Mass; or
 - 5.2 The manufacturer's specified Gross Trailer Mass; or
 - 5.3 The Gross Vehicle Mass Limit specified by the Registering Authority; or
 - 5.4 16.5 tonnes.

This exemption expires at midnight on 30 September 2001.

The notice titled 'Exemption for tandem axle pig trailers to exceed the maximum mass limit of 16.5 tonnes' appearing in the *South Australian Government Gazette*, dated 16 March 2000, is hereby revoked.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Brakes to Trailers with a Laden mass not Exceeding 6 Tonnes Travelling at a Speed Not Exceeding 25 Kilometres per Hour

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as authorised delegate of the Minister for Transport and Urban Planning, hereby exempt trailers with a Gross Trailer Mass over 750 kilograms:

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 132 (1)—Trailer braking requirements;
- Rule 133—Operation of brakes on trailers;
- Rule 19—Compliance with second edition Australian Design Rule 38; and
- Rule 20—Compliance with third edition Australian Design Rule 38.

Subject to the following conditions:

1. That the trailer has a laden which does not exceed 6 tonnes.
2. That the trailer is towed at a speed not exceeding 25 kilometres per hour.
3. That the trailer complies with all other requirements of the Road Traffic Act 1961.
4. For the purposes of this notice 'Laden Mass' means the mass of the trailer and its load borne on the surfaces on which it is standing or stationary when disconnected from the towing vehicle.
5. For the purposes of this notice 'Gross Trailer Mass' means the mass of the trailer and its load borne on the surfaces on which it is standing or stationary when connected to the towing vehicle.

This exemption expires at midnight on the 30 September 2001.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Brakes to Trailers Built Prior to July 1990 which have a Laden mass not Exceeding 2 tonnes

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T. N. Argent, Executive Director, Transport SA, as authorised delegate of the Minister for Transport and Urban Planning, hereby exempt trailers built prior to July 1990 which have a Gross Trailer Mass over 750 kg but not exceeding a laden mass of 2 tonnes.

From the following provisions of the Road Traffic (Vehicle Standards) Rules 1999:

- Rule 132 (1)—Trailer braking requirements;
- Rule 133—Operation of brakes on trailers;
- Rule 20—Compliance with third edition Australian Design Rule 38.

Subject to the following conditions:

1. That the laden mass of the trailer does not exceed the unladen mass of the towing vehicle.
2. That the unladen mass of the trailer (not being a caravan or machine on wheels) does not exceed 750 kg.
3. That the laden mass of the trailer (being a caravan or machine on wheels) does not exceed 2 tonnes.
4. That the trailer complies with all other requirements of the Road Traffic Act 1961.
5. For the purposes of this notice 'Laden Mass' means the mass of the trailer and its load borne on the surfaces on which it is standing or stationary when disconnected from the towing vehicle.
6. For the purposes of this notice 'Gross Trailer Mass' means the mass of the trailer and its load borne on the surfaces on which it is standing or stationary when connected to the towing vehicle.

This exemption expires at midnight on 31 December 2000.

T. N. ARGENT, Executive Director, Transport SA

ROAD TRAFFIC ACT 1961

Exemption for the Fitting of Non-Glass Transparent Material to Windscreens, Windows or Interior Partitions of a Motor Vehicle

PURSUANT to the provisions of section 163AA of the Road Traffic Act 1961, I, T.N. Argent, Executive Director, Transport SA, as an authorised delegate of the Minister for Transport and Urban Planning, hereby exempt motor vehicles built prior to 1 July 1994, from the requirements of Rule 43—Windscreens and windows of the Road Traffic (Vehicle Standards) Rules 1999, for the fitting of material other than approved material to be used as a windscreen, window or interior partition.

Subject to the following conditions:

1. That the material used in the windscreen, window or interior partition is a clear transparent material which will not shatter and in the case of a front windscreen has a luminous transmittance of not less than 75 per cent and in the case of any other window or interior partition a luminous transmittance of not less than 70 per cent.

2. For the purposes of this notice 'luminous transmittance' means the amount of light that can pass through the material as a percentage of the amount of light that would be transmitted if the material was not present.

This exemption expires at midnight on the 30 June 2001.

T. N. ARGENT, Executive Director, Transport SA

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Un-named road adjacent Millards Road, Port MacDonnell
Deposited Plan 54611*

BY Road Process Order made on 6 March 2000, the District Council of Grant ordered that:

1. The whole of the public road (un-named) the northern boundary of Section 708 in Hundred of MacDonnell, more particularly lettered 'A' in Preliminary Plan No. PP32/0500 be closed.

2. The whole of the closed road be transferred to EDWIN FRANK MILLARD in accordance with agreement for transfer dated 17 January 2000 entered into between the District Council of Grant and E. F. Millard.

On 3 April 2000 that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 18 May 2000.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

*Road Closure—Pitman Crescent/Cadell Street/Hartley Grove,
Windsor Gardens*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the DEVELOPMENT ASSESSMENT COMMISSION proposes to make a Road Process Order to close:

(i) portion of the public road (Cadell Street) adjoining allotments 102 and 103 in Deposited Plan 6782, more particularly delineated and marked 'A' in Preliminary Plan No. PP32/0567.

(ii) portions of the public road (Pitman Crescent) adjoining allotments 146 to 153 (inclusive) in Deposited Plan 8162, more particularly delineated and marked 'D', 'C', 'B' and 'E' (respectively) in Preliminary Plan No. PP32/0567.

(iii) the whole of the road (walkway) between Pitman Road and Hartley Grove adjoining allotments 15 and 16 in Deposited Plan 6541, more particularly delineated and marked 'F' in Preliminary Plan No. PP32/0567.

(iv) An irregularly-shaped portion of the public road (Hartley Grove) adjoining allotments 9, 10 and 11 in Deposited Plan 6541, more particularly delineated and marked 'G' in Preliminary Plan No. PP32/0567.

The City of Port Adelaide Enfield is to retain the closed road marked 'G' for reserve purposes and the remaining closed roads are to be transferred to the SOUTH AUSTRALIAN HOUSING TRUST.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the City of Port Adelaide Enfield, 163 St Vincent Street, Port Adelaide and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide 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 Development Assessment Commission, 136 North Terrace Adelaide, S.A. 5000 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General, P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Development Assessment Commission will give notification of a meeting at which the matter will be considered.

Commission Contact: Gabrielle McMahon Ph. 8303 0744

Dated 18 May 2000.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

Road closure—Leech Place, Port Lincoln

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the CITY OF PORT LINCOLN proposes to make a Road Process Order to close and transfer to the South Australian Housing Trust portions of the public road (Leech Place) adjoining allotments 88, 94 and 93 in Deposited Plan 4324 shown delineated and lettered 'A', 'B' and 'C' respectively on Preliminary Plan No. PP/32/0565.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, 65 Tasman Terrace, Port Lincoln 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, P.O. Box 1787, Port Lincoln, S.A. 5606 WITHIN 28 DAYS OF THE DATE OF THIS NOTICE and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 18 May 2000.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

*Road Opening and Closing—Adjacent Point Sturt, Hundred of
Alexandrina*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991 that the ALEXANDRINA COUNCIL proposes to make a Road Process Order to:

(i) open as road, portion of piece 21 in Filed Plan 40183, more particularly delineated and numbered '1' on Preliminary Plan No. PP32/0568.

(ii) close and transfer to TRUDY LEE HUCZKO and STEPHEN JOZEF HUCZKO portion of the public road between pieces 20 and 21 in Filed Plan 40183, more particularly delineated and lettered 'A' on Preliminary Plan No. PP32/0568 in exchange for land taken for new road (above).

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council, Dawson Street, Goolwa 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, P.O. Box 21, Goolwa 5214 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 18 May 2000.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Gawler Street, Salisbury
Deposited Plan 53316*

BY Road Process Order made on 22 September 1999, the City of Salisbury ordered that:

1. An irregular portion of the public road (Gawler Street) north of James Street adjoining allotment 1 in Deposited Plan 50015, more particularly lettered 'A' in Preliminary Plan No. PP32/0382 be closed.

Commission Contact: Gabrielle McMahon Ph. 8303 0744

Dated 18 May 2000.

P. M. KENTISH, Surveyor-General

2. The whole of the land subject to closure be transferred to H. TROON DEVELOPMENTS PTY LTD in accordance with agreement for transfer dated 22 April 1999 entered into between the City of Salisbury and H. Troon Developments Pty Ltd.

On 18 October 1999 that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 18 May 2000.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Bundarra Road, Marino
Deposited Plan 54170*

BY Road Process Order made on 4 February 2000, The Corporation of the City of Marion ordered that:

1. Portion of the public road (Bundarra Road) west of Sheidow Terrace between allotment 1 in Deposited Plan 12488 and allotment 7 in Deposited Plan 27270 (Marino Conservation Park), more particularly lettered 'A' in Preliminary Plan No. PP32/0390 be closed.

2. The whole of the land subject to closure be transferred to TREVOR JOHN SUPPLE and VALMA ALICE INGERSON in accordance with agreement for transfer dated 25 August 1999 entered into between The Corporation of the City of Marion and T. J. Supple and V. A. Ingeron.

On 30 April 2000 that order was confirmed by the Minister for Administrative and Information Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 18 May 2000.

P. M. KENTISH, Surveyor-General

PSYCHOLOGICAL PRACTICES ACT 1973

SECTION 22

Declaration of Recognised Universities

THE following universities are, by this notice, declared to be recognised universities for the purposes of the Psychological Practices Act 1973:

South Australia:

Flinders University of South Australia
University of Adelaide
University of South Australia

Australian Capital Territory:

Australian National University
University of Canberra

Northern Territory:

Northern Territory University

Tasmania:

University of Tasmania

Western Australia:

Curtin University of Technology
Edith Cowan University
Murdoch University
University of Western Australia

Queensland:

Bond University
Central Queensland University
Griffith University
James Cook University
Queensland University of Technology
University of Queensland
University of Southern Queensland

Victoria:

Ballarat University
Deakin University
La Trobe University
Monash University
Royal Melbourne Institute of Technology
Swinburne University of Technology
University of Melbourne
Victoria University of Technology

New South Wales:

Australian Catholic University
Charles Sturt University
Macquarie University
University of Newcastle
University of New England
University of New South Wales
University of Sydney
University of Western Sydney
University of Wollongong

By order of the Board,

P. J. MARTIN, Registrar

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 is additional to:
1. the gazettal of 24 April 1996 (page 2045)
 3. the gazettal of 5 December 1996 (page 1818)
 5. the gazettal of 17 April 1997 (page 1571)
 7. the gazettal of 12 June 1997 (page 2984)
 9. the gazettal of 7 August 1997 (page 311)
 11. the gazettal of 22 December 1997 (page 1776)
 13. the gazettal of 18 June 1998 (page 2594)
 15. the gazettal of 24 September (page 990)
 17. the gazettal of 15 October 1998 (page 1150)
 19. the gazettal of 19 November 1998 (page 1583)
 21. the gazettal of 10 December 1998 (page 1870)
 23. the gazettal of 23 December 1998 (page 2039)
 25. the gazette of 25 March 1999 (page 1480)
 27. the gazette of 22 April 1999 (page 2219)
 29. the gazettal of 6 May 1999 (page 2482)
 31. the gazettal of 27 May 1999 (Errata) (page 2723)
 33. the gazettal of 24 June 1999 (page 3261)
 35. the gazettal of 29 July 1999 (page 602)
 37. the gazettal of 14 October 1999 (page 1973)
 39. the gazettal of 6 January 2000 (page 1169)
 41. the gazettal of 6 April 2000 (page 2047)
 43. the gazettal of 4 May 2000 (page 2416)
 2. the gazettal of 31 October 1996 (page 1544)
 4. the gazettal of 6 February 1997 (page 830)
 6. the gazettal of 29 May 1997 (page 2758)
 8. the gazettal of 3 July 1997 (page 33)
 10. the gazettal of 18 December 1997 (page 1677)
 12. the gazettal of 23 April 1998 (page 1959)
 14. the gazettal of 6 August 1998 (page 339)
 16. the gazettal of 1 October 1998 (page 1038)
 18. the gazettal of 12 November 1998 (page 1389)
 20. the gazettal of 3 December 1998 (page 1742)
 22. the gazettal of 17 December 1998 (page 1954)
 24. the gazette of 11 March 1999 (page 1359)
 26. the gazette of 1 April 1999 (page 1605) (Errata)
 28. the gazettal of 29 April 1999 (page 2381) (Errata)
 30. the gazettal of 13 May 1999 (page 2595)
 32. the gazettal of 17 June 1999 (page 3123)
 34. the gazettal of 1 July 1999 (page 22)
 36. the gazettal of 30 September 1999 (page 1364)
 38. the gazettal of 11 November 1999 (page 2327)
 40. the gazettal of 30 March 2000 (page 1921)
 42. the gazettal of 13 April 2000 (Errata) (page 2167)
 - 44.

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

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.

Occupational/Occupation Levels Declared Vocation • Trade # Other than trade	Course code National/ State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
New Declared Vocations					
# Spatial Information April 2000	National Code 12786ACT 30 June 2002	Certificate IV in Asset Management (Geographical Information Systems Practices)	12 months	360 hours	1 month

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:

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21. the gazettal of 10 December 1998 (page 1870)
23. the gazettal of 23 December 1998 (page 2039)
25. the gazette of 25 March 1999 (page 1480)
27. the gazette of 22 April 1999 (page 2219)
29. the gazettal of 6 May 1999 (page 2482)
31. the gazettal of 27 May 1999 (Errata) (page 2723)
33. the gazettal of 24 June 1999 (page 3261)
35. the gazettal of 29 July 1999 (page 602)
37. the gazettal of 14 October 1999 (page 1973)
39. the gazettal of 6 January 2000 (page 1169)
41. the gazettal of 6 April 2000 (page 2047)
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- 44.

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

Vocational Education, Employment and Training Act 1994

Errata

In the *Government Gazette* of 30 March 2000, the notice appearing on page 1922 related to the Declared Vocations of Business (Office Administration) showed the hours as follows:

- Certificate II in Business (Office Administration) 390 hours
- Certificate III in Business (Office Administration) 265 -345

Correction: An addition of hours to pre-requisite competencies should also be shown as:

Occupational/Occupation Levels Declared Vocation • Trade • Other than trade	Course code National/ State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
Clerical Processing (Office Administration)	Endorsed to 23/9/00 BSZ10197 BSZ20197	Administration Training Package Certificate I in Business (Office Skills) Certificate II in Business (Office Administration) (Level 2) Certificate III in Business (Office Administration) (Level 3)	exit point 12 months 12 months	390 hours 265 - 345 hours	1 month 1 month
ARC June 1998 ARC November 98 - change in hours		<i>That up to 140 hours of pre requisite competencies may be added, if required to the nominal hours for Certificate II and Certificate III in Business (Office Administration)</i>			

In the Government Gazette of 13 April 2000, the notices appearing on page 2168 related to the Declared Vocations of Breadmaking showed the national code as follows:

- 7588, ACC692 – Certificate III in Baking – Trade (Breadmaking)

Correction: The code should be shown as:

- 7589, ACC692 – Certificate III in Baking – Trade (Breadmaking)

Occupational/Occupation Levels Declared Vocation • Trade # Other than trade	Course code National/ State and expiry date	Approved Course of Instruction and Stream	Nominal Term of Contract of Training	Nominal hours of attendance at approved course	Probationary Period
* Breadmaking April 2000	7589 ACC692 21 Oct 2001	Certificate III in Baking – Trade (Breadmaking)	48 months	540 hours	3 months

REGULATIONS UNDER THE CHIROPODISTS ACT 1950

No. 39 of 2000

At the Executive Council Office at Adelaide 18 May 2000

PURSUANT to the *Chiropodists Act 1950*, on the recommendation of The Chiropody Board of South Australia 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 Acting Minister for Human Services

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 18—Fees

Citation

1. The *Chiropodists Regulations 1989* (see *Gazette* 16 February 1989 p. 475), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 1 July 2000.

Variation of reg. 18—Fees

3. Regulation 18 of the principal regulations is varied by striking out "155.00" twice occurring and substituting, in each case, "160.00".

MH 030/001/017 CS

R. DENNIS Clerk of the Council

REGULATIONS UNDER THE PSYCHOLOGICAL PRACTICES ACT 1973

No. 40 of 2000

At the Executive Council Office at Adelaide 18 May 2000

PURSUANT to the *Psychological Practices Act 1973* 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 Acting Minister for Human Services

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 2—Fees

Citation

1. The *Psychological Practices Regulations 1996* (see *Gazette* 29 August 1996 p. 875), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 1 July 2000.

Variation of Sched. 2—Fees

3. Schedule 2 of the principal regulations is varied—

(a) by striking out from clause 1 "250" and substituting "300";

(b) by striking out from clause 2(b) "200" and substituting "225".

MH 030/001/022 CS

R. DENNIS Clerk of the Council

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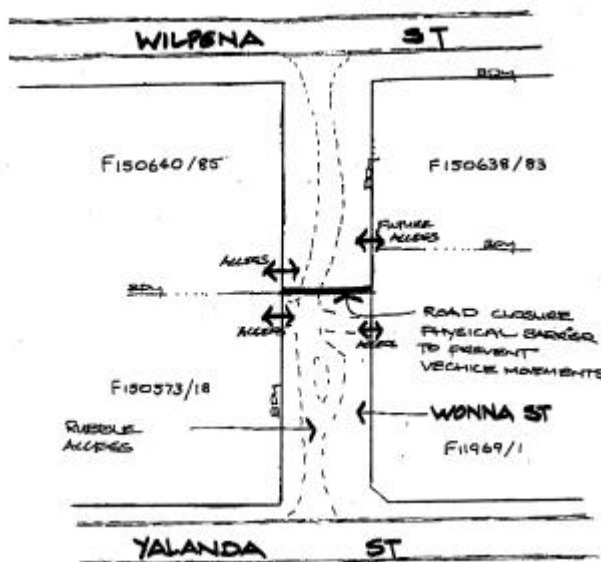
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Fax transmission: (08) 8207 1040
Enquiries: (08) 8207 1045

CITY OF MITCHAM

Road Closure

NOTICE is hereby given that at a meeting held on 9 May 2000, council resolved that, in exercise of the powers contained in section 359 of the Local Government Act 1934, as amended, all vehicles (with the exception of non motor-powered cycles) be excluded from that part of Wanna Street, Eden Hills adjacent to the southern boundary of Lot 85, and for a distance of 15 m in an easterly direction, as shown in the plan.



R. MALCOLM, Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4³ Repeal of By-law No. 4—Taxis and Hire Cars

BY-LAW No. 4—Taxis and Hire Cars (*Gazette* 20 February 1997, page 1008) is hereby repealed.

This by-law will come into operation on the date of its publication in the *Gazette*.

This by-law will expire 28 days after it comes into operation, without reviving the by-law it repeals.

The foregoing by-law was duly made and passed at a meeting of the District Council of Ceduna held on 11 May 2000, by an absolute majority of the members for the time being constituting the council, there being at least two-thirds of the members present.

A. J. IRVINE, Chief Executive Officer

DISTRICT COUNCIL OF COOBER PEDY

DEVELOPMENT ACT 1993

General Plan Amendment Report—Draft for Public Consultation

NOTICE is hereby given that the District Council of Coober Pedy has prepared a draft Plan Amendment Report pursuant to section 25 (11) of the Development Act 1993.

The draft Plan Amendment Report will be available for public inspection and purchase during normal office hours at the District Council of Coober Pedy office.

The draft Plan Amendment Report will be available for comment from 17 May 2000 until 24 July 2000. A copy of the draft Plan Amendment Report can be purchased from the council upon request or on council's website—www.opalcapitaloftheworld.com.au.

Written submissions regarding the draft Plan Amendment Report should be forwarded to PBS Australia by no later than 24 July 2000. All submissions should be addressed to PBS Australia, 3rd floor, 47 South Terrace, Adelaide, S.A. 5000

Copies of all submissions received will be available for inspection for interested persons at the offices of the District

Council of Coober Pedy from 31 July 2000 until the date of the public hearing.

A public hearing will be held in August 2000 at which time interested persons may appear and be heard in relation to the draft Plan Amendment Report and submissions. The public hearing may not be held if no submission indicates an interest in speaking at the public hearing.

A notice will be placed in the *Coober Pedy Times* giving at least 14 days notice of the public hearing.

T. MCLEOD, Chief Executive Officer

DISTRICT COUNCIL OF LOXTON WAIKERIE

Temporary Road Closure

NOTICE is hereby given that at a meeting held on 10 May 2000 the District Council of Loxton, Waikerie, pursuant to section 359 of the Local Government Act 1934, as amended, resolved to exclude all vehicles with the exception of emergency vehicles and vehicles participating in the 26th Riverland Cycling Weekend from East Terrace, Loxton on Saturday, 27 May 2000 between the hours of 3 p.m. and 4 p.m.

T. L. BURGEMEISTER, District Manager

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

Barclay, Muriel Mae, late of 44 Gill Street, Rosewater, home duties, who died on 14 March 2000.

Bennett, Malcolm Geoffrey, late of 4 Karingal Court, Dernancourt, schoolteacher, who died on 8 April 1999.

Bovington, John William, late of Hillier Road, Hillier, retired sheetmetal worker, who died on 23 February 2000.

Carter, Darrin William, late of 103 Fisher Street, Fullarton, of no occupation, who died on 1 November 1999.

Cox, Marjorie, late of 59 George Street, Paradise, widow, who died on 23 March 2000.

Fry, Phyllis Mary, late of 2 Jelley Street, Woodville, of no occupation, who died on 9 April 2000.

Goldsworthy, Marjorie Ada, late of 52 Dunrobin Road, Hove, of no occupation, who died on 9 April 2000.

Haley, Josephine, late of 3 Twelfth Avenue, Woodville North, home duties, who died on 10 March 2000.

Hart, Hugh O'Hara, late of 20 Coral Street, Victor Harbor, retired boilermaker, who died on 10 November 1999.

Litzheim, Coral Cecilia, late of 93 Armstrong Crescent, Modbury North, home duties, who died on 3 December 1997.

Madgen, Kathryn Anne, late of 6 Penola Street, Kilkenny, nurses aide, who died on 4 February 2000.

Mooney, Thomas Lander, late of 31 Royal Avenue, Pooraka, retired machinist, who died on 4 April 2000.

Norsworthy, Gladys Audrey, late of 46 Thomas Avenue, St Morris, widow, who died on 23 April 2000.

Pitcher, Geoffrey Norton, late of 1 Cumnock Street, Jamestown, retired clerk, who died on 2 March 2000.

Prerost, Renald, late of Arumpo Street, Renmark, clerk, who died on 3 August 1999.

Price, Trevor William, late of Caloote Landing, Caloote, retired welder, who died on 17 October 1999.

Robson, Gertrude, late of 288 Seaview Road, Henley Beach, of no occupation, who died on 10 February 1999.

Smith, Doris Sarah, late of 95 Ramsay Avenue, Modbury, retired cook, who died on 24 March 2000.

Stone, Joyce Nellie, late of 30 Sussex Terrace, Westbourne Park, of no occupation, who died on 3 April 2000.

Tucker, Bruce William, late of 12 Shaftesbury Terrace, Marino, pharmacist, who died on 7 January 2000.

Wicht, Hans Fritz, late of Tin Line Street, Murray Town, retired fitter and turner, who died on 19 January 2000.

Wilson, Allice Dossie, late of 2 Ranelagh Street, Glengowrie, home duties, who died on 2 April 2000.

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 16 June 2000, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public

Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 18 May 2000.

J. H. WORRALL, Public Trustee

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

- Adams, Una Elizabeth*, late of Westpark Nursing Home, 7 Partridge Street, Goolwa, retired school teacher, who died on 14 April 2000.
- Batchelor, Trevor John*, late of 3 Wyoming Crescent, Glenalta, retired senior clerk, who died on 6 March 2000.
- Correll, Richard Osborn*, late of 20 Dover Street, Malvern, retired clerk, who died on 6 March 2000.
- Gutschmidt, Anneliese*, late of Spring Head Road, Mount Torrens, widow, who died on 1 April 2000.
- Hall, Heather*, late of Mary Potter Hospice, 89 Strangways Terrace, North Adelaide, widow, who died on 16 April 2000.
- Mazurek, Czeslaw*, late of 10 Burnie Avenue, Campbelltown, retired electro plater, who died on 11 April 2000.
- Moody, Jessie Frances*, late of All Hallows Court, 20 Norseman Avenue, Westbourne Park, widow, who died on 3 May 2000.
- Rickets, Kathleen Edith*, late of 4 Daw House Hospice, 700 Goodwood Road, Daw Park, retired nurse, who died on 6 April 2000.
- Simmonds, Murray Roy*, late of Snowtown Memorial Hospital, Snowtown, widower, who died on 9 December 1999.
- Skewes, Erlestoun Minetta*, late of West Park Nursing Home, 7 Partridge Street, Goolwa, widow, who died on 19 April 2000.
- Tolson, Beverley Sutherland*, late of 71 Island View Drive, Clayton Bay, teacher, who died on 20 April 2000.
- Verrall, Joyce Helen*, late of 129 Haines Road, Banksia Park, widow, who died on 30 April 2000.

Notice is hereby given pursuant to the Trustees Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries and other persons having claims against the abovenamed estates are directed to send full particulars of such claims to the undersigned on or before 15 June 2000, otherwise they will be excluded from the distribution of the said estates.

Dated 18 May 2000.

IOOF AUSTRALIA TRUSTEES LIMITED (ACN 007 870 644) AND BAGOT'S EXECUTOR AND TRUSTEE COMPANY LIMITED (ACN 007 869 829), 212 Pirie Street, Adelaide, S.A. 5000.

ACN 067 853 454 PTY LTD

Appointment of Receiver and Manager

NOTICE is hereby given that on 9 May 2000, Anthony Stevens Smith, c/o Ernst & Young, Santos House, 91 King William Street, Adelaide, S.A. 5000, was appointed receiver and manager of the assets of ACN 067 853 454 Pty Ltd, by Australia and New Zealand Banking Group Limited, in exercise of its powers contained in Deed of Debenture Registered No. 484375.

FISHER JEFFRIES, SGIC Building, Level 15, 211 Victoria Square, Adelaide, S.A. 5000, solicitors for the plaintiff.

SOUTH AUSTRALIA—In the Supreme Court. No. 770 of 1999. In the matter of B & S Painters Pty Limited (ACN 070 792 906) and in the matter of the Corporations Law.

Notice by a Liquidator of His Intention to Seek His Release

Take notice that I, Mark Christopher Hall, 26 Flinders Street, Adelaide, S.A. 5000 the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator of the abovenamed company.

And take further notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me within 21 days of the publication in the gazette of the notice of my intention to apply for a release a notice of objection in the form laid down by the Corporations (South Australia) Rules 1993.

Dated 12 May 2000.

M. C. HALL, Liquidator

B. & M. PROPERTY ENTERPRISES PTY LTD
(IN LIQUIDATION) (ACN 008 104 069)

Notice of Cessation of Controller

CONSTANCE CLAIRE MIDDENDORP, Rubytime Nominees Pty Ltd, CP Investment Management No. 2 Pty Ltd, David Drysdale, Diana Drysdale and Capertree Pty Ltd ('the mortgagees'), c/o Nexus Mortgage Securities Pty Ltd, 37 Flemington Road, North Melbourne, Victoria, S.A. 3051, give notice that on 5 May 2000 they ceased to be controllers of the land owned by B. & M. Property Enterprises Pty Ltd (in liquidation) comprised and described in certificate of title volume 5123, folio 515 together with all other property comprising mortgaged property as defined in memorandum of mortgage registered number 8376941.

COREY R. MILLER, Kelly & Co., DX 301, Adelaide, S.A. 5000

SOUTH AUSTRALIA—In the Supreme Court. No. 707 of 1997. In the matter of Oscom International Pty Limited (ACN 052 168 564) and in the matter of the Corporations Law.

Notice by a Liquidator of His Intention to Seek His Release

Take notice that I, Peter Ivan Macks, 26 Flinders Street, Adelaide, S.A. 5000 the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator of the abovenamed company.

And take further notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me within 21 days of the publication in the gazette of the notice of my intention to apply for a release a notice of objection in the form laid down by the Corporations (South Australia) Rules 1993.

Dated 4 May 2000.

P. I. MACKS, Liquidator

PERRY ENGINEERING PTY LTD
(ACN 072 335 963)

Appointment of Receiver and Manager

NOTICE is hereby given that on 9 May 2000, Anthony Stevens Smith, c/o Ernst & Young, Santos House, 91 King William Street, Adelaide, S.A. 5000, was appointed receiver and manager of the assets of Perry Engineering Pty Ltd, by Australia and New Zealand Banking Group Limited, in exercise of its powers contained in Deed of Debenture Registered No. 577429.

FISHER JEFFRIES, SGIC Building, Level 15, 211 Victoria Square, Adelaide, S.A. 5000, solicitors for the plaintiff.

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform Riverside 2000 of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (either fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Ph. 8207 1045—Fax 8207 1040.