



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

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ADELAIDE, THURSDAY, 26 OCTOBER 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@sauqov.sa.gov.au](mailto:Riv2000@sauqov.sa.gov.au). Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

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CRIMINAL LAW CONSOLIDATION (MENTAL IMPAIRMENT) AMENDMENT ACT 2000 (Act No. 39 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 29 October 2000 as the day on which the *Criminal Law Consolidation (Mental Impairment) Amendment Act 2000* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 26 October 2000.

By command,

MARK BRINDAL, for Premier

AGCS 31/00

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

*Proclamation By The Governor*

(L.S.) E. J. NEAL

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

- (a) Bluemint Pty Ltd (ACN 094 482 416) to be a body specified for the purposes of that clause; and
- (b) 31 October 2000 to be the date specified for the purposes of subclause (1) (b) of that clause.

Given under my hand and the Public Seal of South Australia, at Adelaide, 26 October 2000.

By command,

MARK BRINDAL, for Premier

T&F 00/104CS

ELECTRICITY CORPORATIONS (RESTRUCTURING AND DISPOSAL) ACT 1999 SCHEDULE 1, CLAUSE 6: VARIATION OF PROCLAMATION UNDER CLAUSE 2 (STATUTORY EASEMENT RELATING TO INFRASTRUCTURE)

*Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to clause 6 of Schedule 1 of the *Electricity Corporations (Restructuring and Disposal) Act 1999* and with the advice and consent of the Executive Council, I vary the proclamation published in the *Gazette* on 25 November 1999 at p. 2434 declaring ETSA Transmission Corporation (now Transmission Lessor Corporation) to be a body specified for the purposes of clause 2 of Schedule 1 of the Act—

- (a) by striking out 'ETSA Transmission Corporation' and substituting 'Transmission Lessor Corporation (formerly ETSA Transmission Corporation)';
- (b) by striking out 'the date of making of this proclamation' and substituting '31 October 2000'.

Given under my hand and the Public Seal of South Australia, at Adelaide, 26 October 2000.

By command,

MARK BRINDAL, for Premier

T&F 00/104CS

JURIES (MISCELLANEOUS) AMENDMENT ACT 2000  
(Act No. 44 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 29 October 2000 as the day on which the *Juries (Miscellaneous) Amendment Act 2000* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 26 October 2000.

By command,

MARK BRINDAL, for Premier

AGCS 6/94

LOCAL GOVERNMENT ACT 1999 SECTIONS 11(2)(a) AND 34(3): ALTERATION OF BOUNDARIES—AREA OF THE ADELAIDE HILLS COUNCIL AND THE CITY OF BURNSIDE

*Proclamation By The Governor*

(L.S.) E. J. NEAL

*Preamble*

1. On 27 May 1999 a proclamation was made under the *Local Government Act 1934* to alter the boundaries of the Adelaide Hills Council and the City of Burnside (see *Gazette* 27 May 1999 p. 2657).

2. That proclamation continues to have effect and may be taken to have been made in pursuance of the *Local Government Act 1999* (see especially section 11 of the *Acts Interpretation Act 1915*).

3. I am of the opinion that there was a deficiency in the proclamation because it failed to make provision for the transfer of certain property, rights and liabilities between the relevant councils, and for certain other matters, and that it is desirable and expedient to make provision for these matters.

*Proclamation*

PURSUANT to sections 11(2)(a) and 34(3) of the *Local Government Act 1999* and with the advice and consent of the Executive Council, I—

- (a) transfer all property, rights and liabilities of the Adelaide Hills Council with respect to any land affected by the proclamation referred to in clause 1 of the preamble, insofar as they were in existence immediately before 1 July 1999, to the City of Burnside; and
- (b) without limiting the operation of paragraph (a), declare—
  - (i) that all water or other reserves relating to any land affected by the proclamation referred to in clause 1 of the preamble and under the care, control and management of the Adelaide Hills Council immediately before 1 July 1999 under section 451 of the *Local Government Act 1934*, including any such reserve for which a grant was made under section 452 of that Act (and which is now to be taken to be a grant under section 5AA of the *Crown Lands Act 1929*—see section 27 of the *Local Government (Implementation) Act 1999*), will be taken to be under the care, control and management of the City of Burnside, and that any interest in that land vested in the Adelaide Hills Council will be taken to have been transferred to the City of Burnside; and

- (ii) that any other land affected by the proclamation referred to in clause 1 of the preamble that was, immediately before 1 July 1999, under the care, control and management of the Adelaide Hills Council will be taken to be under the care, control and management of the City of Burnside; and
- (iii) that any other interests, rights or liabilities relating to land affected by the proclamation referred to in clause 1 of the preamble that were, immediately before 1 July 1999, vested in, held by or attached to the Adelaide Hills Council will be taken to have been transferred to the City of Burnside.

Given under my hand and the Public Seal of South Australia at Adelaide, 26 October 2000.

By command,

MARK BRINDAL, for Premier

MLG 18/2000 CS  
SLGR 5/92 TC2

# NATIONAL PARKS AND WILDLIFE ACT 1972 SECTIONS 27 AND 43: ALTERATION OF BOUNDARIES OF MOUNT REMARKABLE NATIONAL PARK

## *Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to sections 27 and 43 of the *National Parks and Wildlife Act 1972* and with the advice and consent of the Executive Council, I make the following proclamation:

1. I alter the boundaries of the Mount Remarkable National Park by adding the Crown Land described in the Schedule to the park.

2. Subject to clause 4, existing rights of entry, prospecting, exploration or mining under the *Mining Act 1971* may continue to be exercised in respect of the land described in the Schedule.

3. Subject to clause 4, rights of entry, prospecting, exploration or mining may, with the approval of the Minister for Minerals and Energy and the Minister for Environment and Heritage, be acquired pursuant to the *Mining Act 1971* in respect of the land described in the Schedule.

4. A person in whom rights of entry, prospecting, exploration or mining are vested pursuant to the *Mining Act 1971* (whether those rights were acquired before or after the making of this proclamation) must not exercise those rights in respect of the land described in the Schedule unless that person complies with the following conditions:

- (a) at least three months before commencing any drilling or excavation, any vegetation clearance or the construction of any building or structure not previously authorised, the person must notify the Minister for Minerals and Energy and the Minister for Environment and Heritage of the proposed work and must supply each Minister with such information relating to the proposed work as the Minister may require;
- (b) the person, in carrying out any work referred to in paragraph (a)—
  - (i) must comply with such written directions as may be agreed upon by the Minister for Minerals and Energy and the Minister for Environment and Heritage and given to the person in relation to—
    - (A) carrying out the work in a manner that minimises damage to the land or the environment or to vegetation or wildlife on the land; or
    - (B) preserving objects, structures or sites of historical, scientific or cultural interest; or
    - (C) rehabilitating the land on completion of the work; and
  - (ii) if the work is being carried out in pursuance of a right of entry, prospecting, exploration or mining acquired after the making of this proclamation—must comply with such written directions as may be agreed upon by the Minister for Minerals and Energy and the Minister for Environment and

Heritage and given to the person in relation to prohibiting or restricting access to any specified area of the land that the Ministers believe would suffer significant detriment as a result of carrying out the work;

- (c) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (d) the person, in addition to complying with any directions given under paragraph (b)—
  - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and any vegetation or wildlife on the land are not unduly affected by the exercise of those rights; and
  - (ii) must maintain all work areas in a clean and tidy condition; and
  - (iii) must, upon the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Minister for Minerals and Energy and the Minister for Environment and Heritage as suitable for retention) used exclusively for the purposes of that work;
- (e) if no direction has been given by the Minister for Minerals and Energy and the Minister for Environment and Heritage under paragraph (b) (i) (C), the person must rehabilitate the land on completion of the work to the satisfaction of the Minister for Environment and Heritage.

5. If the Minister for Minerals and Energy and the Minister for Environment and Heritage cannot agree as to whether—

- (a) approval should be granted or refused under clause 3; or
- (b) a direction should be given under clause 4,

the Governor may, with the advice and consent of the Executive Council—

- (c) grant or refuse the necessary approval under clause 3; or
- (d) give a direction in writing under clause 4.

## SCHEDULE

Section 511, Hundred of Wongyarra, County of Frome.

Allotment 100 of Deposited Plan 34718, Hundred of Winninowie, County of Frome.

Section 433, Hundred of Gregory, County of Frome.

Pieces 457, 458 and 459 and Allotment 460 of Deposited Plan 31891, Hundred of Gregory, County of Frome.

Given under my hand and the Public Seal of South Australia, at Adelaide, 26 October 2000.

By command,

MARK BRINDAL, for Premier

EH 00/0054 CS

# NATIONAL PARKS AND WILDLIFE ACT 1972 SECTIONS 30 AND 43: CONSTITUTION OF MOKOTA CONSER- VATION PARK

## *Proclamation By The Governor*

(L.S.) E. J. NEAL

PURSUANT to sections 30 and 43 of the *National Parks and Wildlife Act 1972*, being of the opinion that the land described in the schedule should be protected or preserved for the purpose of conserving wildlife and the natural features of that land and with the advice and consent of the Executive Council, I make the following proclamation:

1. I constitute the Crown Land described in the Schedule as a conservation park and I assign the name *Mokota Conservation Park* to the conservation park.

2. Subject to clause 4, existing rights of entry, prospecting, exploration or mining under the *Mining Act 1971* may continue to be exercised in respect of the land constituting the conservation park.

3. Subject to clause 4, rights of entry, prospecting, exploration or mining may, with the approval of the Minister for Minerals and Energy and the Minister for Environment and Heritage, be acquired pursuant to the *Mining Act 1971* in respect of the land constituting the conservation park.

4. A person in whom rights of entry, prospecting, exploration or mining are vested pursuant to the *Mining Act 1971* (whether those rights were acquired before or after the making of this proclamation) must not exercise those rights in respect of the land constituting the conservation park unless that person complies with the following conditions:

- (a) at least three months before commencing any drilling or excavation, any vegetation clearance or the construction of any building or structure not previously authorised, the person must notify the Minister for Minerals and Energy and the Minister for Environment and Heritage of the proposed work and must supply each Minister with such information relating to the proposed work as the Minister may require;
- (b) the person, in carrying out any work referred to in paragraph (a)—
  - (i) must comply with such written directions as may be agreed upon by the Minister for Minerals and Energy and the Minister for Environment and Heritage and given to the person in relation to—
    - (A) carrying out the work in a manner that minimises damage to the land or the environment or to vegetation or wildlife on the land; or
    - (B) preserving objects, structures or sites of historical, scientific or cultural interest; or
    - (C) rehabilitating the land on completion of the work; and
  - (ii) if the work is being carried out in pursuance of a right of entry, prospecting, exploration or mining acquired after the making of this proclamation—must comply with such written directions as may be agreed upon by the Minister for Minerals and Energy and the Minister for Environment and Heritage and given to the person in relation to prohibiting or restricting access to any specified area of the land that the Ministers believe would suffer significant detriment as a result of carrying out the work;
- (c) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (d) the person, in addition to complying with any directions given under paragraph (b)—
  - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and any vegetation or wildlife on the land are not unduly affected by the exercise of those rights; and
  - (ii) must maintain all work areas in a clean and tidy condition; and
  - (iii) must, upon the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Minister for Minerals and Energy and the Minister for Environment and Heritage as suitable for retention) used exclusively for the purposes of that work;
- (e) if no direction has been given by the Minister for Minerals and Energy and the Minister for Environment and Heritage under paragraph (b)(i)(C), the person must rehabilitate the land on completion of the work to the satisfaction of the Minister for Environment and Heritage.

5. If the Minister for Minerals and Energy and the Minister for Environment and Heritage cannot agree as to whether—

- (a) approval should be granted or refused under clause 3; or
- (b) a direction should be given under clause 4,

the Governor may, with the advice and consent of the Executive Council—

- (c) grant or refuse the necessary approval under clause 3; or
- (d) give a direction in writing under clause 4.

#### SCHEDULE

Allotment 43 of Deposited Plan 55833, Hundred of Kingston, County of Burra.

Sections 164 and 165, Hundred of Kingston, County of Burra.

Given under my hand and the Public Seal of South Australia at Adelaide, 26 October 2000.

By command,

MARK BRINDAL, for Premier

EH 00/0053 CS

Department of the Premier and Cabinet  
Adelaide, 26 October 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Training Centre Review Board, pursuant to the provisions of the Young Offenders Act 1993:

Member: (from 26 October 2000 until 25 October 2002)  
Linda Doré

Deputy Member: (from 26 October 2000 until 25 October 2002)

Meredith Dixon (Deputy to Doré)

By command,

MARK BRINDAL, for Premier

ATTG 7/95CS

Department of the Premier and Cabinet  
Adelaide, 26 October 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Children's Services Consultative Committee, pursuant to the provisions of the Children's Services Act 1985:

Deputy Member: (from 26 October 2000 until 31 May 2002)

Teresa Harnett (Deputy to Goldsworthy)

By command,

MARK BRINDAL, for Premier

MECS 20/00CS

Department of the Premier and Cabinet  
Adelaide, 26 October 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Museum Board, pursuant to the provisions of the South Australian Museum Act 1976:

Member: (from 27 October 2000 until 26 October 2003)  
Paul Ah Chee

Member: (from 5 January 2001 until 4 January 2004)  
Adele Lloyd

By command,

MARK BRINDAL, for Premier

ACD 004/94CS

## ELECTORAL ACT 1985

*Registration of Political Parties*

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

Name of Party:

No Nuclear Dump in S.A. Party

Dated 26 October 2000.

S. H. TULLY, Electoral Commissioner

SEO 155/00

## EQUAL OPPORTUNITY TRIBUNAL

NO. 317 OF 2000

## NOTICE OF EXEMPTION

*Before Presiding Officer Hume  
Members Heylen and Stuart*

I HEREBY certify that on 27 September 2000, the Equal Opportunity Tribunal of South Australia, on the application of THE SALVATION ARMY SOBERING UP UNIT made the following orders for exemption:

A. The Salvation Army Sobering Up Unit is granted an exemption from the provisions of Section 92 of the Equal Opportunity Act 1984 ('the Act') from the requirements of section 30 (1) (a) of the Act in respect of the Applicant determining who should be offered positions of employment on the grounds of sex. This is to enable employment of male and female care worker teams.

B. That the exemption be granted for a period of 3 years from 27 September 2000.

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

Dated 9 October 2000.

D. HOBAN for M. MOORE, Registrar, Equal Opportunity Tribunal

## ENVIRONMENT PROTECTION AUTHORITY

*Notice of Intention to Prepare a Draft Environment Protection  
(Waste) Policy*

NOTICE is hereby given pursuant to section 28 (3) of the Environment Protection Act 1993, that the Environment Protection Authority intends to prepare a draft Environment Protection (Waste) Policy.

The general purpose of the proposed policy is to establish important waste management principles such as the waste hierarchy and to establish strategic as well as specific waste management practices that give clear direction and guidance for the community of South Australia on how waste should be managed.

It is intended that the proposed policy incorporate the intent of provisions currently contained in the Environment Protection (Waste Management) Policy 1994.

In particular, it is intended that the proposed policy:

- set out matters to be taken into account by the Authority in relation to:
  - environmental authorisations or applications for environmental authorisation;
  - development authorisations referred to the Authority under the Development Act 1993; and
  - other matters;
- set out mandatory provisions to be enforceable as offences under the Environment Protection Act 1993;
- set out policies that may be given effect to by the issuing of environment protection orders.

M. HARVEY, Acting Executive Director

## FISHERIES ACT 1982

## MARINE TUNA FARMING LICENCE FB00013

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Schedule 2 of this licence ('the permitted species') the Minister for Primary Industries, ('the Minister') hereby grants to:

DI Fishing Co Pty Ltd (13643)  
MG Kailis Tuna (13229)  
P.O. Box 1491,  
Port Lincoln, S.A. 5606,

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('the term') subject to the following terms and conditions.

## CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Sea Cages*

The licensee:

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

### 7. Location of Sea Cages

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

### 8. Marking and Maintaining the Site

The licensee:

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

### 9. Site Inspection and Supervision

The licensee:

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

### 10. Fees and Returns

The licensee:

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

### 11. Compliance With Relevant Laws

- 11.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;
- 11.2 in particular, without derogating from the general requirement under condition 11 of this licence:
  - 11.2.1 the licensee must not do or permit to be done in upon or about the site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment; and
  - 11.2.2 in the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the licensee must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted use or else conduct the permitted use as directed within the notice.

### 12. Public Risk Indemnity

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

### 13. Release

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

### 14. Public Risk Insurance

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

### 15. Guarantee or Indemnity Scheme

The licensee must either:

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

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

### 16. No Assignment

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

### 17. Default by Licensee and Termination

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

- 17.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 17.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 17.1 notwithstanding rectification of the previous breach or default; or
- 17.3 the licence fee referred to in condition 10 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 17.4 if the licensee is a body corporate, any of the following occur:
  - 17.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 17.4.2 an order is made for the winding up or liquidation of the licensee;
  - 17.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

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

#### 18. Interpretation

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

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

#### 19. Delegation

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

#### 20. Severance

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

#### 21. Modification

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

#### 22. Waiver

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

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

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

#### 23. Notices

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

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

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

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

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

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

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

Granted by the General Manager Aquaculture, delegate of the Minister, on 19 October 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

The Common Seal of DI Fishing Co Pty Ltd (ACN 072 132 579) was hereunto affixed in the presence of:

(L.S.) D. W. C. BALL, Director

A. L. WHITEHEAD, Secretary

The Common Seal of MG Kalis (Tuna) Pty Ltd (ACN 008 767 351) was hereunto affixed in the presence of:

(L.S.) P. V. KALIS, Director

K. G. PALMER, Secretary

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

| Licensed Area    | Licensed Hectares |
|------------------|-------------------|
| AGD 66—Zone 53   |                   |
| 589843E 6159284N | 30                |
| 590213E 6159436N |                   |
| 590498E 6158742N |                   |
| 590128E 6158590N |                   |

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 a possible danger to navigation, lights must be yellow in colour and flashing once every 4 seconds and visible over an arc of 360 degrees for a distance of at least one mile.*

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

#### Item 2—Marked-Off Areas

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

#### SCHEDULE 2

##### Permitted Species

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

Southern Bluefin Tuna (*Thunnus maccoyii*)

##### Permitted Farming Methods

##### Sea Cages

##### Stocking Rates

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

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

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are:

|                                                                                    | \$               |
|------------------------------------------------------------------------------------|------------------|
| ESD Study (Seafood Council) per hectare 30 at \$49 each.....                       | 1 470.00         |
| TEMP Environmental Monitoring Fee (per hectare) 30 at \$164 each.....              | 4 920.00         |
| Base Licence Fee (per hectare) 30 at \$228 each.....                               | 6 840.00         |
| Fisheries Research and Development Corporation (per hectare) 30 at \$364 each..... | 10 920.00        |
| <b>Total Annual Licence Fee</b> .....                                              | <b>24 150.00</b> |
| Quarterly Instalments.....                                                         | 6 037.50         |

##### Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

#### SCHEDULE 4

##### Returns

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

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

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

#### FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00048  
(PREVIOUS LICENCE NO. F583)

#### 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:

Lester S. Marshall (12173)  
Julianne R. Marshall (12237)  
2/2 Greenly Avenue  
Coffin Bay, S.A. 5607

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('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 18 October 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. MARSHALL

In the presence of: K. W. POOLE, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

| Licensed Area    | Licensed Hectares |
|------------------|-------------------|
| AGD 66—Zone 53   |                   |
| 542017E 6172415N | 2                 |
| 542226E 6172331N |                   |
| 542167E 6172259N |                   |
| 541958E 6172343N |                   |

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 a 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 $\frac{3}{4}$ Permitted Species

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

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

##### Item 2 $\frac{3}{4}$ 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 $\frac{3}{4}$ Stocking Rates

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

#### SCHEDULE 3

##### Item 1—Fees

Annual licence fees are:

|                                                          | \$            |
|----------------------------------------------------------|---------------|
| FRDC Levy per hectare 2 at \$9.50 each.....              | 19.00         |
| EMP Fee per hectare 2 at \$17.70 each.....               | 35.40         |
| Base Licence Fee per hectare 2 at \$66 each.....         | 132.00        |
| SASQAP (Classified Area) per hectare 2 at \$80 each..... | 160.00        |
| <b>Total Annual Licence Fee .....</b>                    | <b>346.40</b> |
| Quarterly Instalments.....                               | 86.60         |

##### Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

#### SCHEDULE 4

##### Returns

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

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

#### FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00060  
(PREVIOUS LICENCE NO. F717)

##### 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:

Evans Oysters Pty Ltd (7618)  
79 Wells Street  
Streaky Bay, S.A. 5680

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('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 18 October 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

The Common Seal of Evans Oysters Pty Ltd was hereunto affixed in the presence of:

(L.S.) T. P. EVANS, Director  
R. A. EVANS, Witness

## SCHEDULE 1

## Item 1—The Site

Area applicable to this licence:

| Licensed Area    | Licensed Hectares |
|------------------|-------------------|
| AGD 66—Zone 53   |                   |
| 424950E 6372505N | 5                 |
| 425139E 6372573N |                   |
| 425050E 6372807N |                   |
| 424861E 6372738N |                   |

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 a 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  $\frac{3}{4}$  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  $\frac{3}{4}$  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  $\frac{3}{4}$  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 5 at \$9.50 each.....               | 47.50         |
| EMP Fee per hectare 5 at \$17.70 each.....                | 88.50         |
| Base Licence Fee per hectare 5 at \$66 each.....          | 330.00        |
| SASQAP (Classified Area) per hectare 5 at \$80 each ..... | 400.00        |
| <b>Total Annual Licence Fee.....</b>                      | <b>866.00</b> |
| Quarterly Instalments.....                                | 216.50        |

## Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

## SCHEDULE 4

## Returns

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

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

## FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00061  
(PREVIOUS LICENCE NO. F718)

*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:

Evans Oysters Pty Ltd (7618)  
79 Wells Street  
Streaky Bay, S.A. 5680

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('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 18 October 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

The Common Seal of Evans Oysters Pty Ltd (ACN 067 039 196) was hereunto affixed in the presence of:

(L.S.) T. P. EVANS, Director  
R. A. EVANS, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

| Licensed Area    | Licensed Hectares |
|------------------|-------------------|
| AGD 66—Zone 53   |                   |
| 424780E 6376814N | 10                |
| 425102E 6376576N |                   |
| 425324E 6376775N |                   |
| 425107E 6376982N |                   |

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 a 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 $\frac{3}{4}$ 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 $\frac{3}{4}$ 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 $\frac{3}{4}$ 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 \$9.50 each.....               | 95.00           |
| EMP Fee per hectare 10 at \$17.70 each.....                | 177.00          |
| Base Licence Fee per hectare 10 at \$66 each.....          | 660.00          |
| SASQAP (Classified Area) per hectare 10 at \$80 each ..... | 800.00          |
| <b>Total Annual Licence Fee.....</b>                       | <b>1 732.00</b> |
| Quarterly Instalments.....                                 | 433.00          |

##### Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

#### SCHEDULE 4

#### Returns

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

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

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

#### FISHERIES ACT 1982

##### MARINE MOLLUSC FARMING LICENCE FM00315

##### *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:

John R. Chapman (1138)  
 Janette W. Chapman (14711)  
 10 Kurrajong Road  
 Gould Creek, S.A. 5114

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 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('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 18 October 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

Signed by the said J. R. CHAPMAN  
and J. W. CHAPMAN

In the presence of: C. JONES, Witness

#### SCHEDULE 1

##### Item 1—The Site

Area applicable to this licence:

| Licensed Area    | Licensed Hectares |
|------------------|-------------------|
| AGD 66—Zone 53   |                   |
| 543459E 6169737N | 2                 |
| 543359E 6169737N |                   |
| 543359E 6169937N |                   |
| 543459E 6169937N |                   |

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 a 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 $\frac{3}{4}$ 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 $\frac{3}{4}$ Permitted Farming Methods

#### Racks

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

##### Item 3 $\frac{3}{4}$ 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 2 at \$9.50 each.....               | 19.00         |
| EMP Fee per hectare 2 at \$17.70 each.....                | 35.40         |
| Base Licence Fee per hectare 2 at \$66 each.....          | 132.00        |
| SASQAP (Classified Area) per hectare 2 at \$80 each ..... | 160.00        |
| <b>Total Annual Licence Fee.....</b>                      | <b>346.40</b> |
| Quarterly Instalments.....                                | 86.60         |

##### Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

#### SCHEDULE 4

#### Returns

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

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

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

## FISHERIES ACT 1982

## MARINE MOLLUSC FARMING LICENCE FM00331

*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:

Evans Oysters Pty Ltd (7618)  
Williams, B. J., B. M., S. J., B.M. and G. B. (12197)  
79 Wells Street  
Streaky Bay, S.A. 5680

a non-exclusive licence to occupy and use the waters specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2000 and ending, subject to any earlier termination under this licence, on 30 June 2001 ('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 18 October 2000.

I. NIGHTINGALE, General Manager Aquaculture

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

The Common Seal of Evans Oysters Pty Ltd (ACN 067 039 196) was hereunto affixed in the presence of:

(L.S.) T. P. EVANS, Director  
R. A. EVANS, Witness

## SCHEDULE 1

## Item 1—The Site

Area applicable to this licence:

| Licensed Area    | Licensed Hectares |
|------------------|-------------------|
| AGD 66—Zone 53   |                   |
| 423897E 6379910N | 10                |
| 424247E 6379780N |                   |
| 424247E 6379480N |                   |
| 423897E 6379640N |                   |

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 a 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  $\frac{3}{4}$  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  $\frac{3}{4}$  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  $\frac{3}{4}$  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 \$9.50 each.....               | 95.00           |
| EMP Fee per hectare 10 at \$17.70 each.....                | 177.00          |
| Base Licence Fee per hectare 10 at \$66 each.....          | 660.00          |
| SASQAP (Classified Area) per hectare 10 at \$80 each ..... | 800.00          |
| <b>Total Annual Licence Fee.....</b>                       | <b>1 732.00</b> |
| Quarterly Instalments.....                                 | 433.00          |

## Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

## SCHEDULE 4

## Returns

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

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

4. Location of aquaculture operation.
  5. Period covered by return.
  6. Number of life stage of each species of fish held.
  7. Number, weight and value of each species of fish held.
  8. Details of any disease detected in any fish kept.
  9. Source (whether interstate or intrastate) of any stock acquired and date of acquisition (if relevant, include name of authority that provided certification that stock was free from disease).
  10. If any fish were brought into the state, the number of fish and the life stage of the fish.
  11. If fish were brought into the state, the purpose for which they were brought in.
  12. Method of disposal of water and packaging use for transporting the fish.
  13. If any disease or symptom of disease occurred in the acquired fish.
  14. Method of disposal of diseased or dead fish and the number disposed of.
  15. Signature, date and telephone number.
  16. Use of any chemicals for fish husbandry—type of chemical and quantity used, purpose and date of use.
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#### GAMING MACHINES ACT 1992

##### *Notice of Application for Grant of Gaming Machine Dealer's Licence*

NOTICE is hereby given, pursuant to section 29 of the Gaming Machines Act 1992, that Ainsworth Game Technology Pty Ltd, 54 Blackwall Point Road, Chiswick, N.S.W. 2046 has applied the Liquor Licensing Commissioner for the grant of a Gaming Machine Dealer's Licence.

The application has been set down for hearing on 24 November 2000.

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.

Dated 12 October 2000.

Applicant

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#### GAMING MACHINES ACT 1992

##### *Notice of Application for Increase in Number of Machines*

NOTICE is hereby given, pursuant to section 29 of the Gaming Machines Act 1992, that Shokkd & Apauld Pty Ltd has applied to the Licensing Authority for an increase in Gaming Machines from 20 to 40 in respect of premises situated at Sevenhill 5453 and known as Sevenhill Hotel.

The application has been set down for hearing on Friday, 24 November 2000.

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

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

Applicant

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## Christmas/New Year Holiday Publishing Information

***Last Gazette for 2000 will be Thursday, 21 December 2000***

Closing date for notices for publication will be  
**4 p.m. Tuesday, 19 December 2000**

***First Gazette for 2001 will be Thursday, 4 January 2001***

Closing date for notices for publication will be  
**4 p.m. Tuesday, 2 January 2001**

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

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## GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to Riverside 2000 so as to be **received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: 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.

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

| Address of House                                        | Allotment, Section, etc.                                              | <u>Certificate of Title</u> |           | Date and page of<br><i>Government Gazette</i> in<br>which notice declaring<br>house to be substandard<br>published | Maximum rental<br>per week payable<br>in respect of<br>each house<br>\$ |
|---------------------------------------------------------|-----------------------------------------------------------------------|-----------------------------|-----------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
|                                                         |                                                                       | Volume                      | Folio     |                                                                                                                    |                                                                         |
| Unit 2/11A Williams Avenue,<br>Dulwich                  | Unit 2 Strata Plan 5389,<br>Hundred of Adelaide                       | 5028                        | 348       | 30.9.99, page 1348                                                                                                 | 150.00                                                                  |
| Unit 1/11 Williams Avenue,<br>Dulwich                   | Common property Strata Plan<br>5389, Hundred of Adelaide              | 5028                        | 349       | 29.10.98, page 1289                                                                                                | 160.00                                                                  |
| 27 Willimott Street, Ethelton                           | Portion of allotments 66 and<br>67, Hundred of Port<br>Adelaide       | 5028<br>467                 | 347<br>59 | 7.3.68, page 781                                                                                                   | 90.00                                                                   |
| 85 Tower Street North, North<br>Adelaide                | Portion of town acre 920,<br>City of Adelaide                         | 2627                        | 103       | 3.12.70, page 2618                                                                                                 | 200.00                                                                  |
| 160 Strathalbyn Road, Mylor<br>(also known as Aldgate)  | Section 926, Hundred of<br>Noarlunga                                  | 5221                        | 505       | 29.6.00, page 3453                                                                                                 | 110.00                                                                  |
| Flat 1/16 Wallis Street,<br>Parkside                    | Allotment 36 in deposited<br>plan 1947, Hundred of<br>Adelaide        | 5659                        | 797       | 27.7.00, page 309                                                                                                  | 60.00                                                                   |
| Flat 2/16 Wallis Street,<br>Parkside                    | Allotment 36 in deposited<br>plan 1947, Hundred of<br>Adelaide        | 5659                        | 797       | 27.7.00, page 309                                                                                                  | 45.00                                                                   |
| Flat 3/16 Wallis Street,<br>Parkside                    | Allotment 36 in deposited<br>plan 1947, Hundred of<br>Adelaide        | 5659                        | 797       | 27.7.00, page 309                                                                                                  | 45.00                                                                   |
| Flat 4/16 Wallis Street,<br>Parkside                    | Allotment 36 in deposited<br>plan 1947, Hundred of<br>Adelaide        | 5659                        | 797       | 27.7.00, page 309                                                                                                  | 45.00                                                                   |
| 20 Marian Road, Payneham<br>South (also known as 18-20) | Allotment 20 of subdivision of<br>Lot 73 and others of section<br>285 | 1040                        | 66        | 13.8.87, page 494                                                                                                  | 110.00                                                                  |
| 6 Aberdeen Street, Port<br>Adelaide                     | Allotment 66 in deposited<br>plan 933, Hundred of Port<br>Adelaide    | 5364                        | 535       | 15.4.76, page 1986                                                                                                 | 95.00                                                                   |
| 205 Railway Terrace, Taillem<br>Bend                    | Allotment 164 Town of<br>Taillem Bend, Hundred of<br>Seymour          | 5291                        | 143       | 26.11.98, page 1638                                                                                                | 90.00                                                                   |
| 43 Victoria Street, Victor<br>Harbor                    | Allotment 2 in filed plan<br>158927, Hundred of<br>Encounter Bay      | 5287                        | 832       | 2.5.96, page 2402                                                                                                  | 120.00                                                                  |
| 14 Gardiner Street, Wallaroo                            | Allotment 659 in filed plan<br>189601, Hundred of<br>Wallaroo         | 5453                        | 778       | 30.3.89, page 895                                                                                                  | 55.00                                                                   |
| Dated at Adelaide, 26 October 2000.                     |                                                                       |                             |           | G. BLACK, Chief General Manager, Housing Trust                                                                     |                                                                         |

## HOUSING IMPROVEMENT ACT 1940

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

| No. of House and Street             | Locality      | Allotment, Section, etc.                                                                | <u>Certificate of Title</u> |                                                |
|-------------------------------------|---------------|-----------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------|
|                                     |               |                                                                                         | Volume                      | Folio                                          |
| 154 Esplanade                       | Aldinga Beach | Allotment 8 in deposited plan 3244, Hundred of<br>Willunga                              | 5807                        | 5330                                           |
| 64 Royal Avenue                     | Pooraka       | Allotment 26 in deposited plan 6835, Hundred<br>of Yatala                               | 5285                        | 246                                            |
| 26 Yeltana Avenue                   | Wattle Park   | Allotment 43 in filed plan 141904 in the area<br>named Wattle Park, Hundred of Adelaide | 5391                        | 208                                            |
| Dated at Adelaide, 26 October 2000. |               |                                                                                         |                             | G. BLACK, Chief General Manager, Housing Trust |

## HOUSING IMPROVEMENT ACT 1940

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

| Address of House                                                      | Allotment, Section, etc.                                                                     | Certificate of Title                           |       | Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published |
|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------|-------|--------------------------------------------------------------------------------------------------------|
|                                                                       |                                                                                              | Volume                                         | Folio |                                                                                                        |
| 43 Athol Street, Athol Park                                           | Allotment 8 in deposited plan 5121, Hundred of Yatala                                        | 5667                                           | 703   | 22.2.73, page 718                                                                                      |
| Section 529 Balfour Ogilvy Road, Loxton North                         | Section 529 in Loxton Irrigation Area, Hundred of Gordon                                     | Crown Lease<br>1097                            | 31    | 14.5.87, page 1261                                                                                     |
| Stone house corner of Branson Road and Pethick Road, McLaren Vale     | Section 195, Hundred of Willunga                                                             | 5335                                           | 950   | 3.2.95, page 752                                                                                       |
| Red brick house corner of Pethick Road and Branson Road, McLaren Vale | Section 195, Hundred of Willunga                                                             | 5335                                           | 950   | 3.2.95, page 752                                                                                       |
| 8 Doughty Street, Mount Gambier                                       | Allotment 164 in filed plan 194776, Hundred of Blanche                                       | 5413                                           | 844   | 25.9.97, page 886                                                                                      |
| 75 May Terrace, Ottoway                                               | Allotment 65 in deposited plan 14450 in the area named Ottoway, Hundred of Port Adelaide     | 5305                                           | 802   | 25.6.92, page 2054                                                                                     |
| Flat at rear of 3 Stonehaven Street, Pennington                       | Allotment 56 in deposited plan 3310 in the area named Pennington, Hundred of Yatala          | 5308                                           | 939   | 25.11.93, page 2605                                                                                    |
| 12 Barry Avenue, Port Lincoln                                         | Allotment 21 in deposited plan 3850 in the area named Port Lincoln, Hundred of Lincoln       | 5193                                           | 337   | 7.7.94, page 21                                                                                        |
| 68 Bower Road, Semaphore Park                                         | Allotment 99 in filed plan 118681 in the area named Semaphore Park, Hundred of Port Adelaide | 5656                                           | 120   | 13.11.80, page 1869                                                                                    |
| Dated at Adelaide, 26 October 2000.                                   |                                                                                              | G. BLACK, Chief General Manager, Housing Trust |       |                                                                                                        |

## LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

*Exemption*

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

## SCHEDULE 1

Clarissa-Lee Jane Bailey, officer/employee of Auratel Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5455, folio 389, situated at 30 Window Road, Willaston, S.A. 5118.

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

M. BODYCOAT, Commissioner

## LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

*Exemption*

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

## SCHEDULE 1

Margaret Jean Rodis, officer/employee of D. M. Fimmell & Co. Pty Ltd.

## SCHEDULE 2

The whole of the land described in certificate of title register book volume 5431, folio 421, situated at 16 Kurrajong Street, Mount Gambier, S.A. 5290.

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

M. BODYCOAT, Commissioner

## LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

*Notice of Application for Transfer of Liquor Licence and Gaming Machine Licence*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Hexamede Pty Ltd (ACN 082 430 868), c/o Randle & Taylor, 204 Carrington Street, Adelaide has 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 Gilbert Street, Lyndoch and known as Lyndoch Hotel.

The application has been set down for hearing on 24 November 2000.

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 18 October 2000.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES  
ACT 1992

*Notice of Application for Transfer of Liquor Licence and Gaming  
Machine Licence*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Malmik Pty Ltd (ACN 094 660 447), c/o Bonnins Commercial Lawyers, Level 14, 100 King William Street Adelaide has 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 34 Main Street Woodside, S.A. 5244 and known as Woodside Hotel.

The application has been set down for hearing on 24 November 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 18 October 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 Bel Cafe Pty Ltd (ACN 094 590 940) has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Lot 1040 The Golden Way, Golden Grove, S.A. 5125 and known as Cafe Bella.

The application has been set down for hearing on 17 November 2000 at 11 a.m.

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

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

Dated 19 October 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 Tindall Gask Bentley, 76 Light Square, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at 76 Light Square, Adelaide, S.A. 5000 and known as Tindall Gask Bentley Social Club.

The application has been set down for hearing on 24 November 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 16 October 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 Mellor Park Tennis Club, 2 Myzantha Street, Lockleys, S.A. 5032 has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at 2 Myzantha Street, Lockleys, S.A. 5032 and known as Mellor Park Tennis Club.

The application has been set down for hearing on 24 November 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, at least seven days before the hearing date.

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

Dated 17 October 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 Cindy Sau Len See, P.O. Box 186, Naracoorte, S.A. 5271 has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 6 Bagot Street, Robe, S.A. 5271 and known as Dragon Village Licensed Chinese Restaurant.

The application has been set down for hearing on 24 November 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, at least seven days before the hearing date.

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

Dated 13 October 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 Caroline Renae Crook and Melanie Kay Crook have applied to the Licensing Authority for a Restaurant Licence and Entertainment Consent in respect of premises situated at 22 Murray Street, Angaston, S.A. 5353 and known as Rendezvous House.

The application has been set down for hearing on 24 November 2000.

*Condition*

The following licence condition is sought:

Entertainment consent is sought for the whole of the licensed premises.

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

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

Dated 18 October 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 Raymond Keith and Gaye Ashenden, P.O. Meningie, S.A. 5264 have applied to the Licensing Authority for a Variation to Conditions and Redefinition to Licensed Premises in respect of premises situated at Lot 248 Fiebig Road, Meningie, S.A. 5264 and known as Meningie Cheese Factory.

The application has been set down for hearing on 24 November 2000.

#### *Conditions*

The following licence conditions are sought:

To vary the current hours from 11 p.m. closure to midnight closure on Friday.

To redefine the licence to include the areas outlined on the deposited plan.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the 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 20 October 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 Inglebourne Wine Company Pty Ltd (ACN 083 150 127), Main Road, McLaren Vale has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Main Road, McLaren Vale, S.A. 5171.

The application has been set down for hearing on 24 November 2000 at 9 a.m.

#### *Conditions*

The following licence conditions are sought:

To sell liquor in accordance with section 40 of the Liquor Licensing Act 1997, and any other conditions of this licence.

For consumption on the licensed premises:

- at all times with or ancillary to a meal;
- at all times to those persons attending a reception;
- at all times to those persons attending a function such as The McLaren Vale Sea & Vines Festival, the McLaren Vale Bushing Festival and the like;
- at all times by a lodger;
- at all times for tasting by members of the public of wine produced by the licensee or a related company, and wine produced by Calitin Pty Ltd and Almond Liqueur made from almonds grown on the Fleurieu Peninsula, such tastings to be by way of free sample or by a reasonable charge;
- in Area 3 for tasting by *bona fide* representatives of the wine industry or invitees of the licensee, of wine and brandy produced in the McLaren Vale Wine Region or the Fleurieu Wine Zone, such tastings to be by way of free sample or reasonable charge.

For consumption off the licensed premises from Areas 1 and 2:

- wine produced by the licensee (or a related company);
- wine produced by Calitin Pty Ltd;
- Almond Liqueur made from almonds grown on the Fleurieu Peninsula.

The Extended Trading Authorisation does not allow the sale of liquor without meals between the hours of midnight and 5 a.m. on Good Friday, the day after Good Friday or the day after Christmas 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 13 October 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 Macmont Pty Ltd, 17-19 King William Street, Kent Town has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises situated at 17-19 King William Street, Kent Town and to be situated at 41-53 Holden Street, Hindmarsh and to be known as Kent Town Beverages.

The application has been set down for hearing on 24 November 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 applicant's address given above, at least seven days before the hearing date.

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

Applicant

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Ballast Stone Estate Wines Pty Ltd (ACN 091 485 184) has applied to the Licensing Authority for the grant of a Wholesale Liquor Merchant's Licence in respect of premises situated at Lot 8 Myrtle Grove Road, Currency Creek, S.A. 5214 and known as Ballast Stone Estate Wines.

The application has been set down for hearing on 24 November 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, 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 3 July 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 David and Tanya Freschi, 30 Jackson Avenue, Strathalbyn, S.A. 5255 have applied to the Licensing Authority for the transfer of a Producer's Licence in respect of premises situated at 30 Jackson Avenue, Strathalbyn, S.A. 5255 and known as Casa Freschi.

The application has been set down for hearing on 27 November 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 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 16 October 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 Ian Matthew Bull and Janine Louise Bull, P.O. Box 452, Goolwa, S.A. 5214 have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Currency Creek Winery, Currency Road, Currency Creek, known as Barrage Room Restaurant and to be known as Currency Creek Vineyard Villas and Restaurant.

The application has been set down for hearing on 27 November 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 17 October 2000.

Applicants

#### LIQUOR LICENSING ACT 1997

##### *Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997, that Mardont Pty Ltd (ACN 062 176 194) has applied to the Gaming Commissioner for the transfer of a Special Circumstances Licence in respect of premises situated at Main Road, McLaren Vale, S.A. 5171 and known as The Barn.

The application has been set down for hearing on 27 November 2000 at 11 a.m.

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

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

Dated 20 October 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 Frederick John Burgoyne, Rhonda Joan Grant and Christine Grant, c/o 10 Fontaine Drive, Sellicks Beach, S.A. 5174 have applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at Princes Highway, Policeman's Point via Meningie, S.A. 5264 and presently known as Coorong Hotel/Motel.

The application has been set down for hearing on 27 November 2000 at 11.30 a.m.

##### *Conditions*

The following licence conditions are sought:

1. Entertainment Consent to apply to the whole of Area 1 and Area 2 of the licensed premises and during the Extended Trading Authorisation.

2. The Extended Trading Authorisation to apply at the following times:

Monday to Saturday from midnight to 5 a.m. on each day.

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

Christmas Day, midnight to 2 a.m.

Public holidays, midnight to 5 a.m.

for consumption on or off the licensed premises.

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

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

Dated 19 October 2000.

Applicants

#### MINING ACT 1971

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

Applicant: Resolute Resources Limited and Dominion Gold Operations Pty Ltd

Location: Blowout area—Approximately 160 km north-west of Tarcoola, bounded as follows: Commencing at a point being the intersection of latitude 29°44'S and longitude 133°08'E, thence east to longitude 133°33'E, south to latitude 29°54'S, west to longitude 133°22'E, south to latitude 30°00'S, west to longitude 133°18'E, south to latitude 30°08'S, west to longitude 133°07'E, north to latitude 29°55'S, east to longitude 133°08'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p.4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 1 year

Area in km<sup>2</sup>: 1 270

Ref. 63/2000

Dated 26 October 2000.

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

#### MINING ACT 1971

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

Applicant: Austral Nickel Pty Ltd

Location: Mt Davies area—Approximately 450 km west-north-west of Marla, bounded as follows: Commencing at a point being the intersection of latitude 26°20'S and longitude 129°30'E, thence west to the western border of the State of South Australia, thence northerly along the said western border to the northern border of the State of South Australia, thence easterly along the said northern border to longitude 129°30'E, and south to the point of commencement but excluding the area bounded as follows: Commencing at a point being the intersection of latitude 26°03'S and longitude 129°10'E, thence east to longitude 129°12'E, south to latitude 26°05'S, west to longitude 129°11'E, south to latitude 26°06'S, west to longitude 129°09'E, south to latitude 26°07'S, east to longitude 129°11'E, south to latitude 26°08'S, east to longitude 129°13'E, south to latitude 26°10'S, east to longitude 129°15'E, south to latitude 26°11'S, east to longitude 129°21'E, south to latitude 26°13'S, west to longitude 129°19'E, south to latitude 26°14'S, west to longitude 129°18'E, south to latitude 26°15'S, west to longitude 129°09'E, north to latitude 26°13'S, west to longitude 129°06'E, south to latitude 26°17'S, west to longitude 129°05'E, south to latitude 26°18'S, west to the western border of the State of South Australia, thence northerly along the said western border, to latitude 26°12'S, east to longitude 129°09'E, north to latitude 26°10'S, west to the



western border of the State of South Australia, thence northerly along the said western border to latitude 26°05'S, east to longitude 129°03'E, south to latitude 26°07'S, east to longitude 129°06'E, north to latitude 26°06'S, east to longitude 129°08'E, north to latitude 26°04'S, east to longitude 129°09'E, north to latitude 26°02'S, west to longitude 129°06'E, north to the northern border of the State of South Australia, thence easterly along the said northern border to longitude 129°12'E, south to latitude 26°01'S, west to longitude 129°10'E, and south to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p.4984 of *Commonwealth Gazette* number 84 dated 6 October 1966 (AGD66).

Term: 1 year

Area in km<sup>2</sup>: 1 372

Ref. 9/1994

Dated 26 October 2000.

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

#### MOTOR VEHICLES ACT 1959

##### *Recognised Historic Motor Vehicle Club*

NOTICE is hereby given that the undermentioned club is recognised as an historic motor vehicle club in accordance with Schedule 1 Clause 3 (3)(a) of the Motor Vehicles Regulations, for the purposes of section 25 of the Motor Vehicles Act 1959:

Holden Monaro Car Club of SA Incorporated

Dated 24 October 2000.

R. J. FRISBY, Registrar of Motor Vehicles

#### MOUNT GAMBIER CIRCUIT

##### *Combined Sittings of the Supreme and District Courts of South Australia*

Sheriff's Office, Adelaide, 20 October 2000

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

Monday, 6 November 2000 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intention to plead guilty and the passing of sentences for all matters listed for disposition by the District Court. Matters listed for disposition before the Supreme Court will be listed for a date to be fixed.

Juries will be summoned for Tuesday, 7 November 2000 and persons will be tried on this and subsequent days of the sittings.

*Prisoners in H.M. Gaol and on Bail for Sentence and for Trial at the Sittings of the Mount Gambier Courthouse, commencing Monday, 6 November 2000.*

##### *District Court*

|                       |                                                                                                                                                                                       |         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Haydon, Ronald James  | Possessing methylamphetamine for sale; unlawful possession                                                                                                                            | In gaol |
| Haydon, Ronald James  | Taking part in the manufacture of methylamphetamine (2); selling methylamphetamine                                                                                                    | In gaol |
| Rowland, Paul Leonard | Causing grievous bodily harm with intent to do such harm; assault occasioning actual bodily harm (2); assaulting a member of the police force; assault police; carry offensive weapon | On bail |

|                            |                                                                                                                                                                                                |         |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Malone, Todd Andrew        | Aggravated serious criminal trespass (non residential)                                                                                                                                         | On bail |
| Boyce, Deon Joseph         | Aggravated serious criminal trespass—residence not occupied; assault occasioning actual bodily harm                                                                                            | On bail |
| Edwards, Aaron Peter Scott | Aggravated serious criminal trespass—residence not occupied; assault occasioning actual bodily harm                                                                                            | On bail |
| Moreland, Mark James       | Aggravated serious criminal trespass—residence not occupied; assault occasioning actual bodily harm                                                                                            | On bail |
| Brown, Michael Anthony     | Possessing methylamphetamine for sale; selling methylamphetamine; unlawful possession                                                                                                          | On bail |
| Alves, Shane Colin         | Common assault (3); false imprisonment                                                                                                                                                         | On bail |
| Greenstock, Joel Ghazi     | Common assault; false imprisonment                                                                                                                                                             | On bail |
| Biddle, Justen Andrew      | Serious criminal trespass in a place of residence; assault occasioning actual bodily harm                                                                                                      | On bail |
| Ellard, Jason Stewart      | Serious criminal trespass in a place of residence; assault occasioning actual bodily harm                                                                                                      | On bail |
| Harvey, Lee Anthony        | Serious criminal trespass in a place of residence; assault occasioning actual bodily harm                                                                                                      | On bail |
| B                          | Rape; threatening life; common assault on person other than family member                                                                                                                      | On bail |
| Mackay, Richard Lawrence   | Non-aggravated serious criminal trespass (non-residential)                                                                                                                                     | On bail |
| Motteram, Luke Philip      | Producing a controlled substance                                                                                                                                                               | On bail |
| Romer, Ricki Daniel        | Arson                                                                                                                                                                                          | In gaol |
| Romer, Ricki Daniel        | Non-aggravated serious criminal trespass (place of residence)                                                                                                                                  | In gaol |
| Bahnisch, Mark Robert      | Aggravated serious criminal trespass (non-residential) (9); non-aggravated serious criminal trespass (non-residential) (4); non-aggravated serious criminal trespass (place of residence) (10) | On bail |
| Bahnisch, Mark Robert      | Producing a controlled substance                                                                                                                                                               | On bail |
| Motteram, Luke Philip      | Aggravated serious criminal trespass (non-residential) (12); non-aggravated serious criminal trespass (place of residence) (4); larceny                                                        | On bail |
| Moore, Michael Ronald      | Possessing a controlled substance for supply; producing a controlled substance                                                                                                                 | On bail |
| McMahon, Mark Russell      | False imprisonment; assault occasioning actual bodily harm; threatening life                                                                                                                   | In gaol |
| Freer, Andrew Brian        | Robbery                                                                                                                                                                                        | In gaol |
| McMahon, Mark Russell      | Possessing a controlled substance for sale                                                                                                                                                     | In gaol |
| Jackway, John Glen         | Breach of bond                                                                                                                                                                                 | On bail |

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

By order of the Court,

W. T. M. GOODES, Sheriff

#### NATIONAL PARKS REGULATIONS 1990

##### *Closure of the Gammon Ranges National Park*

PURSUANT to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Best, the Acting Director of National Parks and Wildlife, close to the public the whole of the Gammon Ranges National Park from sunset on Friday, 3 November 2000 through until sunrise on Monday, 13 November 2000.

The internal roads within the Park will be closed to the public; however, the following roads within the Park will be exempted from the closure:

The main road connecting Copley-Nepabunna Road.

The main road connecting Yunta-Arkarooola Road.

The main road connecting Wirrealpa-Balcanoona-Arkarooola Road.

The purpose of the closure is to ensure the safety of the public during a feral animal-culling program within the Reserve during the period.

##### *Use of Firearms within the Reserve*

Pursuant to Regulations 7 (4), 18 (1) and 37 of the National Parks Regulations 1990, I, Lindsay Best, the Acting Director of National Parks and Wildlife grant permission to members of the Hunting and Conservation Branch of the Sporting Shooters Association of Australia, in possession of both a current Hunting Permit and a firearm to enter and remain in the Gammon Ranges National Park from sunset on Friday, 3 November 2000 through until sunrise on Monday, 13 November 2000, for the purpose of taking feral animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, the National Parks Regulations 1990, and the National Parks and Wildlife (Hunting) Regulations 1996, including those requiring compliance with the directions, requests, requirements and orders of a Warden.

Dated 16 October 2000.

L. BEST, Acting Director, National Parks  
and Wildlife

#### NATIONAL PARKS REGULATIONS 1990

##### *Closure of the Chowilla Game Reserve, Chowilla Regional Reserve, Katarapko section of the Murray River National Park, (including Katarapko Island) Lyrup Flats section of the Murray River National Park, Pike River Conservation Park, Moorook Game Reserve, Loch Luna Game Reserve, Cooltong Conservation Park*

PURSUANT to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Chowilla Game Reserve, including Chowilla Island, Monoman Island, Boat Creek Island, Slaney Island, Punkah Island and Horseshoe Lagoon, Grand Junction Island, Wilperna Island and Hypurna Island and extending to the New South Wales and Victorian Borders from 5 p.m. on Friday, the 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

Pursuant to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Chowilla Regional Reserve, from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

Pursuant to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Katarapko section of the Murray River National Park including Katarapko Island from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

Pursuant to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Lyrup Flats section of the Murray River National Park from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

Pursuant to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Moorook Game Reserve from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

Pursuant to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Loch Luna Game Reserve from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

Pursuant to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Pike River Conservation Park, from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

Pursuant to Regulation 7 (3) (c) of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, close to the public the whole of the Cooltong Conservation Park, from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000.

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

##### *Use of Firearms within the Reserve*

Pursuant to Regulations 7 (4), 18 (1) and 37 of the National Parks Regulations 1990, I, Lindsay Wilfred Best, the Director of National Parks and Wildlife, grant permission to members of the Field and Game Association and the Sporting Shooters Association of Australia, in possession of both a current Hunting Permit and a firearm to enter and remain in the Chowilla Game Reserve, Chowilla Regional Reserve, Katarapko section of the Murray River National Park, Lyrup Flats section of the Murray River National Park, Pike River Conservation Park, Moorook Game Reserve, Loch Luna Game Reserve, Cooltong Conservation Park from 5 p.m. on Friday, 27 October 2000 until 7 a.m. on Tuesday, 31 October 2000 for the purpose of taking feral animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, the National Parks Regulations 1990, and the National Parks and Wildlife (Hunting) Regulations 1996, including those requiring compliance with the directions, requests, requirements and orders of Wardens.

Dated 18 October 2000.

L. BEST, Acting Director, National Parks  
and Wildlife

#### NATIONAL PARKS REGULATIONS 1990

##### *National Parks and Wildlife Reserves ¾Fire Restrictions*

PURSUANT to Regulation 14 (1) of the National Parks Regulations 1990, I, Lindsay Best, the Acting Director of National Parks and Wildlife, impose fire restrictions for National Parks and Wildlife Reserves as listed in Schedule 1 below.

The purpose of these fire restrictions is to ensure the safety of visitors using the Reserves, and in the interests of protecting the Reserves and neighbouring properties.

Dated 20 October 2000.

L. BEST, Acting Director, National Parks  
and Wildlife

#### SCHEDULE 1

1. *Eyre and Far West Districts* ¾All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 15 April 2001. Gas fires are permitted (except on days of total fire bans).

2. *Southern Flinders District* ¾All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

3. *Flinders District* ¾The following reserves: Flinders Ranges National Park, Gammon Ranges National Park—All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 31 March 2001. Gas fires are permitted (except on days of total fire bans).

4. *Far North District* ¾The following reserve: Witjara National Park. All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 31 March 2001 except for local residential Aboriginal people using traditional use of fires for cooking.

5. *Yorke District* ¾All Reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

6. *Kangaroo Island District* ¾The following reserves: Flinders Chase National Park, Kelly Hill Conservation Park, Cape Gantheaume Conservation Park and Seal Bay Conservation Park—All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

7. *Fleurieu District* ¾The following reserves: Deep Creek Conservation Park, Newland Head Conservation Park and Tolderol Game Reserve—All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

8. *Lofty District* ¾Morialta Conservation Park, Para Wirra Recreation Park, Sandy Creek Conservation Park—All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

9. *Cleland Conservation Park* ¾All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

10. *Sturt District* ¾All Reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans). Belair National Park has a permanent prohibition of all wood fires.

11. *Coorong District, Upper South East and Lower South East District* ¾All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. **Please note:** Wood fires are allowed between high water mark and low water mark of foreshore of the following reserves: Piccaninnie Ponds Conservation Park, Little Dip Conservation Park and Coorong National Park, except on days of total fire bans. Aberdour, Bool Lagoon, Ewens Ponds, Lower Glenelg River, Mt. Monster, Piccaninnie Ponds, (above HWM), and Poocher Swamp Conservation Parks have permanent prohibition of all wood fires.

12. *Burra & Districts* ¾All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans). Spring Gully and Mokota Conservation Parks have permanent prohibition of all wood fires.

13. *Mallee District* ¾All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

14. *Riverland District* ¾All reserves: All wood fires (or solid fuel fires) are prohibited from 1 November 2000 to 30 April 2001. Gas fires are permitted (except on days of total fire bans).

#### PETROLEUM ACT 2000

##### *Establishment of Criteria for Assessing Environmental Impact of Regulated Activities*

PURSUANT to section 98 (3) of the Petroleum Act 2000 (the 'Act'), I, Robert Anthony Laws, Director Petroleum, Office of Minerals and Energy Resources, Department of Primary Industries and Resources, Delegate of the Minister for Primary Industries and Resources, pursuant to Delegation dated 25 September 2000, *Gazetted* 28 September 2000, do hereby notify the establishment of criteria for the assessment of the environmental impact of regulated activities for the purposes of section 98 (2) (b) of the Act.

These criteria are available for public inspection on the Environmental Register section of the Petroleum Group web site ([www.petroleum.pir.sa.gov.au](http://www.petroleum.pir.sa.gov.au)), or at the public office determined pursuant to section 107 (1) of the Act to be at:

Minerals and Petroleum Centre  
Office of Minerals and Energy Resources  
Department of Primary Industries and Resources  
Ground Floor, 101 Grenfell Street  
Adelaide, S.A. 5000

I invite comments for a possible review of the criteria pursuant to section 98 (3) (b) of the Act to be submitted by close of business on 24 November 2000, to me at the following address:

Bob Laws  
Director, Petroleum Group  
Office of Minerals and Energy Resources  
G.P.O. Box 1671  
Adelaide, S.A. 5001  
Phone 8463 3200; fax 8463 3202  
E-Mail: [laws.bob@saugov.sa.gov.au](mailto:laws.bob@saugov.sa.gov.au)

Dated 24 October 2000.

R. A. LAWS, Delegate of the Minister for  
Primary Industries and Resources

#### PETROLEUM ACT 2000

##### MEMORANDUM

##### *Sections 107 and 116*

THIS memorandum confirms that pursuant to delegated powers dated 25 September 2000, *Gazetted* 28 September 2000, I determine the following as the public office where the Public Register and the Environmental Register is to be made available for inspection during ordinary office hours:

Minerals and Petroleum Centre  
Office of Minerals and Energy Resources  
Department of Primary Industries and Resources  
Ground Floor, 101 Grenfell Street  
Adelaide, S.A. 5000

Copies of material on the registers can be purchased at the standard PIRSA copy charge.

Dated 29 September 2000.

R. A. LAWS, Director Petroleum Group, Office of  
Minerals and Energy Resources, Delegate of  
the Minister for Primary Industries and  
Resources

ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD PROCESS  
ORDER**

*Public Road, Hundred of Comaum*

*Deposited Plan 55851*

BY Road Process Order made on 1 August 2000, the Wattle Range Council ordered that:

1. The whole of the unnamed public road adjoining the south-western and southern boundaries of sections 251 and 387 more particularly lettered 'A' and 'B' (respectively) in Preliminary Plan No. PP32/0463 be closed.

2. Transfer the whole of the closed road to BUNDALONG PTY LTD in accordance with agreement for transfer dated 22 July 1999 entered into between the Wattle Range Council and Bundalong Pty Ltd.

On 29 September 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 26 October 2000.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

*Beverley Street, Loxton*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the DISTRICT COUNCIL OF LOXTON WAIKERIE proposes to make a Road Process Order to close and transfer to R. & J. Sonntag Pty Ltd an irregularly shaped portion of Beverley Street adjoining William Street and section 270, Hundred of Bookpurnong more particularly marked 'A' on Preliminary Plan No. PP32/0615.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, East Terrace, Loxton, S.A. 5333 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 409, Loxton, S.A. 5333 within 28 days of the publication 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 26 October 2000.

P. M. KENTISH, Surveyor-General

**REAL PROPERTY ACT NOTICE**

WHEREAS the persons named at the foot hereof have each respectively for himself made application to have the land set forth and described before his name at the foot hereof brought under the operation of the Real Property Act: Notice is hereby given that unless caveat be lodged with the Registrar-General by some person having estate or interest in the said lands on or before the expiration of the period herein below for each case specified, the said several pieces of land will be brought under the operation of the said Act as by law directed. Diagrams delineating these parcels of land may be inspected at the Lands Titles Registration Office, Adelaide, and in the offices of the several corporations or district councils in which the lands are situated.

THE SCHEDULE

| No. of Application                                                        | Description of Property                                                                | Name                                      | Residence                             | Date up to and inclusive of which caveat may be lodged |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------|--------------------------------------------------------|
| 30913                                                                     | Portion of allotment 7 of portion of section 379, Hundred of Yatala, (filed plan 5126) | Minister for Transport and Urban Planning | Adelaide 5000                         | 26 December 2000                                       |
| Dated 24 October 2000, at the Lands Titles Registration Office, Adelaide. |                                                                                        |                                           | J. ZACCARIA, Deputy Registrar-General |                                                        |

## RULES OF COURT

### **Amending the Supreme Court Rules 1987 Amendment No. 78 to the Supreme Court Rules**

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935, and all other enabling powers, We, the Judges of the Supreme Court of South Australia, make the following Rules to take effect as amendments to the Supreme Court Rules 1987, as amended:

1. These Rules may be cited as the “Supreme Court Rules 1987 Amendment No. 78”.
2. The Supreme Court Rules 1987 as amended by these Rules may be cited as the “Supreme Court Rules 1987”.
3. That Rules 17A, 17B and 17C be revoked.
4. That Form 21A be deleted.
5. That Form 46 be amended by deleting the notation “[Supreme Court only]”.
6. That the Sixth Schedule be amended by deleting the figures “4.60” in item 4 (*b*).

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 25th day of September 2000.

(L.S.)

J. DOYLE, CJ  
G. C. PRIOR, J  
J. W. PERRY, J  
K. P. DUGGAN, J  
E. P. MULLIGHAN, J  
B. M. DEBELLE, J  
M. J. NYLAND, J  
B. T. LANDER, J  
H. C. WILLIAMS, J  
D. J. BLEBY, J  
D. F. WICKS, J  
B. MARTIN, J  
T. A. GRAY, J

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**WATER MAINS AND SEWERS**

Office of the South Australian Water Corporation  
Adelaide, 26 October 2000.

**WATER MAINS LAID**

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

**ADELAIDE WATER DISTRICT**

CITY OF HOLDFAST BAY  
Woolacombe Avenue, North Brighton. p14  
Gemmell Road, Brighton. p15

CITY OF MARION  
Alfred Street, Glengowrie. p16  
Alpha Street, Morphettville. p20  
Sanderson Terrace, Morphettville. p20  
Chittleborough Circuit, Morphettville. p20  
Newberry Avenue, Morphettville. p20  
Charlick Place, Morphettville. p20  
Filmore Avenue, Morphettville. p20  
Ayers Court, Morphettville. p20

DISTRICT OF MOUNT BARKER  
Peake Court, Mount Barker. p9  
Easement in lot 6, Victoria Street, Hahndorf. p10

CITY OF SALISBURY  
Bellevue Circuit, Para Hills. p18  
Waterview Crescent, Para Hills. p18

CITY OF TEA TREE GULLY  
Aiston Grove, Golden Grove. p19  
Coconut Grove, Golden Grove. p19  
Pistachio Way, Golden Grove. p19

**MORGAN-WHYALLA COUNTRY LANDS WATER DISTRICT**

REGIONAL COUNCIL OF GOYDER  
Government road north of lot 12, Barrier Highway, Hanson. p1  
West Terrace, Hanson. p1

**PORT AUGUSTA WATER DISTRICT**

CITY OF PORT AUGUSTA  
Kirkham Avenue, Willsden. p3  
Hannagan Street, Willsden. p3  
Carrig Avenue, Willsden. p3  
Gaunt Avenue, Willsden. p3

**WATER MAINS ABANDONED**

Notice is hereby given that the undermentioned water mains have been abandoned by the South Australian Water Corporation.

**ADELAIDE WATER DISTRICT**

CITY OF SALISBURY  
Bellevue Circuit, Para Hills. p18

**BUNDALEER COUNTRY LANDS WATER DISTRICT**

WAKEFIELD REGIONAL COUNCIL  
Tuckers Road, Hoyleton. p6-8  
Russell Newtons Road, Hoyleton. p8  
Easement in section 336 (hundred of Hall), Russell Newtons Road, Hoyleton. p8  
**MORGAN-WHYALLA COUNTRY LANDS WATER DISTRICT**

REGIONAL COUNCIL OF GOYDER  
Government road north-west of section 43 (hundred of Hanson), Barrier Highway, Hanson. p2  
Across Barrier Highway, Hanson. p2  
Easement in reserve (section 163), Barrier Highway, Hanson. p2

**PORT AUGUSTA WATER DISTRICT**

CITY OF PORT AUGUSTA  
Kirkham Avenue, Willsden. p3  
Hannagan Street, Willsden. p3  
Carrig Avenue, Willsden. p3  
Gaunt Avenue, Willsden. p3

**WATER MAINS LAID**

Notice is hereby given that the undermentioned water mains have been laid down by the South Australian Water Corporation and are not available for a constant supply of water to adjacent land.

**BAROSSA COUNTRY LANDS WATER DISTRICT****DISTRICT OF MALLALA**

Waterworks land (lot 596), Wasleys Road, Mallala. p5

**WAKEFIELD REGIONAL COUNCIL**

Balaklava-Mallala Road (opposite section 320, hundred of Dalkey), Owen. p4

**SEWERS LAID**

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections.

**ADELAIDE DRAINAGE AREA**

CITY OF ADELAIDE  
Easement in LTRO Strata Plan 7342 and lot 117, Barton Terrace, North Adelaide. FB 1091 p22

CITY OF CHARLES STURT  
Arthur Street, Findon. p25

**CITY OF HOLDFAST BAY**

Gemmell Road, Brighton. FB 1091 p16  
Woolacombe Avenue, North Brighton. FB 1091 p17

CITY OF MARION  
Alfred Street, Glengowrie. FB 1091 p13  
Dorsch Street, Hove. FB 1091 p18  
Alpha Street, Morphettville. FB 1091 p32 and 33  
Sanderson Terrace, Morphettville. FB 1091 p32 and 33  
Chittleborough Circuit, Morphettville. FB 1091 p32-34  
Newberry Avenue, Morphettville. FB 1091 p32-34  
Charlick Place, Morphettville. FB 1091 p32 and 34  
Filmore Avenue, Morphettville. FB 1091 p32 and 34  
Ayers Court, Morphettville. FB 1091 p32-34

CITY OF ONKAPARINGA  
Easement in reserve (lot 18), Driscoll Road, Coromandel Valley. FB 1091 p12

CITY OF PLAYFORD  
Easement in lot 29, Jeffries Road, Elizabeth South. FB 1091 p14

CITY OF PORT ADELAIDE ENFIELD  
Sewerage land (lot 114), Angle Road, Angle Park. FB 1091 p36-38  
Easement in lots 107-111, South Road, Angle Park. FB 1091 p36 and 37

**CITY OF SALISBURY**

Easement in reserve (lot 30), Kara Crescent, Para Hills. FB 1091 p29 and 30  
Across McIntyre Road, Para Hills. FB 1091 p29 and 30  
Easement in reserve (lot 10), McIntyre Road, Para Hills. FB 1091 p29 and 30  
Bellevue Circuit, Para Hills. FB 1091 p29-31  
Easement in reserve (lot 61), Bellevue Circuit, Para Hills. FB 1091 p29 and 31  
Waterview Crescent, Para Hills. FB 1091 p29 and 31

**CITY OF TEA TREE GULLY**

Golden Grove Road, Golden Grove. FB 1091 p26 and 27  
Easements in lot 216, Golden Grove Road and reserve (lot 126) and lots 66 and 65, Pistachio Way, Golden Grove. FB 1091 p26 and 27  
Pistachio Way, Golden Grove. FB 1091 p26-28  
Easements in reserve (lot 128) and lots 76-78, Aiston Grove and lot 80, Coconut Grove, Golden Grove. FB 1091 p26 and 28  
Easement in lots 54-52, Aiston Grove, Golden Grove. FB 1091 p26 and 27  
Coconut Grove, Golden Grove. FB 1091 p26 and 28

**CITY OF UNLEY**

Mitchell Street, Unley. FB 1091 p23

**CITY OF WEST TORRENS**

Anderson Street, Thebarton. FB 1091 p35  
Victoria Street, Mile End. FB 1091 p24

**HAHNDORF COUNTRY DRAINAGE AREA****DISTRICT OF MOUNT BARKER**

Easements in lots 7, 10, 11 and 6, Victoria Street and lot 1, Male Crescent, Hahndorf. FB 1091 p20 and 21

**SEWERS ABANDONED**

Notice is hereby given that the undermentioned sewers have been abandoned by the South Australian Water Corporation.

**OUTSIDE PORT AUGUSTA COUNTRY DRAINAGE AREA****CITY OF PORT AUGUSTA**

Stuart Highway, Port Augusta West—150 mm PVC rising main. FB 1091 p1-3  
Madland Street, Port Augusta West—150 mm PVC rising main. FB 1091 p3

**PORT AUGUSTA COUNTRY DRAINAGE AREA****CITY OF PORT AUGUSTA**

Sewerage land (lot 106), Richardson Crescent, Port Augusta West—150 mm PVC rising main. FB 1091 p1  
Across and in Richardson Crescent, Port Augusta West—150 mm PVC rising main. FB 1091 p1  
In and across Stuart Highway, Port Augusta West—150 mm PVC rising main. FB 1091 p1-3

**SEWERS LAID**

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

**ADELAIDE DRAINAGE AREA****CITY OF PORT ADELAIDE ENFIELD**

Across Regency Road, Sefton Park—225 mm PVC overflow sewer. FB 1091 p15  
Sewerage land (lot 114), Angle Road, Angle Park—100 mm PVC rising main. FB 1091 p36-38  
Angle Road, Angle Park—100 mm PVC rising main. FB 1091 p36 and 37  
Cardigan Street, Angle Park—100 mm PVC rising main. FB 1091 p36 and 37

**OUTSIDE PORT AUGUSTA COUNTRY DRAINAGE AREA****CITY OF PORT AUGUSTA**

Stuart Highway, Port Augusta West—150 mm PVC rising main. FB 1091 p1-3  
Madland Street, Port Augusta West—150 mm PVC rising main. FB 1091 p3

**PORT AUGUSTA COUNTRY DRAINAGE AREA****CITY OF PORT AUGUSTA**

Sewerage land (lot 106), Richardson Crescent, Port Augusta West—150 mm PVC rising main. FB 1091 p1  
Across and in Richardson Crescent, Port Augusta West—150 mm PVC rising main. FB 1091 p1  
In and across Stuart Highway, Port Augusta West—150 mm PVC rising main. FB 1091 p1-3

A. HOWE, A/Chief Executive Officer, South  
Australian Water Corporation

## REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 253 of 2000

*At the Executive Council Office at Adelaide 26 October 2000*

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

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

K. T. GRIFFIN Minister for Consumer Affairs

### SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Long Term Dry Areas
4. Variation of Sched. 2—Plans of Long Term Dry Areas

#### Citation

1. The *Liquor Licensing (Dry Areas—Long Term) Regulations 1997* (see *Gazette* 6 November 1997 p. 1217), as varied, are referred to in these regulations as "the principal regulations".

#### Commencement

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

#### Variation of Sched. 1—Long Term Dry Areas

3. Schedule 1 of the principal regulations is varied by inserting after the item headed "**Mount Gambier—Area 1**" the following items:

##### **Mount Gambier—Area 2**

(see schedule 2: *Mount Gambier—Plan No. 2, Area "A"*)

| Area                                                                                                                                                                                                                                                                                                                                                                  | Period                                                                                                                                                                                                                                                                                                                                                     | Extent of prohibition                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| The area in Mount Gambier, known as Vansittart Park, bounded on the north by Eglington Terrace, on the west by Victoria Terrace, on the south by Commercial Street West and on the east by Wehl Street North, but excluding that portion of the Park (the portion consisting of the oval, netball courts and adjacent areas) defined in <b>Mount Gambier—Area 3</b> . | Continuous until 6 November 2001, but excluding any day or portion of a day during which—<br>(a) an event of historic, cultural, traditional or major community significance is held within the area; and<br>(b) the consumption and possession of liquor within the area are authorised for the purposes of this regulation by the City of Mount Gambier. | The consumption and possession of liquor are prohibited. |



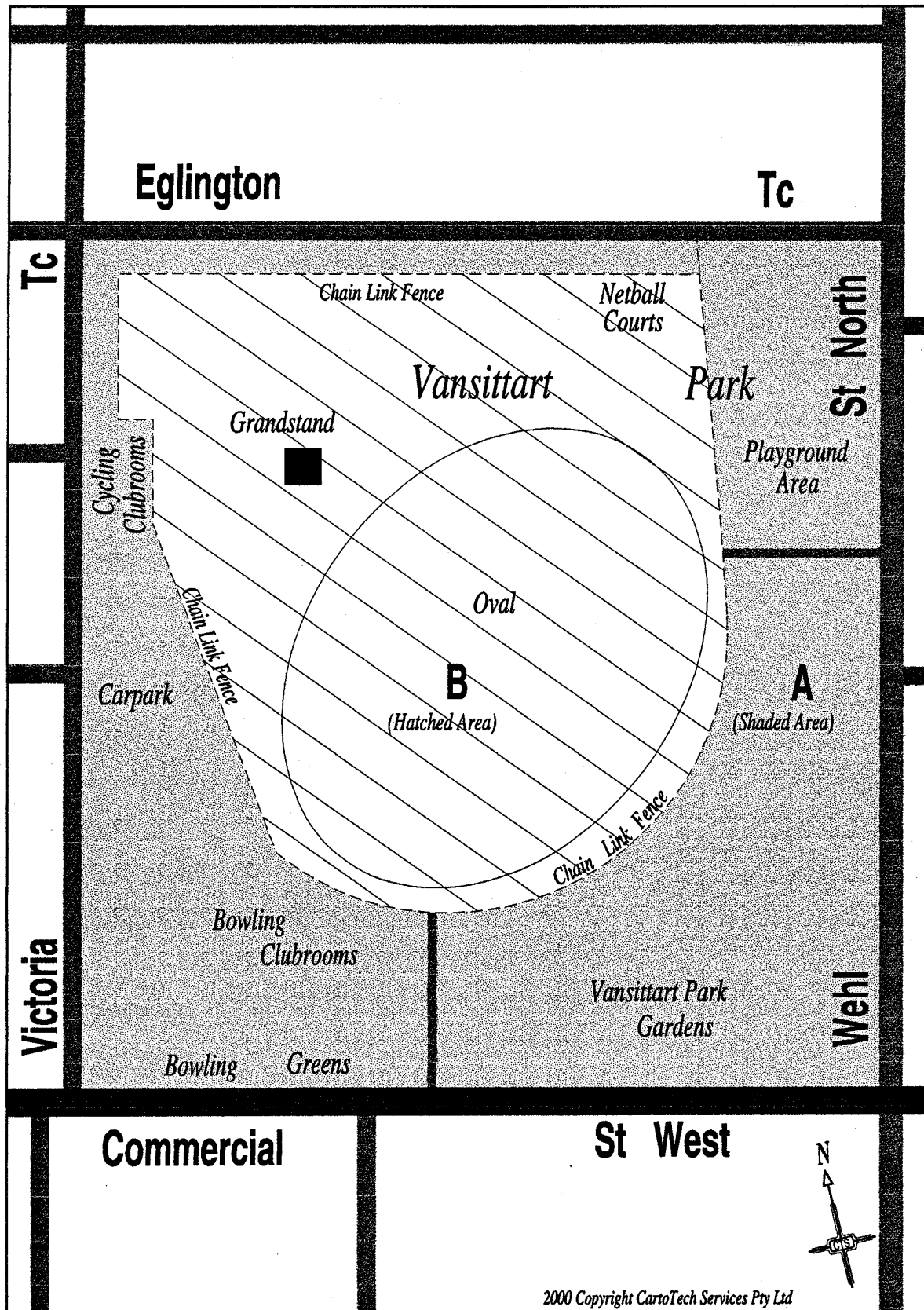
**Mount Gambier—Area 3***(see schedule 2: Mount Gambier—Plan No. 2, Area "B")*

| <i>Area</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>Period</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>Extent of prohibition</i>                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| The portion of Vansittart Park in Mount Gambier (consisting of the oval, netball courts and adjacent areas within the Park) that is enclosed within a chain link fence that commences at a point adjacent to the north-east corner of the netball courts and proceeds westerly parallel to Eglington Terrace, then southerly parallel to Victoria Terrace, then easterly and southerly around the northern and eastern boundaries of the cycling club rooms, then generally south-easterly along the eastern boundary of the carpark and the northern boundary of the bowling club rooms and bowling greens, then generally easterly, north-easterly and northerly along the northern and western boundaries of Vansittart Park Gardens, then northerly along the western boundary of the playground area to the point of commencement. | <p>Continuous until 6 November 2001, but excluding any day or portion of a day during which—</p> <p>(a) an event—</p> <p>(i) of historic, cultural, traditional or major community significance; or</p> <p>(ii) that is a sporting event conducted by the North Mount Gambier Football Club, Western Border Football League, Mount Gambier Cycling Club or Mount Gambier Bowling Club,</p> <p>is held within the area; and</p> <p>(b) the consumption and possession of liquor within the area are authorised for the purposes of this regulation by the City of Mount Gambier.</p> | The consumption and possession of liquor are prohibited. |

**Variation of Sched. 2—Plans of Long Term Dry Areas**

4. Schedule 2 of the principal regulations is varied by inserting after the plan headed "**Mount Gambier—Plan No. 1**" the following plan:

## Mount Gambier—Plan No. 2



2000 Copyright CartoTech Services Pty Ltd

## REGULATIONS UNDER THE WORKERS REHABILITATION AND COMPENSATION ACT 1986

No. 254 of 2000

*At the Executive Council Office at Adelaide 26 October 2000*

PURSUANT to the *Workers Rehabilitation and Compensation Act 1986* 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.

MICHAEL ARMITAGE Minister for Government Enterprises

### SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 6—Section 61—Agencies and Instrumentalities of the Crown

#### Citation

1. The *Workers Rehabilitation and Compensation (Claims and Registration) Regulations 1999* (see *Gazette* 25 November 1999 p. 2764), as varied, are referred to in these regulations as "the principal regulations".

#### Commencement

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

#### Variation of Sched. 6—Section 61—Agencies and Instrumentalities of the Crown

3. Schedule 6 of the principal regulations is varied by adding at the end of the entries in the table in Part 2 the following entry:

Bluemint Pty Ltd  
(ACN 094 482 416)

31 October 2000 to 31 October 2001.

T&F00/101CS

R. DENNIS Clerk of the Council

**REGULATIONS UNDER THE STATE RECORDS ACT 1997**

No. 255 of 2000

*At the Executive Council Office at Adelaide 26 October 2000*

PURSUANT to the *State Records Act 1997* 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.

MICHAEL ARMITAGE Minister for Government Enterprises

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Variation of reg. 3A—Exclusions from application of Act

**Citation**

1. The *State Records Regulations 1998* (see *Gazette* 28 May 1998 p. 2387), as varied, are referred to in these regulations as "the principal regulations".

**Commencement**

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

**Variation of reg. 3A—Exclusions from application of Act**

3. Regulation 3A of the principal regulations is varied by adding at the end of the entries in the list in subregulation (2) the following entry:

Transmission Lessor Corporation.

T&amp;F 00/055 CS

R. DENNIS Clerk of the Council

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## CITY OF NORWOOD, PAYNEHAM AND ST PETERS

*Declaration of Public Road*

NOTICE is hereby given that the Council of the City of Norwood, Payneham and St Peters at its meeting held on 6 September 2000, resolved that, in exercise of its powers under section 210 (1) of the Local Government Act 1999, declared that the land delineated as 'Tram Street' and 'Res A' in Deposited Plan 1093 be a public road and known as Tram Street.

M. BARONE, Chief Executive Officer

## CITY OF PORT AUGUSTA

*Temporary Road Closure*

NOTICE is hereby given that the council of the Corporation of the City of Port Augusta at a meeting held on 16 October 2000, resolved pursuant to the provisions of section 359 of the Local Government Act, to close Commercial Road between Flinders Terrace and Tassie Street, between the hours of 3.30 p.m. and 9 p.m. on Thursday, 16 November 2000, to enable the launch of the Christmas Lighting Festival for 2000 to be undertaken.

I. D. MCSPORRAN, City Manager

## CITY OF PORT LINCOLN

*Change of Meeting Date*

NOTICE is hereby given that the Council of the City of Port Lincoln, at a meeting held on Monday, 16 October 2000, resolved to alter the date of the November Council meeting from Monday, 20 November 2000 to Monday, 27 November 2000, due to the Local Government Conference and Annual General Meeting being held on 20 and 21 November 2000.

I. L. BURFITT, Chief Executive Officer

## CITY OF PORT LINCOLN

*Exclusion from Classification of Community Land*

NOTICE is hereby given that the Council of the City of Port Lincoln at its ordinary meeting held on 16 October 2000 resolved to exclude the following individual parcels of land as identified from the Classification of Community Land, pursuant to section 193 of the Local Government Act 1999.

| <i>Location</i>              | <i>Certificate of Title</i> | <i>Description</i> |
|------------------------------|-----------------------------|--------------------|
| 12A Smith St, Lot 3          | 4175/478                    | Vacant Land        |
| 97 Lincoln Hwy, Pt Sec 1232  | 510600/1232                 | Museum Slip        |
| Lincoln Hwy, Lot 9           | 4306/780                    | Vacant Land        |
| 27 Hall St, Lot 945          | 141/61                      | Vacant Land        |
| 16-24 Bernard Pl, Lot 1      | D23263/1                    | Cemetery           |
| 10-24 Flinders Hwy           | 5412/577                    | Cottage            |
| Lincoln Hwy, Lot 2           | 4135/615                    | Vacant Land        |
| Walker St, Lot 2             | 4310/177                    | Vacant Land        |
| Tasman Tce, Sec 1233         | 510600/1233                 | Garden             |
| Robertson Rd, Secs 391, 392  | 1970/73                     | Depot              |
| New West Rd, Lot 72          | 4176/23                     | Car Park           |
| New West Rd, Lot 4           | 4163/310                    | Vacant Land        |
| 26 New West Rd, Lot 1        | 4157/407                    | Units              |
| Bowling Ave, Pt Lot 184      | 2457/16                     | Club House         |
| Bowling Ave, Pt Lot 184      | 2457/16                     | Shed               |
| Bowling Ave, Pt Lot 184      | 2457/16                     | Club House         |
| Telford Ave, Lot 186         | 4139/685                    | Vacant Land        |
| 60 Tasman Tce, Unit 11       | 5059/570                    | Offices            |
| 65-66 Tasman Tce             | 4391/892                    | Tunarama Office    |
| 65-66 Tasman Tce             | 4391/892                    | Civic Hall         |
| 65-66 Tasman Tce             | 4391/892                    | Tourism Centre     |
| 24-26 Washington St, Lot 879 | 1951/133                    | Car Park           |
| 30 Washington St, Lot 881    | 2689/55                     | Car Park           |
| Bligh St, Lot 2              | 4053/958                    | Toilets            |
| 19-21 Napoleon St, Lot 3     | 5066/561                    | Car Park           |
| 4-6 Napoleon St, Lot 820     | 2298/57                     | Car Park           |

| <i>Location</i> | <i>Certificate</i> | <i>Description</i> |
|-----------------|--------------------|--------------------|
|-----------------|--------------------|--------------------|

*of Title*

|                              |             |                |
|------------------------------|-------------|----------------|
| 15 Edinburgh St, Pt Lot 531  | 4213/621    | Vacant Land    |
| Mortlock Tce, Lot 4          | 4207/536    | Drain          |
| 47 Tennant St                | 4118/159    | Vacant Land    |
| 18 Matilda St, Lot 65        | 1437/127    | Vacant Land    |
| 20 Haigh St, Lot 352         | 1990/5      | Depot/Workshop |
| Hassell Rd, Sec 225          | 2493/107    | Waste Depot    |
| Ravendale Rd, Lot 33         | 4322/532    | Vacant Land    |
| Seaton Ave, Lot 41           | 5367/852    | Vacant Land    |
| Seaton Ave, Lot 1            | 4189/623    | Vacant Land    |
| 53 York St, Pt Lot 4         | 5393/750    | Unit           |
| 7-59 Wavell Rd, Pt Lot 381   | 1498/30     | Unit           |
| 6-59 Wavell Rd, Pt Lot 381   | 1498/30     | Unit           |
| 1-86 London St, Pt Lot 381   | 1498/30     | Unit           |
| 2-86 London St, Pt Lot 381   | 1498/30     | Unit           |
| 3-86 London St, Pt Lot 381   | 1498/30     | Unit           |
| 4-86 London St, Pt Lot 381   | 1498/30     | Unit           |
| 5-86 London St, Pt Lot 381   | 1498/30     | Unit           |
| Adelphi Tce, Sec 889         | 4317/264    | Vacant Land    |
| 15 North Quay Blvd, Sec 788  | 510600/0788 | Car Park       |
| 15 Jubilee Dr, Lot 130       | 5160/491    | Car Park       |
| Jubilee Dr, Lot 184          | 5319/772    | Leisure Centre |
| 2 Jubilee Dr, Sec 942        | 4347/715    | Car Park       |
| Jubilee Dr, Lot 173          | 5093/782    | Vacant Land    |
| Jubilee Dr, Lot 171          | 5093/780    | Vacant Land    |
| Off St Andrews Dr, Sec 785   | 4296/477    | Vacant Land    |
| South Point Dr, Adj Lot 168  | —           | Marina Berths  |
| Greyhound Rd, Lot 245        | 4168/166    | Vacant Land    |
| Hundred Louth, p/sec 388/389 | 3884/94     | Cemetery       |
| Hundred Louth, p/sec 388/389 | 3884/95     | Cemetery       |

I. L. BURFITT, Chief Executive Officer

## CITY OF SALISBURY

*By-Law made under the Dog and Cat Management Act 1995 and the Local Government Act 1999*

## BY-LAW NO. 10—DOGS

FOR the control of dogs within the area, and to require dogs to be effectively secured.

*Definitions*

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

- (a) 'the Act' means the Dog and Cat Management Act 1995;
- (b) 'the Council' means the City of Salisbury;
- (c) 'person responsible for the control of a dog' includes the owner of a dog;
- (d) 'public place' means all streets, roads, parklands, reserves, open space and all other land in the ownership of the council, or under the care, control or management of the council.

*Dogs to be Secured by a Leash*

2. Any person who is responsible for the control of a dog must, while the dog is in a public place, secure the dog by means of a chain, cord or leash that does not exceed two metres in length restraining the dog.

*Exempt Public Places*

3. Paragraph 2 of this by-law does not apply to a public place which the council has, by resolution, declared to be exempt from the operation of this by-law.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Salisbury held on 25 September 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.

S. HAINS, Chief Executive Officer

## CITY OF SALISBURY

*Change of Name of Public Road*

NOTICE is hereby given that the Council of the City of Salisbury at its meeting held on 25 September 2000 resolved pursuant to section 219 (1) of the Local Government Act 1999, that the name of a certain public road delineated as allotment 707 in deposited plan 54509 and known as Cormorant Way, Mawson Lakes be changed to Gannet Street, Mawson Lakes.

S. HAINS, City Manager

## ALEXANDRINA COUNCIL

*Change of Meeting Date*

NOTICE is hereby given that the council resolved at its meeting held on 16 October 2000, that the council meeting scheduled for 20 November 2000, be changed and that meeting be held on 27 November 2000.

The dates of the council meetings to be held in November, are Monday, 6 November 2000, commencing at 9.30 a.m. and Monday, 27 November 2000, commencing at 4.30 p.m. These meetings will be held in the Strathalbyn Council Chambers.

M. SHELLEY, Acting Chief Executive Officer

## ALEXANDRINA COUNCIL

## ROADS (OPENING AND CLOSING) ACT 1991

*Angas Plains Road, Langhorne Creek, South Australia*

PURSUANT to section 10 of the Roads (Opening and Closing) Act 1991, the Alexandrina Council hereby gives notice of its intent to implement a Road Process Order to close and sell to Burnfoot Nominees Pty Ltd (Certificate of Title Volume 5365, Folio 755) the portion marked 'A', on Preliminary Plan No. PP32/0614 in the Hundred of Bremer being portion of public road, Angas Plains Road, generally situate at Langhorne Creek.

The closed road is to be exchanged for portion of allotment piece 1 in Filed Plan 40232 marked '60' as shown on Preliminary Plan No. PP32/0614.

A statement of persons affected by the road process together with a copy of the Preliminary Plan are available for public inspection at the Council Offices, 16 Dawson Street, Goolwa, between the hours of 9 a.m. and 5 p.m. week days only. Copies may also be inspected at the Adelaide Office of the Surveyor-General during normal working hours.

Any person who may wish to object to the proposed road process must lodge with the said council a Notice of Objection within 28 days of the date of this notice.

All objections shall be in writing giving the objector's full name and address, reasons for the objection and whether the objector wishes to appear in person or be represented at the subsequent meeting when the objection will be determined by council.

An application for an easement shall be in writing giving the full name and address of the person applying for the grant, full details of the nature and location of the requested easement whether it will be in favour of the owner of adjoining or nearby land and if so specify the land to which the easement will be annexed and reasons for the grant of easement.

A copy of any submission must be forwarded to the Surveyor-General in Adelaide.

Dated 20 October 2000.

J. COOMBE, Chief Executive Officer

## DISTRICT COUNCIL OF PETERBOROUGH

*Establishment of District Fire Prevention Committee*

NOTICE is hereby given that pursuant to the Country Fires Act 1989, the District Council of Peterborough has established a District Fire Prevention Committee active from 20 March 2000.

G. MALCHOW, Fire Prevention Officer

## DISTRICT COUNCIL OF PETERBOROUGH

*Appointments*

NOTICE is hereby given that at a meeting of council held on Monday, 18 September 2000, by resolution it was resolved that Rex Roger Mooney be formally appointed as the Chief Executive Officer of the District Council of Peterborough under section 98 (5) of the Local Government Act 1999.

It was also resolved that Rex Roger Mooney be appointed as Authorised Officer pursuant to the following Acts: Local Government Act 1999; Country Fires Act 1989; Food Act 1985; Impounding Act 1920-1975; Roads (Opening and Closing) Act 1991; Development Act 1993 and the Dog and Cat Management Act 1995.

Also that Rex Roger Mooney be appointed as an Authorised Officer, pursuant to section 85 (3) of the Environment Protection Act 1993 only for the purpose of enforcement of provisions of the Environmental Protection (Burning) Policy 1994 within the council area.

All previous appointments of Jon Oliver as an Authorised Officer of the council are to be rescinded.

R. R. MOONEY, Chief Executive Officer

## DISTRICT COUNCIL OF STREAKY BAY

*Periodical Review*

NOTICE is hereby given that pursuant to the provisions of section 12 (5) of the Local Government Act 1999, The District Council of Streaky Bay is to carry out a review to determine whether a change of arrangements in respect to elector representation would result in electors being more adequately and fairly represented.

The review will include whether the composition of council should be altered (number of councillors) and if the two ward system should remain, although boundary adjustments may be required. Consideration will also be given to increasing the number of wards or to discarding the ward system.

Information regarding this review is available from the council office during normal office hours, (8626 1001).

Written submissions are invited from interested persons and should be directed to the General Manager, District Council of Streaky Bay, 29 Alfred Terrace, or P.O. Box 179, Streaky Bay, S.A. 5680, and be received by 5 p.m. on Friday, 8 December, 2000.

Any person providing a written submission will be given the opportunity to address council on their submission.

J. RUMBELOW, General Manager

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

*Angrave, Myra Pearl Valentine*, late of 33 Nile Street, Glenelg, widow, who died on 25 August 2000.

*French, William Royal*, late of 39 Cottell Street, Port Pirie South, retired farmer and grazier, who died on 19 July 2000.

*Duck, Rosemary May*, late of 276 Portrush Road, Beaulah Park, of no occupation, who died on 24 June 2000.

*Freeman, Sylvester Claude Robert*, late of 49 Brougham Place, North Adelaide, retired truck driver, who died on 28 August 2000.

*Galetic, Joseph*, late of Olympic Dam, driver, who died on 16 July 2000.

*Goodridge, Peter James*, late of 9 River Valley Drive, Windsor Gardens, retired design draftsman, who died on 16 July 2000.

*Gregory, Glenton George*, late of 202A Fisher Street, Malvern, retired dairy farmer, who died on 24 August 2000.

*Harper, William Hector*, late of 160 O.G. Road, Felixstow, retired installation contractor, who died on 17 August 2000.

*Henley, Jeffery Beverley*, late of 42 Exeter Terrace, Devon Park, retired cook, who died on 19 August 2000.

*Hodgson, George Denis James*, late of 9 Knapman Street, Port Pirie South, retired boiler maker, who died on 27 July 2000.

*Jolly, Gwendolyn Shirley*, late of 34 Norman Terrace, Everard Park, widow, who died on 17 September 2000.

*Kennedy, Alan Duncan*, late of Grainger Road, Somerton Park, retired high school principal, who died on 30 July 2000.

*Laws, Derek Burnett*, late of 71 O.G. Road, Klemzig, retired salesman, who died on 13 September 2000.

*Madzia, Mary Martha*, late of 82 Williams Road, Millicent, home duties, who died on 16 June 2000.

*Metcalf, Joyce Sylvia*, late of 226 Fullarton Road, Glenside, of no occupation, who died on 14 July 2000.

*Mitchell, Frederick George*, late of 7 Lancelot Drive, Daw Park, retired warehouse manager, who died on 9 September 2000.

*Moller, Kathleen Evans*, late of 47 Eve Road, Bellevue Heights, of no occupation, who died on 22 August 2000.

*Monk, Edward*, late of 62 Young Street, Dudley Park, retired customs officer, who died on 9 April 2000.

*Mundy, Leslie Francis*, late of 3 Wickstein Close, Port Augusta West, retired truck driver, who died on 27 July 2000.

*Parkinson, Ida Margaret*, late of 9 Sixth Street, Gladstone, home duties, who died on 25 August 2000.

*Phillips, Mary Beatrice*, late of 52 Edith Street, Adlerley, Queensland, home duties, who died on 28 July 2000.

*Priest, Frederick Gratton*, late of 26 River Road, Port Noarlunga, of no occupation, who died on 6 September 1999.

*Reed, Maxwell Thomas*, late of 5 Braeside Avenue, Myrtle Bank, retired public servant, who died on 9 July 2000.

*Richardson, Ellen Margaret*, late of 43 Marlborough Street, Malvern, widow, who died on 4 August 2000.

*Shepard, Florence Mary*, late of 47 Glen Osmond Road, Eastwood, of no occupation, who died on 9 September 2000.

*Sloane, Elsie Olive*, late of 98 Military Road, Semaphore South, widow, who died on 3 September 2000.

*Snowley, Percival Leon*, late of 59 Ferguson Avenue, Myrtle Bank, retired labourer, who died on 3 August 2000.

*Taylor, Kevin*, late of 34 Loader Street, Glynde, retired public servant, who died on 30 June 2000.

*Westley, Ella Grace*, late of 14 Frew Street, Fullarton, widow, who died on 14 August 2000.

*Wigram, James Sven*, late of 50 Gulfview Road, Christies Beach, retired manufacturer, who died on 30 June 1998.

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 24 November 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 26 October 2000.

J. H. WORRALL, Public Trustee

IN the matter of the estate of the undermentioned deceased person:

*Favilla, Effie*, late of Victor Harbor Aged Care Facility, 20 Coral Street, Victor Harbor, widow, who died on 26 July 2000.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the abovenamed estate are directed to send full particulars of such claims to the undersigned on or before 24 November 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 above estate are required to pay the amount of their debt to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

ANZ EXECUTORS & TRUSTEE COMPANY LIMITED,  
(ACN 006 132 332), 530 Collins Street,  
Melbourne, Vic. 3000.

SOUTH AUSTRALIA—In the Supreme Court. No. 1659 of 1999. In the matter of Australian Advanced Airconditioning Pty Ltd (in liquidation) (ACN 065 441 876) and in the matter of the Corporations Law.

*Notice by a Liquidator of His Intention to Seek His Release and Dissolution of the Company*

Take notice that I, Austin Robert Meerten Taylor, Horwath Adelaide Partnership, 99 Frome Street, Adelaide, 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 for the company to be dissolved.

And further take notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me within 21 days of the publication in the *Gazette* of the notice of my intention to apply for a release a notice of objection in the form laid down by the Corporations (South Australia) Rules 1993. A summary of my receipts and payments as liquidator is available from my office.

Dated 19 October 2000.

A. R. M. TAYLOR, Liquidator

Note: Section 481 of the Corporations Law enacts that an order of the court releasing a liquidator shall discharge him/her in the administration of the affairs of the company, or otherwise in relation to his or her conduct as liquidator, but any such order may be revoked on proof that it was obtained by fraud or by suppression or by concealment of any material fact.



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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.**