



**THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE**

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 18 FEBRUARY 1999

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GOVERNMENT GAZETTE NOTICES

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

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

Proclamation By The Governor

(L.S.) E. J. NEAL

Preamble

1. The following land is dedicated as a Reserve for Agricultural Purposes (see *Gazette* 23 March 1995 p. 991):

Those portions of Section 675 Hundred of Nuriootpa now numbered as allotments 18 to 22 (inclusive) of Plan No. DP 49767, Hundred of Nuriootpa, accepted for deposit in the Lands Titles Registration Office at Adelaide, being portions of the land contained in Certificate of Title Register Book Volume 5560 Folio 785.

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

Proclamation

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

Given under my hand and the Public Seal of South Australia, at Adelaide, 18 February 1999.

By command,

IAIN EVANS, for Premier

MEH 2/99 CS

MFP DEVELOPMENT ACT 1992 SECTION 36 (1): EXPIRY OF ACT

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 36 (1) of the *MFP Development Act 1992* and with the advice and consent of the Executive Council, I fix 1 March 1999 as the day on which that Act will expire.

Given under my hand and the Public Seal of South Australia, at Adelaide, 18 February 1999.

By command,

IAIN EVANS, for Premier

MGE 110/98 CS

Department of the Premier and Cabinet
Adelaide, 18 February 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Theatre Company of South Australia—Board of Governors, pursuant to the provisions of the State Theatre Company of South Australia Act 1972:

Governor: (from 18 February 1999 until 30 June 2001)
Julie Jones

By command,

IAIN EVANS, for Premier

ACD 003/94CS

Department of the Premier and Cabinet
Adelaide, 18 February 1999

HIS Excellency the Governor in Executive Council has revoked the appointment of the following Inspectors and Visiting Tribunals, pursuant to the provisions of the Correctional Services Act 1982:

Inspectors

Gordon Roy Schubert, Mobilong Prison
Edwin Arthur Zerner, Cadell Training Centre
Roy James Rishworth, Yatala Labour Prison and Adelaide Remand Centre

Visiting Tribunals

Kenneth Thomas Germein, Yatala Labour Prison and Adelaide Remand Centre
Dean Joseph Robinson, Yatala Labour Prison and Adelaide Remand Centre
George Henry Parker, Port Augusta Prison

By command,

IAIN EVANS, for Premier

MCS 1/97CS

Department of the Premier and Cabinet
Adelaide, 18 February 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the following Inspectors and Visiting Tribunal, pursuant to the provisions of the Correctional Services Act 1982:

Inspectors

George Henry Parker, JP, Port Augusta Prison
Jillian Kay Carter, JP, Port Augusta Prison
Ross Copeland, JP, Cadell Training Centre
James Olds, JP, Yatala Labour Prison and Adelaide Remand Centre

Visiting Tribunal

Peter George Verrall, JP, Yatala Labour Prison, Adelaide Remand Centre, Adelaide Women's Prison and the Adelaide Pre-Release Centre

By command,

IAIN EVANS, for Premier

MSC 1/97S

Department of the Premier and Cabinet
Adelaide, 18 February 1999

HIS Excellency the Governor in Executive Council has been pleased to add the following names to the Commission of Justice of the Peace for South Australia:

Ashworth, Robert Lindsay of East Glenelg
Beitz, Irene Anna of Gilles Plains
Bennett, Sally Anne of Glengowrie
Blacket, Graham Francis of Glynde
Bormann, Inez Karen of Cambrai
Burdett, Darrel John of Macclesfield
Cant, Mark Douglas of Kimba
Carter, Terrence of Payneham South
Church, Terri Yvette of Royston Park
Clarke, Suzanne Jennifer of Mount Gambier
Coghlan, Francis Gerard of Morphettville
Collins, Stephen Leitch of Auburn
Costin, Denise Gail of Munno Para
Davis, Dean Leslie of Findon
Deppe, Anthony Gerard of Somerton Park
Dhugga, Ravinder of Waikerie
Donnell, Linda Joyce of Christies Beach
Elias, Michael of Salisbury Park
Eversham, Anthony Eric of Elizabeth Vale
Few, Dianne Gaye Mary of Greenacres
Forrester, Darrelle Kay of Elizabeth North
Gagetti, Rosa Lucia of Para Hills
Gale, Spencer John of Happy Valley
Gliessert, Simon John of Murray Bridge
Griffiths, Eric Stephen of Salisbury Park
Griffiths, Pamela Keryn of Northfield
Gromitsaris, Helen Maria of Croydon Park
Hallett, Beverly Ann of Craigmore
Halprin, Michelle Naomi of Murray Bridge
Hampel, Neil Alfred of Port Augusta
Harpas, Flora Anastasis of Aberfoyle Park
Harrison, David Scott of Trott Park
Harten, Julie Ann of Jervois

Harvie, Neil Ross of Gladstone
 Jasiunas, Joyce of Salisbury North
 Johncock, Kent Leslie of Encounter Bay
 Juster, Leslie William of Pasadena
 Kay, Heather Dawn of Goolwa
 Kelly, Wayne Anthony of Salisbury
 Kuszniir, Carol Ann of Onkaparinga Hills
 Lawlor, Gwenda Fay of Furner
 Lee, Bruce John of Evandale
 Leinonen, Seija Anneli of Greenwith
 Linscott, Anne Marie of Holden Hill
 Marschall, Paula Marie of Eudunda
 Marshall, Kristy Ann of Bordertown
 Mee, Carolyn Ann of Nailsworth
 Micklem, Peter Jeffrey of Magill
 Miles, Christopher John of West Beach
 Mulligan, James Patrick of Williamstown
 Nankivell, Robert Deane of Naracoorte
 Newton-Smith, Catherine Patricia of Port Elliot
 Nolan, Anne Therese of O'Halloran Hill
 Normington, John of Elizabeth East
 Pace, Rino of Newton
 Papageorgiou, Jack of Cooltong
 Parsons, Graham Donald of Compton
 Paynter, Trevor William of Onkaparinga Hills
 Peet, Josephine of Flagstaff Hill
 Polain, Graham Jeffrey of Parafield Gardens
 Popovic, Danielle Lee of Kilkenny
 Pounentis, Lewis of Kingswood
 Powell, Leo William Thomas of Sheidow Park
 Price, Richard Alan of Sheidow Park
 Rankine, Peter John of Hallett
 Rathjen, Gail Robin of Mannum
 Reardon, Amanda Louise of Peake
 Reynolds, Bradley John of Marananga
 Riley, Joy Kay of Clayton
 Robson, Elizabeth Marie of Peterhead
 Shaw, Kim Lee Frances of Armagh
 Simpson, Ronald Phillip of Moorak
 Smith, Helen of Pinnaroo
 Stockman, Gary John of Woodcroft
 Stoll, Deborah of Nuriootpa
 Stone, Ann of Ingle Farm
 Surrell, David of Ingle Farm
 Thomas, Darren John of Taperoo
 Tonkin, Clara Anne of Ferryden Park
 Travers, Kathleen Margaret of Cleve
 Trewin, Raymond Lance of Banksia Park
 Tsimopoulos, Paul Polihronis of Christies Beach
 Vitagliano, Theodore Stephen of Albert Park
 Wardle, Terence of Para Hills
 Warren, Trevor John of Dudley Park
 Wasley, Sharon Leona of Waikerie
 Watters, Peter William of Rosewater
 Watts, Barry Malim of Sevenhill
 Weckert, Andrew Paul of Brinkworth
 Weston, Danielle Kim of Port Augusta
 Whelan, Kevin Francis of Hallett Cove
 Williams, Cory David Wheaton of Walkerville
 Williams, Ian Scott of Naracoorte
 Williams, Paul Desmond of Hove
 Willis, Suzanne Jean of Olympic Dam
 Willmot, Cheryl Kaye of Peterborough
 Zanker, Beverley Lynette of Long Plains

By command,

IAIN EVANS, for Premier

ATTG 20/93CS

Department of the Premier and Cabinet
 Adelaide, 18 February 1999

HIS Excellency the Governor in Executive Council has removed Leonard William Rowell of Flinders Park from the Commission of Justice of the Peace for South Australia and add Leonard William Rowell of Flinders Park to the Commission of Justice of the Peace for South Australia.

By command,

IAIN EVANS, for Premier

ATTG 20/93TC1CS

DISTRICT COURT OF SOUTH AUSTRALIA

Mount Gambier Circuit

Sheriff's Office, Adelaide, 11 February 1999

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

Monday, 8 March 1999 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intention to plead guilty and the passing of sentences.

Juries will be summoned for Tuesday, 9 March 1999, 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, 8 March 1999.

Hibberd, Kym	Taking part in the production of cannabis	On bail
Douglas Philip		
Oborne, Wayne John	Producing cannabis	On bail
Bentvelzen, Phillip	Armed robbery	On bail
Troy		
Haydon, Ronald	Assault occasioning actual bodily harm (2); shoot at with intent to do grievous bodily harm	On bail
James		
H	Unlawful sexual intercourse; attempted unlawful sexual intercourse; indecent assault (6)	On bail
Packer, Scott	Possessing a controlled substance for supply	On bail
William		
R	Unlawful sexual intercourse	On bail
Wittwer, Allan Dean	Attempted armed robbery	In gaol
Buckingham, Grant	Attempted to rob whilst armed	On bail
Edwin		
T	Unlawful sexual intercourse (4); incest	On bail
Kirkland, Heather	Causing death by dangerous driving	On bail
Ann		
O'Neill, Michael	Possessing a controlled substance for supply	On bail
James		
Giddings, Tammy	Prevent person from attending as witness	On bail
Lee		
Thomson, Lisa	Prevent person from attending as witness	On bail
Marie		

Thomson, Lisa	Robbery in company;	On bail
Marie	common assault on person other than family member	

Giddings, Tammy Lee	Robbery in company; common assault on person other than family member	On bail
Giddings, Teresa Louise	Robbery in company; common assault on person other than family member	On bail
Watson, Graham Leslie	False imprisonment; threatening life; common assault on person other than family member	On bail
Watson, Pauline Elizabeth	False imprisonment; threatening life; common assault on person other than family member	On bail
Streeting, Warren David	Threatening life	On bail
W	Unlawful sexual intercourse with a person under 12 (2); unlawful sexual intercourse; indecent assault	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,

J. A. CARR, Sheriff

ELECTORAL ACT 1985

Part 6—Registration of Political Parties

NOTICE is hereby given that from the close of business on 12 February 1999 and in accordance with section 44 (1), the following political parties are deregistered:

Grey Power (South Australia)
Australian Independent Alliance

S. H. TULLY, Electoral Commissioner

SEO 103/97
SEO 107/97



IMPORTANT NOTICE

**THE STATE ELECTORAL OFFICE
HAS MOVED TO -**

**134 Fullarton Road (Corner of Kensington Road)
Rose Park SA 5067**

Telephone 8401 4300
Facsimile 8401 4333
Website www.seo.sa.gov.au

AS1260/SED

ENVIRONMENT PROTECTION AUTHORITY

Environment Authorisation under Part 6 of the Environment Protection Act 1993

Name: Adelaide Festival Centre Trust
Postal Address: P.O. Box 1269
Adelaide, S.A. 5001
Site: Botanic Park, Adelaide

Exemption under Section 37 of the Environment Protection Act 1993 from a specified provision of the Act in respect to a Specified Activity

PURSUANT to section 37 of the Environment Protection Act 1993 (hereinafter called 'the Act') I, Tony Circelli, Delegate, Environment Protection Authority do hereby exempt Adelaide Festival Centre Trust (hereinafter called 'the exemptee') from the application of the Environment Protection (Industrial Noise) Policy 1994 (hereinafter called 'the Industrial Noise Policy') in respect of the Womadelaide Concert (hereinafter called the 'aforesaid activity/ies') to be undertaken at the site known as the Botanic Park, Adelaide (hereinafter called the 'aforesaid site') between the period 1000 to 2400 hours on Friday, 19 February, 1000 to 2400 hours on Saturday, 20 February and 1000 to 2400 hours on Sunday, 21 February 1999, subject to the following conditions:

1. The exemptee shall nominate to the Environment Protection Agency (hereinafter called 'the Agency'):

- (a) a person (hereinafter called 'the nominated person') with the appropriate expertise and responsibility in respect of the aforesaid activities, to be available for consultation with the Agency during the above-mentioned period, at which time noise could be emitted and,
- (b) a means of contacting the nominated person at all hours and at all days, to the satisfaction of the Agency.

2. The exemptee or the nominated person shall comply with all reasonable instructions in relation to the emission of noise provided to the exemptee or the nominated person, by an authorised officer (for the purposes of the Act) of the Agency.

3. The exemptee shall provide free access to the aforesaid site to all officers of the Agency for the purpose of measuring or assessing noise levels at the aforesaid site.

4. The exemptee will maintain a Complaints Logbook (hereinafter called 'the aforesaid logbook') which will contain:

- the name and address of the complainant;
- the time and the date that the complaint was received;
- a description of the complaint;
- the activity/ies and any associated equipment which gave rise to the complaint; and
- the action, if any, taken by the exemptee.

5. The exemptee will make freely available the aforesaid logbook to all authorised officers of the Agency.

6. An information leaflet briefly describing the event is to be distributed to residences in the area adjacent to Botanic Park.

7. This exemption includes a reasonable time for sound tests to be carried out prior to the event, but not to be after 2200 hours.

8. Compliance with the requirements of the above conditions will satisfy the general environmental duty under section 25 of the Act in relation to the form of pollution concerned, namely, noise.

Dated 10 February 1999.

T. CIRCELLI, Delegate, Environment
Protection Authority

FISHERIES ACT 1982: SECTION 43

TAKE notice that the notice made under the Fisheries Act 1982, dated 15 January 1999, referring to the taking of marine molluscs and published in the *Government Gazette* of 15 January 1999 at page 466 (such notice being the third notice appearing on that page) is revoked.

Dated 17 February 1999.

D. MACKIE, Manager, Legislation and Policy

FISHERIES ACT 1982: SECTION 43

TAKE notice that it is hereby declared that it shall be unlawful for any persons to engage in the act or an act preparatory to or involved in the taking of species of the family cephalopoda (squid, cuttlefish and octopus) for those waters specified in Schedule 1 during the periods specified in Schedule 2.

SCHEDULE 1

All waters of Spencer Gulf within an area bounded by a line commencing at Point Lowly lighthouse, then to the southern end of the Port Bonython jetty, then in a generally south-westerly direction to the southern end of the BHP wall, near Whyalla (position latitude 33°01.2'S, longitude 137°35.8'E), then following the high water mark along the shoreline in an easterly direction back to the point of commencement.

SCHEDULE 2

From 1 March 1999 to 30 September 1999 inclusive and from 1 March 2000 to 30 September 2000 inclusive.

Dated 10 February 1999.

D. MACKIE, Manager, Legislation and Policy

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, the class of persons specified in Schedule 1 and Stephen Lloyd Hutchinson, P.O. Box 1101, Victor Harbor, S.A. 5211 (hereinafter referred to as the 'charter boat operator') is exempt from the provisions of clause 71AA and clause 70 (b) of Schedule 1 of the Fisheries (General) Regulations 1984, and section 41 of the Fisheries Act 1982, insofar as the charter boat operator may exceed the boat limits as specified in Schedule 2, subject to the conditions specified in Schedule 3.

SCHEDULE 1

Any person or persons who charter the boat *Double Impact* (hereinafter referred to as the 'permitted boat') from the charter boat operator in South Australia, for the purpose of recreational fishing for scatefish, abalone and rock lobster.

SCHEDULE 2

1. The charter boat operator may engage in the taking of no more than one rock lobster (*Jasus edwardsii*) per paying passenger in any one day where the number of paying passengers exceeds eight.

2. The charter boat operator may engage in the taking of no more than one half of the daily bag limit (for those species of scatefish subject to such a limit as specified in the Fisheries (General) Regulations 1984) per paying passenger in any one day where the number of paying passengers exceeds five.

SCHEDULE 3

1. This exemption is valid from the date of gazettal of this notice until 30 June 1999.

2. The charter boat operator shall not use any other boats for the purpose of engaging in the permitted activity except the *Double Impact*.

3. The charter boat operator shall not sell any fish taken pursuant to this notice.

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

5. While engaged in the permitted activity the charter boat operator shall have in his possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries and Aquaculture Compliance Officer if such an officer requests that it be so produced.

Dated 11 February 1999.

D. MACKIE, Manager, Legislation and Policy

(PREVIOUS LICENCE NO. F731)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

John Patrick and Wendy Joy Pedler
Section 120, Hundred of Wallanippie
Smoky Bay, S.A. 5680,

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

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;

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00070

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

7. *Site Inspection and Supervision*

The licensee:

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

8. *Fees and Returns*

The licensee:

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

9. *Compliance With Relevant Laws*

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2

of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in

respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said J. PATRICK and W. J. PEDLER

In the presence of: G. J. BALDWIN, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
394631E 6417063N 133°52'47" -32°22'42"	9
394842E 6417048N 133°52'55" -32°22'42"	
394812E 6416624N 133°52'54" -32°22'56"	
394600E 6416639N 133°52'46" -32°22'55"	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3~~ Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 2 ~~3~~ Permitted Farming Methods

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

Longlines

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

Item 3 ~~3~~ Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Environmental Monitoring Program 9 at \$20 each.....	180.00	\$
SASQAP (Classified Area) 9 at \$37 each.....	333.00	
Base Licence Fee.....	328.00	
Fisheries Research and Development Corporation Levy.....	92.60	
Total Annual Licence Fee.....	933.60	

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 General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00047
(PREVIOUS LICENCE NO. F582)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Chapman, J. R. and J.W.
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 January 1999 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

- 6.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 6.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in

particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

10. Public Risk Liability

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

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or

neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

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

produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

16. Interpretation

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

16.1 any word importing the plural includes the singular and *vice versa*;

16.2 any wording importing a gender shall include all other genders;

16.3 a reference to a body corporate shall include a natural person and *vice versa*;

16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;

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

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

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

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

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

21. Notices

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

21.1.1 in writing addressed to the General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

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

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

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

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

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

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said J. R. CHAPMAN

In the presence of: G. J. OLDS, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area				Licensed Hectares
Zone 53				
537250E	6179300N	135°24'21"	-34°31'37"	4
537100E	6179175N	135°24'15"	-34°31'41"	
537272E	6179000N	135°24'22"	-34°31'47"	
537425E	6179125N	135°24'28"	-34°31'43"	

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

The boundary of the site to be marked either with:

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

(2) Posts to be not less than 125 mm in diameter.

(3) Posts and crosses to be painted yellow.

(4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.

(5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.

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

or

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

(2) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

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

Longlines

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

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

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

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

- 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 FM00137
(PREVIOUS LICENCE NO. F814)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

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

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

- 15.3 the licence fee referred to in condition 8 is unpaid for a period of 14 days after notice has been given to the licensee that it is outstanding; or
- 15.4 if the licensee is a body corporate, any of the following occur:
- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or
- 15.5 if the licensee is an individual, the licensee:
- 15.5.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or
- 15.5.2 is convicted of an indictable offence.
- Termination of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said G. J. OLDS

In the presence of: M. LORKIN, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area				Licensed Hectares
Zone 53				
533450E	6175700N	135°21'52"	-34°33'35"	3
533650E	6175700N	135°22'00"	-34°33'35"	
533650E	6175550N	135°22'00"	-34°33'40"	
533450E	6175550N	135°21'52"	-34°33'40"	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

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

Longlines

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

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Environmental Monitoring Program 3 at \$20 each	\$ 60.00
SASQAP (Classified Area) 3 at \$37 each.....	111.00
Base Licence Fee	328.00
Fisheries Research and Development Corporation Levy	92.60
Total Annual Licence Fee.....	591.60

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 General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00168
(PREVIOUS LICENCE NO. F845)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Mackenzie, Russell and Karen
6 Beattie Court
Smoky Bay, S.A. 5680,

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or

the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;

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

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. *Default by Licensee and Termination*

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

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

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

16. *Interpretation*

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

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

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

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

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

21. *Notices*

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

21.1.1 in writing addressed to the General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

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

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

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

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

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

22. SASQAP

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said R. MACKENZIE AND K. MACKENZIE

In the presence of: J. BEASY, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
395061E 6416523N 133°53'03" -32°22'59"	1
395014E 6416526N 133°53'01" -32°22'59"	
395029E 6416738N 133°53'02" -32°22'52"	
395076E 6416734N 133°53'04" -32°22'52"	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

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

Longlines

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

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Environmental Monitoring Program 1 at \$20 each	\$ 20.00
Base Licence Fee	328.00
Fisheries Research and Development Corporation Levy	92.60
Total Annual Licence Fee.....	440.60

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 General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00163
(PREVIOUS LICENCE NO. F846)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Bishop, Ian J., Bishop, Cheryl A. and Tilbrook, Bruce W.
64A College Road
Somerton Park, S.A. 5044,

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

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

10. Public Risk Liability

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

11. Release

The licensee must use and keep the site at the risk in all things of the licensee and the licensee must release to the full extent permitted by law the Minister, his agents, contractors and servants in the absence of any wilful act, omission, default or

neglect on their part from all claims and demands of every kind resulting from any accident damage or injury to persons or property occurring at the site, including loss or damage to the licensee's fixtures or personal property of the licensee.

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

22. SASQAP

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said B. W. TILBROOK

In the presence of: T. LAUNDY, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
759663E 6135406N 137°50'28" -34°53'25"	10
759881E 6135295N 137°50'37" -34°53'29"	
759601E 6134966N 137°50'26" -34°53'39"	
759393E 6135081N 137°50'18" -34°53'36"	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3~~ Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2 ~~3~~ Permitted Farming Methods

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

Longlines

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

Item 3 ~~3~~ Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

	\$
Environmental Monitoring Program 10 at \$20 each..	200.00
SASQAP (Non Classified Area) 10 at \$134 each.....	1 340.00
Base Licence Fee.....	328.00
Fisheries Research and Development Corporation Levy.....	92.60
Total Annual Licence Fee	1 960.60

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 General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00106
(PREVIOUS LICENCE NO. F782)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Bishop, Ian J., Bishop, Cheryl A. and Tilbrook, Bruce W.
64A College Road
Somerton Park, S.A. 5044,

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

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or

the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;

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

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

13.1 provide a guarantee from its bankers; or

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

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

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

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

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

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

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

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

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

16. Interpretation

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

16.1 any word importing the plural includes the singular and *vice versa*;

16.2 any wording importing a gender shall include all other genders;

16.3 a reference to a body corporate shall include a natural person and *vice versa*;

16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;

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

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

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

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

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

21. Notices

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

21.1.1 in writing addressed to the General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

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

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

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

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

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

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

22. SASQAP

22.1 The licensee:

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

22.1.2 must comply with all reasonable requirements of the Manager, SASQAP in relation to such testing; and

22.1.3 must obtain the written consent of the Manager, SASQAP, prior to making any of the fish farmed at the site and specified in Item 1.1 of Schedule 2, available for human consumption.

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said B. W. TILBROOK

In the presence of: T. LAUNDY, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
756920E 6138999N 137°48'37" -34°51'31"	10
757091E 6138904N 137°48'43" -34°51'34"	
756831E 6138482N 137°48'34" -34°51'48"	
756648E 6138575N 137°48'26" -34°51'45"	

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

The boundary of the site to be marked either with:

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

(2) Posts to be not less than 125 mm in diameter.

(3) Posts and crosses to be painted yellow.

(4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.

(5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.

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

or

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

(2) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.

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

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3~~ Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2 ~~3~~ Permitted Farming Methods

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

Longlines

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

Item 3 ~~3~~ Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

	\$
Environmental Monitoring Program 10 at \$20 each..	200.00
SASQAP (Non Classified Area) 10 at \$134 each.....	1 340.00
Base Licence Fee.....	328.00
Fisheries Research and Development Corporation Levy.....	92.60
Total Annual Licence Fee	1 960.60

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 General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00165
(PREVIOUS LICENCE NO. F778)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

Bishop, Ian J., Bishop, Cheryl A. and Tilbrook, Bruce W.
64A College Road
Somerton Park, S.A. 5044,

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

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

- 20.2 No waiver by the Minister of a breach of a term or condition contained in this licence shall operate as a waiver of any breach of the same or any other term or condition contained in this licence.
- 20.3 No forbearance, delay or indulgence by the Minister in enforcing the provisions of this licence shall prejudice or restrict the rights of the Minister.

21. Notices

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

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

22. SASQAP

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said B. W. TILBROOK

In the presence of: T. LAUNDY, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
759043E 6134694N 137°50'05" -34°53'49"	5
759239E 6134852N 137°50'12" -34°53'44"	
759424E 6134778N 137°50'20" -34°53'46"	
759242E 6134610N 137°50'13" -34°53'51"	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 1.1—Fish subject to SASQAP testing

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

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

Longlines

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

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

	\$
Environmental Monitoring Program 5 at \$20 each....	100.00
SASQAP (Non Classified Area) 5 at \$134 each.....	670.00

Base Licence Fee	328.00
Fisheries Research and Development Corporation Levy	92.60
Total Annual Licence Fee.....	1 190.60

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 General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00171
(PREVIOUS LICENCE NO. F1574)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

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

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. *Default by Licensee and Termination*

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

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

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

16. *Interpretation*

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

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

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

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

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

21. *Notices*

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

21.1.1 in writing addressed to the General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

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

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

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

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

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

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said J. BOOT

In the presence of: B. HARDING, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area				Licensed Hectares
Zone 53				
752132E	6037748N	137°47'20"	-35°46'18"	10
751907E	6037474N	137°47'12"	-35°46'27"	
751675E	6037658N	137°47'02"	-35°46'22"	
751782E	6037741N	137°47'06"	-35°46'19"	
751900E	6037939N	137°47'11"	-35°46'12"	

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

The boundary of the site to be marked either with:

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

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

*Racks**Longlines*

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

*Item 3—Stocking Rates**Oysters*

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

SCHEDULE 3

Item 1—Fees

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

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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

FISHERIES ACT 1982

MARINE MOLLUSC FARMING LICENCE FM00066
(PREVIOUS LICENCE NO. F727)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

D. J. W. and D. A. Mitchell
1 Barlow Court
Smoky Bay, S.A. 5680,

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

CONDITIONS OF THIS LICENCE

1. *Licence*

The parties acknowledge and agree that:

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

2. *Marked-off Areas*

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

3. *Permitted Species*

The licensee:

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

4. *Permitted Use*

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

5. *Permitted Methods*

The licensee:

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

6. *Marking and Maintaining the Site*

The licensee:

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

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

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

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

7. *Site Inspection and Supervision*

The licensee:

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

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

8. *Fees and Returns*

The licensee:

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

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

9. *Compliance With Relevant Laws*

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

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

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

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

10. *Public Risk Liability*

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

11. *Release*

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

12. *Public Risk Insurance*

The licensee shall at its own cost and expense during the term effect and keep in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister in which the limits of public risk shall not be less than the amount specified in Item 2

of Schedule 3 of this licence, or such further amount as the Minister may from time to time reasonably require, as the amount which may be paid out in respect of any one single claim and a policy of insurance or copy thereof or a certificate of insurance shall be produced by the licensee to the Minister on request in writing being made by the Minister for its production.

13. *Guarantee or Indemnity Scheme*

The licensee must either:

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

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

14. *No Assignment*

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

15. *Default by Licensee and Termination*

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

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

15.5.2 is convicted of an indictable offence.

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

16. *Interpretation*

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

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

17. *Delegation*

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

18. *Severance*

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

19. *Modification*

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

20. *Waiver*

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

21. *Notices*

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

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

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

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

G. MORGAN, Director of Fisheries

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

The Common Seal of Aquaculture South Australia Pty Ltd was hereunto affixed in the presence of:

(L.S.) Signed by the said D. J. W. MITCHELL
In the presence of C. DUNN, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
394099E 6416700N 133°52'27" -32°22'53"	4.5
394099E 6417127N 133°52'27" -32°22'39"	
394196E 6417127N 133°52'30" -32°22'39"	
394196E 6416700N 133°52'30" -32°22'53"	

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

The boundary of the site to be marked either with:

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

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1—Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 2—Permitted Farming Methods

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

Longlines

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

Item 3—Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

Environmental Monitoring Program 4.5 at \$20 each	\$ 90.00
SASQAP (Classified Area) 4.5 at \$37 each.....	166.50
Base Licence Fee	328.00
Fisheries Research and Development Corporation Levy	92.60
Total Annual Licence Fee.....	677.10

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00170
(PREVIOUS LICENCE NO. F1573)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

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

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

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

- 15.1 the licensee commits or permits any breach or default of the obligations imposed on the licensee by this licence, and following the giving by the Minister of written notice of such breach or default, the licensee either fails to rectify such breach or default within one calendar month of the date of such notice (or earlier if the circumstances require) or fails to make diligent progress towards rectifying any such breach which is incapable of rectification within the time so limited; or
- 15.2 the licensee commits or permits any further breach or default of the obligations imposed on the licensee by this licence for which the Minister has previously given notice in writing of such breach or default pursuant to paragraph 1 of condition 15.1 notwithstanding rectification of the previous breach or default; or

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

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

- 15.4.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
- 15.4.2 an order is made for the winding up or liquidation of the licensee;
- 15.4.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;
- 15.4.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or
- 15.4.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets; or

15.5 if the licensee is an individual, the licensee:

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

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

16. Interpretation

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

21. Notices

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

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

B. E. HEMMING, Director of Fisheries

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

Signed by the said J. BOOT, Director

In the presence of: B. HARDING, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
752682E 6038440N 137°47'41" -35°45'55"	10
752807E 6038233N 137°47'47" -35°46'02"	
752575E 6038060N 137°47'38" -35°46'08"	
752322E 6038292N 137°47'27" -35°46'01"	
752499E 6038396N 137°47'34" -35°45'57"	

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

The boundary of the site to be marked either with:

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

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

or

- (b) (1) At each corner, yellow spar buoys with a St Andrews cross as a top mark placed at least 900 mm above the buoy, cross arms 900 mm long x 75 mm wide.
- (2) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.
- (3) The buoys and topmarks must all be coloured yellow and marked with a yellow retro-reflective as in (a) (4).
- (4) All buoys, posts, crosses and markers must be maintained in good condition.

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3/4~~ Permitted Species

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

Native Oysters (*Ostrea angasi*)

Pacific Oysters (*Crassostrea gigas*)

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

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

Racks

Longlines

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

Item 3 ~~3/4~~ Stocking Rates

Oysters

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

SCHEDULE 3

Item 1—Fees

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

Item 2—Public Risk Insurance

Five million dollars (\$5 000 000).

SCHEDULE 4

Returns

The licensee must submit the following information to the Minister, c/o General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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 FM00161
(PREVIOUS LICENCE NO. F821)

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

WHEREAS the Director of Fisheries has, pursuant to section 50 (2) of the Fisheries Act 1982 ('the Act'), issued a permit to the undermentioned licensee to release the fish specified in Item 1 of Schedule 2 of this licence ('the permitted species') and, pursuant to section 48G (2) of the Act, the Director of Fisheries has also issued a permit to disturb the seabed for the purpose of installing structures necessary for the licensed activity at the undermentioned site, the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister') hereby grants to:

David W. Nitschke
Seppeltsfield Road
Marananga, S.A. 5360,

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 uses') for the period commencing on 1 January 1999 and ending, subject to any earlier termination under this licence, on 30 June 1999 ('the term') subject to the following terms and conditions:

CONDITIONS OF THIS LICENCE

1. Licence

The parties acknowledge and agree that:

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

2. Marked-off Areas

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

3. Permitted Species

The licensee:

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

4. Permitted Use

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

5. Permitted Methods

The licensee:

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

6. Marking and Maintaining the Site

The licensee:

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

7. Site Inspection and Supervision

The licensee:

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

8. Fees and Returns

The licensee:

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

9. Compliance With Relevant Laws

- 9.1 the licensee must at all times comply with all laws, by-laws or regulations in force which relate to the site or

the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site;

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

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

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

10. Public Risk Liability

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

11. Release

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

12. Public Risk Insurance

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

13. Guarantee or Indemnity Scheme

The licensee must either:

13.1 provide a guarantee from its bankers; or

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

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

14. No Assignment

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

15. Default by Licensee and Termination

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

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

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

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

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

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

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

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

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

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

15.5 if the licensee is an individual, the licensee:

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

15.5.2 is convicted of an indictable offence.

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

16. Interpretation

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

16.1 any word importing the plural includes the singular and *vice versa*;

16.2 any wording importing a gender shall include all other genders;

16.3 a reference to a body corporate shall include a natural person and *vice versa*;

16.4 a reference to a recital, party, clause, Schedule or Annexure is a reference to a recital, party, clause, Schedule or Annexure of this licence;

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

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

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

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

17. Delegation

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

18. Severance

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

19. Modification

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

20. Waiver

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

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

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

21. Notices

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

21.1.1 in writing addressed to the General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 (in the case of the Minister) and to the address of the licensee set out above (in the case of the licensee);

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

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

(a) if delivered, upon delivery;

(b) if sending by mail, upon posting;

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

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

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

Granted on behalf of the Minister by Director of Fisheries, delegate of the Minister, on 4 February 1999.

B. E. HEMMING, Director of Fisheries

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

Signed by the said D. W. NITSCHKE

In the presence of: S. D. HOFF, Witness

SCHEDULE 1

Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
Zone 53	
742799E 6041700N 137°41'05" -35°44'19"	5
742550E 6041700N 137°40'55" -35°44'19"	
742550E 6041500N 137°40'55" -35°44'25"	
742800E 6041500N 137°41'05" -35°44'25"	

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

The boundary of the site to be marked either with:

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

(2) Posts to be not less than 125 mm in diameter.

(3) Posts and crosses to be painted yellow.

(4) The ends of each cross to be marked with a 200 mm strip of yellow retro-reflective tape.

(5) Between the corner posts at intervals not exceeding 50 m, buoys not less than 300 mm in diameter.

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

or

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

(2) At distances not exceeding 50 m between the corner spar buoys, yellow spherical buoys not less than 300 mm in diameter.

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

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

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

Item 2—Marked-Off Areas

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

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

SCHEDULE 2

Item 1 ~~3~~ Permitted Species

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

Pacific Oysters (*Crassostrea gigas*)

Item 2 3/4 Permitted Farming Methods

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

Longlines

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

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

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

SCHEDULE 3

Item 1—Fees

	\$
Environmental Monitoring Program 5 at \$20 each.....	100.00
SASQAP (Classified Area) 5 at \$37 each.....	185.00
Base Licence Fee.....	328.00
Fisheries Research and Development Corporation Levy.....	92.60
Total Annual Licence Fee.....	705.60

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 General Manager, Aquaculture Group, Primary Industries, South Australia, 16th Floor, 25 Grenfell Street, Adelaide, S.A. 5000 on or before 31 January and 31 July during the term of this licence:

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

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Peter White, 22 North Point Drive, Lincoln Marina, Port Lincoln, S.A. 5606, or his nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1 to this exemption, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area A and Area B (hereinafter referred to as the 'permitted activity').

SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 28 February 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Gemma Marie* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M505.

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

4. Whilst using a nominated master to take pilchards pursuant to this notice, no other fishing activity shall be undertaken by the licence holder pursuant to Marine Scalefish Fishery Licence No. M505.

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

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

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

8. The fisher shall not, during the period 1 January 1999 to 28 February 1999, take a quantity of permitted species which exceeds his quota of 43.45 units at 2.571 tonnes per unit (which is equal to 111.714 tonnes).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SCHEDULE 2

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

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

SCHEDULE 3

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

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

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

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

Dated 11 February 1999.

G. MORGAN, Director of Fisheries

TABLE 1

Base Lines and Bay Closure Lines of South Australia

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

FISHERIES ACT 1982: SECTION 59

TAKE notice that those persons specified in Schedule 1 are exempt from the provisions of section 48G (1) of the Fisheries Act 1982, in that they may enter and remain and engage in a fishing activity pursuant to a licence (the 'permitted activity') in the area of water specified in Schedule 2 subject to the conditions outlined in Schedule 3, from the date of gazettal of this notice until revocation of the notice.

SCHEDULE 1

Those persons being the holders of a commercial fishing licence issued pursuant to section 34 of the Fisheries Act 1982 (the 'fisher').

SCHEDULE 2

Those waters of the State within 3 nautical miles seaward of the high water mark between the meridians of longitude 131°14.045'E, and 131°30.0'E.

SCHEDULE 3

1. The fisher may only engage in the permitted activity during the months of November, December, January, February, March and April.

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

Dated 15 February 1999.

G. R. MORGAN, Director of Fisheries

GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice of Intention to Assign Names and Boundaries to Places

NOTICE is hereby given pursuant to the provisions of the above Act that the Surveyor-General proposes to assign the names JABUK, GERANIUM, PARRAKIE, LAMEROO, KARTE, PARILLA, PINNAROO and NGARKAT to those areas within the Southern Mallee District Council and shown numbered 1 to 8 respectively on Rack Plan 826.

Copies of Rack Plan 826 can be viewed at the office of the Surveyor-General, 101 Grenfell Street, Adelaide or at the offices of the Southern Mallee District Council.

Submissions in writing regarding this proposal may be lodged with the Secretary, Geographical Names Advisory Committee, Building 2, 300 Richmond Road, Netley (P.O. Box 550, Marleston, S.A. 5033) within one month of the publication of this notice.

Dated 29 January 1999.

P. M. KENTISH, Surveyor-General, Department
for Administrative and Information Services

DEHAA. 04/0087

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT
1994

Section 23

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

SCHEDULE 1

Wayne Conaghty, an officer/employee of Boeldate Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5160, folio 499, situated at Lot 4, Ewons Street, Kingscote, S.A. 5223.

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

Dated 15 February 1999.

H. J. GILMORE, Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT
1994

Section 23

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

SCHEDULE 1

Lilian Irene Nicholson, an officer/employee of Geo Kennedy Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5547, folio 778, situated at 4 Marita Street, Morphett Vale, S.A. 5162.

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

Dated 10 February 1999.

H. J. GILMORE, 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

Judith Kennedy, an officer/employee of Geo Kennedy Pty Ltd.

SCHEDULE 2

The whole of land described in certificate of title register book volume 5138, folio 146 situated at 6 Dotterel Place, Seaford Rise, S.A. 5169.

Dated 11 February 1999.

H. J. GILMORE, signed for and on behalf of the
Minister for Consumer Affairs by the
Commissioner for Consumer Affairs.

LOCAL GOVERNMENT ACT 1934: NOTICE OF APPROVAL
OF A CONTROLLING AUTHORITY—MURRAY AND
MALLEE LOCAL GOVERNMENT ASSOCIATION

TAKE notice that pursuant to Section 200 of the Local Government Act 1934, as amended, Mark Brindal, Minister for Local Government and delegate Minister of the Minister for Industry and Trade to whom the administration of the Local Government Act 1934, is committed, has approved the formation of the Murray and Mallee Local Government Association by the Coorong District Council, the Mid Murray, Southern Mallee, Loxton Waikerie and Berri Barmera Councils, the Rural City of Murray Bridge and the District Councils of Karoonda East Murray and Renmark Paringa.

The authority is established primarily to undertake co-ordinating, advocacy and representative roles for the constituent councils at the regional level.

The rules of the controlling authority are set out below.

Dated 10 February 1999.

MARK BRINDAL, Minister for Local Government

MURRAY AND MALLEE LOCAL GOVERNMENT ASSOCIATION
(INCORPORATED UNDER THE LOCAL GOVERNMENT ACT)

Constitution

1. *Name*

The MURRAY AND MALLEE LOCAL GOVERNMENT ASSOCIATION (hereinafter referred to as 'the Association') is constituted as a controlling authority under Section 200 of the Local Government Act 1934, on 18 February 1999.

2. *Objects*

The Association is established for the following purposes:

- 2.1 To undertake co-ordinating, advocacy and representational roles for its constituent councils at a regional level.
- 2.2 To facilitate and co-ordinate activities of local government at a regional level related to community and economic development with the object of achieving continual improvement for the benefit of the communities of its constituent councils.
- 2.3 To develop, encourage, promote, foster and maintain consultation and co-operation and to strengthen the representation and status of local government when dealing with, other governments, private enterprise and the community.
- 2.4 To develop further cooperation between its constituent councils for the benefit of the communities of the region.
- 2.5 To develop and manage policies which guide the conduct of programs and projects in the region with the objective of securing the best outcomes for the communities of the region.
- 2.6 To undertake projects that benefit the region and its communities.

3. *Powers*

The Association may exercise any powers and authorities and accept any duties and obligations conferred from time to time by a majority of its constituent councils through their duly appointed delegates. Without limiting the generality of the above, the Association may, in pursuit of its objects:

- 3.1 Become a member of or co-operate with or contract with any other association or organisation.
- 3.2 Enter into contracts or arrangements with any Government agency or authority.
- 3.3 Appoint, employ, remunerate, remove or suspend officers, managers, employees and agents.
- 3.4 Enter into contracts with any person for the acquisition of goods and services.
- 3.5 Enter into contracts with any person for the supply of goods and services.
- 3.6 Raise revenue through subscriptions and levies from constituent councils, by arrangements with sponsor organisations, by arrangement or contract with any other person and by any other means not inconsistent with the objects of the Association.
- 3.7 Print and publish any newspapers, periodicals, books, leaflets, or other like writing.
- 3.8 Appoint persons or committees to oversight the management of the Association to steer projects or to pursue geographic or functional interests of constituent councils or specific groups of constituent councils.
- 3.9 Delegate to persons or committees and change or revoke such delegations.
- 3.10 Invite any affected member, officer or employee of a constituent council or any other person to be a member of any duly appointed committee.
- 3.11 Acquire, hold, deal with and dispose of any real or personal property.
- 3.12 Open and operate bank accounts.
- 3.13 Invest moneys in any security in which trust moneys may, by Act of Parliament, be invested or in any other manner approved by a general meeting.
- 3.14 Borrow money.

3.15 Give security for the discharge of liabilities.

3.16 Do all other things that are incidental or conducive to the attainment of the objects, the furtherance of the interests and the exercise of the powers of the Association.

4. *Membership*

4.1 The constituent councils of the Association are:

The Coorong District Council
The Mid Murray Council
The Southern Mallee Council
The Loxton Waikerie Council
The Berri Barmerra Council
The Rural City of Murray Bridge
The District Council of Karoonda East Murray
The District Council of Renmark Paranga

4.2 Any council may apply to become a constituent council.

4.3 A council may apply for affiliate status provided that it is a full member of another Regional organisation. An affiliate may be heard but shall not be entitled to a vote at meetings of the Association and shall subject to legislative requirements have such other rights and obligations as the Association may decide.

5. *Subscription*

5.1 Every constituent council shall be liable to contribute moneys to the Association each financial year.

5.2 The amount of each constituent council's subscription will be decided at the Annual General Meeting and will be due and payable within one month of a written request from the Secretary for payment.

5.3 If constituent council status is granted to a council after the first day of July in any year the subscription payable by that council for that year will be calculated on the basis of the number of full months remaining in the year.

5.4 The subscription payable by an affiliate shall be decided at the time affiliate status is granted and may be varied by the Annual General Meeting.

6. *Resignation*

Subject to any legislative requirements, a constituent council or an affiliate may resign from the Association at any time by giving three months notice in writing of such resignation to the Secretary provided that its subscription for the current year and any other moneys outstanding prior to the date of its giving notice of resignation have been paid to the Association.

7. *Disqualification*

7.1 Subject to any legislative requirements, a council which fails to pay its subscription or any other moneys due to the Association within six months from the date upon which the subscription or other moneys become due and payable shall cease to be a constituent council or, as the case may be, an affiliate.

7.2 The Secretary will give notice in writing to the council that its status as a constituent council or, as the case may be, an affiliate, has been terminated.

8. *Delegates*

8.1 Each member council of the Association shall be entitled to be represented at all meetings of the Association by two delegates who shall be either two elected members of council, or one elected member of council and one Chief Executive Officer or such other officer of such council.

8.2 Each delegate shall be entitled to one vote.

8.3 Each delegate shall hold office for a period of three years or as long as that person remains an elected member or officer of the member council.

8.4 The three year term for delegates shall coincide with Local Government elections.

8.5 Each constituent council may at any meeting appoint a person to be a proxy to act in place of that council's delegate if the delegate is not present at a meeting.

8.6 In the absence of the delegate, a proxy has all the rights and responsibilities of the delegate.

9. *Executive Committee*

- 9.1 Shall consist of one delegate from each member council.
- 9.2 Each member council will have one vote on the Executive Committee and may appoint a proxy delegate.
- 9.3 Each constituent council may at any meeting appoint a person to be a proxy to act in place of that council's delegate if the delegate is not present at a meeting.
- 9.4 In the absence of the delegate, a proxy has all the rights and responsibilities of the delegate.
- 9.5 The Chief Executive Officer of each member council or other administrative staff may attend Executive Committee meetings as required.
- 9.6 The Executive Committee has the full powers of the Association for decision making.
- 9.7 The Executive Committee Meetings may be held at such times and places that shall be determined by the Chairman or in their absence the Deputy Chairman.
- 9.8 Three days notice of an Executive Committee Meeting shall be given to each member, setting out the date, time, place and purpose of the meeting, together with and agenda of business to be dealt with.
- 9.9 Business which may be conducted by the Executive Committee shall be that as delegated by a General Meeting or any other matter deemed to be of an urgent nature or of expediency by the Chairman.
10. *The Chairman and Deputy Chairman*
- 10.1 A Chairman and a Deputy Chairman shall be elected at the Annual General Meeting of the Association by and from the delegates of constituent councils.
- 10.2 Subject to legislation and any provision in this Constitution to the contrary, the Chairman and Deputy Chairman shall hold office from the Annual General Meeting at which they are elected until the Annual General Meeting.
- 10.3 If the Chairman should cease to be a delegate, the Deputy Chairman shall act as Chairman until the election of a new Chairman.
11. *Powers of the Chairman and Deputy Chairman*
- 11.1 The Chairman must preside at all general meetings of the Association and must exercise a vote as a delegate.
- 11.2 The Chairman and the Deputy Chairman individually or together shall have such other powers as may be decided by a General Meeting.
- 11.3 In the absence of the Chairman, the Deputy Chairman must act as the Chairman and in the absence of both the Chairman and Deputy Chairman the meeting will elect an acting Chairman *pro tem*.
12. *Meetings*
- 12.1 The Chairman shall convene:
- General meetings of the Association at such times and places as will be decided from time to time provided that there will be not less than two general meetings per year, one of which will be the Annual General Meeting.
 - Special General Meetings if demanded in writing by delegates of any three (3) constituent councils.
 - Urgent General Meetings at the Chairman's discretion.
 - Such other meetings as a general meeting may direct.
- 12.2 Except as otherwise provided in this Constitution, notices of general meetings including the Annual General Meeting will be sent to the delegates and the Chief Executive Officers of constituent councils and affiliates at least four (4) weeks prior to the date of the meeting.
- 12.3 Notices of Special General Meetings or Urgent General Meetings will be sent to the delegates and the Chief Executive Officers of constituent councils and affiliates at least three (3) days prior to the date of the meeting.
- 12.4 Notice of a General Meeting for the purpose of winding up the Association will be sent to delegates and the Chief Executive Officers of constituent councils at least eight (8) weeks before the date of the meeting.
13. *Quorum*
- 13.1 The prescribed number of delegates will constitute a quorum at a meeting and no business will be transacted at a meeting unless a quorum is present.
- 13.2 The prescribed number of delegates means a number ascertained by dividing the total number of delegates for the time being in office or, for a meeting other than a general meeting, the number of delegates appointed by the Association to attend that meeting, by two (2) ignoring any fraction resulting from the division and adding one (1).
- 13.3 The decision to wind up the Association requires the support of an absolute majority of constituent councils.
14. *Voting*
- 14.1 Questions arising for decision at general meetings of the Association will be decided by a simple majority of eligible votes on the basis of one (1) vote per delegate present at the meeting.
- 14.2 In the event of a tied vote, the question remains unresolved pending further discussion.
- 14.3 Subject to conflicts of interest, each delegate validly present at a meeting must vote on a question arising for decision at the meeting. Failure by any delegate to vote other than in conflict of interest situations will be deemed to be a negative vote in relation to the question for decision.
- 14.4 Subject to any express contrary provision in this Constitution, the Local Government (Proceedings of Councils) Regulations 1984, will apply to all general meetings of the Association.
- 14.5 The procedure to be observed at other meetings will be as determined by the Association.
15. *Adjournments*
- A majority of the delegates present at a meeting of the Association may adjourn the meeting from time to time and from place to place.
16. *Annual General Meeting*
- 16.1 The Annual General Meeting will:
- Receive the Chairman's Annual Report which may incorporate reports from committees and any delegates reports from other organisations.
 - Receive the audited financial statement for the preceding financial year.
 - Confirm the appointment of delegates.
 - Elect the following:
 - the Chairman
 - the Deputy Chairman.
 - Appoint representatives to other organisations.
 - Adopt an annual program and a budget detailing the estimated revenues and costs for the financial year and give such instructions and authority in relation thereto to the Chairman, Deputy Chairman, Secretary or other persons individually or together as may be considered appropriate.

- (g) Any other business requiring consideration by the delegates in general meeting.
17. *Referral of Proposed Annual Program and Budget to Constituent Councils*
- 17.1 A proposed annual program and a budget detailing the estimated revenues and costs for the financial year shall be submitted to the Annual General Meeting.
- 17.2 The proposed annual program and the budget may be altered at the Annual General Meeting and shall be adopted subject to such alterations as the Annual General Meeting agrees upon.
- 17.3 The proposed annual program and the budget must be referred to constituent councils not later than the date of dispatch of the notice of the Annual General Meeting.
- 17.4 A constituent council may comment on the annual program and the budget in writing to the Secretary at least three (3) business days before the Annual General Meeting or through its delegate at the Annual General Meeting.
18. *Common Seal*
- 18.1 The Association shall have a common seal upon which its corporate name shall appear in legible characters.
- 18.2 The common seal shall not be used without the express authorisation of a resolution of the Association and every use of the common seal shall be recorded in the minute book of the Association.
- 18.3 The affixing of the common seal shall be witnessed by the Chairman or the Deputy Chairman and the Secretary or such other person as the Association may appoint for the purpose.
- 18.4 The common seal shall be kept in the custody of the Secretary or such other person as the Association may from time to time decide.
19. *Standing Orders or Rules*
- 19.1 The Association may pass, alter or rescind standing orders or rules for the due management and regulation of the Association.
- 19.2 Standing orders or rules made pursuant to this Clause shall be entered in a book which will be kept for the information of delegates and may be printed or circulated at the discretion of the Association.
- 19.3 Standing orders made, altered or rescinded since the previous Annual General Meeting shall be confirmed, varied or disallowed at a general meeting.
20. *Property*
- 20.1 All property held by the Association is held by it on behalf of the constituent councils.
- 20.2 No person may sell, encumber or otherwise deal with any property of the Association without the approval of the Association.
21. *Management*
- 21.1 The Secretary is responsible to the Association for the execution of decisions taken by the Association and for the efficient and effective management of the affairs of the Association.
- 21.2 The terms and conditions of the engagement and remuneration of the Secretary shall be determined by the Annual General Meeting as part of the annual program and budget.
- 21.3 The Secretary must ensure that the special provisions of the Local Government Act 1934, applicable to a controlling authority are met and in particular that the Association's annual report is distributed to the constituent councils in time to ensure that it can be incorporated in their annual reports.
22. *Banking and Payment*
- 22.1 All moneys received by the Secretary on behalf of the Association shall be paid into a bank account in the name of the Association within seven (7) days of receipt. There shall be two (2) signatories for all cheques drawn on the account with such persons being nominated at the Annual General Meeting.
- 22.2 All payments in excess of \$20 shall be made by cheque.
23. *Levies*
- 23.1 The Association may levy constituent councils or affiliates or any of them for a specified purpose or purposes.
- 23.2 A levy must be imposed by a general meeting.
- 23.3 The Secretary must give notice of the levy to all affected councils.
- 23.4 A levy will not be binding on constituent councils or affiliates until the expiration of one calendar month from the date of the notice.
- 23.5 A constituent council or affiliate which objects in writing to the imposition of the levy within one month of the date of the notice shall be exempt from payment of the levy until its objection is considered at a general meeting.
- 23.6 A general meeting must, after consideration of the objection of a constituent council or an affiliate to a levy, confirm or vary the levy on that council or exempt that council from payment of the levy.
- 23.7 The Chairman may convene an Urgent General Meeting to consider an objection to a levy.
24. *Auditor*
- 24.1 The Association shall appoint an Auditor.
- 24.2 The Auditor shall hold office until the appointment is rescinded by a general meeting.
25. *Alteration to Constitution*
- 25.1 An alteration to the Constitution may be proposed at a general meeting and must be carried by the delegates of a majority of constituent councils.
- 25.2 Two calendar months notice of a proposed alteration must be given by the Secretary to all constituent councils prior to the general meeting at which the alteration is proposed.
- 25.3 The notice must set out the nature and effect of the proposed alteration.
- 25.4 An alteration to the Constitution must be approved by the Minister.
26. *Circumstances not provided for*
- 26.1 If any circumstance arises on which this Constitution is silent, incapable of taking effect or being implemented according to its strict provisions, the Chairman may decide the action to be taken to ensure achievement of the objects of the Association and its effective administration.
- 26.2 The Chairman shall report any such decision at the next general meeting.
27. *Winding Up*
- 27.1 Subject to legislative requirements, the Association may be wound up by its constituent councils.
- 27.2 In the event of a winding up, any surplus assets after payment of all expenses, shall be returned to constituent councils in proportion to the subscription paid in the financial year prior to the passing of the resolution to wind up.
- 27.3 If there are insufficient funds to pay all expenses due by the Association on winding up, a levy shall be imposed on all constituent councils in proportion to the subscription paid in the financial year prior to the passing of the resolution to wind up.
- 27.4 In the event of a winding up, an affiliate shall not be entitled to participate in a distribution of surplus assets and shall not be liable to pay a levy if there are insufficient funds to pay all expenses.
28. *Definitions*
- 28.1 In this Constitution:

- (a) 'affiliate' means a council granted affiliate status in accordance with Clause 4.
- (b) 'committee' means a committee appointed pursuant to Clause 3.8 and includes a sub-committee.
- (c) 'constituent council' means a council which is a full voting member of the Association.
- (d) 'Council' means a council constituted under the Local Government Act 1934.
- (e) 'delegate' means a person who has been appointed by a constituent council in accordance with Clause 8.
- (f) 'elected member' means a Mayor, Chairman, Councillor or Alderman of a council who has been elected pursuant to the Local Government Act 1934.
- (g) 'financial year' means a year beginning on 1 July in any year and ending on 30 June of the following year.
- (h) 'general meeting' includes the Annual General Meeting, Special General Meetings and Urgent General Meetings.
- (i) 'the Minister' means the Minister for Local Government.
- (j) 'Chairman' means a person elected as Chairman pursuant to Clause 9 and includes a person authorised by this Constitution to act in place of the Chairman.
- (k) 'Secretary' means a person appointed pursuant to Clause 3.3 for the purposes of Clause 21.

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Barry John Smith and Lynette Fae Smith, 4 Stone Road, Happy Valley, S.A. 5159 have applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at Belvedere Motel, 17 Fourth Avenue, Naracoorte, S.A. 5271 and known as Belvedere Motel and Restaurant.

The application has been set down for hearing on 12 March 1999.

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

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

Dated 5 February 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application for Grant or 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 1922, that Cimco Pty Ltd (ACN 085 811 445), c/o 14 Stamford Court, 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 207 Gilbert Street, Adelaide, S.A. 5000 and known as Duke of Brunswick Hotel.

The application has been set down for hearing on 19 March 1999.

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

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

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 Modene Pty Ltd (ACN 056 556 168) and B. C. & M. Beer Pty Ltd (ACN 007 830 882), c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Samuel Road, Nuriootpa, S.A. 5355.

The application has been set down for hearing on 19 March 1999.

Conditions

The following licence conditions are sought:

1. To sell or supply liquor produced by the licensees for consumption on or off the licensed premises at any time.
2. To sell or supply liquor for consumption on the licensed premises at any time with or ancillary to food, meals or at receptions.

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

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

Dated 11 February 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that P. J. and M. G. H. White have applied to the Licensing Authority for the grant of a Producer's Licence in respect of premises situated at Main Victor Harbor Road, Mount Jagged and to be known as Mount Jagged Wines.

The application has been set down for hearing on 19 March 1999.

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

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

Dated 9 February 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Ceduna Community Hotel Pty Ltd (ACN 007 532 569), c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Variation to Existing Extended Trading Authorisation in respect of premises situated at O'Loughlin Terrace, Ceduna, S.A. 5690 and known as Ceduna Community Hotel.

The application has been set down for hearing on 19 March 1999.

Condition

The following licence conditions is sought:

To permit on licence consumption from 8 p.m. to midnight Sunday, off licence consumption from 8 p.m. to 9 p.m.

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

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

Dated 9 February 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that John Wayne Zilm, P.O. Box 57, Truro, S.A. 5356 has applied to the Licensing Authority for the removal of the Producer's Licence in respect of premises situated at portion of block E, section 2461, Hundred of Jellicoe situated at New Road, Truro, S.A.5356 and to be situated at allotment 585, filed plan 173676 situated at Moorundie Street, Truro, S.A. 5356 and known as Opimian Wines.

The application has been set down for hearing on 19 March 1999.

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

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

Dated 10 February 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Eurolink Systems Pty Ltd, Kianamede Pty Ltd and Rydemede Pty Ltd, c/o Wallmans Solicitors, 173 Wakefield Street, S.A. 5000 have applied to the Licensing Authority for a Variation of Conditions of Licence in respect of premises situated at 1st Floor, The Bay Mall, 112 Jetty Road, Glenelg, S.A. 5045 and known as Chalkers Eight Ball Centre.

The application has been set down for hearing on 19 March 1999.

Conditions

The following licence conditions are sought:

1. The hours of trading be varied so as to permit trading on the morning following New Year's Eve until 3 a.m. then normal daily trading hours.

2. Condition 1 relating to security be varied so as to require one security person only to patrol as required by the condition on Thursday, Friday and Saturday nights only from 11.30 p.m.

until closing time whenever the premises are proposed to trade beyond 12.30 a.m. the following morning.

3. Condition 3 be varied so as to delete the words 'and in addition shall not have a disc jockey playing discs' and substitute the words 'but may include a disc jockey playing discs'.

4. Condition 4 relating to live entertainment shall be varied by adding the words 'except that a disc jockey shall be permitted as per condition 3 of this licence'.

5. Condition 6 shall be deleted and the following substituted:

'The licensee shall not apply to vary its licence without first notifying the Corporation of the City of Holdfast Bay'.

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

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

Dated 9 February 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Craig Andrew Salmon, Dianne Lee Heidenreich, Murray Phillip Heidenreich, Lorraine Heidenreich, Darren Heidenreich and Priscilla Karen Mayfield have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Rocky Valley Road, Angaston, S.A. 5353 and to be known as Possum Creek Vineyards.

The application has been set down for hearing on 19 March 1999.

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

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

Dated 1 February 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Calitin Pty Ltd (ACN 085 370 947) c/o D. J. Lovell, 178 Main Road, McLaren Vale, S.A. 5171 has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Meadows Road, Willunga, S.A. 5172 and known as Dowie Doole.

The application has been set down for hearing on 19 March 1999.

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

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

Dated 5 February 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Banks Thargo Kidman, Genevieve Marjory Kidman, Jonathan Banks Kidman and

Heather Annette Kidman have applied to the Licensing Authority for a Producer's Licence in respect of premises to be situated at Racecourse Road, Penola and known as B. T. & G. M. Kidman & Son.

The application has been set down for hearing on 19 March 1999.

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

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

Dated 11 March 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Cheok Son Leong has applied to the Licensing Authority for the transfer of a Liquor Licence in respect of premises situated at 147-149 Hindley Street, Adelaide, S.A. 5000 and known as JNB Restaurant and to be known as Hong Kong City Chinese Restaurant.

The application has been set down for hearing on 22 March 1999.

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

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

Dated 3 February 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Clive Kenneth Stephens, Unit 2/45 Shelton Street, Mount Gambier, S.A. 5290 has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 97 Lake Terrace East, Mount Gambier, S.A. 5290 and to be situated at Unit 2/45 Shelton Street, Mount Gambier and known as Blue Lake Limousine.

The application has been set down for hearing on 22 March 1999.

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

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

Dated 1 February 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Woolies Liquor Stores Pty Ltd (ACN 007 939 531), c/o Griffins Lawyers, Level 14, 26 Flinders Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Retail Liquor Merchant's Licence

in respect of premises situated at 188 Ellen Street, Port Pirie and known as Karana Orange Grove Cellars.

The application has been set down for hearing on 22 March 1999.

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

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

Dated 9 February 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Van Thuong Nguyen, 5 Porter Avenue, Renown Park, S.A. 5008, A-Cuong Tang, 11 Porter Avenue, Renown Park, 5008, Avay Tang, 7 John Hindmarsh Frontage, Brompton, S.A. 5007. Patrick Lee, 10 Facit Avenue, Newton, S.A. 5074 and M. T. Linh Pty Lt, c/o 1st Floor, 133 Archer Street, North Adelaide, S.A. 5006 have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 289 Rundle Street, Adelaide and known as the Lemon Grass Bistro.

The application has been set down for hearing on 22 March 1999.

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

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

Dated 11 February 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Ricky Terence Wilson and Fiona Lee Wilson, c/o Hume Taylor & Co., 84 Flinders Street, Adelaide, S.A. 5000 have applied to the Licensing Authority for the transfer of a Retail Liquor Merchant's Licence in respect of premises situated at Greenways, S.A. 5272 and known as Greenways Store.

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

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

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

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 R.M.N. Corporation (253) Pty Ltd (ACN 008 148 043) has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at 444-446 Anzac Highway, Camden Park and known as Morphettville Motor Inn.

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

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

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

Dated 10 February 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Flaxcell Pty Ltd has applied to the Licensing Authority for the removal of Licence and Variation to Condition of Licence in respect of premises situated at 110 Yarrabee Road, Greenhill, S.A. 5140 to the premises situated at 6 Rawson Penfold Drive, Rosslyn Park, S.A. 5072 and known as Flaxcell Pty Ltd.

The application has been set down for hearing on 9 April 1999.

Condition

The following licence condition is sought:

To delete condition 'the licence is restricted to sales of wines and spirits for the purpose of export'.

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

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

Dated 5 February 1999.

Applicant

MINING ACT 1971

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

Applicant: Equinox Resources NL

Location: Commencing at a point being the intersection of latitude 31°15'S and longitude 133°11'E, thence east to longitude 133°28'E, south to latitude 31°22'S, east to longitude 133°31'E, south to latitude 31°24'S, east to longitude 133°38'E, south to latitude 31°27'S, west to longitude 133°29'E, south to latitude 31°30'S, west to

longitude 133°10'E, north to latitude 31°25'S, west to longitude 133°06'E, north to latitude 31°23'S, east to longitude 133°08'E, north to latitude 31°18'S, east to longitude 133°11'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 948

Ref. D.M.E. No.: 246/1998

L. JOHNSTON, Mining Registrar

MINING ACT 1971

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

Applicant: Minotaur Gold NL

Location: Maitland area—Approximately 90 km north-west of Adelaide, bounded as follows: Commencing at a point being the intersection of latitude 34°10'S and longitude 137°46'E, thence east to longitude 137°55'E, south to latitude 34°15'S, west to longitude 137°53'E, south to latitude 34°21'S, west to longitude 137°51'E, south to latitude 34°25'S, west to longitude 137°50'E, south to latitude 34°30'S, west to longitude 137°49'E, south to latitude 34°35'S, west to longitude 137°39'E, south to latitude 34°37'S, west to longitude 137°36'E, north to latitude 34°28'S, east to longitude 137°42'E, north to latitude 34°17'S, east to longitude 137°46'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 6 months

Area in km²: 770

Ref. D.M.E. No.: 261/1998

L. JOHNSTON, Mining Registrar

MINING ACT 1971

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

Applicant: Erich Mathew Setschnoy and Colleen Anne Setschnoy

Claim No.: 2973

Location: Section 7, Hundred of Willunga, 7 km north-east of McLaren Vale.

Purpose: For the recovery of dune sand.

Ref. D.M.E. No.: T1992

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

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 26 March 1999.

L. JOHNSTON, Mining Registrar

LOCAL GOVERNMENT ACT, 1934*Regulations under the Local Government Superannuation Board*

The Local Government Superannuation Board makes the following regulations pursuant to section 73(2) of the Local Government Act, 1934.

The Rules constituting the Local Government Superannuation Scheme are amended with effect from the date of gazettal as follows:

1. Rule 30A(b) is amended by inserting at the end of paragraph (i) the following:

“and the cost of any insured benefit for the Spouse Member”.

2. A new Rule 30B is inserted immediately after Rule 30A as follows:

“30B Spouse Contributions

- (a) *The Board may accept into the Fund contributions for a Member (who is an Employee of a Council) from the Member’s Spouse.*
- (b) *The Board must not accept contributions if it will cause the Scheme to be classified as a public offer superannuation fund under the Commonwealth Act.*
- (c) *Any contributions received under this Rule 30B must be credited to the Member’s Credit and may be classified or identified within the Member’s Credit in any manner determined by the Board.”*

3. Rule 33B is amended by:

- 3.1 deleting the full stop at the end of paragraph 33B(a)(ii) and substituting a semi colon;

- 3.2 inserting a new paragraph 33B(a)(iii) immediately after paragraph 33B(a)(ii) as follows:

“(iii) to a Member who is no longer in the employ of a Council (and who has elected to defer his or her benefit entitlement under Rule 35 or to retain benefits in the Fund under Rule 37) or a Spouse Member - the opportunity to apply to the Board for additional benefits to become payable from the Fund in respect of the Member’s death.”;

- 3.3 deleting the words “prior to retirement” from paragraph 33B(c)(ii) and substituting the following:

“prior to the Member’s 65th birthday”.

4. Rule 37 is amended by:
- 4.1 deleting the word "*or*" at the end of paragraph 37(a)(ii) without replacement;
 - 4.2 deleting the comma at the end of paragraph 37(a)(iii) and substituting the following:
"*; or*";
 - 4.3 inserting a new paragraph 37(a)(iv) immediately after paragraph 37(a)(iii) as follows:
"*(iv) a Member who is in receipt of a pension benefit,*"
 - 4.4 inserting immediately after the words "*payable to the Member*" in Rule 37(a) the following:
"*and, in the case of a Member who is in receipt of a pension benefit, elects for all or any portion of the pension to be commuted into a lump sum or pays or transfers additional amounts into the Fund to be retained under this Rule 37.*";
 - 4.5 Rule 37(b) is amended by deleting the words "*this Rule 37 to retain in the Fund all or any part of the Member's benefit which has become payable pursuant to the Rules*" is deleted and substituting the following:
"*Rule 37(a)*";
 - 4.6 Rule 37(d) is amended by:
 - 4.6.1 inserting immediately after the words "*any benefit*" under paragraph 37(d)(i) the following:
"*(including any part of a commuted pension benefit)*";
 - 4.6.2 inserting at the end of paragraph 37(d)(iii) the following:
"*and the cost of any insured benefit for the Member*".
 - 4.7 Rule 37(f) is amended by inserting at the end of the Rule the following:
"*or, in the case of a Member who is in receipt of a pension, the pension payable to the Member*".
5. Rule 50(b) is amended by:
- 5.1 deleting the word "*and*" from the end of paragraph 50(b)(v) without replacement;
 - 5.2 deleting the full stop at the end of paragraph 50(b)(vi) and substituting the following:
"*; and*";

- 5.3 inserting a new paragraph 50(b)(vii) immediately after paragraph 50(b)(vi) as follows:
- “(vii) contributions paid into the Fund for the Member under Rule 30B.”*
6. Rule 52(c) is amended by:
- 6.1 deleting the words *“once each year on the Annual Review Date”* and substituting the following:
- “at any time”;*
- 6.2 deleting paragraph 52(c)(i) and substituting the following:
- “(i) notify the Board in writing in a manner and form determined by the Board.”;*
- 6.3 deleting the full stop at the end of paragraph 52(c)(ii) substituting the following:
- “pursuant to which the Member’s death and/or disablement benefits may be adjusted in accordance with Rule 33.”;*
- 6.4 inserting at the end of Rule 52(c) after paragraph 52(c)(ii) the following:
- “which will take effect as soon as the Board is able to implement the change.”*
7. Rule 52(d) is amended by:
- 7.1 deleting the words *“who has contributed to the Fund for at least one year”* without replacement;
- 7.2 deleting the words *“or reduce”* without replacement;
- 7.3 inserting after the words *“notice in writing to the Board”* in paragraph 52(d)(i) the following:
- “in a manner and form determined by the Board”;*
- 7.4 deleting paragraph 52(d)(ii) and substituting the following:
- “(ii) which will take effect as soon as the Board is able to implement the change.”;*
- 7.5 inserting at the end of Rule 52(d) after paragraph 52(d)(ii) the following:
- “The Board must adjust any benefits payable to a Member to take account of any period during which the Member’s contributions have been suspended.”*
8. Sub-paragraph 63(b)(ii)(A) is amended by inserting additional words at the end of the sub-paragraph as follows:



“or paid into the Fund for the Member under Rule 30B”.

9. Rule 65(c) is amended by:

9.1 deleting the words *“notice in writing at least one month prior to the next Annual Review Date”* and substituting:

“notice in writing in a manner and form determined by the Board”;

9.2 deleting from paragraph 65(c)(i) the words *“with effect from the next Annual Review Date”* without replacement;

9.3 deleting paragraph 65(c)(ii) and substituting the following:

“elect to suspend the Member's contributions to the Fund,”;

9.4 deleting the words *“provided that, if the Board is satisfied that the Member is suffering financial hardship, the Board may approve the suspension or reduction of contributions at any other time.”* and substituting the following:

“which will take effect as soon as the Board is able to implement the change.”.

Dated 15 February 1999



GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 September 1998

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

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

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 SEPTEMBER 1998

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

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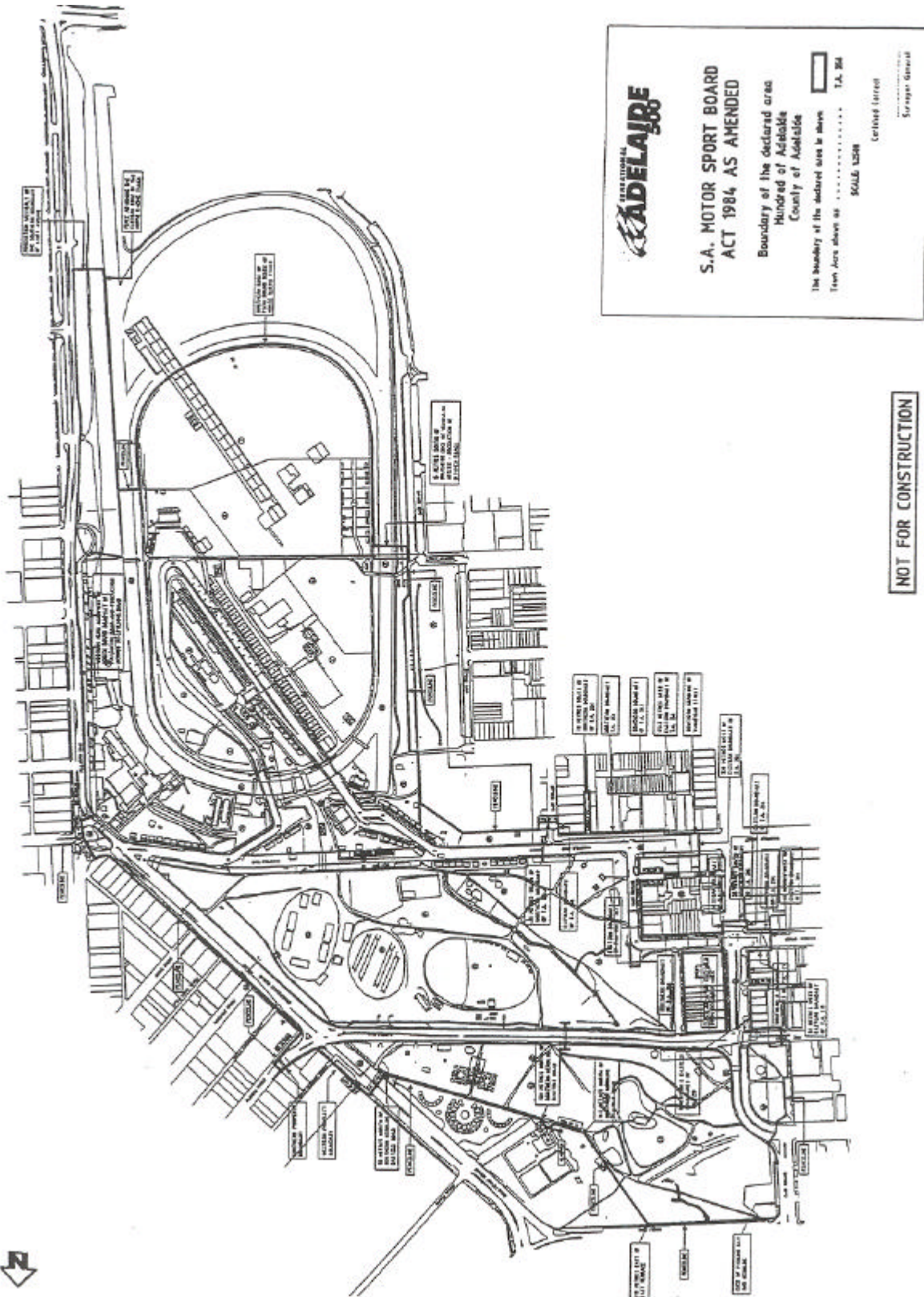
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SOUTH AUSTRALIAN MOTOR SPORT ACT 1984, SECTION 20 (1): DECLARATION OF AREA AND PERIOD

Notice by the Premier

PURSUANT to section 20 (1) of the South Australian Motor Sport Act 1984, I, the Minister to whom the administration of that Act has been committed, in respect of the motor sport event promoted by the South Australian Motor Sport Board under the name '1999 Sensational Adelaide 500', acting on the recommendation of the Board, declare:

- (a) that the area delineated on the plan in the schedule will be a declared area under the Act for the purposes of the event; and
- (b) that the period commencing on 7 April 1999 and ending on 11 April 1999 (both days inclusive) will be a declared period under the Act for the purposes of the event.



Dated 12 February 1999.

J. W. OLSEN, Premier

STATE OF SOUTH AUSTRALIA

PRICES ACT 1948

Prices Order No. 1123 (S.A.)

TOWING, RECOVERY, STORAGE AND QUOTATION FOR REPAIR OF MOTOR VEHICLES

IN pursuance of the powers delegated to me by the Honourable Kenneth Trevor Griffin, Minister for Consumer Affairs pursuant to section 7 (2) of the Prices Act 1948, by instrument dated 4 December 1997, I, Margaret Thetis Phelps, do hereby make the following order:

Citation

1. This Order may be cited as Prices Order No. 1123 (S.A.).

Revocation

2. Prices Order No. 1122 (S.A.) is hereby revoked.

Definitions

3. In this Order, unless the contrary intention appears:

‘motor car’ means a motor vehicle:

- (a) designed for the principal purpose of carrying passengers;
- (b) designed not to carry more than eight adult passengers including the driver,

and includes motor vehicles of the types commonly called utilities, station sedans and panel vans.

‘motor vehicles’ means:

- (a) a vehicle, tractor, or mobile machine driven or propelled or ordinarily capable of being driven or propelled by a steam engine, internal combustion engine, electricity or any other power not being human or animal power; and
- (b) a caravan, trailer or a motor cycle,

but does not include a mobile machine controlled and guided by a person walking, or a vehicle run upon a railway or tramway.

‘motor vehicle damaged in an accident’ means a motor vehicle which has been damaged or been temporarily or permanently immobilised by causes other than or additional to mechanical or electrical malfunction.

‘normal hours’ means the hours between 7.31 a.m. and 5 p.m. on days other than Saturdays, Sundays and public holidays.

‘other motor vehicles’ means any motor vehicle as defined other than a motor car as defined.

‘quotation for repair’ means a detailed written reasonable assessment or reasonable estimate of the actual or probable cost of repairing damage rendered to a motor vehicle in an accident.

‘registered premises’ means the premises registered in the name of the tow truck operator pursuant to the accident towing roster scheme or such place as advised under Regulation 47 (1) of the Regulations under the Motor Vehicles Act 1959.

‘running kilometres’ means the distance travelled from the registered premises of the person supplying the service to the scene of accident, from the scene of accident to the place of repair or of storage and from the place of repair or of storage to the registered premises of the person supplying the service.

‘the area’ means the declared area as defined in the Motor Vehicles Act 1959, as amended.

‘tow truck’ means the motor vehicle (including a trailer attached to a motor vehicle) designed, adapted or intended to lift and carry, or to lift partially and tow, a motor vehicle that is incapable by reason of damage or malfunction, of being operated properly under its own motive power.

Maximum Rates for Services

4. I fix and declare the maximum rate of any service of towing, recovery, storage and quotation for repair of a motor vehicle damaged in an accident within the area specified or described in the first column of the schedule hereto when such service is rendered during normal hours to be the amount specified opposite that service in the second column of the said schedule.

5. I fix and declare the maximum rate for any service of towing, recovery, storage and quotation for repair of a motor vehicle damaged in an accident within the area specified or described in the first column of the schedule hereto when such service is rendered outside normal hours to be the amount specified opposite that service in the third column of the said schedule.

Power to Fix Maximum Rates by Order

6. Notwithstanding the foregoing provisions of this Order, I declare the maximum rate at which any service of towing, recovery, storage and quotation for repair of motor vehicles specified in an Order in writing in pursuance of this paragraph may be supplied by any person to whom such Order in writing is given to be such rate as is fixed by the Commissioner for Prices by Order in writing to that person.

THE SCHEDULE

First Column	Second Column \$	Third Column \$
Recovery and/or towing of a motor vehicle from scene of accident to a place of repair or of storage, or from a place of storage to a place of repair—		
<i>Motor car, motor cycle, caravan or trailer:</i>		
All distances up to 10 running kilometres	90.75	117.70
Per kilometre in excess of 10 running kilometres.....	1.40	1.40
Waiting or working time while at the scene of accident in excess of 30 minutes, per hour.....	72.40	95.70
Additional labour, where necessary to recover motor vehicle, per hour	35.80	46.00
All the above charges include the use of a power winch, trailer and/or other specialised equipment necessary to recover and/or tow a motor vehicle.		
<i>Other motor vehicles.....</i>	By arrangement	By arrangement
<i>Storage of a motor vehicle damaged in an accident; per day:</i>		
Motor cars, motor cycles, caravans and trailers:		
In open locked storage	6.95	6.95
In covered locked storage.....	8.85	8.85
<i>Other motor vehicles.....</i>	By arrangement	By arrangement
<i>Quotation for repair:</i>		
Reasonably estimated cost of repairs:	Charge	
Up to \$1 000	\$2.30 per \$100 or part thereof	
Between \$1 001 and \$2 000.....	\$23 plus \$1.75 per \$100 or part thereof	
Over \$2 000.....	\$40.50 plus \$5.80 per \$1 000 or part thereof with a maximum charge of \$64.	

It is provided that:

- (1) A surcharge of \$19 may be added to the charge fixed in the THIRD COLUMN of the Schedule for work carried out between 12 midnight and 7.30 a.m.
- (2) Charges for services carried out partly during normal hours and partly outside of normal hours shall be calculated at the rate applicable at the time the service is actually supplied.
- (3) Where the use of more than one tow truck is necessary, a charge may be made in respect of each such tow truck.
- (4) Where the person supplying the service of storage and quotation for repair also carries out repairs, no charge shall be made for the service of storage and quotation for repair.
- (5) When a maximum rate per hour is fixed, the time charged for shall be computed in six minute periods.

Dated 18 February 1999.

M. T. PHELPS, Commissioner for Prices Delegate

Notice Pursuant to Section 12 (2) of the Prices Act 1948

I hereby direct that any person who supplies any service of towing, recovery, storage or quotation for repair of a motor vehicle damaged in an accident within the area shall keep, in addition to the records required to be kept by section 12 (1) of the Prices Act 1948, in respect of each such service, a record showing:

- (a) the date and time at which the service was ordered;
- (b) the name or other sufficient identification of the person ordering the service;
- (c) the running distance from the depot to the scene of the accident, from the scene of the accident to the place of storage or place of repair, and from the place of storage or place of repair to the depot;
- (d) the date and time of arrival at the place of storage or place of repair, and of return to the depot;
- (e) where applicable, details of service supplied within normal hours and outside of normal hours;
- (f) where applicable, details in the above form of additional tow trucks and labour involved in the service;
- (g) how the total charge was computed.

Dated 18 February 1999.

M. T. PHELPS, Commissioner for Prices Delegate

NATIONAL PARKS AND WILDLIFE ACT 1972

Great Australian Bight Marine National Park—Plan of Management

I, DOROTHY KOTZ, Minister for Environment and Heritage, hereby give notice under the provisions of section 38 of the National Parks and Wildlife Act 1972, that I have adopted a plan of management in respect of the Great Australian Bight Marine National Park.

Copies of the plan may be inspected at or obtained from the offices of The Department for Environment, Heritage and Aboriginal Affairs at The Environment Shop, Ground Floor, Australis Building, 77 Grenfell Street, Adelaide, S.A. 5000 (G.P.O. Box 1047, Adelaide, S.A. 5001) telephone (08) 8204 1910 or 75 Liverpool Street, Port Lincoln, S.A. 5606 (P.O. Box 22, Port Lincoln, S.A. 5606) telephone (08) 8688 3111 or 11 McKenzie Street, Ceduna, S.A. 5690 (P.O. Box 569, Ceduna, S.A. 5690) telephone (08) 8625 3144.

Copies of this publication can be purchased at a cost of \$5 per copy (plus \$2 postage within South Australia) from the addresses above.

Copies of the representations made in relation to this management plan (except those made in confidence) may be viewed at The Environment Shop, Ground Floor, Australis Building, 77 Grenfell Street, Adelaide, S.A. 5000.

D. C. KOTZ, Minister for Environment and Heritage

NATIONAL PARKS AND WILDLIFE ACT 1972

Great Australian Bight Marine National Park—~~3A~~Declaration of Prohibited Area

PURSUANT to the powers contained within section 42 (1) of the National Parks and Wildlife Act 1972, I, Dorothy Kotz, Minister for Environment and Heritage, hereby declare the following portion of the Great Australian Bight Marine National Park to be a prohibited area:

That portion of the Great Australian Bight Marine National Park between Mean Low Water Mark and 1 nautical mile seaward extending from the Western Australian border (129°00'E) eastwards to the western boundary of the Great Australian Bight Marine Park Whale Sanctuary (130°45.5'E). These co-ordinates are expressed in AGD 66 degrees.

Pursuant to section 42 (2) of the National Parks and Wildlife Act 1972, it being expedient to protect marine mammals from human interference and conflict with fishing activities, the grounds upon which this declaration is made are for the purpose of conserving native animals.

ROADS (OPENING AND CLOSING) ACT 1991: SECTION 24

Section 43 (3) of the National Parks and Wildlife Act 1972, provides for a penalty of up to \$1 000 for the unauthorised entry into the prohibited area described above.

D. C. KOTZ, Minister for Environment and Heritage

NATIONAL PARKS REGULATIONS 1990

Great Australian Bight Marine National Park

PURSUANT to Regulations 9 and 37 of the National Parks Regulations 1990 (the 'Regulations') I, Allan Norman Holmes, Director, National Parks and Wildlife, hereby revoke the notice signed by the Director, National Parks and Wildlife on 25 September 1996 and published on page 1229 of the *Gazette* dated 26 September 1996.

Pursuant to Regulations 9 and 37 of the Regulations, I, Allan Norman Holmes, Director, National Parks and Wildlife, hereby grant permission for the following activities to be undertaken within the Great Australian Bight Marine National Park (the 'Park').

Boating

Subject to Regulation 12 of the Regulations, I hereby grant permission to commercial fishers and members of the public to use a vessel within the waters of the Park between 1 November and 30 April each year. This permission is conditional upon boating not being undertaken within the prohibited area of the Park, and the observance of all relevant legislation in accordance with the provisions of the Boating Act 1974.

Fishing

Subject to Regulations 22 (1) and 23 (1) and (2) of the Regulations, I hereby grant permission for commercial fishers and members of the public to take fish within the waters of the Park between 1 November and 30 April each year. This permission is conditional upon fishing not being undertaken within the prohibited area of the Park, and the observance of all relevant legislation in accordance with the provisions of the Fisheries Act 1982.

Subject to Regulations 22 (1) and 23 (1) and (2) of the Regulations, I hereby grant permission for a person to take fish within the waters of the Park while using a rod and line while fishing from the shore or while using a hand line while fishing from the shore. This permission is conditional upon the observance of all relevant legislation in accordance with the provisions of the Fisheries Act 1982.

Swimming and Diving

Subject to Regulation 19 of the Regulations, I hereby grant permission for members of the public and licensed abalone fishers to swim or dive within the waters of the Park between 1 November and 30 April each year. This permission is conditional upon swimming or diving not being undertaken within the prohibited area of the Park, and the observance of all relevant legislation in accordance with the provisions of the Fisheries Act 1982.

It shall be an offence to fail to comply with any conditions of this notice.

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

**NOTICE OF CONFIRMATION OF ROAD PROCESS
ORDER**

*Public Road (Esplanade), Point Turton 3/4
Deposited Plan 50416*

BY Road Process Order made on 7 August 1998, the District Council of Yorke Peninsula ordered that:

1. Portion of the public road (Esplanade) adjoining section 387 Hundred of Para Wurlie, more particularly delineated and lettered 'A', on Preliminary Plan No. PP32/0238 be closed.
2. The whole of the land subject to closure be transferred to DAVID WILLIAM PARKINSON and KAREENA SCHMIDT in accordance with agreement for transfer dated 27 March 1998 entered into between District Council of the Yorke Peninsula and David William Parkinson and Kareena Schmidt.
3. The following easement is granted over the land subject to that closure:

Grant to the South Australian Water Corporation an easement for water supply purposes over portion of the land.

On 4 February 1999 that order was confirmed by the Minister for Administrative Services, conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 18 February 1999.

P. M. KENTISH, Surveyor-General

LOCAL GOVERNMENT ACT 1934

PURSUANT to section 309 of the Local Government Act 1934, as amended, notice is given that it is proposed to determine the alignment of the following roads, and the boundaries of any or all or any part of any allotments or sections and the like which abut thereto, in the area of Truro, being subdivisions of part sections 400 and 401, Hundred of Jellicoe and being Dahlia Farm Road extending generally southerly from George Street to the public road south of allotment 563 in filed plan No. 173654.

A copy of filed plan No. 39945 showing the said alignment may be inspected at the offices of the Mid Murray Council at 49 Adelaide Road, Mannum and the Department for Administrative and Information Services, Land Boundaries Branch, Level 1, 101 Grenfell Street, Adelaide, S.A. 5000.

Any representation or objection must be made within one month of the date of the notice and must be made to the Surveyor-General. The plan will eventually be deposited with the Registrar-General pursuant to the provisions of Division III of Part XVII of the said Act.

Dated 18 February 1999.

P. M. KENTISH, Surveyor-General

DAIS 30/194

WOMEN'S ADVISORY COUNCIL

Appointments

THE Minister for the Status of Women advises the appointment of the following two members to the Women's Advisory Council, to fill two casual vacancies for the remainder of the term to 30 June 1999:

Gosia Hill
Sarah White

Dated 15 February 1999.

DIANA LAIDLAW, Minister for the Status of Women

**DEVELOPMENT ACT 1993, SECTION 27 (1): DISTRICT
COUNCIL OF CEDUNA—ON-SHORE FACILITIES FOR
MARINA AQUACULTURE, SMOKY BAY PLAN
AMENDMENT**

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'District Council of Ceduna—On-shore Facilities for Marine Aquaculture, Smoky Bay Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to Section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 18 February 1999 as the day on which it will come into operation.

Dated 18 February 1999.

E. J. NEAL Governor

MTUP 42/98 CS

**DEVELOPMENT ACT 1993, SECTION 27 (1): DISTRICT
COUNCIL OF TATIARA—GENERAL AMENDMENT
PLAN AMENDMENT**

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'District Council of Tatiara—General Amendment Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to Section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 18 February 1999 as the day on which it will come into operation.

Dated 18 February 1999.

E. J. NEAL Governor

MTUP 59/98 CS

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CITY OF CAMPBELLTOWN

Periodical Review of Elector Representation

PURSUANT to the provisions of section 24 (3) of the Local Government Act 1934, as amended, notice is hereby given that the City of Campbelltown is to carry out a review to determine whether a change of arrangements in respect to elector representation, including ward boundaries and the composition of council, will result in the electors of the city being more adequately and fairly represented.

Information regarding the nature of the periodical review is available at the council office and the library, or by contacting Rob Smith, Group Manager, Corporate and Community Services, telephone 8366 9214.

Interested persons are invited to make a written submission to the Chief Executive Officer, City of Campbelltown, P.O. Box 1, Campbelltown, S.A. 5074 by close of business on Thursday, 8 April 1999.

Any person who makes a written submission will be given an opportunity to appear before council, or a council committee to be heard in respect of his/her submission.

P. VLATKO, Chief Executive Officer

CITY OF PORT LINCOLN

Temporary Road Closure

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, the City of Port Lincoln at its meeting held on 8 February 1999, passed the following resolution:

That Cape Baron Way be closed to vehicle traffic during the construction of the street with brick paving.

Dated 15 February 1999.

F. PEDLER, Town Clerk

CITY OF PORT LINCOLN

Road Closure

NOTICE is hereby given that the City of Port Lincoln passed the following resolution at its meeting held on 8 February 1999:

That pursuant to section 359 of the Local Government Act 1934, as amended, the City of Port Lincoln close the following portion of Pamir Street commencing at a point 167 m from the intersection with Shepherd Avenue and extending in a southerly direction for a distance of 11 m.

Dated 15 February 1999.

F. PEDLER, Town Clerk

ADELAIDE HILLS COUNCIL

Temporary One-Way Traffic Control

NOTICE is hereby given that the Adelaide Hills Council at its meeting held on 15 December 1999, passed the following resolutions:

That pursuant to the powers conferred by section 670 of the Local Government Act 1934, as amended, the Adelaide Hills Council hereby declares that section 3 of by-law 14 in respect to prohibiting traffic travelling in a northerly direction, shall apply to the following street on Saturday, 20 February 1999:

Swamp Road, Uraidla (Greenhill Road to Kidney Street) between the hours of 9.30 a.m. and 4.30 p.m.

That pursuant to the powers conferred by section 670 of the Local Government Act 1934, as amended, the Adelaide Hills Council hereby declares that section 5 of by-law 14 in respect to prohibiting traffic travelling in a westerly direction, shall apply to the following street on Saturday, 20 February 1999:

Kidney Street, Uraidla between the hours of 9.30 a.m. and noon.

Further enquiries may be directed to Rhonda Munday on 8408 0400.

R. D. BLIGHT, Chief Executive Officer

ALEXANDRINA COUNCIL

Change of Meeting Time

NOTICE is hereby given that the council meeting to be convened at the Woodchester Hall on Monday, 15 February 1999 will now be held in the Goolwa Chambers, Cadell Street, Goolwa commencing at 4 p.m.

J. L. COOMBE, Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

Roads (Opening and Closing) Act 1991

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

1. Close that portion of the public road dividing part section 278 from part section 283 in the Hundred of Upper Wakefield as more particularly delineated and lettered 'A' on Preliminary Plan No. 32/0408. The closed road is to merge with the whole of the land comprised and described in certificate of title register book volume 1634, folio 466, held by Tarlee Pastoral Co. Pty Ltd, 134 Waymouth Street, Adelaide, S.A. 5000 in exchange for (2) below.

2. Open as public road that portion of part section 283 in the Hundred of Upper Wakefield as more particularly delineated and numbered '1' in Preliminary Plan No. 32/0408.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Clare and Gilbert Valleys Council, 4 Gleeson Street, Clare, S.A. 5453 and the Adelaide office of the Surveyor-General during normal office hours.

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

The objection or application for an easement must be made in writing to the said Clare and Gilbert Valleys Council, 4 Gleeson Street, Clare, S.A. 5453, within 28 days of this notice and a copy shall be forwarded to the Surveyor-General at Adelaide. Where a submission is made, the council will give notification of a meeting at which the matter will be considered, so that the person making the submission, or a representative may attend, if so desired.

Dated 17 February 1999.

M. J. ANDERSON, Chief Executive Officer

COORONG DISTRICT COUNCIL

Road Closure

NOTICE is hereby given that in the interest of traffic control and public safety, for the purposes of the Coonalpyn Field Day and pursuant to section 359 of the Local Government Act 1934, as amended, all classes of motor vehicle with the exception of vehicles owned by residents or businesses in the following streets and emergency vehicles be excluded from the following Coonalpyn streets from 7.30 a.m. to 4 p.m. on 24 February 1999:

Coombe Terrace
Bice Terrace
McCracken Street
High Street

W. R. PATERSON, Chief Executive Officer

THE FLINDERS RANGES COUNCIL

Appointments

NOTICE is hereby given that Terry Barnes has been appointed Acting Chief Executive Officer for the period 8 March 1999 to 12 March 1999, both dates inclusive, *vide* Chief Executive Officer on annual leave.

Notice is hereby given that Keith Simmonds has been appointed the Authorised Officer pursuant to section 8 of the Food Act 1985 and section 7 of the Public and Environmental Health Act 1987 in lieu of Noel Modystach, for the following councils:

- District Council of Peterborough
- District Council of Orroroo/Carrieton
- The Flinders Ranges Council

D. CEARNS, Chief Executive Officer

KANGAROO ISLAND COUNCIL

Street Closures

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, that vehicles generally will be excluded from Dauncey Street and Commercial Street, Kingscote, as follows:

Dauncey Street between its intersections with Commercial and Murray Streets, Friday, 19 February 1999, 8 a.m. to midnight;

Commercial Street between its intersections with Chapman/Kingscote Terraces and Dauncey Street, Thursday, 18 February 1999, 8 p.m. until 2 p.m. on Saturday, 20 February 1999,

for the purposes of a Street Fair.

B. C. HURST, Chief Executive Officer

KANGAROO ISLAND COUNCIL

Country Fires Act 1989

PURSUANT to regulation 33 (3) under the Country Fires Act 1989, Kangaroo Island Council declares that persons may operate gas fires or electric elements for cooking purposes in the open air contrary to the terms of a total fire ban at the following places:

Piece 92 FP 162428, Hundred of Seddon (known as Kaiwarra Cottage);

Lot 350, Town of Kingscote (known as Memorial Park).

This notice operates at all times until revoked. The operation of a gas fire or electric element under this notice is subject to the following conditions:

- (1) the space immediately around and above the gas fire or electric element must be cleared of all flammable material to a distance of at least 4 m;
- (2) a person who is able to control the gas fire or electric element must be present at all times while it is lighted or charged;
- (3) an appropriate agent adequate to extinguish any fire must be at hand;
- (4) such other conditions as the council or the board may specify.

B. C. HURST, Chief Executive Officer

MID MURRAY COUNCIL

Temporary Road Closure

NOTICE is hereby given that at a meeting of council held on 8 February 1999, it was resolved that, pursuant to section 359 of the Local Government Act 1934, as amended, for the purpose of displaying vehicles, the entire length of Trewartha Street and Wattle Street and that section of River Lane from the Mannum

Club to the southern end of the Mary Ann Reserve, be closed to all vehicular traffic other than vehicles associated with the Bear Rock Rodders Association Rod Run, from 9 a.m. to 5 p.m. on Sunday, 14 March 1999.

G. R. BRUS, Chief Executive Officer

DISTRICT COUNCIL OF NARACOORTE AND LUCINDALE

Change of Venue for Council/Committee Meetings

NOTICE is hereby given that Council/Committee meetings to be held on 23 February 1999, will be held at the Lucindale Memorial Hall at Lucindale in lieu of the Council Chambers, DeGaris Place, Naracoorte, commencing at 2 p.m.

D. L. BEATON, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

General Plan Amendment Report—Public Meeting

NOTICE is hereby given that the Wakefield Regional Council has consulted the public regarding its General PAR, prepared in November 1998, with written comments having closed on 5 February 1999. As stated previously, interested persons are given the opportunity to appear personally before the council in support of their written comments.

Therefore those persons who made submissions and the general public are invited to attend a public hearing to be held on 24 March 1999 at the Council Chambers, 10 Edith Terrace, Balaklava at 7 p.m.

The submissions lodged may be viewed at the council office during normal business hours.

Should you wish to take the opportunity to speak at the public hearing or have any questions regarding it, please contact Robert Veitch, (Building and Development Officer) on 8862 1811 during business hours.

P. J. BARRY, Chief Executive Officer

DISTRICT COUNCIL OF YORKE PENINSULA

Temporary Road Closure

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, council has granted approval for the temporary closing of the following streets due to the holding of the Stansbury Speed Boat Regatta:

Stansbury—Anzac Parade at Cerese Street, Anzac Parade at Annie Watt Street, Anzac Parade at Stormbird Street and across Anzac Parade to the foreshore between the hours of 11 a.m. and 6 p.m. on Saturday, 27 February 1999; and Anzac Parade at Weaver and Vincent Streets between the hours of 11 a.m. on Saturday, 27 February 1999 to 1 a.m. on Sunday, 28 February 1999.

R. A. WOOD, Chief Executive Officer

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

Adams, Mary Dawn, late of 10 Koongarra Avenue, Magill, home duties, who died on 20 January 1999.

Burford, Gordon Fry, late of 34 Lerunna Avenue, Hallett Cove, retired public servant, who died on 7 January 1999.

Clark, Robert Luke, late of 2 Leonore Avenue, Kensington Gardens, retired labourer, who died on 21 September 1998.

Cowell, Margaret, late of 39 Finnis Street, Marion, of no occupation, who died on 1 December 1998.

Dickson, Grace Edith, late of 110 Strathfield Terrace, Largs North, of no occupation, who died on 10 January 1999.

Durbin, Margaret Russell, late of 25 Newton Street, Whyalla, widow, who died on 5 October 1998.

Fox, Dorothy, late of 18 Cross Road, Myrtle Bank, of no occupation, who died on 9 December 1998.

Geering, Oliver William, late of Martin Terrace, Kimba, retired marine engineer, who died on 14 June 1998.

Gordon, Frederick George, late of 11 Pier Street, Glenelg, retired life assurance consultant, who died on 19 December 1998.

Graubner, Doris Irene, late of 32 Cross Road, Myrtle Bank, of no occupation, who died on 15 January 1999.

Green, Agnes Thelma May, late of 1 Heath Street, Wallaroo, widow, who died on 12 January 1999.

Greenham, Elsie Olive, late of Thomas Road, Maslin Beach, widow, who died on 12 October 1997.

Honeychurch, Jamesina, late of 39 Finnis Street, Marion, of no occupation, who died on 19 January 1999.

Kupke, Martha Matilda, late of 61 Seaview Road, Tennyson, of no occupation, who died on 18 November 1998.

Linthorne, Lionel Leslie, late of 6 Gunnawarra Avenue, Camden Park, retired steel foreman, who died on 5 January 1999.

Oldfield, Joyce, late of 147 Frost Road, Salisbury South, of no occupation, who died on 3 January 1999.

Paterson, John Levett, late of 15 Tennant Street, Torrens Park, retired engineering assistant, who died on 19 January 1999.

Peterson, Nellie Louise, late of 288 Seaview Road, Henley Beach, of no occupation, who died on 6 December 1998.

Popolitow, Eydokia, late of 42 Gordon Street, Albert Park, home duties, who died on 17 January 1999.

Reid, Eileen Phyllis, late of 39 Fisher Street, Myrtle Bank, widow, who died on 6 January 1999.

Rowland, Coral Emeliee, late of 5 Sexton Street, Goolwa Beach, widow, who died on 15 December 1998.

Styles, Doreen Amy, late of 10 Wigley Street, Largs Bay, married woman, who died on 25 August 1998.

Wakefield, Gary Robert, late of 21 Peregrine Crescent, Christie Downs, of no occupation, who died on 10 January 1999.

Wing, Donald Arthur, late of 9 John Street, Burnside, retired mechanic, who died on 3 November 1998.

Wood, Cyril Alfred John, late of Ethelbert Square, Brompton, retired medical orderly, who died on 27 December 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 19 March 1999, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 18 February 1999.

J. H. WORRALL, Public Trustee

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

Bartolo, Teresa, late of Saint Hilarion Nursing Home, 410 Henley Beach Road, Lockleys, widow, who died on 2 October 1997.

Giles, Mavis Lorraine, late of Southern Cross Care, The Pines Nursing Home, 342 Marion Road, North Plympton, widow, who died on 15 December 1998.

Glensk Barbara Maria, late of 23 Keystone Avenue, Holden Hill, widow, who died on 14 January 1999.

Harrington, Reginald Walter, late of 4 Manning Street, Taillem Bend, retired painter, who died on 29 October 1998.

Hart, Colin Louis, late of Yacka, driver, who died on 11 January 1999.

Maddock, Melva Jessie, late of 12 Arcoona Avenue, Rostrevor, home duties, who died on 22 September 1998.

Osborne, Te Aroha Pohoikura Waitoa, late of 22 Naldera Street, Glandore, home duties, who died on 24 January 1999.

Venning, Millie Sarah, late of Kings Park Nursing Home, 285 Goodwood Road, Kings Park, widow, who died on 12 February 1999.

Weckert, Linda Freda, late of Pinnaroo, widow, who died on 20 September 1998.

Wheatley, Isadore Margaret, late of Riverton District Soldiers' Memorial Hospital, 23 Moorhouse Terrace, Riverton, widow, who died on 22 January 1999.

Wood, Norman, late of Maree, retired labourer, who died on 17 August 1998.

Zobel, Gustav Harold, late of Unit 5, 2-4 Scott Street, Firle, retired railway guard, who died on 29 January 1999.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against any of the abovenamed estates are directed to send full particulars of such claims to the undersigned on or before 19 March 1999, otherwise they will be excluded from the distribution of the said estate.

Dated 18 February 1999.

IOOF AUSTRALIA TRUSTEES LIMITED
(ACN 007 870 644) and BAGOT'S
EXECUTORS & TRUSTEE COMPANY
LIMITED (ACN 007 869 829), 212
Pirie Street, Adelaide, S.A. 5000.

CESAR'S PTY LIMITED

(ACN 074 065 124)

ON 9 February 1999, the Supreme Court of South Australia in Action No. 1425 of 1998, made an order for the winding up of Cesar's Pty Limited and appointed Frederick Charles Perkins, 185 Fullarton Road, Dulwich, S.A. 5065, to be the liquidator of that company.

AUSTRALIAN GOVERNMENT SOLICITOR, Level
20, Grenfell Centre, 25 Grenfell Street,
Adelaide, S.A. 5000, solicitors for the plaintiff.

CASUAL LIVING PRODUCTS PTY LIMITED

(ACN 008 287 698)

ON 9 February 1999, the Supreme Court of South Australia in Action No. 1764 of 1998, made an order for the winding up of Casual Living Products Pty Limited and appointed Robert Anthony Ferguson, 91 King William Street, Adelaide, S.A. 5000, to be the liquidator of that company.

DEPUTY COMMISSIONER OF TAXATION,
191 Pulteney Street, Adelaide, S.A.
5000, solicitors for the plaintiff.

DUNTECH AUDIO PTY LIMITED

(ACN 008 166 738)

ON 9 February 1999, the Supreme Court of South Australia in Action No. 1424 of 1998, made an order for the winding up of Duntech Audio Pty Limited and appointed Hillary Elizabeth Orr, Level 4, 28 Grenfell Street, Adelaide, S.A. 5000, to be the liquidator of that company.

AUSTRALIAN GOVERNMENT SOLICITOR, Level
20, Grenfell Centre, 25 Grenfell Street,
Adelaide, S.A. 5000, solicitors for the plaintiff.

DAMILOWN PTY LIMITED

(ACN 008 083 976)

THE DEPUTY COMMISSIONER OF TAXATION of the Adelaide Branch of the Australian Taxation Office, 191 Pulteney Street, Adelaide, S.A. 5000, has brought a summons in Action No. 79 of 1999, in the Supreme Court of South Australia seeking the winding up of Damilown Pty Limited. The summons is listed for hearing on Tuesday, 23 March 1999, at not before 2.15 p.m. Any creditor or contributory of Damilown Pty Limited wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and affidavit in support can be obtained on payment of the proper cost from The Deputy Commissioner of Taxation, 191 Pulteney Street, Adelaide, S.A. 5000.

INTERNATIONAL REFRIGERATION DEVELOPMENTS PTY LIMITED
(ACN 074 286 427)

ON 9 February 1999, the Supreme Court of South Australia in Action No. 21 of 1999, made an order for the winding up of International Refrigeration Developments Pty Limited and appointed Mark Christopher Hall, 26 Flinders Street, Adelaide, S.A. 5000, to be the liquidator of that company.

DEPUTY COMMISSIONER OF TAXATION,
191 Pulteney Street, Adelaide, S.A.
5000, solicitors for the plaintiff.

J. ANDERSON NOMINEES PTY LIMITED
(ACN 007 845 892)

ON 9 February 1999, the Supreme Court of South Australia in Action No. 1765 of 1998, made an order for the winding up of J. Anderson Nominees Pty Limited and appointed Stephen James Duncan, 70 Pirie Street, Adelaide, S.A. 5000, to be the liquidator of that company.

DEPUTY COMMISSIONER OF TAXATION,
191 Pulteney Street, Adelaide, S.A.
5000, solicitors for the plaintiff.

NATWHY PTY LTD
(ACN 008 078 135)

ON Tuesday, 9 February 1999, the Supreme Court of South Australia in Action No. 1769 of 1998, made an order for the winding up of Natwhy Pty Ltd and appointed Mark Christopher Hall of Prentice Parbery Barilla, Level 10, 26 Flinders Street, Adelaide, S.A. 5000, to be the liquidator of that company.

BARRATT LINDQUIST, 162 Halifax
Street, Adelaide, S.A. 5000, solicitors
for the plaintiff.

SOUTH AUSTRALIA—In the Supreme Court. No. 1382 of 1992. In the matter of RBI & Associates Pty Ltd (ACN 003 300 650) and in the matter of the Corporations Law.

Notice of Release of Liquidator and Dissolution of the Company

Take notice that by order of the Supreme Court of South Australia dated 20 January 1999, I, John Sheahan, Level 8, 26 Flinders Street, Adelaide, the liquidator of the abovenamed company, was granted my release as liquidator and the company was dissolved as at the date of this order.

Dated 8 February 1999.

J. SHEAHAN, Liquidator

69 LIGHT SQUARE PTY LTD
(ACN 059 159 134)

WORKERS REHABILITATION AND COMPENSATION CORPORATION has brought a summons in Action No. 154 of 1999, in the Supreme Court of South Australia seeking the winding up of 69 Light Square Pty Ltd. The summons is listed for hearing on Tuesday, 9 March 1999 at not before 2.15 p.m. Any creditor or contributory of 69 Light Square Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which

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

S.A. INDUSTRIAL FIBREGLASS PTY LIMITED
(ACN 008 177 348)

ON 9 February 1999, the Supreme Court of South Australia in Action No. 1522 of 1998, made an order for the winding up of S.A. Industrial Fibreglass Pty Limited and appointed Alan Geoffrey Scott, 81 Flinders Street, Adelaide, S.A. 5000 to be the liquidator of that company.

DEPUTY COMMISSIONER OF TAXATION,
191 Pulteney Street, Adelaide, S.A.
5000, solicitors for the plaintiff.

VISUAL IMPRESSIONS PTY LIMITED
(ACN 008 056 111)

THE DEPUTY COMMISSIONER OF TAXATION of the Adelaide Branch of the Australian Taxation Office, 191 Pulteney Street, Adelaide, S.A. 5000, has brought a summons in Action No. 142 of 1999, in the Supreme Court of South Australia seeking the winding up of Visual Impressions Pty Limited. The summons is listed for hearing on Tuesday, 9 March 1999, at not before 2.15 p.m. Any creditor or contributory of Visual Impressions Pty Limited wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and affidavit in support can be obtained on payment of the proper cost from The Deputy Commissioner of Taxation, 191 Pulteney Street, Adelaide, S.A. 5000.

ZANI DESIGNS PTY LTD
(ACN 077 675 266)

ON 9 February 1999, the Supreme Court of South Australia in Action No. 1471 of 1998, made an order for the winding up of Zani Designs Pty Ltd and appointed Mark Christopher Hall, 10th Floor, 26 Flinders Street, Adelaide, S.A. 5000, to be the liquidator of that company.

L. PALK, 253 Flinders Street, Adelaide, S.A.
5000, solicitors for the plaintiff.

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys Held by Holden Ltd for year ended 31 December 1992-1993

Name of Owner on Books	Amount Due to Owner \$	Date when First Due
M. A. Miller.....	29.60	25.10.93
A. Panayi.....	1 107.00	27.1.92
S. A. Storrie.....	21.70	13.12.93
	<u>\$1 158.30</u>	

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by Esanda Finance Corporation Limited (ACN 004 346 043) as at 14 January 1999

Name of Owner	Postcode	Amount	Description	Year
Altus, S.D.	5302	\$30.93	Princ & Int	1991
Anderson, I. (Dec'd)	5001	\$29.75	Princ & Int	1991
Bailey, A.J.	5039	\$24.45	Princ & Int	1992
Bailey, A.J.	5039	\$50.93	Princ & Int	1991
Bailey, M.D.	5039	\$33.95	Princ & Int	1991
Bailey, R.J.	5039	\$33.95	Princ & Int	1991
Bailey, S.J.	5039	\$232.27	Princ & Int	1991
Bailey, S.J.	5039	\$120.20	Princ & Int	1991
Bailey, S.M.	5039	\$33.95	Princ & Int	1991
Balnaves, M.	5040	\$39.00	Princ & Int	1992
Barnaart, A.	0812	\$67.27	Princ & Int	1991
Bath, J.R.	5065	\$154.00	Princ & Int	1991
Bell, A.	5113	\$102.70	Princ & Int	1991
Blumberg, R.E.	5082	\$217.50	Princ & Int	1991
Bonanni, L.	0870	\$124.83	Princ & Int	1992
Bull, L.F.	5016	\$14.96	Princ & Int	1992
Burra Burra Show Inc.	5417	\$55.03	Princ & Int	1991
Byrne, D.M.	5081	\$3,000.00	Principle	1992
Cornish I.M. (Dec'd)	5041	\$66.00	Princ & Int	1991
Crettenden, G.	5632	\$67.27	Princ & Int	1991
Cummins Amateur Swimming Club	5631	\$17.75	Princ & Int	1991
Dennis, N.J.		\$1,000.00	Principle	1992
Edkins, C.E.	5290	\$29.60	Princ & Int	1992
Edwards, J.M.	5277	\$467.59	Princ & Int	1991
Etiria (No 27) P/L	5000	\$150.07	Princ & Int	1991
Farrelly, J.	5159	\$92.85	Princ & Int	1991
Ferguson, H.M.	3318	\$23.18	Princ & Int	1991
Fisher, S.P. (Dec'd)	5001	\$128.50	Princ & Int	1991
Fisher, S.P. (Dec'd)	5001	\$371.25	Princ & Int	1991
Fisher, S.P. (Dec'd)	5001	\$128.50	Princ & Int	1991
Flynn, N.P.	3191	\$19.95	Princ & Int	1991
Ford, F. (Dec'd)	2069	\$92.25	Princ & Int	1991
Ford, K.C.C. (Dec'd)	5001	\$38.25	Princ & Int	1991
Ford, K.C.C. (Dec'd)	5001	\$34.50	Princ & Int	1991
Gerrard, K.	5048	34.75	Princ & Int	1991
Gilmour, M.	5244	11.53	Princ & Int	1991
Golubovs, I.	5034	\$600.00	Principle	1992
Gooden, J.C. (Dec'd)	5068	\$99.00	Princ & Int	1991
Graham, D.A.L.	5155	\$882.84	Princ & Int	1991
Graham, J.D.	5091	\$29.59	Princ & Int	1991
Gratton, P.G.	5070	\$170.00	Princ & Int	1991
Graves, K.R.	5068	\$13.25	Princ & Int	1991
Gurney, D.G.	5159	\$97.75	Princ & Int	1991
Gutsche, J.M.	5576	\$64.50	Princ & Int	1991
Hammer, A.L. (Dec'd)	5352	\$91.28	Princ & Int	1991

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by Esanda Finance Corporation Limited (ACN 004 346 043) as at 14 January 1999—continued

Name of Owner	Postcode	Amount	Description	Year
Hansen, E. (Dec'd)	5211	\$143.75	Princ & Int	1992
Hansen, E. (Dec'd)	5211	\$155.00	Princ & Int	1991
Hansen, E. (Dec'd)	5211	\$155.00	Princ & Int	1991
Harris, J. (Dec'd)	5001	\$15.75	Princ & Int	1991
Hawker, J.S.	5453	\$81.50	Princ & Int	1991
Heaslip, N.J.	5481	\$11.13	Princ & Int	1992
Hegarty, M.A. (Dec'd)	5001	\$22.39	Princ & Int	1992
Hegarty, M.A. (Dec'd)	5001	\$31.15	Princ & Int	1991
Hill, C.A.	5066	\$27.00	Princ & Int	1992
Hill, J.A.	5066	\$27.00	Princ & Int	1992
Hodges, E.	0822	\$10.37	Princ & Int	1992
Hodges, E.	0822	\$12.66	Princ & Int	1991
Hodges, E.	0822	\$13.60	Princ & Int	1991
Hodges, E.	0822	\$27.87	Princ & Int	1991
Hodges, E.	0822	\$30.36	Princ & Int	1991
Hoffman, V.J.	5064	\$511.00	Princ & Int	1991
Hood, S. (Dec'd)	5118	\$32.60	Princ & Int	1991
Howell, S.B.	5063	\$16.44	Princ & Int	1991
Hugo, V.E.	5048	\$40.25	Princ & Int	1991
Int Veld, C. (Dec'd)	5001	\$39.00	Princ & Int	1992
Irving, H.V.A. (Dec'd)	5262	\$197.50	Princ & Int	1991
Irving, H.V.A. (Dec'd)	5262	\$175.50	Princ & Int	1991
Jarman, A.M. (Dec'd)	5001	\$13.07	Princ & Int	1991
Knauerhase, L.V. (Dec'd)	5540	\$66.30	Princ & Int	1992
Koukouvas, M.	0801	\$100.47	Princ & Int	1991
Likos, G.	5042	\$42.70	Princ & Int	1991
Lloyd, K.D.	5093	\$77.50	Princ & Int	1991
Lloyd, Y.N.	5075	\$116.25	Princ & Int	1991
Macdonald, R.O.K.	5051	\$38.50	Princ & Int	1991
MacInnes, P.J. (Dec'd)	5001	\$62.00	Princ & Int	1991
Maloney, R.M.	5082	\$1,000.00	Principle	1991
May, M.F. (Dec'd)	5044	\$16.50	Princ & Int	1991
McCallum, A.S.	5081	\$53.00	Princ & Int	1992
McCallum, G.J.	5482	\$77.50	Princ & Int	1991
McDonough, H.C.	5052	310.81	Princ & Int	1991
McGrath, E.M.	5045	427.29	Princ & Int	1991
McKenna, P.	0801	\$1,494.34	Princ & Int	1991
Melrose Kindergarten Inc.	5483	\$10.53	Princ & Int	1992
Merton, J.	0810	\$218.22	Princ & Int	1991
M&G Industries P/L	5031	\$163.00	Princ & Int	1991
Mickan, R.J.	5272	\$61.65	Princ & Int	1991
Millard, S.H.	5065	\$81.11	Princ & Int	1991
Millstead, K.M.	5067	\$77.62	Princ & Int	1991
Millstead, K.M.	5067	\$150.00	Princ & Int	1991
Mutch, E.J.	5085	\$67.50	Princ & Int	1991
Ottens, D.C.	5063	\$43.13	Princ & Int	1992
Ottens, D.C.	5063	\$55.13	Princ & Int	1991
Ottens, D.C.	5063	\$55.13	Princ & Int	1991
Paterson, T.D.	5006	\$38.50	Princ & Int	1991
Phillips, D.N. (Dec'd)	5035	\$82.50	Princ & Int	1992
Phillips, D.N. (Dec'd)	5035	\$29.75	Princ & Int	1992
Proeve, P.H.	5253	\$10.61	Princ & Int	1991
Regnier, I.P. (Dec'd)	5253	\$142.00	Princ & Int	1991
Rielly, N.M.R.	5172	\$247.00	Princ & Int	1991
Ross, J.M.	5373	\$66.43	Princ & Int	1991

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by Esanda Finance Corporation Limited (ACN 004 346 043) as at 14 January 1999—continued

Name of Owner	Postcode	Amount	Description	Year
Rowsell, C.L.	5267	\$98.33	Princ & Int	1991
S.A. Country Fire Service	5271	\$13.96	Princ & Int	1992
S.A. Country Fire Service	5271	\$15.47	Princ & Int	1992
Sandery, M.L.	5333	\$49.50	Princ & Int	1992
Scarfe, Y.L.	5001	\$33.00	Princ & Int	1991
Schmucker, J.S.	5680	\$13.39	Princ & Int	1991
Severin, P.A.	0870	\$51.50	Princ & Int	1992
Shearer, T.L.	3144	\$15.19	Princ & Int	1991
Simmons, J.S.	5473	\$306.55	Princ & Int	1991
Skinner, M.J. (Dec'd)	5092	\$55.35	Princ & Int	1991
Smith, B.V.	5641	\$60.50	Princ & Int	1991
Smith, C.M.	5641	\$60.50	Princ & Int	1991
Smith G.M.	5063	\$218.40	Princ & Int	1991
Smith, M.G. (Dec'd)	0871	\$86.25	Princ & Int	1991
Springbett, K.J.	5155	\$76.00	Princ & Int	1992
Steer, I.J. (Dec'd)	5001	\$112.50	Princ & Int	1992
Steer, I.J. (Dec'd)	5001	\$185.00	Princ & Int	1991
Stokes, R.F. (Dec'd)	5034	\$357.00	Princ & Int	1992
Swift, V.M. (Dec'd)	5061	\$288.00	Princ & Int	1992
Sydenham, C.P.	5046	\$153.00	Princ & Int	1991
Sydenham, C.P.	5046	\$300.41	Princ & Int	1991
Tancock, R.B.	5522	\$73.64	Princ & Int	1991
Taylor Collinson Ltd.	5000	\$69.00	Brokerage	1993
Topsfield, J.B.	5417	\$33.75	Princ & Int	1991
Tumbull, I.M.	5081	\$80.50	Princ & Int	1991
Veal, C.J.	0822	\$327.00	Principle	1991
Walkom, J.W.	5011	\$200.00	Principle	1991
West, C.C.	0820	\$33.53	Princ & Int	1991
Westland, R.T. (Dec'd)	5280	\$36.00	Princ & Int	1991
Williams, A.M. (Dec'd)	5022	\$77.25	Princ & Int	1991
Wurm, M.H. (Dec'd)	5576	\$72.50	Princ & Int	1991
Zilm, S.M.	5127	\$19.95	Princ & Int	1991
	Total	\$20,033.45		

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys Exceeding \$10 Held by SEAS Sapfor Forests Pty Ltd

Name of Owner on Books	Issue Year	Cheque Number	Amount \$
Aitchison, Lionel George	1991	23400	74.88
Beaumont, Brian Donald.....	1991	23465	74.88
Bradford, Leila May.....	1991	23516	74.88
Eldridge, Rose Elizabeth.....	1991	23698	149.76
Figgins, Donald Clive.....	1991	23726	74.88
Follett, Eric Walter.....	1991	23730	74.88
Furness, Richard Anthony.....	1991	23755	74.88
Griffen, Harcourt Ambrose (deceased estate D0303).....	1991	23814	74.88
Leyden, Florence Catherine (deceased estate D8174).....	1991	24022	74.88
Murdoch, James Harrold	1991	24131	74.88
Roberts, Dudley Thomas.....	1991	24277	74.88
Seeger, Kerry John Frederick.....	1991	24341	149.76
Sheers, Ernest Charles.....	1991	24348	74.88
Slee, Philip Thomas.....	1991	24356	74.88
Symon, Reginald John.....	1991	24407	37.44
Wilson, Colin Bruce.....	1991	24513	74.88
Woodhouse, Bruce Stuart	1991	24532	74.88
Angel, Samuel Allen.....	1991	29859	1 818.93
Cameron, Allan Angus.....	1991	29918	1 818.93
Cesiunas, Yuozas.....	1991	29928	1 818.93
Darnett, Barry James.....	1991	29959	1 818.93
Grubliauskas, Bronius (deceased estate D9076).....	1991	30042	3 637.86
Arminas, Liudvikas.....	1991	18143	826.99
Colliver, Janice Anne.....	1991	18218	826.99
Crosby, Andrew Charles.....	1991	18223	826.99
De Vaus, Gordon Lincoln.....	1991	18233	826.99
Farquhar, Diane Elizabeth/Jenny Victoria.....	1991	18257	1 653.98
Hansen, Frieda Marie.....	1991	18298	826.99
Pearce, Rodney David.....	1991	18472	826.99
Paumen, Louis Maxmillan Joseph.....	1991	19621	488.80
Buchanan, Elva Gwendoline.....	1991	24670	284.30
Collins, Brian Edwin	1991	24704	142.15
Elvey, Gladys Faith.....	1991	24792	142.15
Hannaford, Daphne May	1991	24882	142.15
Lamshed, Donald Henry	1991	20281	125.84
O'Leary, David Murray	1991	20413	125.84
Paterson, Robert Alwyn.....	1991	20429	125.84
Robertson, Margaret Joan.....	1991	20477	125.84
Robinson, Andrew John	1991	20479	125.84
Cannon, Malcolm Richard.....	1991	17010	353.81
Dowley, Doreen Joyce (deceased estate D0248).....	1991	17120	353.81
Hurley, Colleen Patricia.....	1991	17348	353.81
McNally/Smith, Veronica June and Smith, Carol Ann.....	1991	17547	353.81
Nelms, Olive Mildred.....	1991	17619	353.81
Rose, Elizabeth.....	1991	17780	353.81
Standen, Harold Brian.....	1991	17891	353.81
Stevens, Charles Ronald.....	1991	17897	353.81
Webb, John Alexander.....	1991	18010	1 061.43
Forrest, Francis Richard.....	1991	18779	153.12
Lavazanian, John.....	1991	18919	153.12
Pike, Brian	1991	19034	153.12
Vanstone, Douglas Colin	1991	19157	153.12
Adams, Murray Glasgow (D0703)	1991	30373	149.52
Bannister, Ronald David	1991	30426	74.76
Buegg, Holly Elizabeth.....	1991	30534	74.76
Buegg, Mahala Ann.....	1991	30535	74.76
De Vaus, Gordon Lincoln	1991	30685	149.52
Gill, Peter William.....	1991	30851	74.76
Haugh, John Gerald Everard.....	1991	30954	74.76
Johnson, Margaret Elizabeth.....	1991	31091	149.52
Kotz, Helen Grace (deceased estate D9735).....	1991	31151	74.76
Lucas, Lawrence James	1991	31224	74.76
Matthews, Kieran	1991	31283	74.76
McDonald, Myra Anne.....	1991	31305	74.76
McDowall, Dorothy Jean.....	1991	31307	149.52
Ritschel, Rudolf	1991	31582	224.28
Tucker/Batty, Philip and Batty, Rosalind.....	1991	31815	74.76
Wain, Arthur Frederick (deceased estate D0339)	1991	31842	224.28
Weiss, Lindsay Carl	1991	70284	224.28
Fiske, Frank Foard.....	1991	25641	116.96
Furphy, Gwendolen Mabel.....	1991	25655	233.92
Hillas, John Joseph	1991	25747	116.96
Huffer, Vera Myrtle (deceased estate D7668).....	1991	25766	116.96
Lumley, Ian William.....	1991	25861	116.96
Wain, Arthur Frederick.....	1991	26196	350.88
Stillard, John Alexander.....	1991	50249	28.23
Burton, Marshall Roland.....	1991	26540	30.78
Carr, Richard.....	1991	26564	61.56

Name of Owner on Books	Issue Year	Cheque Number	Amount \$
Cheshire, Frank William James.....	1991	26601	30.78
Dundas, Norman Thomas.....	1991	26799	30.78
Hills, Joseph Harold.....	1991	27112	30.78
Huggins, Joan Doreen.....	1991	27161	30.78
Kirk, Margaret Ruth.....	1991	27279	30.78
McCauley, Peter Charles.....	1991	27481	30.78
Milde, Dorothy Jean.....	1991	27545	30.78
Phillips, Florence Ada.....	1991	27729	61.56
Ratcliffe, Geoffrey Arthur.....	1991	27816	30.78
Robinson, David James.....	1991	27875	30.78
Scott, Ian Douglas.....	1991	27995	30.78
Shepherd, Karin Marie Helen.....	1991	28024	30.78
Stacey, Harol William.....	1991	28086	30.78
Wain, Arthur Frederick (deceased estate D0339).....	1991	28253	61.56
Wain, Frederick Arthur (deceased estate D0339).....	1991	28254	92.34
Williamson, David John/Richard Allen/Margaret Ruth.....	1991	28338	30.78
Wilson/Paige, Diane P./Jeniffer I./Margaret R. and Paige, Collen M.....	1991	28345	30.78
Wilson, Peter J./Brian F./Russell C./Graham D.....	1991	28351	30.78
Deans/Vernon, Robert McNeish and Vernon, Derris Ann.....	1991	28686	61.57
Findlay, Ian Robert.....	1991	28765	61.57
Harris, Garth Ernest.....	1991	28907	61.57
Markey, Gregory Barton.....	1991	29171	61.57
Melmeth, Wayne Herbert.....	1991	29222	61.57
Rowe, Colin John.....	1991	29493	123.14
Scott, Ian Douglas/Colin David/Gregory Norman.....	1991	29542	61.57
Single, Kenneth (deceased estate D0067).....	1991	29572	61.57
Stubbs, Lucy Scarlett.....	1991	29634	61.57
Tweg, Bertha Bella.....	1991	29697	61.57
Whittaker, Keith.....	1991	29766	61.57
Whittaker, Talbot (no holder).....	1991	29767	61.57
Wilson, Anthony.....	1991	29787	61.57
Duxson, Florrie (no holder).....	1991	26379	115.97
Heard, Rodney Thomas Heard.....	1991	26381	196.07
Barbagallo, Frank.....	1991	20704	78.42
Brooks, Dale Philip.....	1991	20765	39.21
Burke, Astrid.....	1991	20790	39.21
Cutts, Harold Michael.....	1991	20863	39.21
Jones, Geraldine Jane.....	1991	21097	39.21
Konetschka, Kurt Walter.....	1991	21140	39.21
Martin, Susan Jayne/Judith Lorraine/Sandra Diane.....	1991	21215	39.21
Priadko, Sonia Lenore.....	1991	21367	39.21
Schultz, Robert Wayne.....	1991	21442	39.21
Shreeve, Clair Elizabeth.....	1991	21460	39.21
Stone, Keith William (no holder).....	1991	21496	78.42
Tucker, Christopher Stewart.....	1991	21548	39.21
Wain, Arthur Frederick (deceased estate D0339).....	1991	21573	78.42
Wain, Frederick Arthur (deceased estate D0339).....	1991	21574	78.42
Taylor, Anne.....	1991	290773	99.82
McDonald, Peter Placid.....	1991	397064	20.23
Hutchins, Dennett Patricia.....	1991	32343	76.13
Johnson, Margaret Elizabeth.....	1991	32372	152.26
Rillstone, Ian David.....	1991	32645	76.13
Shiell, Leslie John Workman.....	1991	32706	76.13
Spencer, Ian Leonard.....	1991	32724	76.13
Wain, Arthur Frederick (deceased estate D0339).....	1991	32782	761.30
Campbell, Peter Anthony.....	1991	33073	78.59
Hendrickson, Ernest (deceased estate D7391).....	1991	33513	157.18
Howlett, Roger Edric.....	1991	33559	78.59
Janicki, Halina.....	1991	33595	78.59
Jarvis, Russell George.....	1991	33600	78.59
Johnson, Graeme William.....	1991	33609	157.18
Maitlen-Harris, Alexandra Mayes.....	1991	33781	78.59
Marshall, Robert Quentin.....	1991	33798	78.59
Moon, Murray George.....	1991	33900	78.59
Nankivell, N. C. (no holder).....	1991	33941	157.18
Nicol, Douglas Robert.....	1991	33951	78.59
Ravech, John Graham.....	1991	34085	157.18
Read, Richard Alfred.....	1991	34090	78.59
Schwartz, Reginal Kelvin.....	1991	34202	157.18
Turner, Jon Grant.....	1991	34351	78.59
Viergever, Gabrielle Joan.....	1991	27849	28.43
Viergever, Gabrielle Joan.....	1991	34372	78.59
Anker, Karl Heinz.....	1991	88551	79.90
Murdoch, Douglas Ashmead.....	1991	34932	23.82
Anker, Karl Heinz.....	1991	21696	105.09
Barker, Elaine Nancy.....	1991	21736	105.09
Docker, Mary Lorraine.....	1991	22062	105.09
Gillespie, Andrew Donald.....	1991	22232	210.18
Gillespie, Ernest Clifford.....	1991	22233	105.09
Goodwin, Tricia Nicole.....	1991	22250	52.55
Hocking, Christopher John.....	1991	22418	105.09

Name of Owner on Books	Issue Year	Cheque Number	Amount \$
Kennedy, John Charles	1991	22528	105.09
Knight, Racheal	1991	22550	105.09
Mahoney, Karen Anne	1991	22655	105.09
Martin, Peter Andrew	1991	22676	105.09
Parsons, Ian Robert	1991	22839	105.09
Perry, Timothy John	1991	22878	105.09
Ralph, Andrew Charles/Christopher Mark	1991	22938	105.09
Sadaize Pty Ltd (no holder)	1991	23025	105.09
Saponari, Alan Dean	1991	23035	105.09
Timoney, Robert John	1991	23197	105.09
Wilkie, Beverley Anne	1991	23305	105.09
Wright, Lindsay Dundas/Jillian Claire	1991	23350	105.09

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Name of Owner on Books	Issue Year	Cheque Number	Amount \$
Eime, T. E.	1992	90818	206.61
Arminas, Ludvikas	1992	37847	564.42
Colliver, Janice Anne	1992	37923	564.42
Congdon, Robert William	1992	37924	1 128.84
Crosby, Andrew Charles	1992	37928	564.42
De Vaus, Gordon Lincoln	1992	37938	564.42
Fairbank, Alexander Gordon	1992	37960	225.77
Farquar, Diane Elizabeth/Jenny Victoria	1992	37961	1 128.84
Hansen, Frieda Marie	1992	38001	564.42
McLure, Jeannie Alma	1992	38127	564.42
Pearce, Rodney David	1992	38176	564.42
Lamshed, Donald Henry	1992	41199	144.92
McDonald, Myra Anne	1992	41260	144.92
O'Leary, David Murray	1992	41332	144.92
Robinson, Andrew John	1992	41400	144.92
Cannon, Malcolm Richard	1992	38498	225.16
Dowley, Doreen Joyce (deceased estate D0248)	1992	38606	225.16
Hurley, Colleen Patricia	1992	38833	225.16
Koadlow, Shirley	1992	38906	225.16
Linke, Geoffrey Fred	1992	38943	225.16
McNally/Smith, Veronica June and Smith, Carol Ann	1992	39035	225.16
Nelms, Olive Mildred	1992	39106	225.16
Rose, Elizabeth	1992	39267	225.16
Saint, Harold Francis	1992	39300	450.32
Standen, Harold Brian	1992	39379	225.16
Stevens, Charles Ronald	1992	39385	225.16
Webb, John Alexander	1992	39500	675.48
Kernich, Donald Ralph (deceased estate D9290)	1992	61315	80.95
Brough, Jeffery John	1992	39689	113.06
Burles, Christopher Robert	1992	39704	113.06
Dyer, Stanley Alec	1992	39861	113.06
Florence, Bevan Thomas	1992	39900	113.06
Hackett, Veronica	1992	39977	113.06
Hardie, Noman Clyde/Nellie Florence	1992	40005	113.06
Hatter, David James	1992	40018	226.12
Hayes, Ernest Francis	1992	40022	226.12
Howes, Jacquelyn Leslie	1992	40088	226.12
Hunter, Jean Stuart	1992	40103	113.06
Parker/Wilson, Anne May and Wilson Robert	1992	40406	113.06
Prentice, Denis Gavan	1992	40463	113.06
Ricketts, John Colin/Thelma Rema	1992	40497	113.06
Skinner, Govan Henry	1992	40589	113.06
Sonntag, Julienne Helen	1992	40608	113.06
Wain, Arthur Frederick (deceased estate D0339)	1992	40721	113.06
Wain, Frederick Arthur (deceased estate D0339)	1992	40722	113.06
Walker, Dorothy Boyd	1992	40724	113.06
Ward, Stephen John/Richard Walter	1992	40737	113.06
Aspinall, Robert William/Mabel Agnes	1992	44985	31.90
Burdett, Louis Charles	1992	45054	15.95
Burnell, Robert Arthur	1992	45057	15.95
Camac, Graham James	1992	45063	15.95
Eldridge, Aileen Lesley Perry	1992	45166	15.95
Frahn, Robert John	1992	45193	15.95
Heard, Rodney Thomas Heard	1992	45271	15.95

Name of Owner on Books	Issue Year	Cheque Number	Amount \$
Johnstone, Rodney	1992	45331	15.95
Kobal, George	1992	45351	15.95
Madsen, Julie-Anne	1992	45397	15.95
Markey, Gregory Barton	1992	45401	15.95
Messenger, Neil Bernard	1992	45432	15.95
Michelmore, Kenneth Edgar	1992	45436	15.95
Praetz, Ailsa Marjorie	1992	45545	15.95
Rohrlach, Geoffrey Edgar	1992	45572	31.90
Schultz, Raymond Leslie	1992	45592	15.95
Tonuma, Viljo Enn	1992	45676	15.95
Trethowan, Cameron Alan	1992	45683	31.90
Van Kesteren, Adeline Clarence	1992	45689	15.95
Warden-Flood, Bronya	1992	45709	15.95
Whiting, Richard William	1992	45734	15.95
Whyte, George Macleod	1992	45735	15.95
Barbagallo, Frank	1992	45796	78.18
Bateman, Andrew Russell	1992	45803	39.09
Burke, Astrid	1992	45882	39.09
Cutts, Harold Michael	1992	45959	39.09
Furness, Lynette Margaret	1992	46047	39.09
Grubb, Eric Douglas	1992	46085	39.09
Hoffman, Berno	1992	46145	39.09
Hoffman, Mark	1992	46146	39.09
Klingmuller, Lothar Max	1992	46225	39.09
Love, Alan Oswald	1992	46282	39.09
Martin, Susan Jayne/Judith Lorraine/Sandra Diane	1992	46310	39.09
McPherson, Ian Kenneth	1992	21247	39.21
Passey, Susan Isabel	1992	46424	39.09
Priadko, Sonia Lenore	1992	46462	39.09
Robinson, Susan Marjorie	1992	46504	39.09
Schultz, Robert Wayne	1992	46537	39.09
Shreeve, Clair Elizabeth	1992	46555	39.09
Tucker, Christopher Stewart	1992	46644	39.09
Wain, Arthur Frederick (deceased estate D0339)	1992	46669	78.18
Cleland, Donald Haldane	1992	46800	73.77
Heaslip, Damien John	1992	46921	73.77
Nall, Joanne Beth Derham	1992	47057	73.77
Roberts, Rosamund Jane	1992	47101	73.77
Rouse, Eric Bernard	1992	47110	73.77
Glenn, Adrian James (deceased estate)	1992	34956	80.93
Balodis, Janis	1992	49962	21.42
Store, Bayswater General Store	1992	49992	21.42
Boness, John Solomon	1992	50030	21.42
Campbell, Peter Anthony	1992	50097	21.42
Carroll, Paul Arnold	1992	50108	21.42
Eichner, Lindsay Arthur/Elizabeth Ann	1992	50303	21.42
Elderidge, Jill Elizabeth	1992	50305	21.42
Fay D'Herbe De Haundau, Alain	1992	50340	21.42
Hage, Darren Noel	1992	50465	42.84
Hamlyn, Jane Marilyn	1992	50473	21.42
Hendrickson, Ernest (deceased estate D7391)	1992	50532	42.84
Herley, Patrick Michael Keane	1992	50539	21.42
Hoffman, Berno	1992	50561	21.42
Hoffman, Mark	1992	50562	21.42
Hollingworth, Jon	1992	50566	21.42
Honey, Stephen Maxfield/Jason Peter/Cameron W	1992	50571	21.42
Howlett, Roger Edric	1992	50579	21.42
James, Russell Wayne	1992	50610	21.42
Janicki, Halina	1992	50615	21.42
Jarvis, Russell George	1992	50620	21.42
Johnson, Graeme William	1992	50629	42.84
Lock, John Robert	1992	34870	122.44
Long, David McArthur	1992	50768	21.42
Maitlen-Harris, Alexandra Mayes	1992	50798	21.42
Manners, William Howard	1992	50804	21.42
Marshall, Robert Quentin	1992	50815	21.42
Martin, Ian Maurice	1992	50820	42.84
Moon, Murray George	1992	50920	21.42
Orrock, John Henry	1992	51008	21.42
Post, Judith Margaret	1992	34044	78.59
Quinn, Robert Michael	1992	51093	21.42
Ravech, John Graham	1992	51105	42.84
Read, Richard Alfred	1992	51110	21.42
Schwartz, Reginal Kelvin	1992	51222	42.84
Turner, Jon Grant	1992	51374	21.42
Viergever, Gabrielle Joan	1992	51395	21.42
Wain, Arthur Frederick	1992	51405	107.10
Walker, Dianne Marie	1992	51409	21.42
Weisz, Debra	1992	51440	21.42
Weisz, Malka	1992	51441	21.42
Anker, Karl Heinz	1992	51527	64.06

Name of Owner on Books	Issue Year	Cheque Number	Amount \$
Blair, Joyce.....	1992	51597	32.03
Brooles, Barbara Phillips.....	1992	51628	32.03
Daniel, Robert Francis.....	1992	51721	64.06
Emden, Horst.....	1992	51777	32.03
Gibson, Barrie Edwin.....	1992	51840	64.06
Greenslade, Cheryl Elise.....	1992	51867	32.03
Harvey, Brian Campbell.....	1992	51917	64.06
Heaton, John Peter.....	1992	51941	32.03
Johnson, Grant George.....	1992	52013	32.03
Klaebe, Kenneth Eric.....	1992	52044	32.03
Lillecrapp, Howard Grant.....	1992	52090	32.03
Murdoch, Douglas Ashmead.....	1992	34930	79.90
Richards, Garry Edmund.....	1992	52326	32.03
Scherzer, Christine Elizabeth.....	1992	52370	32.03
Seidl, Rainer/Anke.....	1992	52386	32.03
Tricarico, Donna Marjorie.....	1992	52475	32.03
Warman, Therese Ann.....	1992	52517	32.03
Whiteside, Troy Edwin.....	1992	52535	32.03
Bennett, Michael.....	1992	52672	66.20
Fieldman, Joseph.....	1992	53002	132.40
Fredericks, Carl Walter.....	1992	53037	66.20
Graham, Andrew Roger.....	1992	53094	66.20
Hill, Ronald James.....	1992	53191	66.20
Hill, Sandra Anne.....	1992	53192	66.20
Knight, William Frederick.....	1992	53308	66.20
McGilvray, Terrance William.....	1992	53442	66.20
Mei, Anna Maria (no holder).....	1992	53465	66.20
Nuske, David John.....	1992	53565	66.20
Parisella, Anthony Angelo.....	1992	53594	66.20
Perry, Ralph Ashford/Susan Mary.....	1992	53630	66.20
Segrave, Phyllis Patricia.....	1992	53796	66.20
Segrave, William Foy (deceased estate D8936).....	1992	53797	66.20
Swan, Graeme Leslie.....	1992	53895	66.20
Thomas, Bryan Jackson.....	1992	53919	66.20
Wallace, Wayne Robert.....	1992	53991	66.20
Anker, Karl Heinz.....	1992	41593	30.81
Barker, Elaine Nancy.....	1992	41633	30.81
Bavage, Christopher James.....	1992	41645	30.81
Brown, Frederick Douglas.....	1992	41736	61.62
Byrne, Douglas James.....	1992	41774	30.81
Dennis, Robert Edgar/Kendra Louise.....	1992	41940	30.81
Gillespie, Andrew Donald.....	1992	42129	61.62
Goodwin, Tricia Nicole.....	1992	42146	15.41
Hocking, Christopher John.....	1992	42312	30.81
Kennedy, John Charles.....	1992	42422	30.81
Knight, Rachael.....	1992	42444	30.81
Lamshed, Hayden Shane.....	1992	42476	30.81
Mahoney, Karen Anne.....	1992	42550	30.81
Martin, Peter Andrew.....	1992	42571	30.81
McGilvray, Graham Stewart.....	1992	42610	30.81
Murdoch, Gregory Mark.....	1992	42674	30.81
Parsons, Ian Robert.....	1992	42735	30.81
Perry, Timothy John.....	1992	42774	30.81
Polack, Carolyn Ann.....	1992	42799	30.81
Ralph, Andrew Charles/Christopher Mark.....	1992	44963	30.81
Sandery, Quentin.....	1992	42925	30.81
Smythe, Shaun Brian.....	1992	43010	30.81
Wallace, Wayne Geoffrey.....	1992	43148	30.81
Wilkie, Beverley Anne.....	1992	43200	30.81
Wilson, Robert John.....	1992	43229	30.81
Wright, Lindsay Dundas/Jillian Claire.....	1992	43245	30.81
Bardsley, Timothy Alexander.....	1992	54166	136.50
Bennett, Michael.....	1992	54197	682.50
Buckmann, Rae.....	1992	54268	68.25
Carroll, Paul Arnold.....	1992	54300	68.25
Chappell, Simon Phillip.....	1992	54316	68.25
Clemens, Anthony Ronald.....	1992	54329	68.25
Eric Kilburn & Sons.....	1992	54468	68.25
Goldsworthy, Lyndon Colin.....	1992	54554	68.25
Greenslade, Meredith Louise.....	1992	54575	68.25
Haddad, Damian.....	1992	54595	34.13
Lawrence, Peter.....	1992	54827	68.25
Lorensi, Heather.....	1992	54868	68.25
Meade, Graham Robert.....	1992	54949	68.25
Nap, Aldrick.....	1992	55010	136.50
Nap, Kirsten Gabriel.....	1992	55011	68.25
Nicholson, Karen Patricia.....	1992	55027	68.25
Radford, James Quentin.....	1992	55101	136.50
Stenlake, Norman/Florence.....	1992	55240	68.25
Stephens, Peter Robert.....	1992	55242	68.25
Bennett, Michael.....	1992	44006	283.20

Name of Owner on Books	Issue Year	Cheque Number	Amount \$
Brophy, Kieran John	1992	44051	94.40
Clode, Kane	1992	44112	94.40
Eichner, Kerry Wayne	1992	44211	94.40
Eichner, Leslie Wade	1992	44212	94.40
Ferguson, Debra Lea	1992	44237	94.40
Fox, Joyce Brenda	1992	44256	94.40
Heaslip, Damien John	1992	44380	94.40
Kelly, Phillip Edwin	1992	44474	188.80
Lawrence, Fiona	1992	44514	94.40
Naismith, Aean Bruce	1992	44670	94.40
Noonan, Michael	1992	44684	94.40
Pinnuck, Julian David	1992	44726	94.40
Rankin, Robert John	1992	44752	94.40
Stenlake, Norman	1992	44841	94.40
Trinne, Darryl James	1992	44882	94.40
Ward, Emily May	1992	44906	94.40
Zavalis, Melinda Louise	1992	44961	94.40
Ahmet, Syria	1992	43268	28.86
Allen, Kingsley Frank	1992	43272	28.86
Babington, Edward John	1992	43287	28.86
Campbell, Alan Maxwell	1992	43351	28.86
Cliff, Andrew Barton	1992	43371	28.86
Dymke, Helen Louise	1992	43426	28.86
Gahan, Brian Michael	1992	43475	28.86
Hill, Hugh Donald George	1992	43547	28.86
Kennedy, John Charles	1992	43585	28.86
Linke, Lionel Keith	1992	43623	28.86
Little, Neil Mervyn	1992	43625	28.86
Ranford, Mavis Emmerline Maude	1992	43769	28.86
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Wallace, Stephen Joseph	1992	43883	28.86
Wishart, Alan Robert	1992	43914	28.86

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