



DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONS

APPLICATION TO VARY CONDITIONS (EXTEND TERM) - AQUACULTURE PRODUCTION LEASE

(Section/s 38 and 25A *Aquaculture Act 2001*)

Applications must be lodged by:

Email: PIRSA.aquaculture@sa.gov.au

Or

Mail: PIRSA Aquaculture, GPO Box 1625, Adelaide SA 5001

For assistance or further information:

Telephone: (08) 8207 5332

Email: PIRSA.aquaculture@sa.gov.au

Visit: <http://www.pir.sa.gov.au/aquaculture>

Pursuant to section 38 of the *Aquaculture Act 2001*, the following requirements apply:

- Only lease holders with a production lease term of 20 years or less, and which was in force immediately before 3 October 2019 may apply;
- The term of a production lease cannot be extended more than once; and not exceeding 30 years.

In determining whether to extend the term of a production lease, the following will be considered in relation to the lessee and any corresponding licence holder:

- Any breach of, and the extent of current and past compliance with, any obligations pursuant to a lease condition, corresponding licence condition, the *Aquaculture Act 2001*, the *Aquaculture Regulations 2016*, and a notice issued under section 33 of the *Livestock Act 1997* regulating movement of aquaculture stock;
 - This includes, but is not limited to, environmental reporting, periodic returns, payment of fee provisions, translocation approval, and currency of any applicable bank guarantees, indemnity schemes, and public liability insurance; and
- The amount of aquaculture development or aquaculture activity undertaken on the lease, during the term of the lease, by a corresponding licence holder, including but not limited to the biomass of aquaculture stock or amount of farming structures containing aquaculture stock.



1 – INSTRUCTIONS FOR APPLICANT

- Carefully read all information contained in this application form and complete all relevant parts (i.e. to your sector) of the application form in full, including all attachments;
- Only one lease per application can be submitted;
- Write legibly using a blue or black pen, or use a software program “Fill & Sign” function;
- Initial the bottom right corner of each page of the application;
- PIRSA Fisheries and Aquaculture may request supporting documentation or further information beyond what is contained in this application form in assessing the application;
- Incomplete applications, or those requiring additional information, may be refused if the information is not provided within three months of a request made by PIRSA Fisheries and Aquaculture.
- An application fee invoice will be generated once the completed application has been received.

2 – LEASE & LICENCE DETAILS

Lease Number:	Corresponding Licence Numbers:
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3 – APPLICATION CHECKLIST

- ☐ **Outstanding Fees:** There are no outstanding fees for this marine lease and any corresponding licence.
- ☐ **Certificate of Currency:** As prescribed by lease conditions, attached is a certificate of currency for public liability insurance in the minimum amount of \$10 million, to indemnify the lessee and the Minister to whom administration of the *Aquaculture Act 2001* is committed against any loss of any kind in relation to aquaculture activities conducted on the lease site. Refer to your lease for the requirements of the public liability insurance.
- ☐ **Bank Guarantee or Indemnity Scheme:** As prescribed by lease conditions, a current bank guarantee or proof of contribution to an approved indemnity scheme has been provided to PIRSA Fisheries and Aquaculture for this lease. Refer to your lease for the requirements of the bank guarantee or indemnity scheme.
- ☐ **Environmental Monitoring Program:** This report has been submitted to PIRSA Fisheries & Aquaculture for the most recent reporting period for all corresponding licences associated with this lease.
- ☐ **Production Return:** This report has been submitted to PIRSA Fisheries and Aquaculture for the most recent reporting period for all corresponding licences associated with this lease.
- ☐ **ASIC Company Extract:** (if the lease is held by a body corporate) A current company extract, no more than 3 months old, is required with full company details including current company directors.

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4 – CONTACT DETAILS

4.1 – LEASE HOLDER CONTACT DETAILS

Name of Lease Holder:

Postal Address:

Suburb: Post Code:

State: Telephone:

Mobile: Facsimile:

Email:

Name of Lease Holder (if more than one lease holder):

Postal Address:

Suburb: Post Code:

State: Telephone:

Mobile: Facsimile:

Email:

Please provide the contact details (as above) of additional lease holders on a separate page.

Name of Primary Contact (if different from above):

Postal Address:

Suburb: Post Code:

State: Telephone:

Mobile: Facsimile:

Email:

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4.2 –CONSENT BY A NOMINATED SPECIFIED PERSON

A nominated specified person is a person or company who is recorded as having an interest in a specified aquaculture lease. This interest is currently recorded on the public register established by section 80 of the *Aquaculture Act 2001*. The public register can be accessed at https://pir.sa.gov.au/aquaculture/aquaculture_public_register.

If the interest holder is a bank, please stamp the application with the official bank seal and indicate the first and last name of the bank representative, and their position within the bank.

Lease number to which interest relates:

Full name of Specified Person (Full Name, Company Name or Bank):

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Postal Address:

Suburb: State: Post Code:

Telephone: Facsimile:

Email:

(If the Specified Person is a Bank) Full name of Bank representative:

..... Position within bank:

Official Bank Stamp:

(If the Specified Person is a company) Full Name of the Director completing this form on behalf of the company:

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Please attach a current ASIC company extract no more than 3 months old from lodging this application. The extract should list the details of all directors of the company.

As a nominated Specified Person recorded on the Aquaculture Public Register (as having an interest in the above named lease), I consent to the submission of this variation application:

Signed:

Full Name:

Date (Day/Month/Year):

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5 – LEASE SITE DEVELOPMENT

5.1 – To be Completed by Oyster Growers Only (Affix Separate Page for Additional Corresponding Licences)

5.1.1 Are farming structures present on your lease?

☐ YES

☐ NO

5.1.2 If farming structures are present, indicate in the applicable table below the maximum amount of farming structures present since the end of last financial year for **each corresponding licence** (if multiple licences print additional tables):

Intertidal and Subtidal Oyster

Licence Number:	Single line	Double line (x2)	Triple line (x3)	Quadruple line (x4)	Other line (x?)	Rails	
Number of lines/rails							
Length of each line/rail (metres)							
Total length of line/rail (metres)							
A. Total length of all longlines on licence site (km)							
B. Total length of all rail on licence site (km)							
C. Hectare size of licence granted (ha)							
D. Total length of longline per hectare for licence (km/ha) = A divided by C							
E. Total length of rail per hectare for licence (km/ha) = B divided by C							
F. Licence percent development (%) = D and/or E divided by maximum line/rail length conditions stipulated on licence x 100						Line%	Rail%

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5.1.3 If farming structures are present, what is the approximate maximum percentage of the above infrastructure that has been stocked at any one time since the end of last financial year for **each corresponding licence** (e.g.: % of kilometres of stocked longline/rail)?

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5.1.4 If this lease is granted for the **temporary holding of oysters only** (i.e. a **holding site**), what was the aggregate time period that oysters were held for on the lease since the end of last financial year (e.g. 120 days)?

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5.1.5 Is Performance Criteria stipulated on the lease schedule (i.e. on first page of lease)?

☐ YES ☐ NO (if no continue to question 5.1.9)

5.1.6 **Excluding holding sites**, if Performance Criteria is stipulated on the lease schedule, based on the answer in **F** in the above table, was it met in relation to **all corresponding licences**?

☐ YES ☐ NO

5.1.7 **For holding sites only**, if Performance Criteria is stipulated on the lease schedule, was it met?

☐ YES ☐ NO

5.1.8 **If no to questions 5.1.6 or 5.1.7**, provide details to support why this was not possible (this may be provided on a separate page and should include any supporting documentation):

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5.1.9 For **each corresponding licence**, please indicate your proposed rate of development for each of the next 3 years **as a percentage** of the maximum amount of farming structures permitted (Refer to licence conditions for longline/rail length limits; if multiple licences print additional tables):

	Development Rate (%)			
	Licence No	Licence No	Licence No	Licence No
				
Development rate as at 30 June 2022 (e.g. 10%)				
Development rate as at 30 June 2023				
Development rate as at 30 June 2024				

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5.2 – To be Completed by Mussel Growers Only (Affix Separate Page for Additional Corresponding Licences)

5.2.1 Are farming structures present on your lease?

☐ YES

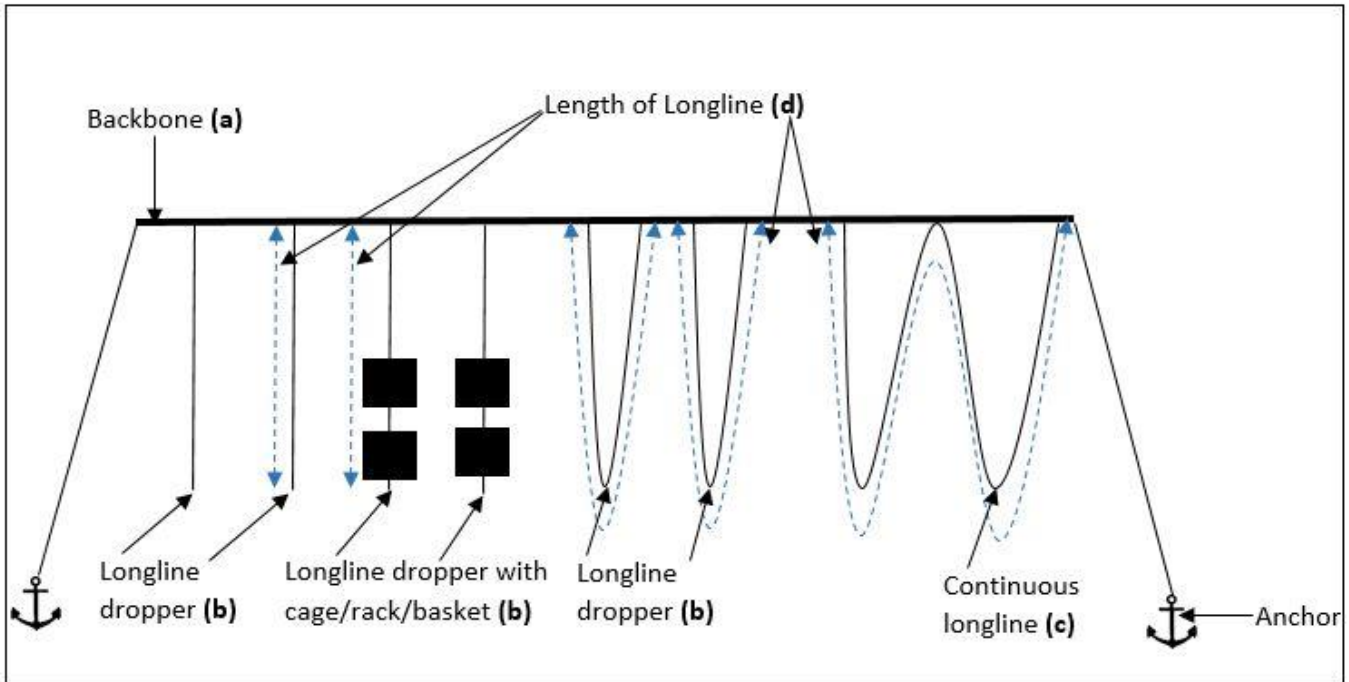
☐ NO

5.2.2 If farming structures are present, indicate in the applicable table below the maximum amount of farming structures present since the end of last financial year for **each corresponding licence** (refer to diagram; if multiple licences print additional tables):

Mussels

Licence Number:	Amount
Double or single backbones	
Number of backbones ((a) – in diagram)	
Length of each backbone (metres)	
A. Total length of all backbones on licence site (metres)	
B. Hectare size of licence granted (ha)	
C. Total length of backbone per hectare for licence (metres/ha) = A divided by B	
Number of longline droppers ((b) – in diagram)	
Length of each longline dropper (metres)	
Total length of all longline droppers on licence site (metres)	
Total length of all continuous longline on licence site (metres) ((c) – in diagram)	
D. Total length of longline on licence site (metres) (d – in diagram)	
E. Total length of longline per metre of backbone for licence (m longline/m backbone) = D divided by A	
F. Licence percent development (%) = C divided by maximum backbone length stipulated on licence x 100	

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5.2.3 If farming structures are present, what is the approximate maximum percentage of the above infrastructure that has been stocked at any one time since the end of last financial year for **each corresponding licence** (e.g.: % of metres of stocked backbone)?

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5.2.4 Is Performance Criteria stipulated on the lease schedule (i.e. on first page of lease)?

☐ YES ☐ NO (if no continue to question 5.2.7)

5.2.5 If Performance Criteria is stipulated on the lease schedule, based on the answer in **F** in the above table, was it met in relation to **all corresponding licences**?

☐ YES ☐ NO

5.2.6 If **no**, provide details to support why this was not possible (this may be provided on a separate page and should include any supporting documentation):

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5.2.7 For **each corresponding licence**, please indicate your proposed rate of development for each of the next 3 years **as a percentage** of the maximum amount of backbone permitted (Refer to licence conditions for backbone length limits; if multiple licences print additional tables):

	Development Rate (%)			
	Licence No	Licence No	Licence No	Licence No
				
Development rate as at 30 June 2022 (e.g. 10%)				
Development rate as at 30 June 2023				
Development rate as at 30 June 2024				

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5.3 – To be Completed by Finfish Growers Only (Affix Separate Page for Additional Corresponding Licences)

5.3.1 Are farming structures present on your lease?

☐ YES ☐ NO

5.3.2 If farming structures are present, what is the approximate maximum stocking density per hectare at any one time since 1 March for **each corresponding licence** (i.e. tonnes per licence hectare)?

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5.3.3 Is Performance Criteria stipulated on the lease schedule (i.e. on first page of lease)?

☐ YES ☐ NO (if no continue to question 5.3.6)

5.3.4 If Performance Criteria is stipulated on the lease schedule, based on the answer in question 5.3.2, was it met in relation to **all corresponding licences**?

☐ YES ☐ NO

5.3.5 If **no**, provide details to support why this was not possible (this may be provided on a separate page and should include any supporting documentation):

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5.3.6 For **each corresponding licence**, please indicate your proposed rate of development for each of the next 3 years **as a percentage** of the maximum stocking density per hectare permitted (Refer to licence conditions for stocking density limits; if multiple licences print additional tables):

	Development Rate (%)			
	Licence No	Licence No	Licence No	Licence No
				
Development rate as at 30 June 2022 (e.g. 10%)				
Development rate as at 30 June 2023				
Development rate as at 30 June 2024				

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5.4 – To be Completed by Abalone Growers Only (Affix Separate Page for Additional Corresponding Licences)

5.4.1 Are farming structures present on your lease?

☐ YES ☐ NO

5.4.2 If farming structures are present, what type of farming structures are they (e.g. benthic structures, sea cages) and how many are there since the end of last financial year?

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5.4.3 Is aquaculture stock present on your lease?

☐ YES ☐ NO

5.4.4 If aquaculture stock is present, what is the maximum biomass that has been present at any one time since the end of last financial year?:

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5.4.5 Is Performance Criteria stipulated on the lease schedule (i.e. on first page of lease)?

☐ YES ☐ NO (if no continue to question 5.4.8)

5.4.6 If Performance Criteria is stipulated on the lease schedule, based on the answer in question 5.4.2, was it met?

☐ YES ☐ NO

5.4.7 If no, provide details to support why this was not possible (this may be provided on a separate page and should include any supporting documentation):

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5.4.8 Please indicate your proposed rate of development for each of the next 3 years **as a percentage** of the maximum amount of farming structures permitted (Refer to licence conditions for farming structure limits):

	Development Rate (%)
Development rate as at 30 June 2022 (e.g. 10%)	
Development rate as at 30 June 2023	
Development rate as at 30 June 2024	

5.5 – To be Completed by Tourism Lease Holders Only

5.5.1 Is aquaculture stock present on your lease?

☐ YES ☐ NO

5.5.2 If aquaculture stock is present, what is the maximum biomass that has been present at any one time since the end of last financial year?

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5.5.3 How many tourists visited the lease and how many days did tourists visit the lease since the end of last financial year?

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5.5.4 Is Performance Criteria stipulated on the lease schedule (i.e. on first page of lease)?

☐ YES ☐ NO

5.5.5 If Performance Criteria is stipulated on the lease schedule, based on the answer in question 5.5.3, was it met?

☐ YES ☐ NO

5.5.6 If **no**, provide details to support why this was not possible (this may be provided on a separate page and should include any supporting documentation):

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5.5.7 Please indicate your estimated growth in tourist visitation for each of the next 3 years **as a percentage**:

	Tourist Visitation Growth (%)
Tourist Visitation Growth as at 30 June 2022	
Tourist Visitation Growth as at 30 June 2023	
Tourist Visitation Growth as at 30 June 2024	

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6 – DECLARATION BY LESSEE

Section 85 *Aquaculture Act 2001* – A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under the *Aquaculture Act 2001*.

Maximum penalty: \$5,000

I/We declare that the information provided in this form is true and accurate.

PLEASE NOTE

If the lease is held by individual/s, the signature of all individual/s is required.

If the lease is held by a company/body corporate, one of the following is required:

- The signature of two directors of the company; or
- The signature of a director and a company secretary; or
- If the company has a sole director who is also the sole company secretary, that director.

These requirements apply to all company applicants where multiple companies hold the lease.

Full Name: Signature: Date: /...../.....

Full Name: Signature: Date: /...../.....

Full Name: Signature: Date: /...../.....

Full Name: Signature: Date: /...../.....