

Office use only

Received via: _____

Initials and date: _____

Complete this form if you would like to sublet your aquaculture lease to another permit holder. Under a sublet agreement, the sublessee (permit holder) will be responsible for all farming activities on the aquaculture lease.

To find out more, go to the sublet of aquaculture lease information kit at dpi.nsw.gov.au/fishing/aquaculture/forms/lease-based

Part A – To be completed by the leaseholder

1. Leaseholder details

Details required	Give details in space provided
Name of leaseholder (or company name if applicable)	
Mailing address for all correspondence	Address Suburb State Postcode
Physical address (cannot be a PO Box)	Address Suburb State Postcode
Preferred contact Specify if mobile can be used for SMS alerts	Contact person Home/work/mobile number SMS alerts (if mobile provided above) <input type="checkbox"/> Yes <input type="checkbox"/> No Email

2. Lease details

Multiple leases can be added to this form if they are held by the same leaseholder. There is an application fee for each lease, but there is a reduced fee for multiple leases.

Lease number/s	Lease number/s

3 Aquaculture permit(s) to authorise the lease(s)

Aquaculture permit(s) that you would like to sublet the leases(s) to.

If you are applying to sublet multiple leases, the permit arrangement must be identical for all leases. Otherwise, you need to complete a separate application form. The application fee will be charged on the number of leases being sublet and not the number of permits involved in the transaction.

Permit number	Permit holder name	Percent (%) of lease to be sublet
AP		%
AP		%
AP		%
AP		%

4. Leaseholder declaration

All leaseholders must sign the declaration.

If the leaseholder is a company, the declaration must be signed by two directors, or one director and a secretary. If the company is a sole director/secretary company, then the sole director must state next to their name that they are the “sole director and secretary”.

I/We, the undersigned:

- Authorise for my/our aquaculture lease(s) to be sublet to the aquaculture permit listed on this form.
- Are authorised to make this application.
- Acknowledge that all the information provided in this application is true and correct.
- Understand that giving false or misleading information is a serious offence.
- Acknowledge that I/we will be responsible for lease related fees for the aquaculture lease(s).
- Acknowledge that I/we will be responsible for the removal of all improvements (including cultivation material, lease markings and structures) if the lease expires or is otherwise terminated.

Leaseholder name	Leaseholder signature	Date

Part B – To be completed by the permit holder

5. Species to be grown on the leases following sublet

Note: If the permit does not currently authorise the species selected below, the permit holder may be required to apply to vary their aquaculture permit.

- Sydney Rock Oyster
- Pacific Oyster (diploid) – Port Stephens only
- Pacific Oyster (triploid)
- Native Oyster
- Other (please specify):

6. Compliance with OISAS best practice guidelines?

Do all the leases being sublet to your permit comply with OISAS best practice guidelines?

Refer to chapter 8 of OISAS -

www.dpi.nsw.gov.au/fishing/aquaculture/publications/oysters/industry-strategy.

- Yes
- No – please list which leases do not comply below:

Leases that do not comply: _____

Note: if any leases under your permit do not comply with OISAS best practice guidelines, you will be charged \$50 per hectare for lease security on 1 July 2024 (unless you have a refundable lease security arrangement).

7. Permit holder declaration

All permit holders must sign this declaration.

If the permit holder is a company, the declaration must be signed by two directors, or one director and a secretary. If the company is a sole director/secretary company, then the sole director must this state next to their name that they are the “sole director and secretary”.

I/We, the undersigned:

- Authorise for the above listed aquaculture leases to be sublet to my/our aquaculture permit.
- Are authorised to make this application.
- Acknowledge that all the information provided in this application is true and correct.
- Understand that giving false or misleading information is a serious offence.
- Acknowledge that I/we will be responsible for permit related fees for the lease/s.
- Acknowledge that I/we are responsible for ensuring that the lease/s are maintained in a tidy condition and marked in accordance with the standards described in the NSW Oyster Industry Sustainable Aquaculture Strategy (OISAS) – refer to dpi.nsw.gov.au/fishing/aquaculture/publications/oysters/industry-strategy
- Acknowledge that the lease/s will be regularly inspected by Fisheries Officers. If a lease is found to be non-compliant with OISAS during any inspection, a notice to comply will be issued under s 162 of the *Fisheries Management Act 1994* and/or clause 55 of the *Fisheries*

Management (Aquaculture) Regulation 2017. I/we will be responsible for ensuring the lease is brought back to a compliant state as per the information in that notice.

Permit holder name	Permit holder signature	Date

Part C – Finalising the application

8. Payment of application fee

When you submit your application, NSW DPI will email you an invoice for the application fee. Payment options will be provided on the invoice.

The invoice will be payable immediately. If payment is not made within a reasonable timeframe your application will be returned to you.

Aquaculture fee schedule dpi.nsw.gov.au/fishing/aquaculture/schedule

Note: To be eligible for the reduced fee for additional sublet applications lodged on the same day, only one invoice can be raised for one party to pay.

Who is paying the application fee?

- Leaseholder (lessee)
- Permitholder (sublessee)

9. Submitting your application

- Mail: NSW Department of Primary Industries, Locked Bag 1, Nelson Bay NSW 2315
- Email: aquaculture.administration@dpi.nsw.gov.au
- Phone enquiries: Aquaculture Administration on 0407 693 244 or 02 4916 3900

Privacy Collection Notice

Information collected on this application is subject to the *Privacy and Personal Information Protection Act 1998*. You must provide the information for NSW Department of Primary Industries – Fisheries to assess the application and to administer aquaculture leases and permits under the *Fisheries Management Act 1994*. Information collected will be stored securely within the FishOnline system and NSW DPI's records management system, to which only authorised personnel have access.

NSW DPI – Fisheries may use the information and disclose it to authorised agencies by way of a Memorandum of Understanding, for related administration, regulation, research, and statistical reporting purposes. For example, but not limited to, purposes such as biosecurity matters, licensing with other agencies, industry extension and grant applications. The information may be pooled in a manner not identifying individuals to form industry-based statistics. Information collected may be publicly available on the NSW register of aquaculture permits in accordance with section 154 of the *Fisheries Management Act 1994*. Information collected may also be subject to other lawful requests for information such as subpoenas or GIPA (Government Information Public Access) requests. Section 19(2)(h) of the *Privacy and Personal Information Protection Act 1998* allows the disclosure of information when permitted or required by an Act (including an Act of the Commonwealth) of any other law.

Any email addresses collected may be used to electronically serve instruments if the customer has agreed to receive documentation from NSW DPI electronically. Information collected will be destroyed when no longer required. You may access or correct your information by contacting NSW DPI, Aquaculture Administration, Locked Bag 1, Nelson Bay NSW 2315, or via email aquaculture.administration@dpi.nsw.gov.au. For more information, please refer to Regional NSW Privacy Statement at regional.nsw.gov.au/privacy and Regional NSW Privacy Management Plan at regional.nsw.gov.au/privacy/privacy-management-plan.