

SUPPLEMENTARY GAZETTE



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, TUESDAY, 8 JUNE 1999

FISHERIES ACT 1982: SECTION 59

TAKE notice that the notice made under section 59 of the Fisheries Act 1982, dated 31 May 1999 and published in the *South Australian Government Gazette* of 3 June 1999 at page 2926 (such notice being the first notice appearing on that page), referring to the taking of pilchards by Vic Valcic is revoked.

Dated 6 June 1999.

G. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that the notice made under section 59 of the Fisheries Act 1982, dated 31 May 1999 and published in the *South Australian Government Gazette* of 3 June 1999 at page 2929 (such notice being the first notice appearing on that page), referring to the taking of pilchards by Mark Forster is revoked.

Dated 6 June 1999.

G. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, V. Valcic, 6 The Mews, Lincoln Cove, 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, 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 30 June 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Revina 2* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M488.

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. M488.

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 30 June 1999, take a quantity of permitted species which exceeds his quota of 36.97 units at 7.712 tonnes per unit (which is equal to 285.11 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 and bay closure 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 and bay closure lines described in Table 1.

Dated 6 June 1998.

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
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S 135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S 135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S 133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S 133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S 133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S 133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S 133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S 132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S 132°58.72'E	
	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	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S 138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S 139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S 140°00.80'E	
	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, pursuant to section 59 of the Fisheries Act 1982, M. Forster, P.O. Box 154, 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, 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 30 June 1999, or until revoked by the Director of Fisheries.

2. This exemption is valid only in respect of the fishing vessel *Pinta 3* (hereinafter referred to as the 'permitted boat') registered on the fisher's Marine Scalefish Fishery Licence No. M329.

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. M329.

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 30 June 1999, take a quantity of permitted species which exceeds his quota of 49.93 units at 7.712 tonnes per unit (which is equal to 385.06 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 and bay closure 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 and bay closure lines described in Table 1.

Dated 6 June 1999.

G. MORGAN, Director of Fisheries

TABLE 1

Base Lines and Bay Closure Lines of South Australia

Location	From		to	Location
Base Lines				
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
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S 135°37.37'E Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S 135°37.40'E
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S 133°57.77'E Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S 133°17.07'E Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S 133°16.58'E Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S 133°15.03'E West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S 133°06.62'E Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S 132°59.32'E Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S 132°58.72'E
	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
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Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S 139°40.40'E
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S 140°00.80'E
	37°29.95'S	140°00.68'E	to	37°29.87'S 140°00.63'E
Bay Closure Lines				
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 the notice made under section 59 of the Fisheries Act 1982, and published as *Government Gazette*, on page 2652, dated 26 May 1999, being the second notice on that page, referring to the taking of sea urchins for the purposes of business or trade, is hereby revoked.

Dated 6 June 1999.

G. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Tobin Henry Woolford (hereinafter referred to as the 'permit holder') of Australian Southern Seafoods Pty Ltd, P.O. Box 1579, Port Lincoln, S.A. 5606, is exempt from sections 34 and 41 of the Fisheries Act 1982, but only insofar as he may take sea urchins (Family *Echinometridae*) (hereinafter referred to as the 'permitted activity') subject to the conditions in Schedule 1 for the purposes of trade or business.

SCHEDULE 1

1. The permit holder (or his nominated replacement) may engage in the permitted activity from the date of gazettal of this notice until 1 June 2001.

2. Fish may only be taken from waters of the State north of 33.6247°S (Cape Finnis).

3. The permit holder (or his nominated replacement) and one other person may take fish pursuant to this notice. The person assisting the permit holder must, at all times whilst conducting the permitted activity, remain within 50 m of the permit holder. Fish may only be taken by hand.

4. The permit holder may authorise a person to act on his behalf in conducting the permitted activity for a maximum of twenty-one days in any one financial year. The permit holder must make this nomination prior to the nominated person commencing or conducting acts preparatory to commencing the permitted activity by telephoning the PIRSA Fisheries and Aquaculture Compliance Unit on 1800 065 522 and provide the following information:

- (1) the full name of the nominated person; and
- (2) the residential address of the nominated person.

5. The permit holder must provide the Director of Fisheries statistical catch and effort information (including zero returns if no fishing operations have been conducted), in the form of a daily log as provided, within fifteen days of the completion of each calendar month.

6. The permit holder shall notify the PIRSA Fisheries and Aquaculture Compliance Unit on 1800 065 522 at least one hour prior to conducting the permitted activity with the following information:

- (1) details of the boat that will be used to engage in the permitted activity;
- (2) the intended area of conducting the permitted activity;

- (3) the intended place and time of launching and retrieval of the nominated boat for that day; and
- (4) the name of the diver (if any) who will be assisting the permit holder.

7. While engaged in the permitted activity the permit holder (or his nominated replacement) shall carry or have about or near his person a copy of this notice. Such notice must be produced to a PIRSA Fisheries and Aquaculture Compliance Officer upon request.

8. PIRSA Fisheries and Aquaculture retains the right for a departmental officer to accompany the permit holder at any time whilst conducting the permitted activity.

9. The permit holder (or his nominated replacement) 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.

Dated 6 June 1999.

G. MORGAN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, the Director of Fisheries is exempted from the provisions of regulation 10 of the Scheme of Management (Miscellaneous Fishery) Regulations 1984 but only insofar as the Director may issue a licence to Clive Humphreys, 9 Dunedin Court, Noarlunga Centre, S.A. 5168 without making a call for an application in respect of the licence.

Dated 7 June 1999.

ROB KERIN, Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development

FISHERIES ACT 1982: SECTION 59

TAKE notice that subject to the condition specified in the Schedule, Clive Humphreys, 6 Dunedin Court, Noarlunga Centre, S.A. 5168 is exempted from the provisions of regulation 9 and regulation 11 of the Scheme of Management (Miscellaneous Fishery) Regulations 1984.

THE SCHEDULE

This exemption shall be solely for the purpose of enabling Clive Humphreys to apply for and be eligible for a licence in respect of the miscellaneous fishery without being a successful applicant at the competitive tender or a licence under the repealed Fisheries Act 1971.

Dated 7 June 1999.

ROB KERIN, Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development