

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, 19 OCTOBER 1999

FISHERIES ACT 1982: SECTION 59

TAKE notice that subject to section 59 of the Fisheries Act 1982, those holders of a licence issued pursuant to the Scheme of Management (Abalone Fisheries) Regulations 1991, hereinafter referred to as the 'fishers' or their registered masters are exempted from the provisions of regulations 23 (2a) (b) of the Fisheries (General) Regulations 1984 in that the fishers shall not be guilty of an offence when taking blacklip abalone (*Haliotis rubra*) below the legal minimum length (hereinafter referred to as the 'permitted activity'), from those waters described as Area 1, Area 2, Area 3, and Area 4 in Schedule 1 (hereinafter referred to as the 'permitted area') subject to the conditions specified in Schedule 2 from 1 September 1999 until 31 August 2000.

SCHEDULE 1

Area 1

Those waters adjacent to the coast of Nene Valley which are contained within a line commencing at the high water mark at position latitude 37°59.3'S, longitude 140°30.7'E, then due south for approximately 2.9 nautical miles to position latitude 30°02.4'S, longitude 140°30.7'E, then generally south-east for approximately 2.7 nautical miles to position latitude 38°04.4'S, longitude 140°34.2'E, then due north for approximately 2.6 nautical miles to high water mark at position latitude 38°01.4'S, longitude 140°34.2'E, then generally north-westerly following high water mark back to the point of commencement.

Area 2

Those waters adjacent to the coast at Brown and Riddoch Bays which are contained between the meridians of longitude 140°45'E and longitude 140°55'E extending seawards for three nautical miles from the high water mark.

Area 3

Those waters of Ringwood Reed bounded by a line commencing at latitude 37°31.95'S, longitude 140°01.3'E, then in a generally easterly direction to a point latitude 37°31.95'S, longitude 140°02.6'E, then in a southerly direction to a point latitude 37°32.5'E, longitude 140°02.6'E, then in a generally westerly direction to a point latitude 37°32.3'S, longitude 140°01.3'E,

then in a generally northerly direction to the point of commencement.

Area 4

Those waters bounded by a line commencing at the high water mark on Rapid Point latitude 37°55.7'S, longitude 140°23.38'E, then in a generally south-westerly direction to position latitude 37°56'S, longitude 140°21.5'E, then in a generally south-easterly direction to position latitude 37°58.5'S, longitude 140°26'E, then in a north-easterly direction to Blackfellows Caves in latitude 37°57'S, longitude 140°28.2'E, then in a north-westerly direction back to the point of commencement.

SCHEDULE 2

1. Whilst engaged in the permitted activity, the fishers may only take blacklip abalone (*Haliotis rubra*) provided that it is not less than 110 mm in length at the greatest dimension and greenlip abalone (*Haliotis laevis*) provided that it is not less than 130 mm in length at the greatest dimension. All abalone must be landed in the shell.

2. On any day the fisher engages in the permitted activity, each species of abalone (*Haliotis spp.*) must be stored separately.

3. No more than one registered Master may engage in the permitted activity on any one day.

4. The fisher may conduct the permitted activity in more than one permitted area on any one day, provided that a separate notification subject to Condition 5 of this schedule has to be made for each area prior to conducting any fishing activity in that area.

5. The fishers must notify the PIRSA Fisheries and Aquaculture Compliance Unit on 1800 244 317 prior to engaging in the permitted activity with the following information:

- (a) the name of the person making the call and the southern zone abalone fishery licence number;
- (b) the name of the registered Master who will be conducting the permitted activity on that day;
- (c) the date on which the permitted activity will take place;

- (d) the permitted area from Schedule 1 which is to be fished; and
- (e) where the fisher is nominating to fish in an additional permitted area from the previous nominated permitted area on any one day, the fisher must wait at least 30 minutes prior to leaving the point from where the nomination was made.

6. In respect of blacklip abalone (*Haliotis rubra*), the fisher on completion of the days fishing activity and before landing, must place all abalone within fish bins, keeping blacklip abalone (*Haliotis rubra*) separate from greenlip abalone (*Haliotis laevis*), and tightly secure the bin lids with the supplied consecutively numbered tags. The total number of bins for that day and the number of the two tags placed on each bin shall be included on the CDR 1. After completing the CDR 1, and within 50 m of landing the white and yellow copies of the CDR 1 shall be secured in the supplied CDR 1 envelope and attached to the bin with the highest numbered tag.

7. In respect of blacklip abalone (*Haliotis rubra*), the fisher must make a record in writing immediately at the conclusion of a fishing trip and before the abalone are consigned to a registered fish processor setting out details of the abalone taken during that fishing trip. This record must be completed within 50 m of the point of landing of the catch; and before the catch is consigned to a nominated processor and/or taken onto processor premises where such premises are within 50 m of the point of landing; or at the end of each day of fishing where the catch is not landed on that day. The details of such record shall be recorded on and be such as are sufficient to complete in triplicate a CDR 1 form. This CDR 1 form in regard to blacklip abalone (*Haliotis rubra*) below the legal minimum length is to be clearly marked 'FISHDOWN' and also marked with the permitted area as specified in Schedule 1 in which the abalone were taken.

8. On completion of the nominated fishing activity, the fisher must notify PIRSA Fisheries and Aquaculture (telephone 1800 244 317) and provide the following information:

- the licence number;
- the name of the person making the call;
- the total number of bins for that day;
- the consecutive tag numbers on those bins; and
- the location and name of the intended processor to which the abalone will be consigned for weighing.

If a public telephone or mobile service is available within 200 m of the point of landing then PIRSA Fisheries and Aquaculture must be notified from that location. If a public telephone or mobile service is not available within 200 m of the point of landing then notification may occur on route from the point of landing to the intended fish processor either at the nearest public telephone or as soon as a mobile service becomes available, whichever is the first to occur.

9. All blacklip abalone (*Haliotis rubra*) below the legal minimum length taken pursuant to the permitted activity shall be delivered to one of the registered fish processors detailed in Schedule 3 for weighing, within 24 hours of landing, within the State of South Australia.

10. The fisher shall not, during the period of this notice, take a combined quantity of blacklip abalone (*Haliotis rubra*) below the legal minimum length from permitted Areas 1, 3 and 4, as described in Schedule 1, which exceeds 5000 kg wholeweight (in the shell).

11. The fisher shall not, during the period of this notice take a quantity of blacklip abalone (*Haliotis rubra*) below the legal minimum length from permitted area 2, as described in Schedule 1, which exceeds 1 000 kg wholeweight (in the shell).

12. The quantity of blacklip abalone (*Haliotis rubra*) prescribed in paragraphs 10 and 11 of this notice is non-transferable.

13. The fisher shall not intentionally induce weight loss of abalone by any means.

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

15. Whilst engaged in the permitted activity the fisher must have in their possession a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries and Aquaculture Compliance Officer.

SCHEDULE 3

FP0127 P. T. Kelly Smiths Road Port MacDonnell, S.A. 5291	FP0125 Sou-West Seafoods Pty Ltd P.O. Box 30 Port Fairy, Vic. 3284
FP0171 Fairsea International Pty Ltd Lot 58, Fairlane Drive Mount Gambier, S.A. 5290	FP0435 Moyston Court Fisheries Pty Ltd Barton Place Portland, Vic. 3305
FP0005 Dover Fisheries Pty Ltd 23 Wilson Street Royal Park, S.A. 5014	FP0382 ADL Seafood Group 15 Speedwell Street Somerville, Vic. 3912

Dated 18 October 1999.

W. ZACHARIN, Principal Fisheries Manager

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Peter Barwick (hereinafter referred to as the 'permitted holder') 6 North Point Avenue, Port Lincoln, S.A. 5606 is exempt from section 41 of the Fisheries Act 1982, subject to the conditions specified in Schedule 1, in that the permit holder shall not be guilty of an offence when taking southern rock lobster (*Jasus edwardsii*), in the closed season (hereinafter referred to as the 'permitted activity').

SCHEDULE 1

1. This permit is valid from the date of gazettal of this notice to 30 October 1999.

2. All southern rock lobster (*Jasus edwardsii*) are to be taken for Fishery Management Committee promotional purposes and must not be sold.

3. No more than a total of 150 kg of southern rock lobster (*Jasus edwardsii*) may be taken pursuant to this notice.

4. The permit holder must notify a PIRSA Fisheries and Aquaculture Compliance Officer on 1800 065 522 at least two hours prior to landing southern rock lobster (*Jasus edwardsii*).

5. All southern rock lobster (*Jasus edwardsii*) taken pursuant to this notice are to be delivered to registered fish processors FP0044 Australian Bight Seafoods and/or FP0118 Southern Ocean Rock Lobster Pty Ltd (hereinafter referred to as the 'approved fish processors'). Immediately upon delivery of rock lobster to one of the approved fish processors, the permit holder must record the accurate weight of rock lobster delivered and retain a record showing the date and weight of all southern rock lobster (*Jasus edwardsii*) landed pursuant to this notice.

6. The permitted activity may only be conducted from the boat *Kelynsu*.

7. A maximum of 60 rock lobster pots may be used to conduct the permitted activity.

8. The permitted activity may only be conducted in those waters of the Northern Zone Rock Lobster fishery.

9. PIRSA Fisheries and Aquaculture retains the right for a Departmental Officer to observe the permitted activity at any time.

10. Whilst engaged in the permitted activity the permit holder must have in his possession a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries and Aquaculture Compliance Officer.

11. The permit holder 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 19 October 1999.

W. ZACHARIN, Principal Fisheries Manager

FISHERIES ACT 1982: SECTION 59

TAKE note that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on page number 1993, dated 15 October 1999, being the second notice on that page, referring to the taking of southern rock lobster in the closed season, is hereby revoked.

Dated 19 October 1999.

W. ZACHARIN, Principal Fisheries Manager

FISHERIES ACT 1982: SECTION 59

TAKE note that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on page number 1993, dated 15 October 1999, being the first notice on that page, referring to the taking of southern rock lobster in the closed season, is hereby revoked.

Dated 19 October 1999.

W. ZACHARIN, Principal Fisheries Manager

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, L. A. Polkinghorne (hereinafter referred to as the 'permit holder'), P.O. Box 467, Port Lincoln, S.A. 5606 is exempt from section 41 of the Fisheries Act 1982, subject to the conditions specified in Schedule 1, in that the permit holder shall not be guilty of an offence when taking southern rock lobster (*Jasus edwardsii*), in the closed season (hereinafter referred to as the 'permitted activity').

SCHEDULE 1

1. This permit is valid from the date of gazettal of this notice to 30 October 1999.

2. All southern rock lobster (*Jasus edwardsii*) are to be taken for Fishery Management Committee promotional purposes and must not be sold.

3. No more than a total of 300 kg of southern rock lobster (*Jasus edwardsii*) may be taken pursuant to this notice.

4. The permit holder must notify a PIRSA Fisheries and Aquaculture Compliance Officer on 1800 065 522 at least two hours prior to landing southern rock lobster (*Jasus edwardsii*).

5. All southern rock lobster (*Jasus edwardsii*) taken pursuant to this notice are to be delivered to registered fish processors FP0044 Australian Bight Seafoods and/or FP0118 Southern Ocean Rock Lobster Pty Ltd (hereinafter referred to as the 'approved fish processors'). Immediately upon delivery of rock lobster to one of the approved fish processors, the permit holder must record the accurate weight of rock lobster delivered and retain a record showing the date and weight of all southern rock lobster landed pursuant to this notice.

6. The permitted activity may only be conducted from the boat *Untouchable*.

7. A maximum of 60 rock lobster pots may be used to conduct the permitted activity.

8. The permitted activity may only be conducted in those waters of the Northern Zone Rock Lobster fishery.

9. PIRSA Fisheries and Aquaculture retains the right for a departmental officer to observe the permitted activity at any time.

10. Whilst engaged in the permitted activity the permit holder must have in his possession a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries and Aquaculture Compliance Officer.

11. The permit holder 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 19 October 1999.

W. ZACHARIN, Principal Fisheries Manager

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 KI Fishing Charters, P.O. Box 502, Kingscote, S.A. 5223 (hereinafter referred to as the 'charter boat operator') are 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 *Hot Spot* (hereinafter referred to as the 'permitted boat') from the charter boat operator in South Australia, for the purpose of recreational fishing for scalefish, 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 abalone (*Haliotis spp.*) per paying passenger in any one day where the number of paying passengers exceeds ten.

3. The charter boat operator may engage in the taking of no more than twenty blue swimmer crab (*Portunus pelagicus*) per paying passenger in any one day where the number of paying passengers exceeds six.

4. The charter boat operator may engage in the taking of no more than one half of the daily bag limit (for those species of scalefish 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 2000.

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

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 their 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 12 October 1999.

W. ZACHARIN, Principal Fisheries Manager

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, those persons specified in Schedule 1, (hereinafter referred to as the 'fisher') are exempt from section 44 (1) of the Fisheries Act 1982, insofar as the fisher may take fish for trade or business whilst not being the holder of a licence pursuant to regulations made under the Fisheries Act 1982 (hereinafter referred to as the 'permitted activity') subject to the conditions outlined in Schedule 2 during the period 20 October 1999 to 20 November 1999 or until this notice is revoked, whichever being the earlier.

SCHEDULE 1

Those persons who held a licence pursuant to the Scheme of Management (River Fishery) Regulations 1991 during the licensing year 1998-99 and who have paid all fees due for the 1998-99 year.

SCHEDULE 2

1. All fishing activity conducted pursuant to this notice must be conducted in accordance with the conditions and endorsements applicable to the last licence held by the fisher for the 1998-99 licensing year; and

2. 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.

Dated 19 October 1999.

W. ZACHARIN, Principal Fisheries Manager