

SUPPLEMENTARY GAZETTE



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ADELAIDE, FRIDAY, 5 AUGUST 2005

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Darren Beare and Whyalla Fishing Adventures, P.O. Box 2165, Whyalla Norrie, S.A. 5608 (the 'principal exemption holder'), is exempt from section 34 of the Fisheries Act and regulation 4 of the Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005, insofar as he may undertake charter boat fishing for the purposes of trade or business without holding a licence issued by the Director of Fisheries.

Take notice that pursuant to section 59 of the Fisheries Act 1982, the principal exemption holder and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clause 66 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Heartbeat* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 5 August 2005 until 22 August 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Heartbeat* from Darren Beare and Whyalla Fishing Adventures for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of Scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000, in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Heartbeat* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least two hours prior to commencing the exempted activity and advise the time and date of departure of the *Heartbeat* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 5 August 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Rolf Czabayski, 5 Willowbridge Grove, Burnside, S.A. 5066, (the 'exemption holder') is exempt from Regulation 24 (1) of the Fisheries (General) Regulations 2000, in that the exemption holder shall not be guilty of an offence when using blood, bone, meat offal or skin of an animal as berley to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing in the waters described in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from 4 August 2005 until 31 March 2006, or until this exemption is varied or revoked.

SCHEDULE 1

The waters of the Neptune Island Conservation Park.

SCHEDULE 2

1. The exemption holder must be on board the boat from which the exempted activity is undertaken.

2. All berley used while conducting the exempted activity must consist of fish based products only. All berley (other than fish oil) must be stored below a maximum temperature of 4°C.

3. The exemption holder must take all measures to avoid any berley or fish oil from being dispersed near or over the submerged viewing cages while divers are in the cage.

4. The exemption holder must not deliberately goad, provoke or encourage a white shark in an attempt to change its normal behaviour by undertaking the exempted activity (including deliberately attempting to have the white shark jump out of the water), and must not permit any person to touch a white shark, unless this activity is required for research purposes.

5. When using bait as an attractant for the shark, the bait must be attached to a length of rope by natural fibre twine of no less than 30 cm in length.

6. The exemption holder must not intentionally feed sharks or reward sharks with food.

7. The exemption holder must notify PIRSA Fishwatch on 1800 065 522 at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of agents undertaking the exempted activity and other related questions.

8. The exemption holder must allow an officer of the Department for Environment and Heritage (DEH), a Fisheries Officer or another nominated person to be present on board the boat during the exempted activity if requested by the Director of Fisheries, subject to the availability of space.

9. The exemption holder must comply with all instructions (including ceasing to berley if so instructed) given by an officer from DEH or a Fisheries Officer.

10. Whilst engaged in the exempted activity, a pennant (approved by DEH) must be flown from the boat so as to be clearly visible.

11. The exemption holder must maintain a log for the period that this exemption notice is valid which includes the following information in relation to each trip on which the exempted activity is undertaken: date and location; number of passengers; number of hours berleying; number of sharks observed; any other relevant observations or comments.

A copy of the log must be provided to the Port Lincoln office of DEH within 14 days of the end of each calendar month.

12. While engaged in the exempted activity the exemption holder must have in their possession a copy of this notice and produce a copy of the notice if required by a Fisheries Officer.

13. The exemption holder must 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 4 August 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Garry Dean Barnes, c/o Wild Thing Charter, 33 West Terrace, Port Broughton, S.A. 5522 (the 'principal exemption holder'), is exempt from section 34 of the Fisheries Act and regulation 4 of the Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005, insofar as he may undertake charter boat fishing for the purposes of trade or business without holding a licence issued by the Director of Fisheries.

Take notice that pursuant to section 59 of the Fisheries Act 1982, the principal exemption holder and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clause 66 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Wild Thing* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from the 5 August 2005 until 8 August 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Wild Thing* from Garry Barnes for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of Scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Wild Thing* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least two hours prior to commencing the exempted activity and advise the time and date of departure of the *Wild Thing* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 4 August 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Ron Sale, 28 The Annie Watt Circuit, West Lakes Shore, S.A. 5020 (the 'principal exemption holder'), is exempt from section 34 of the Fisheries Act and regulation 4 of the Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005 insofar as he may undertake charter boat fishing for the purposes of trade or business without holding a licence issued by the Director of Fisheries.

Take notice that pursuant to section 59 of the Fisheries Act 1982, the principal exemption holder and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clause 66 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Invader* and/or *Princess II* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 1 August 2005 until 22 August 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Invader* and/or *Princess II* from Ron Sale for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of Scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000 in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Invader* and/or *Princess II* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least two hours prior to commencing the exempted activity and advise the time and date of departure of the *Invader* and/or *Princess II* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 5 August 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Dean Forster and Stress Relief Charters, 43 Equestrian Drive, Woodcroft, S.A. 5162 (the 'principal exemption holder'), is exempt from section 34 of the Fisheries Act and Regulation 4 of the Fisheries (Scheme of Management—Charter Boat Fishery) Regulations 2005 insofar as he may undertake charter boat fishing for the purposes of trade or business without holding a licence issued by the Director of Fisheries.

Take notice that pursuant to section 59 of the Fisheries Act 1982, the principal exemption holder and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clause 66 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders may exceed the prescribed boat limits during a chartered fishing trip on the *Stress Relief III* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 4 August 2005 until 12 August 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Stress Relief III* from Dean Forster and Stress Relief Charters for the purpose of recreational fishing.

SCHEDULE 2

1. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than one half of the daily bag limit (rounded up to the nearest whole number if necessary) for those species of Scalefish (except King George whiting) subject to a limit as specified in the Fisheries (General) Regulations 2000, in any one day.

2. Where the number of 'other exemption holders' exceeds three, all of the 'other exemption holders' on board the boat are each restricted to taking no more than 10 King George whiting in any one day.

3. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking no more than eight cuttlefish or eight calamary or eight cuttlefish and/or calamary in combination, in any one day.

4. Where the number of 'other exemption holders' exceeds six, all of the 'other exemption holders' on board the boat are each restricted to taking either one gummy shark or one school shark, in any one day.

SCHEDULE 3

1. The principal exemption holder, its employees or agents must not take any fish during the chartered fishing trip.

2. The principal exemption holder must not use any boat other than the *Stress Relief III* for the purpose of engaging in the exempted activity.

3. Neither the principal exemption holder nor the other exemption holders may sell any fish taken pursuant to this notice.

4. The principal exemption holder must not accept any fish taken by the other exemption holders as all or part of the consideration for the charter agreement.

5. The principal exemption holder must contact PIRSA Fishwatch on 1800 065 522 at least two hours prior to commencing the exempted activity and advise of the time and date of departure of the *Stress Relief III* and the estimated time of return to port.

6. While engaged in the exempted activity the principal exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer if requested.

7. The exemption holders must 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 4 August 2005.

W. ZACHARIN, Director of Fisheries