

## 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, FRIDAY, 11 FEBRUARY 2000**

### **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 and from the notice made under section 43 of the Fisheries Act 1982, on page 875 of the *South Australian Government Gazette*, of 16 August 1999, such notice being the second notice made on that page in that the fishers shall not be guilty of an offence when taking blacklip abalone (*Haliotis rubra*) below the legal minimum length, from those waters described as areas 1, 2, 3 and 4 in Schedule 1, (hereinafter referred to as the 'permitted activity'), 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 3 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 of 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**

- 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 its greatest dimension and greenlip abalone (*Haliotis laevigata*) provided that it is not less than 130 mm in length at its greatest dimension. All abalone must be landed in the shell.

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

- No more than one registered master may engage in the permitted activity on any one day.

- The fisher may conduct the permitted activity in more than one area as defined in Schedule 1 on any one day, provided that a separate notification subject to Condition 5 of this schedule has been made for each area prior to conducting any fishing activity in that area.

- 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 designated area from Schedule 1 which is to be fished; and
- (e) where the fisher is nominating to fish in an additional designated area from the previous nominated designated 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 fishers on completion of the days fishing activity and before landing, must place all abalone within fish bins, keeping blacklip abalone separate from greenlip abalone, 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 form in regard to blacklip abalone (*Haliotis rubra*) below the legal minimum length is to be clearly marked 'FISHDOWN' and also marked with the 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 on 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 this notice 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 areas 1, 3 and 4, as described in Schedule 1, which exceeds 5 000 kg whole weight.

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 area 2, as described in Schedule 1, which exceeds 1 000 kg whole weight (in the shell).

12. The quota of blacklip abalone (*Haliotis rubra*) allocated to 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
FP0409 Kenneth Aquamarine Products (S.A.), Units 7 and 8 320 Commercial Street West, Mount Gambier, S.A. 5290	
Dated 10 February 2000.	

W. ZACHARIN, Principal Fisheries Manager

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, each of the registered fish processors specified in Schedule 1 (hereinafter referred to as the 'processor') is exempted from the provisions of section 44 (2) (a) of the Fisheries Act 1982, in that the processor shall not be guilty of an offence when in possession of blacklip abalone (*Haliotis rubra*) above a minimum length of 110 mm (hereinafter referred to as the 'permitted activity'), subject to the conditions specified in Schedule 2 from this date of gazettal of this notice until 31 August 2000.

#### SCHEDULE 1

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
FP0409 Kenneth Aquamarine Products (S.A.), Units 7 and 8 320 Commercial Street West, Mount Gambier, S.A. 5290	

#### SCHEDULE 2

1. Whilst engaged in the permitted activity, the processor may only possess undersized abalone blacklip taken pursuant to a licence issued pursuant to the Scheme of Management (Abalone Fisheries) Regulations 1991.

2. Whilst engaged in the permitted activity, the processor must weigh all abalone within the State of South Australia, immediately upon receipt.

3. The processor must notify the PIRSA Fisheries and Aquaculture Compliance Unit on 1800 244 317 when receiving undersized blacklip abalone and supply the following information:

- (a) the name of the person making a call and the name and address of the processor;
- (b) the time and date of receipt of the undersized blacklip abalone;
- (c) the southern zone abalone fishery licence number from which the abalone was received;

- (d) the total number of fish bins received;
- (e) the tag number attached to each bin;
- (f) the total accurate net and gross weight of each species; and
- (g) the number of the completed CDR1 form attached.

4. When engaging in the permitted activity pursuant to this notice, the processor must wait for a minimum of 30 minutes after notifying PIRSA Fisheries and Aquaculture before removing the numbered tag or lid from any fish bin or before processing the abalone or removing the abalone from the registered premises.

5. The processor, whilst transporting abalone received from a southern zone abalone fishery licence holder, or their registered master, shall not break or remove any numbered tags or lids from any fish bin containing abalone until reaching the nominated registered processing premises.

6. Where a processor is involved in collecting and transporting multiple consignments of abalone, the processor must notify PIRSA Fisheries and Aquaculture Unit on 1800 244 317 upon taking consignment and wait 30 minutes at the collection point prior to transporting the abalone to the nominated registered processing premises.

7. The processor 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.

8. Whilst engaged in the permitted activity the processor 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.

Dated 10 February 2000.

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 Davenport Fisheries, P.O. Box 169, Warooka, S.A. 5577 (hereinafter referred to as the 'charter boat operator') is 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 *Penguin 3* (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 five.

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 10.

3. 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 2001.

2. The charter boat operator shall not use any other boats for the purpose of engaging in the permitted activity except the *Penguin 3*.

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 10 February 2000.

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 Kingston Dive & Charter, RMB 510, Nhill, Vic. 3418 (hereinafter referred to as the 'charter boat operator') is 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 *Pepper* (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 five.

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 10.

3. 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 2001.

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

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 10 February 2000.

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 Supplementary Government Gazette* on page 1039, dated 30 August 1999, being the second notice on that page, referring to the fish processing of undersize blacklip abalone, is hereby revoked.

Dated 10 February 2000.

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 Supplementary Government Gazette* on page 1040, dated 30 August 1999, being the third notice on that page, referring to the taking of blacklip abalone, is hereby revoked.

Dated 10 February 2000.

W. ZACHARIN, Principal Fisheries Manager