

## SUPPLEMENTARY GAZETTE



THE SOUTH AUSTRALIAN  
GOVERNMENT GAZETTE

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 PUBLISHED BY AUTHORITY
 

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ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

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 ADELAIDE, MONDAY, 16 SEPTEMBER 2002
 

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## 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, (hereinafter referred to as 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 only insofar as being permitted to use blood, bone, meat offal or skin of an animal as berley within the waters specified in Schedule 1 to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing only (hereinafter referred to as the 'permitted activity'), subject to the conditions specified in Schedule 2, for the dates specified in Schedule 3, until this exemption is varied or revoked.

## SCHEDULE 1

Coastal waters contained within the Neptune Islands Conservation Park and the following portions of the Sir Joseph Banks Islands Conservation Park;

- Sibsey Island
- English Island

Note: Berleying is not currently permitted at Dangerous Reef.

## SCHEDULE 2

1. The exemption holder must be on board the boat when conducting the permitted activity.

2. All berley used while conducting the permitted 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, at least 24 hours prior to conducting the permitted activities, both notify the public by a Notice to Mariners through the Australian Maritime Safety Authority, and inform the local coastguard and the Fisheries Compliance Unit on 1800 065 522.

4. The exemption holder must allow an officer of the Department for Environment and Heritage (DEH) or fisheries officer or nominee to be present on board the boat during the permitted activity if requested, subject to negotiation and availability of space.

5. 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.

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

7. Whilst engaged in the permitted activity the exemption holder must have in his possession a copy of this notice and produce a copy of the notice if required by a fisheries officer.

8. The exemption 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.

9. The exemption holder must maintain a log whilst engaged in the permitted activity which includes the date and location, number of passengers, number of hours berleying, number of sharks observed and any other relevant observations or comments. Records must be kept in a form determined by the operators association in conjunction with the CSIRO Marine Research Unit and endorsed by the Minister for Environment and Heritage. A copy of the log must be provided to the relevant DEH office within 14 days of the end of each calendar month.

10. The exemption holder must conform to a code of conduct developed by the operators association and endorsed by the Minister for Environment and Conservation.

11. The exemption holder will operate in cooperation with and in agreement of any other approved operator at the same location.

12. The exemption holder must have public liability insurance to an amount determined by the Minister for Environment and Conservation and ensure vessels are surveyed and staffed as per Department of Transport regulations.

SCHEDULE 3

Dates permitted to berley:

10 to 15 September 2002

28 to 30 September 2002

1 October 2002

3 October to 16 October 2002

4 November to 10 November 2002

Dated 9 September 2002.

W. ZACHARIN, Director of Fisheries

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