

## 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, 17 JANUARY 2003**

### **FISHERIES ACT 1982: SECTION 59**

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Tracy Warland (hereinafter referred to as the 'exemption holder') of South Australian Seahorse Services, P.O. Box 2236, Port Lincoln, S.A. 5606, is exempt from the Fisheries Act 1982, but only insofar as the exemption holder shall not be guilty of an offence when taking and possessing 2 egg-bearing male and 2 female weedy seadragon (*Phyllopteryx taeniolatus*) (hereinafter referred to as the 'exempted activity') subject to the conditions specified in Schedule 1, from South Australian coastal marine waters from the date of gazettal of this notice until 31 December 2003, unless varied or revoked earlier.

#### **SCHEDULE 1**

1. All seahorses taken pursuant to this notice are for broodstock only and may not be sold or traded without written consent from the Director of Fisheries.

2. Seadragons of the same sex must not be collected within 5 km of each other.

3. All specimens taken pursuant to this notice must be retained at the site endorsed on land based Aquaculture Licence No. FT00550.

4. The exemption holder shall provide a written report on the number of animals taken, specific location and their condition to the Director of Fisheries (Attention: Roger Hill, P.O. Box 282, Port Adelaide, S.A. 5015) within 7 days of the completion of each collection.

5. At least 24 hours prior to engaging in the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 with the following information:

- the name of the person who will be conducting the exempted activity;
- the intended location for conducting the exempted activity;

- the method of conducting the exempted activity; and
- if using a boat to conduct the exempted activity, the description of the boat and the intended area of launching and retrieval.

6. Whilst engaged in the exempted activity the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

7. The exemption holder 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 15 January 2003.

**W. ZACHARIN, Director of Fisheries**

### **FISHERIES ACT 1982: SECTION 59**

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Tracy Warland (hereinafter referred to as the 'exemption holder'), P.O. Box 2236, Port Lincoln, S.A. 5606, is exempt from the Fisheries Act 1982, but only insofar as the exemption holder shall not be guilty of an offence when taking and possessing not more than 10 spotted pipefish (*Stigmatopora argus*) and not more than 10 wide-bodied pipefish (*Stigmatopora nigra*) (hereinafter referred to as the 'exempted activity'), subject to the conditions specified in Schedule 1, from South Australian coastal waters, from the date of gazettal of this notice until 31 December 2003, unless varied or revoked earlier.

#### **SCHEDULE 1**

1. All specimens taken shall be for the establishment of a broodstock culture only and may not be sold.

2. No more than 5 spotted pipefish (*Stigmatopora argus*) of the same sex shall be collected within 5 km of any one collection site.

3. No more than 5 wide-bodied pipefish (*Stigmatopora nigra*) of the same sex shall be collected within 5 km of any one collection site.

4. All specimens taken pursuant to this notice must be retained at the site endorsed on land based Aquaculture Licence No. FT00550.

5. At least 24 hours prior to engaging in the exempted activity, the exemption holder must contact PIRSA Fisheries Compliance on 1800 065 522 with the following information:

- the name of the person who will be conducting the exempted activity;
- the intended location for conducting the exempted activity;
- the method of conducting the exempted activity; and
- if using a boat to conduct the exempted activity, the description of the boat and the intended area of launching and retrieval.

6. The exemption holder shall provide a written report on the number of animals taken, specific location and their condition to the Director of Fisheries (Attention: Roger Hill, P.O. Box 282, Port Adelaide, S.A. 5015) within 7 days of the completion of each collection.

7. Whilst engaged in the exempted activity the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

8. The exemption holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically permitted by this notice.

Dated 15 January 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Tracy Warland (hereinafter referred to as the 'exemption holder'), P.O. Box 2236, Port Lincoln, S.A. 5606, is exempt from the Fisheries Act 1982, but only insofar as the exemption holder shall not be guilty of an offence when taking and possessing not more than 10 short-snouted seahorses (*Hippocampus breviceps*) and not more than 10 pot bellied seahorses (*Hippocampus abdominalis*) or (*Hippocampus bleekeri*) (hereinafter referred to as the 'exempted activity') subject to the conditions specified in Schedule 1 from South Australian coastal waters from the date of gazettal of this notice until 31 December 2003, unless varied or revoked earlier.

#### SCHEDULE 1

1. All specimens taken shall be for the establishment of a broodstock culture only and may not be sold.

2. No more than 5 short-snouted seahorses (*Hippocampus breviceps*) shall be collected within 5 km of any one collection site.

3. No more than 5 pot bellied seahorses (*Hippocampus abdominalis*) or (*Hippocampus bleekeri*) shall be collected within 5 km of any one collection site.

4. All specimens taken pursuant to this notice must be retained at the site endorsed on land based Aquaculture Licence No. FT00550.

5. At least 24 hours prior to engaging in the exempted activity, the exemption holder must contact PIRSA Fisheries Compliance on 1800 065 522 with the following information:

- the name of the person who will be conducting the exempted activity;
- the intended location for conducting the exempted activity;
- the method of conducting the exempted activity; and
- if using a boat to conduct the exempted activity, the description of the boat and the intended area of launching and retrieval.

6. The exemption holder shall provide a written report on the number of animals taken, specific location and their condition to the Director of Fisheries (Attention: Roger Hill, P.O. Box 282, Port Adelaide, S.A. 5015) within 7 days of the completion of each collection.

7. Whilst engaged in the exempted activity the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

8. The exemption holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically permitted by this notice.

Dated 15 January 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Adrienne Frears or persons acting as her agents (hereinafter referred to as the 'exemption holder') of Wetland Care Australia, P.O. Box 437, Berri, S.A. 5343, is exempt from the provisions of section 41 of the Fisheries Act 1982, to engage in the collection of fish (hereinafter referred to as the 'exempted activity') from the waters described in Schedule 1, using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3 from the date of gazettal of this notice until 31 March 2003, unless varied or revoked earlier.

#### SCHEDULE 1

- Kroehns Landing wetlands
- Overland Corner wetlands
- Swan Reach wetlands
- Roos and Jaeschke Lagoons
- Cadell wetlands
- Spectacle Lakes
- Rilli Lagoon
- Clarks Sandbar
- Theile wetlands
- Gurrar Gurrar wetlands
- Riverglades wetlands

#### SCHEDULE 2

Four fyke nets (minimum mesh of 5 mm, maximum leader of 5 m and maximum opening of 60 cm).

#### SCHEDULE 3

1. The specimens collected by the exemption holder are for scientific and research purposes only and may not be sold.

2. All native fish taken pursuant to the exempted activity must be immediately returned to the water unless retained for the purpose of species identification.

3. A maximum of five fish of any species per location may be taken for the purpose of species identification.

4. Before conducting the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the name of the person or persons who will be conducting the exempted activity, details of the proposed locations and the dates on which the collections are to be made.

5. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Director of Fisheries, (Attention: Roger Hill, P.O. Box 282, Port Adelaide, S.A. 5015) within 3 months of the expiry of this notice, giving the following details:

- the date and time of collection;
- the description of all species collected; and
- the number of each species collected.

6. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

7. The exemption holder 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 15 January 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Stephen Rufus or persons acting as his authorised agents (hereinafter referred to as the 'exemption holder') in his capacity as Chief Executive Officer of Kingston District Council, P.O. Box 321, Kingston, S.E. 5275, is exempt from the provisions of section 34 of the Fisheries Act 1982, but only insofar as the exemption holder shall not be guilty of an offence whilst engaged in the collection of beach-cast seagrass/seaweed and algal material (hereinafter referred to as the 'exempted activity') in waters specified in Schedule 1 (hereinafter referred to as the 'permitted area'), subject to the conditions specified in Schedule 2, from the date of gazettal of this notice until 28 February 2003, unless varied or revoked earlier.

#### SCHEDULE 1

A section of the main foreshore beach at Kingston SE between the low water mark and high water mark extending from the Kingston town jetty to the boat ramp opposite Thredgold Avenue, Kingston SE.

#### SCHEDULE 2

1. Only unattached beach-cast seagrass/seaweed and algae shall be harvested or moved.

2. The method of removal shall not involve the taking of any sand. Sand taken incidental to the harvesting operations is to be returned to the foreshore.

3. No harvesting is to take place within 4 m of the toe of the foredune.

4. While engaged in the exempted activity the exemption holder must be in possession of a copy of this notice which must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

5. The exemption holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically permitted by this notice.

Dated 14 January 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Bevan Mills of Beachport Sea Products, P.O. Box 217, Beachport, S.A. 5280, or persons acting as his agents (herein-after referred to as the 'exemption holders'), is exempted from section 34 of the Fisheries Act 1982, but only insofar as to engage in the activities specified in Schedule 1, subject to the conditions specified in Schedule 2, in the waters specified in Schedule 3 (hereinafter referred to as the 'permitted area') from the date of Gazettal of this notice until 28 February 2003, unless varied or revoked earlier by the Director of Fisheries.

#### SCHEDULE 1

The collection of no more than a total of 1 000 L per month (dry weight 0.5 tonnes) of *Macrosystis angustifolia* and *Ecklonia radiata* and no more than 5 000 L per month of *Durvillaea potatorum* (dry weight 2.5 tonnes) (hereinafter referred to as the 'exempted activity').

#### SCHEDULE 2

1. The exemption holders shall use non-mechanical means only to engage in the exempted activity from the permitted area.

2. No equipment used during the exempted activity shall be left within the permitted area at the completion of daily collection activities.

3. No harvesting is to take place within 4 m of the toe of the foredune.

4. No material is to be stored or processed in any way on the foreshore.

5. The exemption holders must provide reports at the end of each month to PIRSA Fisheries detailing, for each species harvested:

- the species harvested;
- the amount harvested;
- the vehicles and methods used in the harvesting operation;
- access points and areas harvested;
- an estimation of the remaining biomass of each species in the harvest area;
- the length of time taken to collect the species;
- the method used to process the species; and
- the intended use of the species harvested.

6. The exemption holders must comply with any local government, State and Commonwealth legislation (including the holding of relevant planning approval) relating to the exempted activity.

7. Whilst engaged in the exempted activity the exemption holders must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

8. The exemption holders shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically permitted by this notice.

#### SCHEDULE 3

Between the high water mark and the low water mark of the coastal beaches between Margaret Brock Reef and Nora Creina (south-east region of South Australia) excluding all aquatic reserves proclaimed under the Fisheries Act 1982, and any beaches adjacent to lands owned and managed by the Minister for Environment and Heritage.

Dated 14 January 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Bevan C. Mills or persons acting as his agents (hereinafter referred to as the 'exemption holder') of Beachport Sea Products, P.O. Box 217, Beachport, S.A. 5280, is exempted from the provisions of section 34 of the Fisheries Act 1982, but only insofar as the exemption holder may engage in the collection and sale of no more than 100 tonnes (wet weight) of drift-cast seagrass and macroalgae (hereinafter referred to as the 'exempted activity') in the waters specified in Schedule 1 (hereinafter referred to as the 'permitted area'), subject to the conditions specified in Schedule 2, from the date of gazettal of this notice until 28 February 2003, unless varied or revoked earlier by the Director of Fisheries.

#### SCHEDULE 1

An area of foreshore above the low water line commencing at the Lake George outlet and proceeding in a south-easterly direction for 8 km.

#### SCHEDULE 2

1. The exemption holder shall use non-mechanical means only to engage in the exempted activity from the permitted area.

2. No equipment used during the exempted activity shall be left within the permitted area at the completion of daily collection activities.

3. No harvesting is to take place within 4 m of the toe of the foredune.

4. No material is to be stored or processed in any way on the foreshore.

5. Only unattached beach-cast seagrass and macroalgae shall be harvested.

6. The exemption holder must provide reports at the end of each month to PIRSA Fisheries detailing for each species harvested:

- the species harvested;
- the amount harvested;
- the location species are harvested from;
- the length of time taken to collect the species;
- the use of the species harvested.

7. Whilst engaged in the exempted activity the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if such an officer requests that it be produced.

8. The exemption holder shall not contravene or fail to comply with the Fisheries Act 1982, or any regulations made under that Act, except where specifically permitted by this notice.

Dated 14 January 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Russell K. Woodward or persons acting as his agents (hereinafter referred to as the 'exemption holder') of Seaweed Sales Australia, 6 Kalka Crescent, Pasadena, S.A. 5042, is exempt from the conditions of section 34 of the Fisheries Act 1982, but only insofar as he is permitted to collect and sell beach-cast seagrass/ seaweed and algae material (hereinafter referred to as the 'exempted activity'), subject to the conditions specified in Schedule 2, in the waters specified in Schedule 1 (hereinafter referred to as the 'permitted area').

#### SCHEDULE 1

A section of the foreshore within the low water mark and high water between Maria Creek outlet to Blackford Drain, Kingston SE.

#### SCHEDULE 2

1. The exemption holder may engage in the exempted activity from the date of gazettal of this notice until 28 February 2003 unless revoked earlier by the Director of Fisheries.

2. The exemption holder shall access the permitted area via Long Beach Road only.

3. No equipment used during the exempted activity shall be left within the permitted area at the completion of daily collection activities.

4. Only unattached beach-cast seagrass/seaweed and algae shall be harvested.

5. The method of removal shall not involve the taking of any sand. Sand taken incidental to the harvesting operations is to be returned to the foreshore.

6. No harvesting is to take place within 4 m of the toe of the foredune.

7. No material is to be stored or processed in any way on the foreshore.

8. The exemption holder must provide reports at the end of each calendar month to PIRSA Fisheries detailing for each species harvested:

- the species harvested;
- the amount harvested;
- the length of time taken to collect the species;
- the method used to process the species; and
- the use made of the species harvested.

9. The exemption holder must comply with any Local Government, State and Commonwealth legislation (including the holding of relevant planning approval) relating to the exempted activity.

10. While engaged in the exempted activity the exemption holder shall carry or have about or near his person a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer upon request.

11. The exemption holder 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 14 January 2003.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Branko Sarunic, P.O. Box 993, Port Lincoln, S.A. 5606, (hereinafter referred to as the 'exemption holder') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1, in that the exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 shall not be guilty of an offence when using a fine mesh purse seine net for the taking of *Scomberesox forsteri* (hereinafter referred to as the 'permitted species') for the purpose of trade or business in waters adjacent to South Australia within the Australian Fishing Zone (AFZ) (hereinafter referred to as the 'permitted activity').

#### SCHEDULE 1

1. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 may engage in the permitted activity from the date of gazettal of this notice until 30 December 2003, or until revoked earlier by the Director of Fisheries.

2. This exemption is valid only in respect of a fishing boat (hereinafter referred to as the 'permitted boat') registered on the exemption holder's Marine Scalefish Fishery Licence No. M354.

3. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 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. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 must not conduct the permitted activity in waters less 10 m in depth.

5. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 may only use one purse seine net having a maximum length of 1 000 m, a maximum depth of 200 m and a mesh size of between 14 mm and 22 mm.

6. Whilst engaged in the permitted activity the exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 must not conduct another fishing activity and shall not use any of the devices registered on Marine Scalefish Fishery Licence No. M354.

7. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.

8. Any fish, other than the permitted species, taken by the exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 when engaging in the permitted activity must be immediately returned to the water.

9. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 must provide a separate statistical catch and effort written report, clearly marked 'Saury' (including zero returns if no fish have been taken during that calendar month) for each calendar month, within 15 days of the completion of each calendar month. This report is to include the following information:

- Dates of fishing activity.
- Exact locations of fishing activity.
- Total weight of fish collected.
- Mean size of fish collected.
- Weight and use of any fish sold.
- Any other information as requested from time to time by the Director of Fisheries.

10. Samples of 200 fish from each fishing activity must be provided to SARDI. These should be frozen as soon as practical after capture and clearly marked with the following catch information: location, date, depth, time and boat.

11. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 shall notify the PIRSA Fisheries Compliance Unit on 1800 065 522 prior to conducting the permitted activity and provide the following information:

- (a) the intended area of conducting the permitted activity; and
- (b) the intended place and time of departure and landing.

12. While engaged in the permitted activity the exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 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 PIRSA Fisheries Compliance Officer forthwith, if requested to do so.

13. The exemption holder or a registered master listed on Marine Scalefish Fishery Licence No. M354 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 15 January 2003.

W. ZACHARIN, Director of Fisheries

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#### 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 3837, dated 11 October 2002, being the second notice on the page, referring to Branko Sarunic and the taking of saury using a pilchard net, is hereby revoked.

Dated 15 January 2003.

W. ZACHARIN, Director of Fisheries

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