

SUPPLEMENTARY GAZETTE

**THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE**

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PUBLISHED BY AUTHORITY

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ADELAIDE, FRIDAY, 9 JULY 2004

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Mario Georgaras, holder of Marine Scalefish Fishery Licence No. M171, 25 Richard Avenue, Mitchell Park, S.A. 5043 (the 'exemption holder') is exempt from clause 61 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder shall not be guilty of an offence when taking up to 150 razor fish in any one day from South Australian coastal waters (the 'exempted activity'), subject to the conditions specified in Schedule 1, from the date of gazettal of this notice until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder may only engage in the exempted activity when fishing pursuant to Marine Scalefish Fishery Licence No. M171.

2. All razor fish taken pursuant to this notice may be used for bait only.

3. The total number of razor fish taken in any one day, shall be no greater than 150.

4. The exemption holder must include all razor fish taken under this exemption on the monthly catch and effort summary provided to the South Australian Research and Development Institute (SARDI).

5. While engaged in the exempted activity, the exemption holder must have in his possession, a copy of this notice and produce a copy of the notice if requested by a PIRSA Fisheries Compliance Officer.

6. 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 7 July 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Mark Rilstone, 12 Flinders Drive, Cape Jervis, S.A. 5204 (the 'exemption holder'), is exempt from the provisions of regulation 15 (2) of the Scheme of Management (Marine Scalefish Fishery) Regulations 1991, but only insofar as the exemption holder shall not be guilty of an offence when permitting more than two persons to act as his agents when taking Australian salmon (*Arripis trutaceus*) and mullet (Family Mugilidae) from the shore, for the purposes of trade or business (the 'exempted activity'), subject to the conditions specified in Schedule 1, from the date of gazettal of this notice until 31 December 2004, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder may not use more than nine persons acting as his agents at any one time when engaged in the exempted activity.

2. The exempted activity may only be undertaken using gear endorsed on Marine Scalefish Fishery Licence No. M379.

3. The exemption holder must be within 700 m of all agents conducting fishing activities pursuant to this exemption.

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

5. The exemption holder 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 6 July 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Damien John Wilksch (the 'exemption holder') is exempt from clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as he may use the device described in Schedule 1 to take carp, bony bream and other non-native species in the areas specified in Schedule 2 for the purpose of trade or business (the 'exempted activity'), subject to the conditions set out in Schedule 3, from the date of gazettal of this notice until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

'Carp net'—a gill net with a ply greater than 5, having a maximum length of 50 m and a minimum mesh size of 10 cm and a maximum mesh size not exceeding 18 cm.

SCHEDULE 2

- (1) Subject to paragraph (2), the licence holder may conduct fishing activities pursuant to this licence in all backwaters of the River Murray excluding the following areas during the corresponding period set out in the following table:

*Area Excluded**Period Of Closure*

Lake Littra and outflow channel

Permanent—all year

Clover Lake

Permanent—all year

Coombool Swamp

Permanent—all year

Lake Limbra and outflow channel

Permanent—all year

Lake Woolpolool

Permanent—all year

Ral Ral Creek below Chaffey Pump and entrance waters to Lake

Merreti

Permanent—all year

Katarapko Creek and Eckert Creek, including The Splash

Permanent—all year

Bulyong Creek

Permanent—all year

Pilby Creek

Permanent—all year

Hancock Creek

Permanent—all year

Mundic Creek

Permanent—all year

Pike Creek

Permanent—all year

Punkah Creek

Permanent—all year

Slaney Creek

Permanent—all year

Loch Luna

Permanent—all year

Cobdogla Swamp

1 August to 30 April (inclusive)

Loveday Swamp/Mussel lagoons

1 August to 30 April (inclusive)

Lake Merreti

1 August to 31 January (inclusive)

- (2) The licence holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

SCHEDULE 3

1. The exemption holder must not use more than 30 carp nets at any one time in permitted backwaters of the River Murray.

2. The exemption holder must not have more than 30 carp nets in his possession at any time when he is deploying carp nets in the backwaters of the River Fishery.

3. The exemption holder may only engage in the exempted activity when also fishing pursuant to River Fishery Licence No. R03, and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R03.

4. The exemption holder must not cause or permit a person to act as his agent when engaging in the exempted activity unless that person may lawfully act as an agent for the exemption holder in relation to River Fishery Licence No. R03.

5. All native fish (excluding bony bream) taken in the course of the exempted activity must be immediately returned to the water.

6. Immediately prior to commencing the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the following details:

- The licence number and person(s) conducting the activity
- The exact location(s) of the fishing activities
- The number of carp nets being used

7. The exemption holder must ensure that the carp nets are checked and all fish removed at least once during each 24 hour period.

8. When the exemption holder moves the carp nets more than 3 km from the reported location of the nets under condition 6, or removes the nets from the River completely, the exemption holder must again report to the PIRSA Fisheries Compliance Unit on 1800 065 522 and provide either details, as required under condition 6 of this exemption, or report that fishing with carp nets has ceased.

9. While 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 as requested.

10. The exemption holder 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 July 2004.

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 only insofar as being permitted to use blood, bone, meat offal or skin of an animal as berley within the coastal waters contained within the Neptune Islands Conservation Park to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing only (the 'permitted activity'), subject to the conditions specified in Schedule 1, from the date of gazettal of this notice until 31 August 2004, or until this exemption is varied or revoked.

SCHEDULE 1

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 shall not goad or provoke a white shark in an attempt to change its normal behaviour during the exempted activity.

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

5. The exemption holder must, at least 24 hours prior to conducting the permitted activities, inform the local coastguard and the PIRSA Fishwatch on 1800 065 522.

6. 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.

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

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

9. Whilst engaged in the permitted activity one of the exemption holders must have in their possession a copy of this notice and produce a copy of the notice if required by a Fisheries Officer.

10. 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.

11. 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 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.

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

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

14. 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.

Date 9 July 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Neil Henry KI (the 'exemption holder'), P.O. Box 482, Kingscote, S.A. 5223 is exempt from sections 34 and 41 of the Fisheries Act 1982, but only insofar as it may take greenlip abalone and blacklip abalone for the purpose of aquaculture broodstock (the 'exempted activity') in the waters specified in Schedule 1, subject to the conditions in Schedule 2 from the date of gazettal of this notice until 30 June 2005.

SCHEDULE 1

South Australian coastal waters east of the meridian of longitude 139°E but does not include the waters of the Coorong or any other waters inside the Murray Mouth.

SCHEDULE 2

1. The exemption holder may take a maximum of 100 greenlip abalone and 100 blacklip abalone.

2. All greenlip and blacklip abalone taken pursuant to this notice must not be sold or transferred to another party.

3. All greenlip and blacklip abalone taken pursuant to this notice must be delivered to and retained on the registered aquaculture site of landbased Aquaculture Licence No. FT00634.

4. The exempted activity may only be conducted by the exemption holder.

5. The exemption holder must notify PIRSA Fishwatch on 1800 065 522 at least 24 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.

6. The exemption holder must, within 50 m of the point of landing of any greenlip and blacklip abalone taken pursuant to this notice, complete the PIRSA Fisheries form 'Abalone Broodstock Collection Statement'. Immediately upon arrival at the exemption holder's registered aquaculture site, this form must be faxed to PIRSA Fisheries on (08) 8226 0434. Prior to release into the registered aquaculture site, all abalone taken pursuant to this notice must be tagged so as to be clearly identified as wild broodstock.

7. The exemption holder must record the number of wild broodstock held pursuant to this notice in a register to be maintained at the registered aquaculture site, which must be made available for inspection by a PIRSA Fisheries Officer upon request.

8. The exemption holder must allow a departmental officer or a fisheries officer to accompany them at any time during the exempted activity.

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

10. The exemption holder 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 8 July 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 43

TAKE notice that pursuant to section 43 of the Fisheries Act 1982, it is hereby declared that it shall be unlawful for any person to engage in the act of, or an act preparatory to or involved in, taking species of the family cephalopoda (squid, cuttlefish and octopus) from those waters specified in Schedule 1 during the period specified in Schedule 2.

SCHEDULE 1

All waters of Spencer Gulf within an area bounded by a line commencing at Point Lowly lighthouse, then following the geodesic between that point and the southern end of the Port Bonython jetty, then following the geodesic between that point and the eastern-most point of the BHP jetty near Whyalla, position latitude 33°02.3'S, longitude 137°35.95'E, then following the jetty to the high water mark at the base of the jetty, then following the high water mark along the shoreline in a generally easterly direction back to the point of commencement.

SCHEDULE 2

From 1 October 2004 to 30 December 2006.

Dated 8 July 2004.

W. ZACHARIN, Director of Fisheries
