

SUPPLEMENTARY GAZETTE



THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE

www.governmentgazette.sa.gov.au

PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 21 OCTOBER 2004

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Anthony Lever (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 exemption holder may conduct fishing activities pursuant to this exemption 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 exemption 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. R32, and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R32.

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. R32.

5. All native fish (excluding bony bream and yabbies) 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 1 October 2004.

J. PRESSER, 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'), and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C 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 1 October 2004 until 30 June 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 24 hours prior to commencing the exempted activity and advise 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 28 September 2004.

J. PRESSER, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Barry Moore, 21 Addison Street, Kingscote, Kangaroo Island, S.A. 5223, holder of Marine Scalefish Fishery Licence No. M040 (the 'exemption holder'), is exempt from the provisions of section 41 of the Fisheries Act 1982, regulation 7 and Schedule 6 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holder shall not be guilty of an offence when taking undersized fish of the species cockles (*Katylsia* spp.) (the 'exempted activity'), within those waters specified in Schedule 1, subject to the conditions specified in Schedule 2, from the date of gazettal of this notice until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

The waters in the vicinity of Kingscote bounded as follows:

Commencing at a point at high water mark at Cape Rouge, latitude 35°35'52"S, and longitude 137°37'32"E, then along the geodesic (190°T), to a point at high water mark on the south coast on the Bay of Shoals, latitude 35°38'18"S and longitude 137°37'05"E, then following the line of high water mark in a generally easterly and southerly direction to a point at high water mark at the landward end of the Kingscote jetty, latitude 35°39'15"S and longitude 137°38'32"E, then along the geodesic (133°T) for a distance of 2.3 nautical miles to position latitude 35°40'32"S longitude 137°41'00"E, then along the geodesic (033°T) for a distance of 2.1 nautical miles to a position latitude 35°38'50"S longitude 137°42'15"E, then along the geodesic (325°T) to a point at high water mark on Marsden Point, latitude 35°33'55"S and longitude 137°38'07"E, then following the line of high water mark in a generally southerly direction back to the point of commencement.

SCHEDULE 2

1. Any fish taken by the exemption holder pursuant to this notice must be not less than 27 mm in length measured at the greatest dimension.

2. Any fish taken by the exemption holder pursuant to this notice must be used for bait only and must not be sold.

3. The exemption holder must include all cockles taken pursuant to this exemption on the monthly catch and effort summary provided to the South Australian Research and Development Institute (SARDI).

4. 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.

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

Dated 18 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Darren Tressider, 12 Blacker Court, Port Lincoln, S.A. 5606 (the 'exemption holder') is exempt from sections 34 and 41 of the Fisheries Act 1982, but only insofar as he may take greenlip abalone (*Haliotis laevis*), Cyclobates abalone (*Haliotis cyclobates*), blacklip abalone (*Haliotis rubra*) and Roe's abalone (*Haliotis roei*) for the purpose of aquaculture broodstock (the 'exempted activity') subject to the conditions in Schedule 1 from the date of gazettal of this notice until 31 December 2004.

SCHEDULE 1

1. The exemption holder may take a maximum of 200 greenlip abalone (*Haliotis laevis*) and 100 blacklip abalone (*Haliotis rubra*) from the waters of Spencer Gulf. The exemption holder may take a further 50 Cyclobates abalone (*Haliotis cyclobates*) and 50 Roe's abalone (*Haliotis roei*) from the waters of Streaky Bay. All these species may only be taken pursuant to this exemption if they are already a licensed species listed on Landbased Aquaculture Licence No. FT00043.

2. The exemption holder is exempt from the size limit prescribed in Schedule 6 of the Fisheries (General) Regulations 2000 when undertaking the exempt activity in relation to the taking of Roe's abalone and Cyclobates abalone.

3. All greenlip abalone (*Haliotis laevis*), Cyclobates abalone (*Haliotis cyclobates*), blacklip abalone (*Haliotis rubra*) and Roe's abalone (*Haliotis roei*) taken pursuant to this exemption must not be sold or transferred to another party.

4. All greenlip abalone (*Haliotis laevis*), Cyclobates abalone (*Haliotis cyclobates*), blacklip abalone (*Haliotis rubra*) and Roe's abalone (*Haliotis roei*) taken pursuant to this exemption must be delivered to and retained on the registered aquaculture site of Landbased Aquaculture Licence No. FT00043.

5. The exempted activity may also be conducted on the exemption holder's behalf by Doug Graske.

6. 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 name of the person undertaking the exempted activity and other related questions.

7. The exemption holder must, within 50 m of the point of landing of any greenlip abalone, Cyclobates abalone, Roe's abalone and blacklip abalone taken pursuant to this notice, complete the PIRSA Fisheries form 'Broodstock Collection Report Form'. Immediately upon arrival at the exemption holders 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.

8. 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.

9. The exemption holder must allow a Fisheries Officer to accompany the exemption holder at any time during the exempted activity.

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

11. 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 18 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Peter Preece and Spencer Institute of TAFE (the 'exemption holder'), P.O. Box 2023, Port Lincoln, S.A. 5607, or his agents are exempt from the provisions of clause 65 of Schedule 1 and clause 10 of Schedule 6 of the Fisheries (General) Regulations 2000 to engage in the activities specified in Schedule 1 (the 'exempted activity'), subject to the conditions set out in Schedule 2 from the date of gazettal until 30 June 2005 inclusive, unless varied or revoked earlier.

SCHEDULE 1

The collection of aquatic organisms from South Australian coastal waters (including intertidal rocky reefs) from the following areas:

- Coastal waters and islands around Port Lincoln.
- Coastal waters of Eyre Peninsula.

The collection and possession of undersize organisms of species Roe's abalone (*Haliotis roei*) from the areas mentioned above.

SCHEDULE 2

1. Specimens collected by the exemption holder pursuant to this notice must not be sold.

2. The exemption holder must notify PIRSA Fishwatch on 1800 065 522 at least 24 hours prior to conducting the exempted activity, 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.

3. While engaged in the exempted activity, the exemption holder must carry identification proving membership of the Spencer Institute of TAFE.

4. Within 14 days of each collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to the Director of Fisheries (P.O. Box 1625, Adelaide, S.A. 5001), giving the following details:

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

5. 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 Officer upon request.

6. 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 18 October 2004.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Brendan Sweeney, P.O. Box 2115, South Plympton, S.A. 5038 (the 'principal exemption holder'), and the class of persons specified in Schedule 1 (the 'other exemption holders'), are exempt from clauses 66, 77A and 77C 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 *Sweeney's Charters* in accordance with the allowable limits specified in Schedule 2 (the 'exempted activity'), subject to the conditions specified in Schedule 3, from the date of gazettal until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

Any person or persons who charter the boat *Sweeney's Charters* from Brendan Sweeney 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.

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 *Sweeney's Charters* 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 24 hours prior to commencing the exempted activity and advise the time and date of departure of the *Sweeney's Charters* 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 18 October 2004.

W. ZACHARIN, Director of Fisheries
