

SUPPLEMENTARY GAZETTE



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ADELAIDE, FRIDAY, 18 FEBRUARY 2005

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 when using blood, bone, meat offal or skin of an animal as berley to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing in the waters described in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from the date of gazettal of this notice until 31 March 2005, or until this exemption is varied or revoked.

SCHEDULE 1

The waters of the Neptune Island Conservation Park.

SCHEDULE 2

1. The exemption holder must be on board the boat from which the exempted activity is undertaken.

2. All berley used while conducting the exempted 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 not goad, provoke or encourage a white shark in an attempt to change its normal behaviour by undertaking the exempted activity (including deliberately attempting to have the white shark jump out of the water), and must not permit any person to touch a white shark, unless this activity is required for research purposes.

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 notify PIRSA Fishwatch on 1800 065 522 at least two 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 allow an officer of the Department for Environment and Heritage (DEH), a Fisheries Officer or another nominated person to be present on board the boat during the exempted activity if requested by the Director of Fisheries, subject to the 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 a Fisheries Officer.

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

9. The exemption holder must maintain a log for the period that this exemption notice is valid which includes the following information in relation to each trip on which the exempted activity is undertaken—date and location, number of passengers, number of hours berleying, number of sharks observed and any other relevant observations or comments.

A copy of the log must be provided to the Port Lincoln office of DEH within 14 days of the end of each calendar month.

10. Whilst engaged in the exempted activity, the exemption holder must conform to a code of conduct endorsed by the Minister for Environment and Conservation.

11. The exemption holder will operate in co-operation with and in agreement of any other approved operator who has an exemption for the same purpose and who is at the same location.

12. Whilst 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 required by a Fisheries Officer.

13. 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.

Dated 16 February 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Andrew Fox, of Rodney Fox Shark Museum, Moseley Square, Glenelg, S.A. 5045 (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 when using blood, bone, meat offal or skin of an animal as berley to attract white sharks (*Carcharodon carcharias*) for the purpose of cage viewing in the waters described in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from the date of gazettal of this notice until 31 March 2005, or until this exemption is varied or revoked.

SCHEDULE 1

The waters of the Neptune Island Conservation Park.

SCHEDULE 2

1. The exemption holder must be on board the boat from which the exempted activity is undertaken.

2. All berley used while conducting the exempted 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 not goad, provoke or encourage a white shark in an attempt to change its normal behaviour by undertaking the exempted activity (including deliberately attempting to have the white shark jump out of the water), and must not permit any person to touch a white shark, unless this activity is required for research purposes.

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 notify PIRSA Fishwatch on 1800 065 522 at least two 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 allow an officer of the Department for Environment and Heritage (DEH), a Fisheries Officer or another nominated person to be present on board the boat during the exempted activity if requested by the Director of Fisheries, subject to the 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 a Fisheries Officer.

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

9. The exemption holder must maintain a log for the period that this exemption notice is valid which includes the following information in relation to each trip on which the exempted activity is undertaken—date and location, number of passengers, number of hours berleying, number of sharks observed and any other relevant observations or comments.

A copy of the log must be provided to the Port Lincoln office of DEH within 14 days of the end of each calendar month.

10. Whilst engaged in the exempted activity, the exemption holder must conform to a code of conduct endorsed by the Minister for Environment and Conservation.

11. The exemption holder will operate in co-operation with and in agreement of any other approved operator who has an exemption for the same purpose and who is at the same location.

12. Whilst 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 required by a Fisheries Officer.

13. 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.

Dated 16 February 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Bartolomeo Puglisi of Wellmet Pty Ltd (the 'exemption holder'), P.O. Box 462, Port Lincoln, S.A. 5607, or a person acting as his agent, is exempt from section 34 of the Fisheries Act 1982 and the Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991, but only insofar as he may use up to eight squid jigging machines to take arrow squid (*Nototodarus gouldi*) for the purpose of trade or business from the water described in Schedule 1 (the 'exempted activity'), subject to the conditions set out in Schedule 2, from 17 February 2005 until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

The waters south of a line drawn from Cape Donnington to Corny Point and west of a line drawn from Troubridge Point to Marsden Point, at least three nautical miles from the shore and at least one nautical mile from any isles.

SCHEDULE 2

1. All fish other than arrow squid must be returned to the water immediately.

2. Only a person who is authorised to undertake fishing activity pursuant to Commonwealth Permit No. 27132 may undertake the exempted activity.

3. Whilst conducting the exempted activity, the exemption holder may only use the boat *Beauie J*, and only when that boat is nominated against Commonwealth Permit No. 27132.

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

5. The exemption holder must provide a report in writing detailing the daily catch of arrow squid pursuant to this notice to the Director of Fisheries (Attention: Alex Chalupa, P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of the end of each calendar month, including months when no fishing is undertaken.

6. The exemption holder or his skipper must notify PIRSA Fishwatch on 1800 065 522 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 notice 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.

7. Whilst engaged in the exempted activity the exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

8. 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 16 February 2005.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Bartolomeo Puglisi (the 'exemption holder'), P.O. Box 462, Port Lincoln, S.A. 5607, or a person acting as his agent, is exempt from section 34 of the Fisheries Act 1982 and the Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991, but only insofar as he may use up to eight squid jigging machines to take arrow squid (*Nototodarus gouldi*) for the purpose of trade or business from the water described in Schedule 1 (the 'exempted activity'), subject to the conditions set out in Schedule 2, from 17 February 2005 until 30 June 2005, unless varied or revoked earlier.

SCHEDULE 1

The waters south of a line drawn from Cape Donnington to Corny Point and west of a line drawn from Troubridge Point to Marsden Point, at least three nautical miles from the shore and at least one nautical mile from any isles.

SCHEDULE 2

1. All fish other than arrow squid must be returned to the water immediately.

2. Only a person who is authorised to undertake fishing activity pursuant to Commonwealth Permit No. 234A may undertake the exempted activity.

3. Whilst conducting the exempted activity, the exemption holder may only use the boat *Angelina*, and only when that boat is nominated against Commonwealth Permit No. 234A.

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

5. The exemption holder must provide a report in writing detailing the daily catch of arrow squid pursuant to this notice to the Director of Fisheries (Attention: Alex Chalupa, P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of the end of each calendar month, including months when no fishing is undertaken.

6. The exemption holder or his skipper must notify PIRSA Fishwatch on 1800 065 522 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 notice 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.

7. Whilst engaged in the exempted activity the exemption holder must have in their possession a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

8. 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 16 February 2005.

W. ZACHARIN, Director of Fisheries
