

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, WEDNESDAY, 14 JULY 1999

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Tuna Farmers Pty Ltd, P.O. Box 1240, Port Lincoln, S.A. 5606, or persons acting as their agents (hereinafter referred to as the 'permit holder') are exempt from the provisions of sections 50 and 53 of the Fisheries Act 1982, insofar as they may engage in the activities and do the acts specified in Schedule 1 (hereinafter referred to as the 'permitted activity'), subject to the conditions specified in Schedule 2 from the waters specified in Schedule 3 (hereinafter referred to as the 'approved site') from the date of gazettal of this notice until 25 August 1999 unless earlier revoked or terminated by the Director of Fisheries.

SCHEDULE 1

The deposit and subsequent removal of Southern Bluefin Tuna (*Thunnus maccoyii*) (hereinafter referred to as the 'permitted species') into temporary cages located at the positions specified in Schedule 3 for the purpose of conducting the business of fish farming.

SCHEDULE 2

1. The permit holder must not farm or introduce any permitted species at the approved site other than specified in the permitted activity.
2. The permit holder must not take any wild fish from the approved site.
3. The permit holder must not use the approved site for any purpose other than the permitted activity.
4. The permit holder must not stock the approved site at a rate greater than 4 kg of fish per m².
5. The permit holder must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the approved site.
6. The permit holder must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister for Primary Industries, Natural Resources and Regional Development ('the Minister').
7. The permit holder must ensure that the approved site is maintained in a good, tidy and safe condition to the satisfaction of the Minister.

8. The permit holder must remove and lawfully dispose of any waste or debris on the approved site as soon as is reasonably practicable and in particular must comply with any instructions issued from time to time by the Minister or an officer acting on his behalf in relation to the removal from the approved site of any unhealthy or dead fish.

9. The permit holder must mark the approved site boundary in accordance with any requirements of the Harbors and Navigation Act 1993 or other applicable Acts.

10. The permit holder must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the approved site for the purposes of inspecting the approved site, the sea floor and the flora and fauna on or in the vicinity of the approved site.

11. The permit holder must comply with all reasonable directions of any such person authorised by the Minister to inspect the conduct of the permit holder's activities at the approved site.

12. The permit holder must at all times comply with all laws, by-laws or regulations in force which relate to the approved site or the activities conducted in the approved site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the approved site.

13. The permit holder must not do or permit to be done in upon or about the approved site anything which in the opinion of the Minister would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment.

14. In the event that the Minister is satisfied, on reasonable grounds, that the fish taken from the waters are not fit for human consumption or that consumption of fish taken from the waters could present a danger to the health of the consumer, the permit holder must, in accordance with a written notice from the Minister, cease or suspend the conduct of the permitted activity or else conduct the permitted activity as directed within the notice.

15. The permit holder must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the approved site.

16. The Minister may terminate this permit immediately by notice in writing served on the permit holder if the permit holder commits or permits any breach or default of the obligations imposed on the permit holder by this permit.

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

18. The permit holder must retain a copy of this permit which has been supplied by the Minister, and if requested by a PIRSA Fisheries and Aquaculture Officer, produce that permit for inspection.

SCHEDULE 3

South Australian coastal waters at the position of latitude 34°41'025"S. longitude 135°59'828"E.

Dated 10 July 1999.

G. R. MORGAN, Director of Fisheries
