

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, TUESDAY, 26 FEBRUARY 2002

FISHERIES ACT 1982—SECTION 43

TAKE notice that pursuant to section 43 of the Fisheries Act 1982 it is hereby unlawful for the period specified in Schedule 1 for any person to take fish by using a sand crab pot as defined in the Fisheries (General) Regulations 2000 in the waters described in Schedule 2.

SCHEDULE 1

From 25 February 2002 to 30 June 2003 inclusive, unless this notice is revoked earlier.

SCHEDULE 2

All waters landward of a line defined by the geodesic joining latitude 34°30'00"S, longitude 135°09'00"E, then to 34°30'00"S, longitude 135°00'00"E, then to latitude 34°00'00"S, longitude 135°00'00"E, then to latitude 34°00'00"S, longitude 135°15'50"E, otherwise known as 'fishing block 27'.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Dianne Edwards of Granite Island Nature Park Pty Ltd or persons acting as her agents (hereinafter referred to as the 'exemption holder'), P.O. Box 679, Victor Harbor, S.A. 5211, are exempt from the Fisheries Act 1982, in that the exemption holder shall not be guilty of an offence when engaging in the activity specified in Schedule 1 (hereinafter referred to as the 'exempted activity'), subject to the conditions specified in Schedule 2, from the date of gazettal of this notice until 31 December 2002, unless varied or revoked earlier.

SCHEDULE 1

The possession of marine organisms (excluding white pointer sharks) (*Carcharodon carcharias*) and species protected pursuant to section 42 of the Fisheries Act 1982.

SCHEDULE 2

1. The specimens possessed pursuant to the exempted activity are for display purposes only at the Granite Island Nature Park, Victor Harbor and may not be sold, released or removed from the site without the written permission of the Director of Fisheries.

2. The exemption holder must not, at any one time, possess more than 50 of any one species or no more than the number of each species (whichever is the lesser) shown in the following table:

Greenlip Abalone .....	10
Blacklip Abalone.....	10
Black Cowrie.....	2
Blue Crab .....	40
Sand Crab .....	50
Razorfish .....	50
Rock Lobster .....	10
Scallop.....	20
Flounder .....	20
Garfish.....	80
Blue Groper.....	5
Mulloway .....	5
Salmon .....	20
Snapper .....	20
Snook .....	25
Squid .....	30
Cuttlefish.....	30
King George Whiting .....	40
Yellowfin/Western Sand Whiting.....	50

3. Within 14 days of the release of organisms pursuant to this notice, the exemption holder must provide a report in writing to the Director of Fisheries, (Attention: Roger Hill, G.P.O. Box 1625, Adelaide, S.A. 5001), giving the date and time of collection, the name and number of each species taken, the name of the person who collected the organisms and the number of mortalities resulting from collection.

4. Whilst engaged in the exempted activity, the exemption holder must have in their possession of a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries Compliance Officer.

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 exempted by this notice.

Dated 26 February 2002.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Dianne Edwards of Granite Island Nature Park Pty Ltd (hereinafter referred to as the 'exemption holder'), P.O. Box 679, Victor Harbor, S.A. 5211, is exempt from the Fisheries Act 1982, in that the exemption holder shall not be guilty of an offence when engaging in the activity specified in Schedule 1 (hereinafter referred to as the 'exempted activity'), in the waters specified in Schedule 2, subject to the conditions specified in Schedule 3, from the date of gazettal of this notice until 31 December 2002, unless varied or revoked earlier.

SCHEDULE 1

The taking of the marine organisms listed in Schedule 4.

SCHEDULE 2

South Australian coastal waters between longitude 139°E and 137.30°E, including intertidal rocky reef areas.

SCHEDULE 3

1. The specimens taken pursuant to this exemption are for display purposes only at the Granite Island Nature Park, Victor Harbor and may not be sold, released or removed from the site without the written permission of the Director of Fisheries.

2. Before collecting any specimens pursuant to this notice, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with details of the proposed locations and the dates on which the collections are to be made.

3. Whilst collecting specimens pursuant to this exemption, the exemption holder may only collect up to 50 specimens of each of the species listed in Schedule 4.

4. Within 14 days of the collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to the Director of Fisheries, (Attention: Roger Hill, G.P.O. Box 1625, Adelaide, S.A. 5001), giving the date and time of collection, the name and number of each species taken and the number of mortalities resulting from collection.

5. Whilst engaged in the exempted activity, the exemption holder must have in their possession a copy of this notice and produce a copy of the notice if required 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.

SCHEDULE 4

<i>Annelids</i>	
blood worm.....	Class POLYCHAETA
tube worm.....	Class POLYCHAETA
beach worm.....	Class POLYCHAETA
<i>Coelenterata</i>	
jellyfish	
<i>Crustaceans</i>	
sand crab.....	<i>Ovalipis australiensis</i>
rock crab.....	<i>Nectocarcinus integrifrons</i>
velvet crab.....	<i>Nectocarcinus tuper-culosus</i>
giant crab.....	<i>Pseudo-carcinus gigas</i>
slipper lobster.....	<i>Ibacus</i> spp.
<i>Echinoderms</i>	
sea urchin.....	<i>Heliocidaris erythrogramma</i>

<i>Molluscs</i>	
allied cowrie, bean cowrie.....	<i>Triviida</i>
cardita.....	<i>Carditidae</i>
chiton.....	<i>Chitonidae</i>
cone shell.....	<i>Conidae</i>
cowrie.....	<i>Cypraeidae</i>
dog welk.....	<i>Nassaridae</i>
dove shell.....	<i>Calumbellidae</i>
eulima.....	<i>Eulimidae</i>
fingerail, jackknife shell.....	<i>Solenidae</i>
harp shell.....	<i>Harpidae</i>
heart cockle.....	<i>Cardiidae</i>
helmut shell.....	<i>Cassidae</i>
keyhole limpet and shield shell.....	<i>Fissurellidae</i>
ladder.....	<i>Epitoniidae</i>
limpet.....	<i>Patellidae</i>
limpet—air breathing.....	<i>Siphonariidae</i>
mactra, cockle.....	<i>Mactridae</i>
margin shell.....	<i>Marginellidae</i>
mitre shell.....	<i>Mitridae</i>
moon shell.....	<i>Nacticidae</i>
murex, droop, purple/rock shell.....	<i>Muricidae</i>
mussels.....	<i>Mytilus</i> spp.
nutmeg shell.....	<i>Cancellaridae</i>
octopus.....	<i>Octopus</i> spp.
olive shell.....	<i>Olividae</i>
oyster.....	Family OSTRIDAE
periwinkle, black crow.....	<i>Neritidae</i>
pheasant shell or painted lady.....	<i>Phasianellidae</i>
razor fish.....	<i>Pinna bicolor</i>
ring mouth shell.....	<i>Liotiidae</i>
scallop.....	Family PECTINIDAE
spindle shell.....	<i>Faxialariidae</i>
tellin, sunset shell.....	<i>Tellinidae</i>
thai, droop.....	<i>Thaididae</i>
thorny oyster.....	<i>Spondylidae</i>
triton.....	<i>Cymatiidae</i>
trochus, top, weed shell.....	<i>Trochidae</i>
turban and star shell.....	<i>Turbinidae</i>
turbo shell.....	<i>Turbo torquatus</i>
	<i>Turbo undulatus</i>
	<i>Turridae</i>
	<i>Vasidae</i>
	<i>Veneridae</i>
	<i>Volutidae</i>
	<i>Clavagellidae</i>
	<i>Buccinidae</i>

Dated 26 February 2002.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, those holders of a licence issued pursuant to the Scheme of Management (Rock Lobster Fisheries) Regulations 1991 (hereinafter referred to as the 'exemption holders') are exempted from the provisions of Clause 123 of Schedule 1 of the Fisheries (General) Regulations 2000, in that an exemption holder shall not be guilty of an offence when using a boat registered by endorsement on a fishery licence pursuant to Division 1, Part 4 of the Fisheries Act 1982, for the taking of fish for purposes other than trade or business excluding the taking of rock lobster (*Jasus edwardsii*) or the carrying, setting or retrieving of recreational rock lobster pots (hereinafter referred to as the 'exempted activity'), providing the exemption holder complies with the conditions specified in Schedule 1, from the date of gazettal of this notice until 30 June 2002, unless varied or revoked earlier.

SCHEDULE 1

1. An exemption holder must notify the PIRSA Fisheries Compliance Unit via Link Communications on 1800 044 166 prior to engaging in the exempted activity with the following information:

- the commercial boat registration number and the fishery licence number to which the call applies;

- the name of the person making the call (must be a licence holder or a registered master) and the rock lobster fishery licence number;
- the recreational registration numbers which will be placed on the boat;
- the time and date the exempted activity will commence; and
- the time and date the exempted activity will cease.

2. An exemption holder shall not contravene or fail to comply with the Fisheries Act 1982, or any other regulations made under that Act except where specifically exempted by this notice.

Dated 26 February 2002.

W. ZACHARIN, Director of Fisheries

#### FISHERIES ACT 1982

##### MARINE TUNA FARMING LICENCE FB00034

##### *Licence to Farm Fish under section 53 of the Fisheries Act 1982*

THE Minister for Primary Industries and Resources ('the Minister') hereby grants to:

Sarin Marine Farm Pty Ltd (29919)  
115 Verran Terrace  
Port Lincoln, S.A. 5606

a licence to occupy and use the waters and airspace over the land specified in Item 1 of Schedule 1 of this licence ('the site') for the purpose of farming and taking the permitted species ('the permitted use') for the period commencing on 1 July 2001 and ending, subject to any earlier termination under this licence, on 30 June 2002 ('the term') subject to the following terms and conditions:

#### CONDITIONS OF THIS LICENCE

##### 1. *Marked-off Areas*

- 1.1 Subject to section 53A of the Fisheries Act 1982, this licence does not entitle the licensee to exclusive rights of entry to and occupation of the site. The rights granted by this licence are exercisable by the licensee in common with any other occupiers of the site from time to time.
- 1.2 For the purposes of section 53A of the Fisheries Act 1982, the marked-off areas within the site are that area or those areas marked-off or indicated in the manner set out in Item 2 of Schedule 1 of this licence.

##### 2. *Permitted Species*

The licensee:

- 2.1 must not farm or introduce any species at the site other than the permitted species referred to in Schedule 2; and
- 2.2 must not take any wild fish from the site except for recreational purposes.

##### 3. *Permitted Use*

The licensee must not use the site for any purpose other than the permitted use.

##### 4. *Permitted Methods*

- 4.1 The licensee must, in undertaking the permitted use, take all reasonable and practicable measures to prevent or minimise damage to the environment. Without limiting the generality of the foregoing, the licensee:
  - 4.1.1 must not stock the permitted species at a rate greater than that specified in Schedule 2 of this licence;
  - 4.1.2 must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site;
  - 4.1.3 must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister;

4.1.4 must apply the permitted farming methods set out in Schedule 2 of this licence;

4.1.5 must undertake an environmental monitoring program approved by the Minister and as specified in Clause 4.2;

4.1.6 must not introduce the permitted species to the site before the approval of the environmental monitoring program referred to in 4.1.5 by the Minister;

4.1.7 must comply with the schedule of reporting for the environmental monitoring program as prescribed in Schedule 6 and submit the final results of the environmental monitoring program to the Minister 30 days before expiry of the term of this licence;

4.1.8 must implement a management strategy approved by the Minister and as specified in Clause 4.3 to manage interactions with seabirds and marine mammals;

4.1.9 must not introduce the permitted species to the site before approval of the management strategy specified in 4.1.8 by the Minister.

4.2 The licensee must submit a draft environmental monitoring program to the Minister for approval within 60 days of the grant of the licence by the Minister. The draft environmental monitoring program must include the qualifications and experience of the person(s) designing and undertaking the program and address the matters listed in Schedule 5.

4.3 The licensee must submit a draft strategy for managing interactions with sea birds and marine mammals to the Minister within 60 days of the grant of the licence by the Minister. The draft strategy must identify potential interactions with and risks to sea birds and marine mammals and the measures proposed to minimise interactions with and risks to seabirds and marine mammals.

##### 5. *Sea Cages*

The licensee must immediately inform an officer of PIRSA (Fisheries) on 1800 065 522 or such other officer as the Minister from time to time notifies to the licensee in writing if any marine animal, other than the permitted species, is caught in any sea cage or other farm structure used by the licensee on the site.

##### 6. *Location of Sea Cages*

The licensee must not erect or use any sea cages in any location on the site where stocked sea cages have been used in the immediately preceding two year period.

##### 7. *Marking and Maintaining the Site*

The licensee:

- 7.1 must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister;
- 7.2 must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable and in particular must comply with any guidelines issued from time to time by the Minister in relation to the removal from the site of any unhealthy or dead fish;
- 7.3 must maintain all buoys, crosses, and markers on the site in good condition and in accordance with the colours specified in Schedule 1 of this licence; and
- 7.4 must mark the site boundary in accordance with the requirements of the Minister for Transport.

##### 8. *Site Inspection and Supervision*

The licensee:

- 8.1 must at all times permit the Minister, his employees, agents or contractors or any employees, agents or contractors of the Crown to enter the site for the purposes of inspecting the site, the sea floor and the flora and fauna on or in the vicinity of the site; and
- 8.2 must comply with all reasonable directions of any such person authorised by the Director of Fisheries to inspect the conduct of the licensee's activities at the site.

## 9. Fees and Returns

The licensee:

- 9.1 must pay to the Minister the licence fee in accordance with Item 1 of Schedule 3 of this licence;
- 9.2 must on or before 31 January and 31 July during the term, submit to the Minister a return supplying all of the information described in Schedule 4 of this licence.

## 10. Public Risk Insurance

The licensee must at its own cost during the term maintain in full force and effect in respect of the site and the permitted use a policy of public risk insurance in the joint names of the licensee and the Minister. The limits of public risk must not be less than the amount specified in Item 2 of Schedule 3 of this licence, or such other amount as the Minister may from time to time reasonably require. A policy of insurance or copy thereof or a certificate of insurance must be produced by the licensee to the Minister on written request.

## 11. Guarantee or Indemnity Scheme

The licensee must either:

- 11.1 provide a guarantee from its bankers to the amount specified in Item 3 of Schedule 3; or
- 11.2 contribute to an indemnity scheme established for the aquaculture and fisheries industry and approved by the Minister,

to and in favour of and for the benefit of the Minister by way of security for the due and punctual performance by the licensee of the terms and conditions of this licence and in particular the obligations of the licensee to rehabilitate the site immediately prior to the expiration or sooner determination of the term of this licence. Such guarantee or indemnity scheme must have effect from the date of commencement of the term.

## 12. No Assignment

The licensee must not assign or sublet or deal in any other way with any interest in this licence.

## 13. Variation and Cancellation

- 13.1 The Minister may without prior notice vary or cancel this licence immediately during the term for the purposes of preventing or minimising any damage or threat of damage to the environment. For the purpose of this condition the Minister may have regard to but is not limited by the following considerations:
  - 13.1.1 the results of monitoring undertaken pursuant to Clause 4.1.5;
  - 13.1.2 the results of any other monitoring as may from time to time be carried out; or
  - 13.1.3 such other relevant information within the knowledge of the Minister.
- 13.2 Subject to and without limiting Condition 13.1, in the event of breach by the licensee of any term or condition of this licence, the Minister may:
  - 13.2.1 give to the licensee written notice of such breach and the Minister's requirements for rectification thereof; or
  - 13.2.2 cancel this licence for failure to comply with such requirements for rectification.
- 13.3 The Minister may cancel this licence if the licensee is a body corporate, and any of the following occur:
  - 13.3.1 the licensee is unable to pay its debts as and when they fall due or is otherwise insolvent;
  - 13.3.2 an order is made for the winding up or liquidation of the licensee;
  - 13.3.3 the licensee enters into a scheme of arrangement, compromise, moratorium or other form of composition with its creditors or any class of its creditors;

13.3.4 a receiver, a manager or a receiver and manager, a company administrator or other insolvency administrator is appointed to the licensee; or

13.3.5 a mortgagee, chargee or other encumbrancee is appointed over or takes possession of or appoints an agent to take possession of all or any of the licensee's assets.

13.4 The Minister may cancel this licence if the licensee is an individual, and the licensee:

13.4.1 becomes bankrupt or assigns its estate or enters into a deed of arrangement or other form of composition for the benefit of the licensee's creditors; or

13.4.2 is convicted of an indictable offence.

13.5 Cancellation of this licence by the Minister shall be without prejudice to any rights, remedies or actions that the Minister may have against the licensee in respect of any antecedent breach by the licensee of the terms and conditions contained in this licence.

Granted by the General Manager Aquaculture, delegate for the purposes of section 53 of the Minister responsible for administration of the Fisheries Act 1982, on 16 February 2002.

I. NIGHTINGALE, General Manager Aquaculture

## SCHEDULE 1

## Item 1—The Site

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
592751E 6172046N	30
593410E 6171948N	
593343E 6171503N	
592684E 6171601N	

All sea cages on the site must be marked with a unique sea cage number and the site's unique 'FB number'; that is, the licence number. All St Andrew's crosses must be marked with the site's unique 'FB number'; that is the licence number.

## Item 2—Marked-off Areas

Marked-off areas must be marked with no less the 8 equally spaced white buoys, each of at least 12 inches in diameter, each positioned no more than 70 m from each relevant sea cage situated on the site.

## SCHEDULE 2

## Item 1—Permitted Species

The Director of Fisheries has, pursuant to section 50 (2) of the Act, issued a permit for the release of the fish specified in this Schedule.

Southern Bluefin Tuna (*Thunnus maccoyii*)

## Item 2—Permitted Farming Methods

Sea Cages 14

## Item 3—Stocking Rates

The maximum weight of fish introduced into the site must not exceed 400 tonnes in total during the term of the licence.

The maximum stocking density of Southern Bluefin Tuna (*Thunnus maccoyii*) must not exceed 4 kg/m<sup>3</sup>.

## Item 4—Criteria for Development of Marine Aquaculture Sites

Development must have commenced on the site within 12 months of the licence being issued.

## SCHEDULE 3

## Item 1—Fees

Annual licence fees are payable as prescribed in the licence renewal.

*Item 2—Insurance*

Ten million dollars (\$10 000 000).

*Item 3—Guarantee*

Ten thousand dollars (\$10 000).

## SCHEDULE 4

*Production Returns*

The licensee must submit production returns to the Minister on or before 30 December and 30 June during the term of this licence. The information contained in these returns will be determined by the Minister. These returns must be forwarded to the General Manager Aquaculture SA, 14th Floor, 25 Grenfell Street, Adelaide, S.A. 5000.

## SCHEDULE 5

*Environmental Monitoring Program*

The monitoring program should address the following matters in relation to the permitted use:

*Farm Management*

Approximate layout of all structures on the site including location, number and size.

Stocking density of the permitted species held on the site.

Dates and numbers of the permitted species stocked and harvesting on the site.

Occurrence of disease incidents in the permitted species on the site.

*Benthic Sediments*

Redox potential.

Infauna communities including composition and abundance.

*Benthic Fauna and Flora*

Benthic macro-flora communities including composition and abundance.

Benthic macro-fauna communities including composition and abundance.

## METHODOLOGY

*Draft Environmental Monitoring Program*

The draft environmental monitoring program needs to detail the site layout and sampling sites, including control sites.

*Sediment Cores*

Sediment cores should be used to assess the infauna composition and abundance of the sediments. Sediment cores should be 50 mm wide and inserted into the sediments to 150 mm. Samples need to be rinsed through a 1 000 µm mesh. Collection of the cores should be visible on the videos when possible.

Infauna samples must be preserved in Bennett's solution and stained with Thyloxin-B initially. After sorting the samples should be labelled inside and outside the containers with details of the date of collection, site location, collection method, and the collector's and identifier's name. The samples must be preserved in 70% alcohol and kept in storage for two years to allow for auditing or further analysis if required.

*Video Transects*

Video transects should be used to assess the broad scale changes in sediment consistency, presence of farming waste and the composition and abundance of macro-fauna and macro-flora communities.

Video transects must be collected using equipment capable of producing a clear and well lit image in Hi-8 format for computerised image analysis using a Sony Hi-8 digital camera or equivalent capable of operating at a minimum of 3 lux. The underwater housing must be fitted with a minimum of two 50 W lights. Transects must be at least 150 m long and a transect line marked at 5 m intervals must be visible at all times. The date and 'live' time should also be visible. The location and unique number of each transect must be clearly marked on a map that includes details of the site layout. The diver should gently disturb the sediment by hand at the start, middle and end of each transect to reveal the colour of the sediments below the surface.

*Report*

The environmental monitoring report must contain a synthesis of the data, statistical analysis and interpretation of the results. All raw data and video footage must also be presented to Aquaculture SA in electronic format and hard copy.

The environmental monitoring report must be legible and contain a declaration regarding the authenticity and source of all data and results contained in the report. This declaration must be signed by the licence holder and the person(s) conducting the monitoring program.

The report must include an assessment of the results of the monitoring program against the provisions of the Environment Protection (Marine) Policy 1994, and must be accompanied by all raw data, video footage and diver notes.

## SCHEDULE 6

*Schedule of Environmental Monitoring Reports*

The licensee must submit an environmental monitoring program report and videos within three months of the commencement of this licence to the Minister, c/o General Manager Aquaculture SA, 14th Floor, 25 Grenfell Street, G.P.O. Box 1625, Adelaide, S.A. 5000, during the term of this licence.

## FISHERIES ACT 1982: SECTION 53

TAKE note that the licence FB00034 to farm fish made under section 53 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, dated 31 December 2001, on page number 16, being the second notice on that page, through to page number 18 and referring to Sarin & Sons Pty Ltd is hereby revoked.

Dated 26 February 2002.

I. NIGHTINGALE, General Manager, Aquaculture, as the Delegate of the Minister for Primary Industries.