

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, MONDAY, 21 JANUARY 2002

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Australian Tuna Fisheries Pty Ltd, 1 North Quay Boulevard, S.A. 5606, or persons acting as their agents (hereinafter referred to as the 'exemption 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 'exempted activity'), subject to the conditions specified in Schedule 2 in the waters specified in Schedule 3 (hereinafter referred to as the 'approved site'), from the date of gazettal of this notice until revoked or terminated by the Minister for Primary Industries (hereinafter referred to as the Minister).

SCHEDULE 1

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

SCHEDULE 2

1. The exemption holder must not farm or introduce any permitted species at the approved site other than specified in the exempted activity.

2. The exemption holder must not take any wild fish from the approved site.

3. The exemption holder must not use the approved site for any purpose other than the exempted activity.

4. The exemption holder must not stock the approved site at a rate greater than 4 kg of fish per cubic metre.

5. The exemption holder must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the approved site.

6. The exemption holder must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister.

7. The exemption holder must ensure that the approved site is maintained in a good, tidy and safe condition to the satisfaction of the Minister.

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

12. The exemption 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 exemption 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 exemption holder must, in accordance with a written notice from the Minister, cease or suspend the conduct of the exempted activity or else conduct the exempted activity as directed within the notice.

15. The exemption holder must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceed-ings, 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 exemption holder if the exemption holder commits or permits any breach or default of the obligations imposed on the exemption holder by this exemption.

17. The exemption holder shall 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.

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

SCHEDULE 3

Area applicable to this licence:

Licensed Area	Licensed Hectares
AGD 66—Zone 53	
596400E 6170200N	30
596400E 6169700N	
596000E 6169700N	
596000E 6170200N	

Dated 15 January 2002.

I. NIGHTINGALE, General Manager, Aquaculture SA

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Mike N. Dawson or persons acting as his agents (hereinafter referred to as the 'exemption holder') from the Centre for Marine and Coastal Studies, University of New South Wales, Sydney, N.S.W. 2052, is exempt from the provision of Clauses 1 and 65 of Schedule 1 of the Fisheries (General) Regulations 2000 to engage in the activities specified in Schedule 1 (hereinafter

referred to as the 'exempted activity'), using only the gear specified in Schedule 2, subject to the conditions set out in Schedule 3 from the date of gazettal of this notice until 28 February 2003, unless varied or revoked earlier.

SCHEDULE 1

The collection of marine organisms from all waters of South Australia including intertidal 'rocky' reefs, excluding aquatic reserves.

SCHEDULE 2

1 dab net per person.

1 one-person seine net (the maximum length of which does not exceed 50 m).

SCHEDULE 3

1. The specimens collected by the exemption holder are for scientific and research purposes only and may not be sold.

2. Any fish not required for scientific purposes must be immediately return to the water.

3. Before collecting any specimens pursuant to this notice, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the name of the person who will be conducting the exempted activity, details of the proposed locations and the dates on which the collections are to be made.

4. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Director of Fisheries, (Attention: Roger Hill, G.P.O. Box 1625, Adelaide, S.A. 5001) within 3 months of the expiry of this notice, 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 Compliance Officer if such an officer requests that it be produced.

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 21 January 2002.

W. ZACHARIN, Director of Fisheries