

SUPPLEMENTARY GAZETTE



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ADELAIDE, TUESDAY, 11 NOVEMBER 2003

FISHERIES ACT 1982: SECTION 59

TAKE note that the notice made under section 59 of the Fisheries Act 1982, and published in the *South Australian Government Gazette* on 6 November 2003 on page 3390, referring to Michael Lake and the collection of specimens from specified waters, is hereby revoked.

Take notice that pursuant to section 59 of the Fisheries Act 1982, Michael Lake of Sinclair Knight Merz Pty Ltd, 590 Orrong Road, Armadale, Vic. 3134, (the 'exemption holder'), or persons acting as his agent, are exempt from the provisions of section 41 of the Fisheries Act 1982, but only insofar as they may engage in the collection of fish (the 'exempted activity') from the waters described in Schedule 1, using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3, from 7 November 2003 until 30 April 2004, unless varied or revoked earlier.

SCHEDULE 1

Murbko Flat	Teringie	Whirlpool Corner
Murbko South	Waltowa	Mundic Creek
Cadell	Milang Shores/ Clayton	Rilli Lagoon
Hart Lagoon	Riverglades	Gurra Lakes
Templeton	Devon Downs South	Thiele's Flat
Paringa Paddock	Forsters Lagoon	Loveday complex
Woolenook	Beldora (Spectacle Lakes)	Martins Bend
Ajax/Achilles	Sinclair Flat	Loch Luna
Karelia	Murbpook Lagoon	Narrung
Clarks Sandbar	Nigra Creek	Hindmarsh— Mundoo Island
Loveday Swamps	Ramco Lagoon	Tolderol
Swanport	North Purnong	Piawalla
Kroehns Landing		
Cobdogla Basin		

SCHEDULE 2

- 15 fyke nets (minimum mesh of 5 mm, maximum leader of 6 m and maximum opening of 60 cm);
- 1 seine net (minimum mesh of 6 mm, maximum length of 10 m);
- 50 bait traps;
- 1 electro fishing backpack.

SCHEDULE 3

1. The specimens collected by the exemption holder are for scientific and research purposes only and must not be sold.
2. All native fish taken in the course of the exempted activity must be immediately returned to the water unless retained for the purpose of species identification.
3. A maximum of five fish of any species per location may be taken for the purpose of species identification.
4. Before conducting the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the name of the person or persons who will be conducting the exempted activity, details of the proposed locations and the dates on which the collections are to be made.
5. 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: Kristy Power, P.O. Box 282, Port Adelaide, S.A. 5015) by 31 July 2004, giving the following details:

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

6. 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 requested.

7. 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 10 November 2003.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, any holder of a Western Zone Abalone Fishery Licence issued pursuant to the Scheme of Management (Abalone Fisheries) Regulations 1991, or the registered master endorsed on that licence, is exempt from:

- section 34 of the Fisheries Act 1982 and the Scheme of Management (Abalone Fisheries) Regulations 1991; and
- section 44 of the Fisheries Act 1982 and clause 1 (3) (a) of Schedule 6 of the Fisheries (General) Regulations 2000,

insofar as they will not be committing an offence when fishing for, and taking, greenlip abalone (*Haliotis laevis*) including undersize abalone (the 'exempted activity') in waters of the Western Zone Abalone Fishery as described in Schedule 1, subject to the conditions specified in Schedule 2, for the period specified in Schedule 3, unless this notice is varied or revoked earlier.

SCHEDULE 1

Those waters of Waterloo Bay contained within an area bounded by the following latitude and longitude co-ordinates (using the GDA94 datum, in decimal degrees): (1) 134.87827°E longitude -33.65273°S latitude, (2) 134.88378°E -33.64584°S, (3) 134.86965°E -33.63684°S, (4) 134.86626°E -33.64217°S, (5) 134.87617°E -33.65209°S.

SCHEDULE 2

1. Whilst engaged in the exempted activity, the exemption holder may only take abalone that are not less than 13 cm shell length at its greatest dimension.

2. All abalone must be landed in the shell unless specifically directed by the Chief Scientist, SARDI Aquatic Sciences, or his nominated delegate.

3. No more than 540 kg wholeweight of greenlip abalone may be taken during the permitted activity.

4. The exemption holder may only undertake the exempted activity using a fishing boat registered on a Western Zone Abalone Fishery Licence (the 'permitted boat').

5. No more than one registered master may engage in the exempted activity on any one day.

6. One of the exemption holders must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the exempted activity.

7. Whilst engaged in the exempted activity the exemption holder must not conduct any other fishing activity within the waters described in Schedule 1 or any other fishing activity pursuant to their Western Zone Abalone Fishery Licence.

8. The exemption holder must not take or be in possession of any other species of fish, other than greenlip abalone, while engaging in the exempted activity.

9. All abalone taken in the course of the exempted activity must, once landed, be immediately delivered to one of the registered fish processors specified in Schedule 4 for accurate weighing.

10. On each dive that fishing activity is undertaken pursuant to this notice, the exemption holder must complete a Commercial Greenlip Abalone Catch and Effort Return Form for Waterloo Bay Fishdown provided by the Chief Scientist, SARDI Aquatic Sciences or his nominated delegate, providing the following information:

- Date
- Diver name

- Western Zone Abalone Licence No.
- Name of the processor to whom the abalone are sold
- Dive number (sequential on each day)
- Datum of the GPS used
- Time of start and end of the dive
- Time every catch bag of harvested abalone reaches the surface
- Number of abalone in each bag
- GPS position at the start of the dive and where each bag was brought to the surface
- The number printed on the tag placed in each bin (one tag for each catch bag)
- The total number of abalone harvested during that dive.

All completed sheets of the Commercial Greenlip Abalone Catch and Effort Return Form for Waterloo Bay Fishdown must be posted or delivered to the Chief Scientist, South Australian Research and Development Institute, within seven days of the last day on which fishing was undertaken.

11. The exemption holder must ensure that a completed tag provided by the Chief Scientist, SARDI Aquatic Sciences or his nominated delegate is attached to each bag of abalone harvested in the course of the exempted activity from the time of landing on board the permitted boat to the time the bag is collected by SARDI at the premises of the registered fish processor.

12. The exemption holder must notify the PIRSA Fisheries Compliance Unit on 1800 065 522 daily prior to conducting the exempted activity and provide the following information:

- (a) name of the person making the call and the relevant Western Zone Abalone Fishery Licence number;
- (b) name of the registered master who will be conducting the exempted activity on that day;
- (c) commencement time and date on which the exempted activity will take place;
- (d) port of departure; and
- (e) name of the registered fish processor to whom fish will be delivered.

13. The exemption holder must complete Part A of the CDR1 form on each day that fishing activity is undertaken pursuant to this notice, at the completion of that day's fishing activity.

14. The exemption holder must not intentionally induce weight loss of abalone by any means.

15. While engaged in the exempted activity the exemption holder must:

- (a) have in their possession a copy of this notice; and
- (b) produce that notice to a PIRSA Fisheries Compliance Officer if requested to do so.

16. 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.

SCHEDULE 3

Between the hours of 0800 hours and 1800 hours for the periods 17 November 2003 to 21 November 2003 and 24 November 2003 to 28 November 2003 inclusive.

SCHEDULE 4

Western Abalone Processors Pty Ltd
30 Proper Bay Road
Port Lincoln, S.A. 5606

Yorkshell Pty Ltd
Trading as Australian Southern Seafood
48 Proper Bay Road
Port Lincoln, S.A. 5606

Smoothpool Nominees Pty Ltd
Trading as Blancheport Fisheries
12 Alfred Terrace
Streaky Bay, S.A. 5680

Australian Bight Seafoods Pty Ltd
Freezers Road
Port Lincoln, S.A. 5606
Dated 7 November 2003.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, the registered fish processors listed in Schedule 1 (the 'exemption holders') are exempted from the provisions of section 44 (2) of the Fisheries Act 1982 and clause 1 of Schedule 6 of the Fisheries (General) Regulations 2000, but only insofar as the exemption holders will not be guilty of an offence when in possession of greenlip abalone (*Haliotis laevis*), including undersize greenlip abalone, (the 'exempted activity') pursuant to the conditions specified in Schedule 2 from 17 November 2003 until 15 January 2004.

SCHEDULE 1

Western Abalone Processors Pty Ltd
30 Proper Bay Road
Port Lincoln, S.A. 5606

Yorkshell Pty Ltd
Trading as Australian Southern Seafood
48 Proper Bay Road
Port Lincoln, S.A. 5606

Smoothpool Nominees Pty Ltd
Trading as Blancheport Fisheries
12 Alfred Terrace
Streaky Bay, S.A. 5680

Australian Bight Seafoods Pty Ltd
Freezers Road
Port Lincoln, S.A. 5606

SCHEDULE 2

1. Whilst engaged in the exempted activity, the exemption holders may only possess greenlip abalone taken by the holder of a Western Zone Abalone Fishery Licence in accordance with the exemption granted by the Director of Fisheries under section 59 of the Fisheries Act 1982 in relation to fishing for greenlip abalone in Waterloo Bay.

2. Whilst engaged in the exempted activity, the exemption holders must weigh all greenlip abalone taken in Waterloo Bay at the following times:

- immediately upon arrival at the premises specified in the certificate of registration of the fish processor; and
- following shucking,

and record those weights on Part B of the CDR1 form accompanying those fish.

3. Following receipt of greenlip abalone taken in Waterloo Bay the exemption holders must notify the relevant Western Zone Abalone Fishery Licence holder of the wholeweight recorded on Part B of the CDR1 form prior to the licence holder or the registered master recommencing fishing activities in accordance with the exemption granted by the Director of Fisheries under section 59 of the Fisheries Act 1982 in relation to fishing for greenlip abalone in Waterloo Bay.

4. Whilst engaged in the exempted activity the exemption holders 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.

5. 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 7 November 2003.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 43

TAKE note that the notice made under section 43 of the Fisheries Act 1982, and published in the *South Australian Government Gazette*, page 1712, dated 17 April 2003 being the fourth notice on that page, referring to the taking of abalone from Waterloo Bay, is hereby revoked from 0800 hours on 17 November 2003.

Dated 7 November 2003.

W. ZACHARIN, Director of Fisheries

R018-03

FISHERIES ACT 1982: SECTION 43

TAKE notice that pursuant to section 43 of the Fisheries Act 1982, it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1, in the area specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of abalone (Family Haliotidae).

SCHEDULE 2

All the waters of Waterloo Bay (Elliston) contained within the geodesic commencing at the high water mark on the shore of Wellington Point, latitude 33°39.23'S, longitude 134°52.53'E and terminating at the high water mark on the shore at Salmon Point, latitude 33°38.72'S, longitude 134°51.58'E.

SCHEDULE 3

From 1800 hours on 28 November 2003 to 2359 hours on 30 June 2004.

Dated 7 November 2003.

W. ZACHARIN, Director of Fisheries

FISHERIES ACT 1982: SECTION 43

TAKE notice that pursuant to section 43 of the Fisheries Act 1982, it is hereby declared that it shall be unlawful for any person other than the persons described in Schedule 1 to engage in the class of fishing activity specified in Schedule 2, in the area specified in Schedule 3, during the period specified in Schedule 4.

SCHEDULE 1

Any holder of a Western Zone Abalone Fishery Licence issued pursuant to the Scheme of Management (Abalone Fisheries) Regulations 1991, or the registered master endorsed on that licence, who is granted an exemption in accordance with section 59 of the Fisheries Act 1982 to allow the taking of greenlip abalone as part of a scientific research project in Waterloo Bay.

SCHEDULE 2

The act of taking or an act preparatory to or involved in the taking of abalone (Family Haliotidae).

SCHEDULE 3

All the waters of Waterloo Bay (Elliston) contained within the geodesic commencing at the high water mark on the shore of Wellington Point, latitude 33°39.23'S, longitude 134°52.53'E and terminating at the high water mark on the shore at Salmon Point, latitude 33°38.72'S, longitude 134°51.58'E.

SCHEDULE 4

From 0800 hours on 17 November 2003 to 1800 hours on 28 November 2003.

Dated 7 November 2003.

W. ZACHARIN, Director of Fisheries