

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, THURSDAY, 2 MARCH 2000

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Guiseppina Fishing Company, P.O. Box 1607, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1 to this exemption, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

SCHEDULE 1

1. The fisher may engage in the permitted activity from the date of gazettal of this notice until 17 March 2000, or until revoked by the Director of Fisheries.
2. This exemption is valid only in respect of the fishing vessel *Sardinops* (hereinafter referred to as the 'permitted boat').
3. The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.
4. Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.
5. The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.
6. Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.
7. The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms
8. The fisher shall not, during the period 29 February 2000 to 17 March 2000 take a quantity of permitted species which exceeds his quota of 26.52 units at 7.712 tonnes per unit (which is equal to 204.54 tonnes).
9. The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.
10. Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.
11. The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.
12. The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.
13. Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.
14. The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.

15. The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.

16. The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

(a) Unloading to a shore based processing plant:

(i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

(ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

(b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

17. The fisher then shall either by **facsimile or in person** deliver the completed (South Australian Pilchard Fishery Log Book) form to the person nominated for quota monitoring within **48 hours** of the unloading.

18. The fisher must provide regular samples of the permitted species for research analysis and assist in any other South Australian Research and Development Institute (SARDI) sponsored pilchard fishery research program as required by the Chief Scientist, Aquatic Sciences, SARDI.

19. The fisher must complete a monthly return within 14 days of the end of the previous month and forward it to SARDI. This return must be completed regardless of whether the fisher took fish or not, i.e. nil returns are required.

20. While engaged in the permitted activity the fisher must have in their possession the copy of this notice with which the Director of Fisheries has supplied them and produce that notice to a Fisheries Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

21. The fisher 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 2

In waters described as **Area A**: one purse seine net having a maximum length of 600 m, a maximum depth of 100 m and a mesh size of between 16 mm and 20 mm.

In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 29 February 2000.

W. ZACHARIN, Principal Fisheries Manager

TABLE 1
Base Lines and Bay Closure Lines of South Australia

Location	From		to	to Location		
<i>Base Lines</i>						
Newland Head	35°38.68'S	138°31.32'E	to	35°45.63'S	138°18.17'E	The Pages
	35°45.63'S	138°18.17'E	to	35°46.65'S	138°17.57'E	
	35°46.88'S	138°17.43'E	to	35°47.10'S	138°17.33'E	
The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
<i>Bay Closure Lines</i>						
Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	

FISHERIES ACT 1982: SECTION 59

TAKE notice that, pursuant to section 59 of the Fisheries Act 1982, Australian Fishing Enterprises, P.O. Box 1073, Port Lincoln, S.A. 5606, or the nominated replacement approved by the Director of Fisheries (hereinafter referred to as the 'fisher') is exempt from section 41 of the Fisheries Act 1982, subject to the conditions contained in Schedule 1 to this exemption, in that they shall not be guilty of an offence when using a fine mesh purse seine net as described in Schedule 2 for the taking of pilchards (*Sardinops neopilchardus*) and other species within the Families Clupeidae and Engraulididae (hereinafter referred to as the 'permitted species') for the purpose of trade or business in marine waters of South Australia as described in Schedule 3 as Area B (hereinafter referred to as the 'permitted activity').

SCHEDULE 1

- The fisher may engage in the permitted activity from the date of gazettal of this notice until 17 March 2000, or until revoked by the Director of Fisheries.
- This exemption is valid only in respect of the fishing vessel *Maria Luisa* (hereinafter referred to as the 'permitted boat')
- The fisher must be on board the permitted boat at all times while the boat is being used for the purpose of engaging in the permitted activity.
- Whilst engaged in the permitted activity the fisher shall not use any other device than that permitted pursuant to Schedule 2.
- The fisher must not take or be in possession of any other species of fish, other than the permitted species, while engaging in the permitted activity.
- Any fish, which are not permitted species, taken as by-catch by the fisher during the permitted activity must be immediately returned to the water.
- The fisher may only engage in the permitted activity for the purpose of supplying food fish for tuna farms.
- The fisher shall not, during the period 29 February 2000 to 17 March 2000 take a quantity of permitted species which exceeds the quota of 10.17 units at 7.712 tonnes per unit (which is equal to 78.44 tonnes).
- The fisher may with the prior approval of the Director of Fisheries transfer uncaught units of quota during the period of this notice.
- Fish taken pursuant to this notice as the result of a transfer of quota must be disposed of in accordance to the permit conditions of the holder of the initial allocation.
- The fisher may transfer catch taken pursuant to this notice to a carrier boat at sea subject to nominating the boats in advance.
- The fisher may nominate no more than two carrier boats at any one time. Notification of boat name must be provided to the person or agency responsible for conducting quota monitoring operations.
- Where the fisher transfers all or part of their catch to a carrier boat that portion of the catch must be accompanied by a South Australian Pilchard Fishery Log Book, completed as required by condition 16 of this notice.
- The fisher must notify the person nominated for quota monitoring, by telephone, of the intended place of any unloading and the estimated weight of the catch at least one hour prior to the unloading taking place.
- The fisher must provide the person nominated for quota monitoring with reasonable access to boats and vehicles for the purpose of enabling inspection of the catch and any record relating to the South Australian Pilchard Fishery Log Book required to be completed under this notice.
- The fisher must complete the South Australian Pilchard Fishery Log Book as described below:

(a) Unloading to a shore based processing plant:

- (i) The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book **up to** but not including the column titled **PILCHARD TONNAGE CAUGHT**.

The fish can then be dispatched to the shore based processing plant. It is the responsibility of the fisher to make certain that all fish are accurately weighed within 24 hours of the consignment to the processor:

- (ii) The fisher shall upon being notified by the processor of the total weight of fish unloaded complete the columns headed, **PILCHARD TONNAGE CAUGHT, OTHER SPECIES, TONNAGE CAUGHT (This refers to other species) and REMARKS**.

For any unloading, if fishing has taken place on more than one day then this should be noted and the verified weight split as close as possible to reflect the actual quantities taken on each day of fishing.

(b) Unloading at sea or direct to a tuna cage:

The fisher shall complete all columns of the South Australian Pilchard Fishery Log Book immediately after capture and include an **estimated** tonnage in the column marked **PILCHARD TONNAGE CAUGHT**. The estimated tonnage should be based on a recorded number of boxes of a certain capacity (weight) filled.

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20. While engaged in the permitted activity the fisher must have in their possession the copy of this notice with which the Director of Fisheries has supplied them and produce that notice to a Fisheries Compliance Officer forthwith, if and when a Fisheries Compliance Officer requests them to produce it.

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SCHEDULE 2

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In waters described as **Area B**: one purse seine net having a mesh size of between 16 mm and 20 mm.

SCHEDULE 3

For the purposes of this notice, **Area A** is defined as:

Coastal waters within 3 nautical miles of high water mark or within 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

For the purposes of this notice, **Area B** is defined as:

Coastal waters more than 3 nautical miles to seaward of high water mark or more than 3 nautical miles to seaward of the base lines and bay closure lines described in Table 1.

Dated 29 February 2000.

W. ZACHARIN, Principal Fisheries Manager

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The Pages	35°47.25'S	138°17.15'E	to	35°50.70'S	138°07.95'E	Cape Willoughby
Vennachar Point	35°53.25'S	136°31.97'E	to	34°57.20'S	135°37.37'E	Cape Carnot
	34°57.20'S	135°37.37'E	to	34°56.90'S	135°37.40'E	
Pt Westall	32°54.38'S	134°03.53'E	to	32°43.60'S	133°57.77'E	Olives Island
Olives Island	32°43.60'S	133°57.77'E	to	32°35.18'S	133°17.07'E	Fenelon Island
Fenelon Island	32°34.92'S	133°16.73'E	to	32°33.80'S	133°16.58'E	Masillon Island
Masillon Island	32°33.80'S	133°16.58'E	to	32°30.90'S	133°15.03'E	West Island
West Island	32°30.47'S	133°14.87'E	to	32°13.52'S	133°06.62'E	Island 1 mile SW Pt Bell
	32°13.52'S	133°06.62'E	to	32°08.75'S	132°59.32'E	Sinclair Island
Sinclair Island	32°08.67'S	132°59.28'E	to	32°07.62'S	132°58.72'E	
	32°07.62'S	132°58.72'E	to	32°01.87'S	132°28.27'E	Point Fowler
Anxious Bay	33°12.05'S	134°19.63'E	to	33°35.68'S	134°45.05'E	
	33°35.83'S	134°45.90'E	to	33°35.98'S	134°46.50'E	
	33°36.72'S	134°48.33'E	to	33°37.47'S	134°49.67'E	
Encounter Bay	35°35.80'S	138°36.10'E	to	35°35.80'S	138°57.40'E	
Lacepede Bay	36°35.80'S	139°50.00'E	to	36°56.60'S	139°40.40'E	
Rivoli Bay	37°34.02'S	140°06.33'E	to	37°30.05'S	140°00.80'E	
	37°29.95'S	140°00.68'E	to	37°29.87'S	140°00.63'E	
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Coffin Bay	34°09.07'S	135°14.39'E	to	34°25.86'S	135°12.41'E	
Avoid Bay	34°35.49'S	135°06.75'E	to	34°41.78'S	135°19.65'E	