



FISHERIES MANAGEMENT ACT 2007
SECTION 78

**APPLICATION FOR A MINISTERIAL PERMIT TO
RELEASE AQUATIC RESOURCES - STAGE 1**
(Refer to Policy for the Release of Aquatic Resources)

Application Fee \$139

01/07/2023 – 30/06/2024

With this completed application:

(Please tick when complete)

- I have enclosed the application fee of \$139.
- If in a company name, I have attached an ASIC full company search extract, which lists all company directors (dated no older than 3 months).
- I have provided reports as required by condition of any previous permit, if applicable.
- I have checked if the proposed activity will be within an aquatic reserve.
- If the proposed activity is within an aquatic reserve/s, I have also applied for a permit pursuant to sections 76 and 77 of the *Fisheries Management Act 2007* (the Act).
- I have checked if the proposed activity will be within a specially protected area (eg any area of a Marine Park, Adelaide Dolphin Sanctuary or River Murray Protected Area).
- If the proposed activity is within a specially protected area, I have contacted the relevant authorities to obtain information on any requirements of that area.
- I have attached a map of the proposed location for activity
- I have attached an additional project outline(s) (if undertaking research activity)
- I have attached other permits (if applicable)
- I have read section 78 and 79A and the Objects of the Act provided in attachment and I believe my application supports these objectives.

All sections of this form must be completed. If additional space is needed, attach a separate page. Application Forms insufficiently or partially completed and not provided within two weeks of request, will be returned to the applicant.

Completed applications to:

PIRSA FISHERIES & AQUACULTURE

2 Hamra Avenue, West Beach. SA 5024

GPO Box 1625, Adelaide SA 5001

Telephone (08) 8207 5332 Facsimile (08) 8207 5331

Email PIRSA.MinisterialExemptionsandPermits@sa.gov.au

http://www.pir.sa.gov.au/fishing/permits_and_exemptions

PERSONAL OR COMPANY DETAILS

Applicant (*name the exemption is to be issued to*):

Date of Birth (*of applicant or nominated individual*):

If applicant is a company, organisation, or association, please provide name of person who will be acting on behalf of the company (*name and position title*):

Note: If applicant is a company or organisation please attach an ASIC full company search extract (dated no older than 3 months) which lists all company directors. If acting on behalf of a company and not a director or company secretary you must provide evidence of authorisation.

ABN:(if applicable) ACN.....(if applicable)

Residential / Business Address:

Postal Address:

Telephone (W) (M)..... (H)

Fax: Email address:.....

Are you a fishery licence holder under the *Fisheries Management Act 2007* or an aquaculture licence holder under the *Aquaculture Act 2001*? If so, please supply details:

.....
.....
.....

1. Describe what type of stocking will be undertaken (conservation stocking, stock enhancement or harvest stocking) and the purpose for the translocation of aquatic resources:

Biological reasons

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Social reasons

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Other

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Are the waters for the proposed release of aquatic resources within, or connected to, any specially protected area or State waters? If yes, please provide details. Please note that *specially protected areas* are defined in section 3 of the *Fisheries Management Act 2007* and include the River Murray, the Adelaide Dolphin Sanctuary and all areas of Marine Parks. Area details can be found at the following site: <http://www.environment.sa.gov.au> or telephone (08) 8204 1910.

Name of water body and exact location details (GPS location, map reference) where proposed release if aquatic resources

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

2. State the species and quantities of each to be released in the stock receiving waters:

Species (common and scientific names)	Life stage (i.e. egg, fry, fingerling, broodstock, etc.)	Size (length and/or weight)	Number to be stocked

3. Where will the species be sourced from (please circle)?

a) Wild caught: Y N

I. List location/s and local catchment (e.g. GPS Location, Map reference, nearest road, etc):

.....

.....

.....

.....

b) Aquaculture farm/ Hatchery Y N

I. Address:

II. PIRSA approved health certificate or vet check Y N

III. Genetically related to catchment/ waterbody Y N

IV. Is this hatchery subject to quality assurance program with regular disease testing?

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

4. Please detail how the transport medium and equipment will be treated before and after release of aquatic resources.

The transport medium (usually water and equipment used to transport the proposed aquatic resources for translocation can harbour pathogens and parasites). Appropriate disinfection procedures and appropriately designed transport vessels may reduce the load of pathogens and parasites or reduce the likelihood of spillage en-route. Indicate what treatment will be used and provide details on chemical type, dosage rates and disposal methodology (to ensure this activity complies with EPA legislations).

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

5. When will the proposed activity be undertaken?

.....

.....

.....

.....

.....

.....

.....

6. Have you previously been provided an Exemption or Permit for the same activity as the proposed activity? If so, please supply the Exemption or Permit number:

.....

.....

.....

.....

.....

.....

.....

7. Have you or any person associated with your company or organisation been convicted of an offence under fisheries or aquaculture legislation in Australia? If so, please supply details.

.....
.....
.....
.....
.....
.....

8. Can you provide any other relevant information? This includes examples of relevant experience, additional biosecurity measures, etc.

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

9. Are you applying for a fee waiver? (If so, please provide details i.e. how the application supports that of the *Fisheries Management Act 2007*. Waiver requests are considered on a case-by-case basis – separate document may be attached)

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

ADDITIONAL INFORMATION TO SUPPORT YOUR APPLICATION

Please provide any additional information that may support your application, including any social, economic or biological considerations. In particular, please include information to demonstrate how approval of your application would further the objectives of the *Fisheries Management Act 2007*:

The statutory objectives of the *Fisheries Management Act 2007* ("the Act") are set out in section 7. Please refer to the excerpts on page 10 or internet site for further details.

Your application will be assessed against these objectives and must be consistent with fisheries management and protection arrangements that apply under the Act.

Please note that where a proposed activity will take place within the boundaries of a **special****ly protected area** the proposal should also fit within the objectives of the relevant Act (sub-section 7(4)). For example where a proposed activity will take place within the boundaries of a Marine Park the proposal should also fit within the objectives of the *Marine Parks Act 2007*.

Electronic copies of the *Marine Parks Act 2007*, the *Adelaide Dolphin Sanctuary Act 2005* and the *River Murray Act 2003* can be found at the following internet site:

<http://www.legislation.sa.gov.au/browseActs.aspx>

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

DECLARATION

Full Name of Applicant

I(Natural Person/ Director) *

of (Address)

Contact Telephone Number:

hereby certify that the contents of this application is to the best of my knowledge and belief true and accurate. I know that the information provided is to be used for the purpose of the administration of the *Fisheries Management Act 2007* and if it is false or misleading in a material particular (whether by reason of inclusion or omission of any particular) I may be guilty of an offence.

I have completed the checklist on page 1 and addressed all matters

Dated the(day) of (month), 20..... (year)

Signed:

Witnessed by:
(Full Name)

of
(Address)

Signature of Witness:

*** Evidence may be required to prove authority to act on behalf of the company/organisation.**

Part 2—Objects of Act

7—Objects of Act

- (1) An object of this Act is to protect, manage, use and develop the aquatic resources of the State in a manner that is consistent with ecologically sustainable development and, to that end, the following principles apply:
 - (a) proper conservation and management measures are to be implemented to protect the aquatic resources of the State from over-exploitation and ensure that those resources are not endangered;
 - (b) access to the aquatic resources of the State is to be allocated between users of the resources in a manner that achieves optimum utilisation and equitable distribution of those resources to the benefit of the community;
 - (c) aquatic habitats are to be protected and conserved, and aquatic ecosystems and genetic diversity are to be maintained and enhanced;
 - (d) recreational fishing and commercial fishing activities are to be fostered for the benefit of the whole community;
 - (e) the participation of users of the aquatic resources of the State, and of the community more generally, in the management of fisheries is to be encouraged.
- (2) The principle set out in subsection (1)(a) has priority over the other principles.
- (3) A further object of this Act is that the aquatic resources of the State are to be managed in an efficient and cost effective manner and targets set for the recovery of management costs.
- (4) The Minister, the Director, the Council, the ERD Court and other persons or bodies involved in the administration of this Act, and any other person or body required to consider the operation or application of this Act (whether acting under this Act or another Act), must—
 - (a) act consistently with, and seek to further the objects of, this Act; and
 - (b) insofar as this Act applies to the Adelaide Dolphin Sanctuary, seek to further the objects and objectives of the *Adelaide Dolphin Sanctuary Act 2005*; and
 - (c) insofar as this Act applies to the River Murray, seek to further the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act; and
 - (d) insofar as this Act applies to areas within a marine park, seek to further the objects of the *Marine Parks Act 2007*.
- (5) For the purposes of subsection (1), **ecologically sustainable development** comprises the use, conservation, development and enhancement of the aquatic resources of the State in a way, and at a rate, that will enable people and communities to provide for their economic, social and physical well-being while—
 - (a) sustaining the potential of aquatic resources of the State to meet the reasonably foreseeable needs of future generations; and
 - (b) safeguarding the life-supporting capacity of the aquatic resources of the State; and
 - (c) avoiding, remedying or mitigating adverse effects of activities on the aquatic resources of the State,(taking into account the principle that if there are threats of serious or irreversible damage to the aquatic resources of the State, lack of full scientific certainty should not be used as a reason for postponing measures to prevent such damage).

Part 7—Offences

78—Unauthorised activities relating to exotic organisms or noxious species prohibited

- (1) A person must not, except as authorised by a permit issued by the Minister—
- (a) bring, or cause to be brought, into the State; or
 - (b) take from any waters; or
 - (c) sell, purchase or deliver; or
 - (d) have possession or control of, aquatic resources of a noxious species.

Maximum penalty:

- (a) in the case of a body corporate—\$250 000;
 - (b) in the case of a natural person—\$120 000.
- (2) A person must not, except as authorised by a permit issued by the Minister—
- (a) release or permit to escape into any waters—
 - (i) exotic fish; or
 - (ii) aquaculture fish; or
 - (iii) fish that have been kept apart from their natural habitat; or
 - (b) deposit in any waters—
 - (i) fish of a kind referred to in paragraph (a); or
 - (ii) exotic aquatic plants.

Maximum penalty:

- (a) in the case of a body corporate—\$250 000;
 - (b) in the case of a natural person—\$120 000.
- (3) The Minister must, before making a decision on an application for a permit that relates to, or is to apply in respect of, a specially protected area, consult with the relevant Minister.

79A—Permits

- (1) A permit issued by the Minister for the purposes of this Part—
- (a) is not transferable; and
 - (b) is subject to such conditions as the Minister thinks fit and specifies in the permit.
- (2) The Minister may at any time, by written notice given to the holder of a permit, vary or revoke a condition of the authority, or impose a further condition.
- (3) The holder of a permit issued for the purposes of this Part must not contravene a condition of the permit.

Maximum penalty:

- (a) in the case of a body corporate—\$250 000;
- (b) in the case of a natural person—\$120 000.

