



*Fisheries Management Act 2007*  
Section 76 and/or 77

# APPLICATION FOR A MINISTERIAL PERMIT TO UNDERTAKE ACTIVITIES WITHIN AN AQUATIC RESERVE

**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 exemption, if applicable.
- 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 76, 77 and 79A of the Act and the Objects of the Act provided in the 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 finalised 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](mailto:PIRSA.MinisterialExemptionsandPermits@sa.gov.au)

[http://www.pir.sa.gov.au/fishing/permits\\_and\\_exemptions](http://www.pir.sa.gov.au/fishing/permits_and_exemptions)

# **PERSONAL / COMPANY / ORGANISATION OR ASSOCIATION**

## **DETAILS**

Applicant (name the permit 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: ..... E-mail 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:

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## **LOCATION DETAILS**

1. Please tick the aquatic reserve/s where the proposed activity will occur (please provide details on attached maps and include GPS coordinates below)

Barker Inlet – St Kilda.....

Coobowie .....

St Kilda – Chapman Creek.....

Troubridge Hill.....

West Island .....

**Note:** If the proposed location for the activity is also within a Marine Park, the Adelaide Dolphin Sanctuary or the River Murray Protected Area you are advised you should contact the relevant authority, for contact information please visit the Department for Environment and Water at <http://www.environment.sa.gov.au>

## **DETAILS OF PROPOSED ACTIVITY**

2. Describe the reason the permit is required:

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3. Provide the reasons for the intended activity:

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4. Describe the activities that you propose to undertake within the Aquatic Reserve:

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5. Provide the name, address and licence number (if applicable) of the nominated agents who may collect the species on your behalf

Name	Address	Lic No

## SPECIES AND EQUIPMENT DETAILS

6. State the species and quantities of each to be collected:

\*Common name and scientific name can be found at this link: [www.fishnames.com.au/](http://www.fishnames.com.au/)

\*\* Protected species can be found at this link: [http://pir.sa.gov.au/fishing/protected\\_species](http://pir.sa.gov.au/fishing/protected_species)

\*\*\* Noxious species can be found at this link: [http://pir.sa.gov.au/biosecurity/aquatics/aquatic\\_pests/noxious\\_fish\\_list](http://pir.sa.gov.au/biosecurity/aquatics/aquatic_pests/noxious_fish_list)

Species to be retained (Common name, Scientific name*)	Quantity	Description ie Lifestage/size	Protected* *	Noxious***
			Y / N	Y / N
			Y / N	Y / N
			Y / N	Y / N
			Y / N	Y / N
			Y / N	Y / N
Species to be surveyed (not retained) (Common name, Scientific name*)	Quantity	Description ie Lifestage/size	Protected	Noxious***
			Y / N	Y / N
			Y / N	Y / N
			Y / N	Y / N
			Y / N	Y / N
			Y / N	Y / N

**Note:** If the proposed activity relates to protected or noxious species you may also require permits issued under other legislation. An exemption may also be required for bag, boat and size limits if outside the current regulations.

7. What equipment including quantity and dimensions will be used to undertake the proposed activity? (Diagrams or photographs may be attached to support your application)

Equipment type	Quantity	Dimensions

8. Describe the method intended to undertake the proposed activity:

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9. Will a boat be used to undertake the proposed activity?

Boat name	Length	Registration number	Survey details

**IMPACT ON THE ENVIRONMENT**

10. Will the activity involve disturbance of water beds or will there be removal or interference with animals or plants? *(please provide details)*

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11. What will be done to minimize the risk of species or habitat disturbance during the activity?

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12. Have other sites been considered that are not with an aquatic reserve? If there are no other sites, please explain why other sites are not suitable:

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**TIMEFRAMES**

13. What is the proposed timeframes of when the activity will be undertaken?

Commencement Date:..... Conclusion Date:.....

**HISTORY DETAILS**

14. Have you previously been provided a Ministerial Exemption or Permit for the same proposed activity? If so, please supply Ministerial Exemption/Permit number:

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15. Do you hold a permit issued by another authority for the proposed activity? If so, please provide details.

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16. Have you, proposed agents or any director of your company/organisation have any pending or prior convictions for any offence under fisheries, aquaculture or conservation legislation in Australia? If so, please supply details:

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

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## 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 9 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 **specialy 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>

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## 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).

## Offences – Part 7

### 76—Entering etc aquatic reserve, or engaging in fishing activity in aquatic reserve, without authorisation prohibited

Except as authorised by the regulations or a permit issued by the Minister, a person must not—

- (a) enter or remain in an aquatic reserve; or
- (b) engage in a fishing activity in an aquatic reserve.

Maximum penalty:

- (a) for a first offence—\$5 000;
- (b) for a second offence—\$10 000;
- (c) for a third or subsequent offence—\$20 000.

Expiation fee: \$315.

### 77—Disturbance of water beds, or removal or interference with animals or plants, in aquatic reserve without authorisation prohibited

(1) Except as authorised by the regulations or a permit issued by the Minister, a person must not engage in an operation involving or resulting in—

- (a) disturbance of the bed of any waters forming part of an aquatic reserve; or
- (b) removal of or interference with aquatic or benthic animals or plants of any waters forming part of an aquatic reserve.

Maximum penalty:

- (a) for a first offence—\$5 000;
- (b) for a second offence—\$10 000;
- (c) for a third or subsequent offence—\$20 000.

Expiation fee: \$315.

(2) In subsection (1)—

***aquatic or benthic animals or plants* includes mangroves but does not include a species of fin fish, shark, crustacean, mollusc, echinoderm, coelenterata or annelid prescribed for the purposes of this section.**

### 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.

# Barker Inlet - St Kilda Aquatic Reserve

The Barker Inlet - St Kilda Aquatic Reserve protects important fish nursery habitat and breeding grounds, where the following rules apply:

## Permitted activities

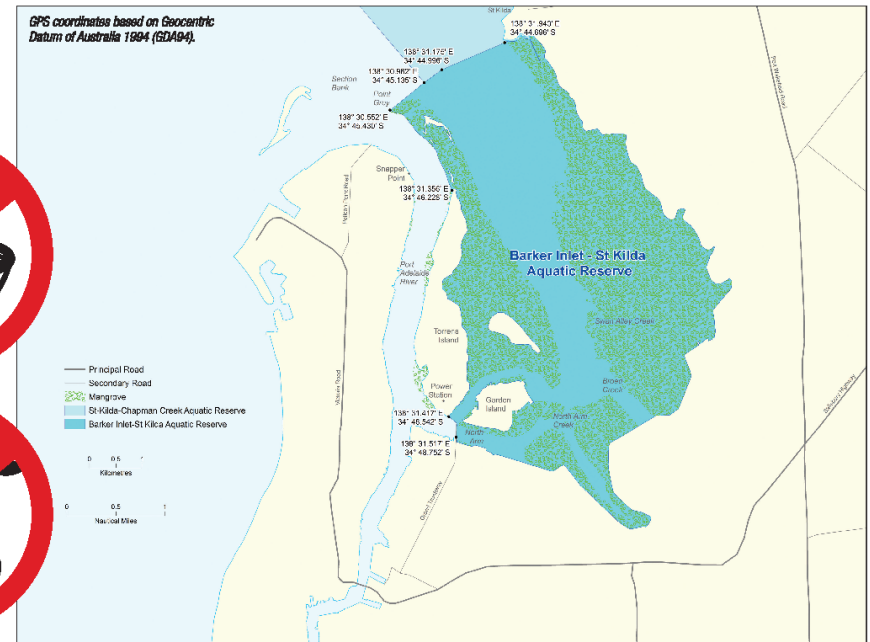
Only certain low impact activities are allowed within the reserve.

They include:

- ✓ Boating
- ✓ Fishing by rod and line or handline
- ✓ Taking bloodworms using a hand net

## Prohibited activities

- ✗ Collecting or removing any marine organism except fish by the use of rod and line or handline
- ✗ No crabbing or use of crab nets



**Maximum penalty of \$20,000 applies.**

For more information visit: [www.pir.sa.gov.au/fishing](http://www.pir.sa.gov.au/fishing)  
or download the free SA Recreational Fishing Guide app



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# St Kilda - Chapman Creek Aquatic Reserve

The St Kilda - Chapman Creek Aquatic Reserve protects important fish nursery habitat and breeding grounds, where the following rules apply:

## Permitted activities

Only certain low impact activities are allowed within the reserve.

They include:

- ✓ The taking of blue swimmer crabs by hand, crab rake or hoop net
- ✓ Land-based fishing from the breakwater **only** with rod and line or handline

## Prohibited activities

- ✗ Bait digging
- ✗ Fishing (other than land-based line fishing from the breakwater)
- ✗ Collecting or removing any marine organism (other than blue swimmer crabs)

**Maximum penalty of \$20,000 applies.**



For more information visit: [www.pir.sa.gov.au/fishing](http://www.pir.sa.gov.au/fishing)  
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# Coobowie Aquatic Reserve

Coobowie Aquatic Reserve protects important fish nursery habitats in Salt Swamp Creek and a section of Salt Creek Bay, where the following rules apply:

## Area 1 (Salt Creek Bay)

Only certain low impact activities are allowed within the reserve.

They include:

- ✓ Fishing from boat or shore using a rod and line or handline
- ✓ Boating
- ✓ Diving
- ✓ Swimming

## Area 2 (Salt Swamp Creek lagoon west of the main road causeway)

The following activities are prohibited:

- ✗ Fishing
- ✗ Collecting or removing any marine organisms



**Maximum penalty of \$20,000 applies.**

For more information visit: [www.pir.sa.gov.au/fishing](http://www.pir.sa.gov.au/fishing)  
or download the free SA Recreational Fishing Guide app



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# Troubridge Hill Aquatic Reserve

Troubridge Hill Aquatic Reserve protects a diverse intertidal reef and sub-tidal reef community, where the following rules apply:

## Permitted activities

Only certain low impact activities are allowed within the reserve.

They include:

- ✓ Fishing by rod and line or handline
- ✓ Boating
- ✓ Diving
- ✓ Swimming

## Prohibited activities

- ✗ Collecting or removing any marine organism by any method other than line fishing

The wreck of the 109 metre *S.S. Clan Ranald* lies in 22 metres of water within the reserve. Strong tidal currents occur in the vicinity of the wreck so care must be taken when diving at the site.

**Maximum penalty of \$20,000 applies.**



For more information visit: [www.pir.sa.gov.au/fishing](http://www.pir.sa.gov.au/fishing)  
or download the free SA Recreational Fishing Guide app



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# West Island Aquatic Reserve

The West Island Aquatic Reserve protects the resident marine organisms and enables long term research to be conducted. The following rules apply:

## Area 1 (West Island Encounter Bay Fishing Zone)

✘ Rock lobster pots are prohibited at all times

Only the following low impact activities are allowed:

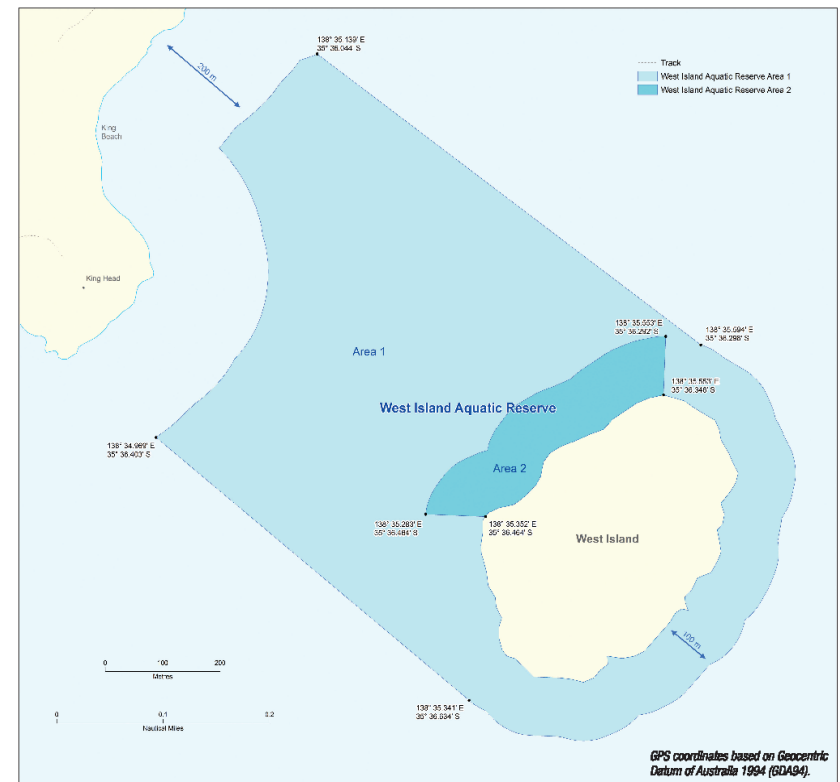
- ✓ Boating
- ✓ Recreational diving
- ✓ Swimming
- ✓ Fishing by rod and line or handline

## Area 2 (Marine Park Restricted Access Zone)

✘ No public entry permitted at any time



**Maximum penalty of \$20,000 applies.**



For more information visit: [www.pir.sa.gov.au/fishing](http://www.pir.sa.gov.au/fishing)  
or download the free SA Recreational Fishing Guide app



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