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SPECIAL SUPPLEMENT

FISHERIES MANAGEMENT ACT 1994

Order under Section 183 – Quarantine Order

QX Disease

Macleay River

I, DOUG HOCKING, Executive Director Biosecurity, Compliance and Mine Safety, pursuant to section 183 of the Fisheries Management Act 1994 (“the Act”) and with the delegated authority of the Minister for Primary Industries and the Director-General of NSW Department of Primary Industries under sections 227 and 228 of that Act, do by this order:

1. declare all waters of the Macleay River to be a quarantine area, (“the Quarantine Area”), because of the presence or suspected presence of the declared disease marteiliosis (QX disease);
2. prohibit the taking of all species of oysters from the Quarantine Area otherwise than in accordance with this order;
3. exclude sections 185 and 186 of the Fisheries Management Act 1994 with respect to oysters taken from the Quarantine Area or any part of the Quarantine Area in accordance with this order;
4. subject to paragraph 5 below, prohibit the taking of oysters or movement of cultivation equipment and infrastructure in and from the Quarantine Area except under the following conditions:
 - a. Oysters taken from the Quarantine Area may be relocated within the Quarantine Area.
 - b. Oysters may be taken from the Quarantine Area and used for human consumption provided that they are depurated in depuration plants located in or adjacent to the Quarantine Area or in accordance with a protocol approved by the Executive Director Biosecurity, Compliance and Mine Safety.
 - c. Oysters may be taken and culled in or adjacent to the Quarantine Area, subject to conditions 4a – b, or in accordance with a protocol approved by the Executive Director Biosecurity, Compliance and Mine Safety.
 - d. Oysters and/or oyster cultivation material and infrastructure may only be taken from the Quarantine Area for disposal or relocation to places approved by the Executive Director Biosecurity, Compliance and Mine Safety and in accordance with protocols approved by that officer.
5. require all holders of aquaculture permits within the Quarantine Area to follow all directions of a fisheries officer made under section 183 (4) (b) of the Act.

Definitions

In this order:

”Macleay River” includes the banks and foreshores of Macleay River and its tributaries and any jetty, wharf, boat ramp or land used for aquaculture purposes in the immediate vicinity of its waters;

This order shall be in force for a period of 6 months from the date of publication.

Dated this 25th day of August 2006.

D. F. HOCKING,
Executive Director Biosecurity, Compliance and Mine Safety,
NSW Department of Primary Industries

Explanatory Note: The object of this order is to ensure an effective control program regarding the disease marteiliosis (QX disease) which affects Sydney rock oysters. Copies of the protocols regarding the taking and possession of oysters under this order are available from NSW Department of Primary Industries, Port Stephens Fisheries Centre, Taylors Beach Road, Taylors Beach phone (02) 4982 1232.

PROTOCOL – MACLEAY RIVER

Relocation of Oyster Cultivation Material and Infrastructure

I, DOUG HOCKING, Executive Director Biosecurity, Compliance and Mine Safety, approve the following protocol for the relocation of oysters, oyster cultivation material and infrastructure as an approved protocol for the purposes of paragraph 4 (d) of the s183 quarantine order made by me on 25 August 2006.

1. Oysters, oyster cultivation material and infrastructure may be relocated from the Macleay River directly to the Hawkesbury River (excluding Patonga Creek), the Georges River, the Clarence River or the Richmond River but only in accordance with the Oyster Shipment Log Book System for the movement of oysters.
2. Oysters may also be taken from the Quarantine Area for the purpose of interstate translocation. This provision does not override any requirement for approval from the receiving jurisdiction.

NOTE:

1. Oyster Shipment Log Books are available on application from the NSW DPI Aquaculture Administration Branch, Locked Bag 1, Nelson Bay NSW 2315.
2. The Oyster Shipment Log Book System for the movement of oysters includes a requirement that, at least 48 hours prior to any shipment of oysters, the local District Fisheries Office be provided with the identity of the shipper, the nature of the shipment, the destination of the shipment and the Oyster Shipment Logbook shipment permit number.
3. Further details regarding the Oyster Shipment Log Book System for the movement of oysters are available from the NSW Department of Primary Industries Port Stephens Fisheries Centre, Taylors Beach Road, Taylors Beach, phone (02) 4982 1232 and at [http://www.fisheries.nsw.gov.au/general/homepage/general/qx_\(marteiliosis\)_disease_control](http://www.fisheries.nsw.gov.au/general/homepage/general/qx_(marteiliosis)_disease_control)

Dated this 25th day of August 2006.

D. F. HOCKING,
Executive Director Biosecurity, Compliance and Mine Safety,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Notification under Section 8 – Fishing Closure

Macleay River

I, DOUG HOCKING, Executive Director Biosecurity, Compliance and Mine Safety, pursuant to section 8 of the Fisheries Management Act 1994 (“the Act”) and with the delegated authority of the Minister for Primary Industries and the Director-General of NSW Department of Primary Industries under sections 227 and 228 of that Act, do by this notification prohibit the taking of all species of oysters in all waters of the Macleay River with the following exception:

- (i). Oysters may be taken pursuant to the provisions of any quarantine order that applies to those waters and that may be in place at the relevant time.

This notification will be effective for a period of 6 months from the date of publication.

Dated this 25th day of August 2006.

D. F. HOCKING,
Executive Director Biosecurity, Compliance and Mine Safety,
NSW Department of Primary Industries

Explanatory Note: This fishing closure prohibits the taking of all species of oysters for commercial, aquaculture or recreational purposes from the waters of the Macleay River. The taking of oysters and related activity for aquaculture purposes is subject to a quarantine order made under section 183 of the Fisheries Management Act 1994 and the provisions of Part 6 of that Act. Details regarding the quarantine order are available from NSW Department of Primary Industries at Port Stephens Fisheries Centre (02) 4982 1232 and NSW Department of Primary Industries web site .