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SPECIAL SUPPLEMENT

FISHERIES MANAGEMENT Act 1994

Section 8 and Section 11 Notification – Fishing Closure
Richmond and Wilsons Rivers and Adjacent Ocean Waters

I, Renata Brooks, Deputy Director-General, Agriculture, Fisheries and Regional Relations, with the delegated authority of the Minister for Primary Industries and the Director-General of the NSW Department of Primary Industries pursuant to sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”), do by this notification:

1. pursuant to s.11 of the Act, revoke the notification titled “Richmond and Wilsons Rivers and Adjacent Ocean Waters” published in *Government Gazette* No. 9 of 18 January 2008 at pages 101-102 (and any notification revived as a result of this revocation);
2. pursuant to section 8 of the Act, prohibit the taking of fish of the species specified in Column 1 of the Schedule below, by the methods of fishing specified opposite in Column 2 of the Schedule, from the waters described opposite in Column 3 of the Schedule.

SCHEDULE

Column 1 Species*	Column 2 Methods*	Column 3 Waters
All species except oysters cultivated under an Aquaculture Permit issued under the Act and moved or harvested in accordance with the NSW Shellfish Program administered by the NSW Food Authority	All methods	All waters of the Richmond and Wilsons Rivers and tributaries
All species except: <ul style="list-style-type: none"> ▪ Spanish mackerel (<i>Scomberomorus commerson</i>) ▪ Spotted mackerel (<i>Scomberomorus munroi</i>) ▪ Mackerel tuna (<i>Euthynnus affinis</i>) ▪ Yellowfin tuna (<i>Thunnus albacare</i>) ▪ Australian bonito (<i>Sarda australis</i>) ▪ Cobia / Black kingfish (<i>Rachycentron canadum</i>) ▪ Black marlin (<i>Makaira indica</i>) ▪ Yellowtail scad (<i>Trachurus novaezealandiae</i>) ▪ Blue mackerel (<i>Scomber australasicus</i>) ▪ Pilchard (<i>Sardinops neopilchardus</i>) 	All methods	Ocean waters adjacent to the Richmond River bounded by a line commencing at the eastern extremity of the southern breakwater then generally south along the mean high water mark to 28° 53.906S, 153° 33.706E (adjacent to Keith Hall Lane), then south east to 28° 54.028S, 153° 34.573E (the western boundary of the Ocean Trawl Refuge Area), then generally north along the western boundary of the Ocean Trawl Refuge Area to a point 28° 50.589S, 153° 37.011E, then west to the eastern extremity of Flat Rock at 28° 50.587S, 153° 36.521E, then generally south along the mean high water mark to the eastern extremity of the northern breakwater and back to the point of commencement
<ul style="list-style-type: none"> ▪ Spanish mackerel (<i>Scomberomorus commerson</i>) ▪ Spotted mackerel (<i>Scomberomorus munroi</i>) ▪ Mackerel tuna (<i>Euthynnus affinis</i>) ▪ Yellowfin tuna (<i>Thunnus albacare</i>) ▪ Australian bonito (<i>Sarda australis</i>) ▪ Cobia / Black kingfish (<i>Rachycentron canadum</i>) ▪ Black marlin (<i>Makaira indica</i>) ▪ Yellowtail scad (<i>Trachurus novaezealandiae</i>) ▪ Blue mackerel (<i>Scomber australasicus</i>) ▪ Pilchard (<i>Sardinops neopilchardus</i>) 	All methods except a landing net, a hand held line and a drift line as prescribed by clauses 53, 66 and 68 respectively of the General Regulation	Ocean waters adjacent to the Richmond River bounded by a line commencing at the eastern extremity of the southern breakwater then generally south along the mean high water mark to 28° 53.906S, 153° 33.706E (adjacent to Keith Hall Lane), then south east to 28° 54.028S, 153° 34.573E (the western boundary of the Ocean Trawl Refuge Area), then generally north along the western boundary of the Ocean Trawl Refuge Area to a point 28° 50.589S, 153° 37.011E, then west to the eastern extremity of Flat Rock at 28° 50.587S, 153° 36.521E, then generally south along the mean high water mark to the eastern extremity of the northern breakwater and back to the point of commencement

* Note all other regulatory provisions that normally apply to commercial and recreational fishing activities apply to activities exempted from this fishing closure - for example, pursuant to cl.7 of the *Fisheries Management (General) Regulation 2002* commercial fishers cannot lawfully take black marlin.

In the Schedule to this notification:

“General Regulation” means the *Fisheries Management (General) Regulation 2002*.

Latitude and longitude coordinates are in WGS84 datum.

The provisions of this fishing closure in respect of endorsement holders in the Estuary General, Ocean Hauling, Ocean Trawl and Ocean Trap and Line fisheries have effect despite any provisions in the *Fisheries Management (Estuary General Share Management Plan) Regulation 2006*, *Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006*, *Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006* and the *Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006*.

This fishing closure is effective from the date of publication of this notification until Friday 14 March 2008 unless sooner amended or revoked, noting that this notification may be amended or revoked by way of a special supplement in the Government Gazette on any week day.

Note: The purpose of this fishing closure is to modify an earlier closure dealing with an environmental emergency, being the protection of fish displaced by severe flooding in the region and to enable replenishment of fish stocks, so as to enable certain line fishing methods for pelagic fish which will not compromise the objectives of the earlier closure.

Dated this 22nd day of February 2008.

RENATA BROOKS,
Deputy Director-General
Agriculture, Fisheries and Regional Relations
NSW Department of Primary Industries

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