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OF THE STATE OF
NEW SOUTH WALES

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SPECIAL SUPPLEMENT

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Declaration of Critical Infrastructure Projects under Section 75C of the
Environmental Planning and Assessment Act 1979

I, the Minister for Planning, having formed the opinion that the category of development referred to in the Schedule is essential for the State for economic reasons, and for social reasons, and for environmental reasons, declare projects within that category to be a critical infrastructure projects under section 75C of the Environmental Planning and Assessment Act 1979.

FRANK SARTOR, M.P.,
Minister for Planning
Sydney, 26 February 2008

SCHEDULE

Development for the purpose of a facility for the generation of electricity, being development that:

- (a) has capacity to generate at least 250 megawatts, and
 - (b) is the subject of an application lodged pursuant to section 75E or section 75M of the Environmental Planning and Assessment Act 1979 prior to 1 January 2013.
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FISHERIES MANAGEMENT ACT 1994

Section 8 and Section 11 Notification – Fishing Closure

Ocean Waters Adjacent to the Richmond and Wilsons Rivers

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to the Fisheries Management Act 1994 (“the Act”), do by this notification:

1. pursuant to section 11 of the Act, revoke the notification titled “Richmond and Wilsons Rivers and Adjacent Ocean Waters” published in *Government Gazette* No. 22 (Special Supplement) of 22 February 2008 at pages 1213-1216 (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: <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 novaezelandiae</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 novaezelandiae</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 clause 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 earlier closures dealing with an environmental emergency, being the severe flooding in the Richmond River catchment. This closure is to re-open commercial and recreational fishing in the Richmond and Wilsons Rivers, and maintain access to certain line fishing methods for pelagic fish in the adjacent ocean waters. Some fishing methods remain prohibited in the adjacent ocean waters to protect fish still displaced by the flood.

Dated this 27th day of February 2008.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

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