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SPECIAL SUPPLEMENT

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Fingal Bay Beach

I, PAUL O’CONNOR, Principal Director, Fisheries & Compliance, with the delegated authority of the Minister for Primary Industries and the Director-General of the Department of Industry and Investment pursuant to sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”) and pursuant to section 8 of the Act, do by this notification prohibit the taking of the species of fish specified in Column 1 of the Schedule by all recreational fishers, by the methods of fishing specified in Column 2 of the Schedule, from the waters described in Column 3 of the Schedule.

This prohibition is effective for a period of three months from the date of publication of this notification, unless sooner amended or revoked.

Schedule

Fingal Bay Beach

Column 1 Species	Column 2 Methods	Column 3 Waters
All invertebrates.	All methods except line fishing.	Fingal Bay boat ramp to southern end of Fingal Beach including the intertidal zone extending 100 metres out to high water mark.

Note: This closure applies to recreational fishers only.

Dated this 28th day of January 2010.

PAUL O’CONNOR,
Principal Director, Fisheries & Compliance
Department of Industry and Investment

PLANT DISEASES ACT 1924**ORDER [OR106]**

Order authorising entry onto land or premises for the carrying out of Fruit Fly treatments in the New South Wales Fruit Fly Exclusion Zone

I, STEVE WHAN, M.P., Minister for Primary Industries, pursuant to section 13A of the *Plant Diseases Act 1924*, believe that this Order is necessary in order to avoid an adverse effect on trade in fruit, and by this Order I hereby:

- (a) from the 15 February 2010, authorise an inspector to enter all land or premises located within the area known as the New South Wales Fruit Fly Exclusion Zone to carry out the fruit fly treatment specified in Schedule 1, to control the pest Queensland Fruit Fly, and
- (b) provide that the process for objecting to the carrying out of fruit fly treatment is as specified in Schedule 2.

SCHEDULE 1**Fruit Fly Treatment**

In this Order:

fruit fly treatment means any one or a combination of the following:

- (a) Fruit fly bait spraying: A registered insecticide plus protein autolysate extract is applied to plant foliage as a spot spray from a backpack spray unit or a powered spray unit.
Note: The registered insecticide is Hy-Mal® that has the active constituent maldison. The protein autolysate extract is Pinnacle® or Natflav 500®. This pesticide is to be used in accordance with the Hy-Mal® label directions for “Fruit Fly Lure Eradication only”.
- (b) Fruit fly bait spraying: Naturalure® Fruit Fly Bait Concentrate which is a protein and sugar based bait containing the active constituent spinosad is applied to plant foliage as a spot spray from a backpack spray unit.
Note: The registered pesticide is to be used in accordance with the Naturalure® label directions for use for the control of fruit flies.
- (c) Cover spray of fruit trees: A registered insecticide spray is applied to the plant foliage and fruit on fruit trees as a mist spray from a backpack spray unit or by a powered spray unit.
Note: The registered insecticide is Lebaycid® that has the active constituent fenthion.
- (d) Cover spraying of compost heaps and ground under Queensland fruit fly infested trees: An insecticide, containing the active constituent chlorpyrifos, is applied to compost heaps and ground under infested trees as a mist spray from a backpack spray unit or by a powered spray unit.
Note: The pesticide is to be used in accordance with Permit Number PER9830 (Version 1) issued by the Australian Pesticide & Veterinary Medicines Authority.
- (e) Fruit fly male annihilation blocks: A fibre board block, containing the active constituents maldison and methyl eugenol, is fixed by a nail to a light pole or hung by wire in vegetation 1.5 to 2.0 metres above the ground.
Note: The pesticide is to be used in accordance with Permit Number PER10169 (Version 1) issued by the Australian Pesticide & Veterinary Medicines Authority.

- (f) Fruit removal and disposal: Fruit and or vegetables are picked from the fruit fly host plant and placed in a sealed bag for disposal in a local government authority waste disposal facility.
- (g) The release of sterile Queensland Fruit Fly.

SCHEDULE 2

Objection to fruit fly treatment authorised by this Order

1. An occupier of land or premises on which fruit fly treatment is authorised by this Order to be carried out may object to the carrying out of the fruit fly treatment.
2. An objection must:
 - (a) be in writing addressed to the Director-General of Industry and Investment NSW, and
 - (b) identify the property concerned, the name and contact details of the person objecting.
3. An objection will only be considered if it is:
 - (a) received by the Regional Director South West, Industry and Investment NSW, Private Mail Bag, YANCO NSW 2703, by 4:00pm on 12 February 2010, or
 - (b) given to an inspector who, for the purpose of carrying out the fruit fly treatment, has entered the land or premises of the person objecting to the fruit fly treatment being carried out.
4. An objection received under paragraph 3(a) of Schedule 2 but not within the time specified in that paragraph, may be considered before the time that an inspector attends a property to carry out the fruit fly treatment.

Definitions

In this Order:

fruit fly means any species of fruit fly of the Family *Tephritidae*.

New South Wales Fruit Fly Exclusion Zone means the area known as the New South Wales Fruit Fly Exclusion Zone, as specified in Proclamation P184 published in *New South Wales Government Gazette* No. 152 of 28 November 2008, at pages 11434 - 11435.

This Order remains in force for 6 months from the date it is made.

Dated this 28th day of January 2010.

STEVE WHAN, M.P.,
Minister for Primary Industries

Note: The Industry & Investment NSW reference is OR106. For further information contact the Department on (02) 6626 2449 or (02) 6951 2651.

PLANT DISEASES ACT 1924

ORDER [OR107]

Order authorising entry onto land or premises for the carrying out of Fruit Fly treatments in the New South Wales Fruit Fly Risk Reduction Zone

I, STEVE WHAN MP, Minister for Primary Industries, pursuant to section 13A of the *Plant Diseases Act 1924*, believe that this Order is necessary in order to avoid an adverse effect on trade in fruit, and by this Order I hereby:

- (a) from the 15 February 2010, authorise an inspector to enter all land or premises located within the area known as the New South Wales Fruit Fly Risk Reduction Zone to carry out the fruit fly treatment specified in Schedule 1, to control the pest Queensland Fruit Fly, and
- (b) provide that the process for objecting to the carrying out of fruit fly treatment is as specified in Schedule 2.

SCHEDULE 1
Fruit Fly Treatment

In this Order:

fruit fly treatment means any one or a combination of the following:

- (a) **Fruit fly bait spraying:** A registered insecticide plus protein autolysate extract is applied to plant foliage as a spot spray from a backpack spray unit or a powered spray unit.
Note: The registered insecticide is Hy-Mal® that has the active constituent maldison. The protein autolysate extract is Pinnacle® or Natflav 500®. This pesticide is to be used in accordance with the Hy-Mal® label directions for “Fruit Fly Lure Eradication only”.
- (b) **Fruit fly bait spraying:** Naturalure® Fruit Fly Bait Concentrate which is a protein and sugar based bait containing the active constituent spinosad is applied to plant foliage as a spot spray from a backpack spray unit.
Note: The registered pesticide is to be used in accordance with the Naturalure® label directions for use for the control of fruit flies.
- (c) **Cover spray of fruit trees:** A registered insecticide spray is applied to the plant foliage and fruit on fruit trees as a mist spray from a backpack spray unit or by a powered spray unit.
Note: The registered insecticide is Lebaycid® that has the active constituent fenthion.
- (d) **Cover spraying of compost heaps and ground under Queensland fruit fly infested trees:** An insecticide, containing the active constituent chlorpyrifos, is applied to compost heaps and ground under infested trees as a mist spray from a backpack spray unit or by a powered spray unit.
Note: The pesticide is to be used in accordance with Permit Number PER9830 (Version 1) issued by the Australian Pesticide & Veterinary Medicines Authority.
- (e) **Fruit fly male annihilation blocks:** A fibre board block, containing the active constituents maldison and methyl eugenol, is fixed by a nail to a light pole or hung by wire in vegetation 1.5 to 2.0 metres above the ground.
Note: The pesticide is to be used in accordance with Permit Number PER10169 (Version 1) issued by the Australian Pesticide & Veterinary Medicines Authority.
- (f) **Fruit removal and disposal:** Fruit and or vegetables are picked from the fruit fly host plant and placed in a sealed bag for disposal in a local government authority waste disposal facility.
- (g) **The release of sterile Queensland Fruit Fly.**

SCHEDULE 2

Objection to fruit fly treatment authorised by this Order

4. An occupier of land or premises on which fruit fly treatment is authorised by this Order to be carried out may object to the carrying out of the fruit fly treatment.
5. An objection must:
 - (a) be in writing addressed to the Director-General of the Industry and Investment NSW, and
 - (b) identify the property concerned, the name and contact details of the person objecting.
6. An objection will only be considered if it is:
 - (a) received by the Regional Director South West, Industry and Investment NSW, Private Mail Bag, YANCO NSW 2703, by 4:00pm on 12 February 2010, or
 - (b) given to an inspector who, for the purpose of carrying out the fruit fly treatment, has entered the land or premises of the person objecting to the fruit fly treatment being carried out.
4. An objection received under paragraph 3(a) of Schedule 2 but not within the time specified in that paragraph, may be considered before the time that an inspector attends a property to carry out the fruit fly treatment.

Definitions

In this Order:

fruit fly means any species of fruit fly of the Family *Tephritidae*.

New South Wales Risk Reduction Zone means the New South Wales Local Government Areas of Bland, Coolamon, Greater Hume, Lachlan, Lockhart and Wagga Wagga .

This Order remains in force for 6 months from the date it is made.

Dated this 28th day of January 2010.

STEVE WHAN, M.P.,
Minister for Primary Industries

Note: The Industry and Investment NSW reference is OR107. For further information contact the Department on (02) 6626 2449 or (02) 6951 2651.

PUBLIC CONSULTATION ON PROPOSED MINING REGULATION 2009**ERRATUM**

IN the notice appearing in the New South Wales Government Gazette No. 26 of the 29 January 2010, Folio, 3096 under the heading "Public Consultation on Proposed Mining Regulation 2009", in respect to the proposed Mining Regulation 2009 was published in error. The correct notice will be published at a later date.

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