



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 27
Friday, 9 March 2012

Published under authority by Government Advertising

SPECIAL SUPPLEMENT

FISHERIES MANAGEMENT ACT 1994

Sections 8, 9 and 11 Notification – Urgent Fishing Closure

Ocean Waters immediately south of the Clarence River and from Woody Bay to Flat Rock (north of Ballina)

I, GEOFF ALLAN, Executive Director, Fisheries NSW, with the delegated authority of the Minister for Primary Industries and the Director-General of the Department of Trade and Investment, Regional Infrastructure and Services pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”), do by this notification:

1. pursuant to section 11 of the Act revoke the following fishing closures:
 - (a) the fishing closure titled ‘Ocean Waters north of Iluka (Shark Bay) and off Evans Head’ published in *NSW Government Gazette* No. 20 of 17 February 2012 at page 437, and
 - (b) the fishing closure titled ‘Ocean Waters north of the Clarence, Evans and Richmond Rivers’ dated 24 February 2012,
 and any notifications revived as a result of these revocations; and
2. pursuant to section 8 of the Act prohibit the taking of all species of fish by the method of otter trawl net (prawns) by all endorsement holders in the Ocean Trawl Fishery in the waters described in Column 1 of the Schedule to this notification for the period specified in Column 2 of that Schedule, unless under the direct supervision of an employee of the Department of Primary Industries or otherwise with the consent of the Executive Director, Fisheries NSW for the purpose of undertaking trials to determine the abundance and/or size of fish (including prawns) and informing any decision to amend or revoke this fishing closure.

SCHEDULE

<i>Column 1 – Waters</i>	<i>Column 2 – Period</i>
<p><i>Ocean waters adjacent to and south of the Clarence River</i></p> <p>The whole of the waters within an area bounded by a line commencing at 29°25.520'S, 153°22.320'E (the eastern extremity of the northern break wall at the entrance to the Clarence River) then drawn east to 29°25.600'S, 153°23.020'E (on the western boundary of the Angourie Point Juvenile King Prawn Closure), then generally south along the western boundary of the Angourie Point Juvenile King Prawn Closure as set out in Schedule 2 to clause 8 of the Appendix to the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006 to its junction with the mean high water mark on Angourie Point, then generally north along the mean high water mark (and across the Clarence River at the eastern extremities of the break walls) to the point of commencement. References to directions are indicative only.</p>	<p>Ocean waters adjacent to and south of the Clarence River: until such time as this notification expires, is revoked or amended (following trawl trials).</p>

<i>Column 1 – Waters</i>	<i>Column 2 – Period</i>
<p><i>Ocean waters immediately north of the Clarence River</i></p> <p>The whole of the waters within an area bounded by a line commencing at 29°25.520'S, 153°22.320'E (the eastern extremity of the northern break wall at the entrance to the Clarence River) then drawn east to 29°25.600'S, 153°23.020'E (on the western boundary of the Angourie Point Juvenile King Prawn Closure), then generally north along the western boundary of the Angourie Point Juvenile King Prawn Closure as set out in Schedule 2 to clause 8 of the Appendix to the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006 to 29°22.887'S, 153°23.390'E, then due west to 29°22.887'S, 153°22.343'E (the mean high water mark on the eastern extremity of Second Bluff, Iluka) then generally south along the mean high water mark (including along the northern side of the northern break wall) back to the point of commencement. References to directions are indicative only.</p>	<p>Ocean waters immediately north of the Clarence River: until midnight Friday 9 March 2012 (1 day).</p>
<p><i>Ocean waters between Shark Bay (Iluka) and Snapper Rock (Evans Head)</i></p> <p>The whole of the waters within an area bounded by a line commencing at 29°21.534'S, 153°21.766'E (the eastern extremity of Poverty Bay Rocks at the northern end of Woody Bay) then drawn north north east to 29°15.000'S, 153°23.390'E (the south west corner of the Evans Head Juvenile King Prawn Closure), then north east along the western boundary of the Evans Head Juvenile King Prawn Closure as set out in Schedule 2 to clause 8 of the Appendix to the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006 to 29°08.370'S, 153°28.580'E, then west to 29°08.300'S, 153°27.450'E (the eastern extremity of Snapper Rock), then generally south along the mean high water mark back to the point of commencement. References to directions are indicative only.</p>	<p>Ocean waters between Shark Bay (Iluka) and Snapper Rock (Evans Head): until such time as this notification expires, is revoked or amended (following trawl trials).</p>
<p><i>Ocean waters between Snapper Rock (Evans Head) and Flat Rock (Ballina)</i></p> <p>The whole of the waters within an area bounded by a line commencing at 29°08.300'S, 153°27.450'E (the eastern extremity of Snapper Rock) then drawn north north east to 29°03.480'S, 153°27.752'E (the '10 fathom snag'), then north north east to 29°00.000'S, 153°29.650'E (along the southern end of the Ballina Juvenile King Prawn Closure), then due west to 29°00.000'S and 153°29.196'E (the south western corner of the Ballina Juvenile King Prawn Closure), then generally north along the western boundary of the Ballina Juvenile King Prawn Closure as set out in Schedule 2 to clause 8 of the Appendix to the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006 to 28°50.589'S, 153°37.011'E, then west to 28°50.587'S, 153°36.521'E (the eastern extremity of Flat Rock), then generally south along the mean high water mark and across the entrances to the Richmond and Evans Rivers back to the point of commencement. References to directions are indicative only.</p>	<p>Ocean waters between Snapper Rock (Evans Head) and Flat Rock (Ballina): until such time as this notification expires, is revoked or amended (following trawl trials).</p>

In this Schedule, latitude and longitude coordinates are in WGS84 datum.

In this fishing closure:

Endorsement holder has the same meaning as in the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006.

Ocean Trawl Fishery means the share management fishery of that name, as described in Schedule 1 to the Act.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Trawl Fishery have effect despite any provisions in the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006.

This fishing closure is effective on the publication of this notification until 1 July 2012, unless sooner amended or revoked.

Notes:

1. The purpose of this fishing closure is to consolidate current fishing closures and prohibit the use of prawn trawl nets (i.e. the otter trawl net (prawns)) to take fish because of high levels of bycatch, including juvenile mulloway.
2. This notification is published under sections 9 (2) (b) and (3) of the Act.

Dated this 8th day of March 2012.

DR GEOFF ALLAN,
Executive Director, Fisheries NSW,
Department of Primary Industries,
(an office within the Department of Trade and Investment,
Regional Infrastructure and Services)

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Conditional Commercial and Recreational Abalone Fishing Closure of the waters from Tweed Heads to Wreck Bay

I, Geoff Allan, Executive Director, Fisheries NSW, with the delegated authority of the Minister for Primary Industries and the Director-General of the Department of Trade and Investment, Regional Infrastructure and Services pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”), do by this notification:

Revocation

1. pursuant to section 11 of the Act revoke the fishing closure titled “Conditional Commercial & Recreational Abalone Fishing Closure of the waters from Tweed Heads to Wreck Bay” published in *NSW Government Gazette* No. 102 of 17 August 2010, at pages 3889 and 3890 (and any notification revived as a result of this revocation);

Commercial closure

2. pursuant to section 8 of the Act prohibit the taking of abalone (*Haliotis rubra*) by all endorsement holders in the Abalone Fishery from the whole of the waters north of the middle of Wreck Bay Beach, Jervis Bay (that is, the waters bounded by the points of 150°37'30.6192" east, 35°10'06.0816" south and 150°37'30.6192" east, 35°12'59.7960" south, commonly known as Region 1) unless the abalone is taken in accordance with the following conditions:
 - (a) the endorsement holder must not place or cause or permit to be placed, any harvested abalone in a holding tank with “flow through” systems which allow the discharge of water from the tank into the marine environment;
 - (b) the endorsement holder may only ‘hang’ abalone between the area where the abalone was taken and the access point where the boat is landed. (Note. “Hanging” requirements under the Fisheries Management (Abalone Share Management Plan) 2000 continue to apply); and
 - (c) the endorsement holder must comply with the hygiene protocols specified in Primefact 714 titled ‘Standard Operating Procedures: Decontamination for Commercial Abalone Divers’ and published by the NSW Government; and

Recreational closure

3. pursuant to section 8 of the Act prohibit the taking of abalone (*Haliotis rubra*) by all recreational fishers from the whole of the waters between Port Stephens (that is, south of a line drawn east of the point 152°11'09.4272" east, 32°42'40.032" south) and the middle of Wreck Bay Beach, Jervis Bay (that is, the waters bounded by the points of 150°37'30.6192" east, 35°10'06.0816" south and 150°37'30.6192" east, 35°12'59.7960" south, commonly known as Region 1 south) unless the abalone is taken on a weekend or a NSW public holiday directly adjacent to a weekend.

Definitions

In this fishing closure:

Abalone Fishery means the share management fishery of that name, as described in Schedule 1 to the Act.

endorsement holder has the same meaning as in the Fisheries Management (Abalone Share Management Plan) Regulation 2000.

Latitude and longitude co-ordinates are in WGS 84 datum.

Duration of closure

This fishing closure is effective from the date of publication until 30 June 2014.

Dated this 28th day of February 2012.

DR GEOFF ALLAN,
Executive Director, Fisheries NSW,
Department of Primary Industries,
(an office within the Department of Trade and Investment,
Regional Infrastructure and Services)

ISSN 0155-6320

Authorised to be printed
TONY DUCKMANTON, Government Printer.