



Government Gazette

of the State of

New South Wales

Number 595–Mining and Primary Industries

Friday, 23 December 2022

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.

ATTACHMENT A

Fisheries Management (Estuary Cockle Fishing Closure) Notification 2022

under the

Fisheries Management Act 1994

I, Sean Sloan, Deputy Director General Fisheries, with delegated authority under sections 227 and 228 of the Act, give notice of the following fishing closure under section 8 of the Act.

Dated: 16 December 2022



Sean Sloan

Deputy Director General Fisheries
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Notification

This notification is the *Fisheries Management (Estuary Cockle Fishing Closure) Notification 2022*.

2 Commencement and duration

This notification commences on the date it is published in the NSW Government Gazette and will remain in force until 13 October 2025.

3 Definition

In this notification:

the Act means the *Fisheries Management Act 1994*

Part 2 Fishing Closure

4 Fishing Closure

A recreational fisher, is prohibited from taking more than 20 Cockles (*Anadara trapezia*) on any one day from all waters..

Note: This notification is made in conjunction with the *Fisheries Management (Possession Limit) (Estuary Cockles) Order 2020*.

Fisheries Management (Fishing Determinations – Ocean Trawl Fishery) Determination 2022

under the

Fisheries Management Act 1994

I, Sean Sloan, Deputy Director General DPI Fisheries, under section 40L of the *Fisheries Management Act 1994* and with the delegated authority of the Secretary under section 228 of the Act, make the following fishing determinations.

Dated this 16 day of December 2022



Sean Sloan

Deputy Director General, DPI Fisheries
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Instrument

This Instrument is the *Fisheries Management (Fishing Determinations – Ocean Trawl Fishery) Notification 2022*.

2 Interpretation

In this Instrument:

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

OT species means:

- (a) bluespotted flathead (*Platycephalus caeruleopunctatus*), and
- (b) eastern school whiting (*Sillago flindersi*) and stout whiting (*Sillago robusta*).

TAC determination has the same meaning as in section 40A of the Act.

the Act means the *Fisheries Management Act 1994*.

3 Precondition for making this Instrument

- (1) On 1 December 2022, the Minister directed the Secretary under section 40C(3) of the Act to make TAC determinations for the OT species for the fishing period 1 May 2023 to 30 April 2024.
- (2) In making these TAC determinations, I had regard to at least one scientific assessment for each species and had regard to other relevant matters for the TAC determinations.

Part 2 Notice of TAC Determinations

4 Notice of TAC determination in the Ocean Trawl Fishery

- (1) For the fishing period 1 May 2023 to 30 April 2024, the TAC determination for the species in Column 1 of the Table to this clause is the amount specified in Column 2.
- (2) This TAC determination has effect for the period 1 May 2023 to 30 April 2024.

Table TAC determinations

Column 1	Column 2
Species of fish	TAC Determination
bluespotted flathead (<i>Platycephalus caeruleopunctatus</i>)	108.1 tonnes
eastern school whiting (<i>Sillago flindersi</i>) and stout whiting (<i>Sillago robusta</i>)	1,066 tonnes

Fisheries Management (Possession Limit) (Mulloway) Order 2020

under the

Fisheries Management Act 1994

I, SEAN SLOAN, Deputy Director General Fisheries, with the delegated authority of the Minister and the Secretary in pursuance of sections 227 and 228 of the *Fisheries Management Act 1994* (**the Act**), make the following Order under section 17C of the Act.

Dated this 19th day of December 2022



SEAN SLOAN

Deputy Director General Fisheries
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Order

This Order is the *Fisheries Management (Possession Limit) (Mulloway) Order 2022*.

2 Commencement and duration

- (1) This Order commences on the date it is published in the NSW Government Gazette.
- (2) This Order will remain in force until 31 August 2023.

3 Definitions

- (1) In this Order:

endorsement holder means a person who holds a commercial fishing licence that has an endorsement.

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

Mulloway means the species of fish *Argyrosomus japonicus*.

the Act means the *Fisheries Management Act 1994*

- (2) A reference in this Order to the common name of a species of fish does not limit the scientific description of that species. If there is an inconsistency between the common

name and the scientific description of the species, the scientific description of the species prevails

Part 2 – Possession Limits

4 Recreational fishers

- (1) For the purposes of section 17C, the Act, the possession limit for Mulloway for a recreational fisher is 1 fish.
- (2) The possession limit applies if the recreational fisher is in possession of Mulloway in or on or adjacent to any waters or is transporting or storing the Mulloway.

5 Endorsement holders in the Ocean hauling fishery

- (1) For the purposes of section 17C, the Act, the possession limit for Mulloway for an endorsement holder who is authorised to take fish in the Ocean hauling fishery is 500kg whole weight.
- (2) The possession limit applies if the endorsement holder is in possession of Mulloway in or on or adjacent to any waters or is transporting or storing the Mulloway.

Note: This order is made in conjunction with the *Section 8 Notification – Fishing Closure – Mulloway (Argyrosomus japonicus)* date 21 August 2018.

Fisheries Management (Wallagoot Lake Prawn Running Net) Order 2022

under the

Fisheries Management Act 1994

I, SEAN SLOAN, Deputy Director General, Fisheries with the delegated authority of the Minister and Secretary under sections 227 and 228 of the *Fisheries Management Act 1994* (**the Act**), make this order under section 37 of the Act.

Dated this 22 day of December 2022



Sean Sloan

Deputy Director General, Fisheries
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1. Name of Order

This order is the *Fisheries Management (Wallagoot Lake Prawn Running Net) Order 2022*.

2. Commencement and duration

- (1) This order commences on the day on which it is published in the Gazette.
- (2) This order will remain in force until the 30 June 2023.

Part 2 Special approval for authorised purposes

3. Use of prawn running net in Wallagoot Lake

- (1) Despite clauses 16A and 25, and Schedule 1 to the EG Plan, an endorsement holder is authorised to
 - (a) use a prawn running net within the specified waters of Wallagoot Lake if the following conditions are complied with:
 - (i) if the net is not staked, the net is used only by the method of casting or shooting the net and picking up and landing the whole of the net into a boat in the manner known as “running the net” within 1 hour of the commencement of the casting or shooting, and
 - (ii) in the case of a staked net,
 - (A) the net is not set earlier than 1 hour before sunset, and
 - (B) the net is not set within 10 meters of the high water mark, and
 - (C) no stakes are left in the water in the period between sunrise and 1 hour before sunset, and

- (b) to use a prawn running net to take other permitted species of fish (other than a prohibited size class of fish) that are taken by the net when it is being lawfully used for taking prawns.

(2) In this clause:

the EG Plan means the appendix to the *Fisheries Management (Estuary General Share Management Plan) Regulation 2006*.

endorsement holder means a person who holds a commercial fishing licence that has a prawning endorsement – Region 7 as described in clause 6 of the EG Plan.

permitted species of fish has the same meaning as in clause 16 of the EG Plan.

prawn running net means a net where its total length does not exceed 75 metres and the mesh throughout not less than 25 mm nor more than 36 mm.

prohibited size class of fish means any species of fish referred to in the *Fisheries Management (General) Regulation 2019*, clause 6.

specified waters of Wallagoot Lake means all the waters of Wallagoot Lake, below the mean high-water mark, that is bound by both –

- (a) a line commencing at 36°47.626'S, 149°56.794'E, then northerly to 36°47.028'S, 149°56.794'E, then easterly to where 149°56.909'E intersects with the mean high water mark, then easterly along the mean high water mark to where 149°57.161'E intersects with the mean high water mark, then south where 149°57.161'E intersects with the mean high water mark, then westerly along the mean high water mark to where 149°56.909'E intersects with the mean high water mark, then westerly to 36°47.626'S, 149°56.794'E, and
- (b) a line commencing at the intersection of the mean high water mark and 149°56.131'E at the eastern end of Scotts Bay, then west and northerly along the mean high water mark to where 149°56.292'E intersects with the mean high water mark adjacent to Lot 1/246808 on Wallagoot Lake Road.

Note. Other than where expressly stated, this Order does not authorise fishing activities in contravention of the *Fisheries Management Act 1994* or the regulations under the Act.

MINING ACT 1992
Order under section 369A

Constitution of Fossicking District 71

Pursuant to section 369A of the *Mining Act 1992*, I, Georgina Beattie, Chief Executive Officer Mining, Exploration and Geoscience in the Department of Regional New South Wales, as delegate of the Minister for Regional New South Wales, do, by this Order, constitute the following fossicking district:

- a) all land within the Local Government Area of Oberon Council and identified by bold black outline in the map in Schedule 1, to be named Fossicking District 71.

This Order commences on the date on which it is published in the NSW Government Gazette.

Dated this 22nd day of December 2022.

Georgina Beattie

Georgina Beattie
Chief Executive Officer
Mining, Exploration and Geoscience
As delegate of the Minister for Regional New South Wales