

FISHERIES MANAGEMENT ACT 1994

Section 8 and Section 11 Notification – Fishing Closures

Ocean Trap and Line Export Approval - North & South Solitary Islands, Fish Rock, Green Island and Magic Point

I, IAN MACDONALD MLC, Minister for Primary Industries do by this notification:

1. Pursuant to section 11 of the *Fisheries Management Act 1994* (“the Act”), revoke the notification titled “Ocean Trap and Line Export Approval – Magic Point and Green Island” published in *Government Gazette* No. 169 of 16 November 2007 at page 8522, and any notification revived as a result of this revocation; and
2. Pursuant to section 8 of the Act prohibit the taking of all species of fish by all endorsement holders in the Ocean Trap and Line Fishery by the methods of fishing specified in Column 1 of Schedules 1, 2, 3 and 4 to this Notification, from the waters described opposite in Column 2 of Schedules 1, 2, 3 and 4 for the period specified opposite in Column 3 of Schedules 1, 2, 3 and 4.

 SCHEDULE 1

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining. The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	The Steps/ Anemone Bay – North Solitary Island All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 153°23’21.27” S 29°55’21.03”	From 1 June to 31 December (inclusive) each year
Burleying	The Steps/ Anemone Bay – North Solitary Island All waters as described above plus an additional 500 metres extending beyond the waters described above.	From 1 June to 31 December (inclusive) each year

 SCHEDULE 2

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining. The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	Manta Arch – South Solitary Island All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 153°16’5.17” S 30°12’8.48”	All year
Burleying	Manta Arch – South Solitary Island All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year

SCHEDULE 3

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining. The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	Fish Rock – Green Island and connecting corridor All waters from mean high water mark and extending 1000 metres from mean high water mark in all directions around Green Island and Fish Rock, and including all waters within 1000 metres of a connecting line extending between the closest extremities of Green Island and Fish Rock.	All year
Burleying	Fish Rock – Green Island and Connecting Corridor All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year

SCHEDULE 4

Column 1 Methods	Column 2 Waters	Column 3 Period
All methods of line fishing other than trolling, spinning and lead lining . The method of lead lining must be conducted in accordance with the requirements sets out in the Appendix to this notification.	Magic Point - Maroubra All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 151°15'38.44" S 33°57'21.53"	All year
Burleying	Magic Point – Maroubra All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year

APPENDIX

(Permitted lead lining)

Lead lining for the species listed in Part 1 of this Appendix is subject to the restrictions contained in Part 2 of this Appendix:

Part 1 – Species

Common name
Yellowtail kingfish
Amberjack/samsonfish
Rainbow runner
Cobia/black kingfish
Spotted mackerel
Spanish mackerel
Australian bonito
Tailor

Scientific name
Seriola lalandi
Seriola dumerili & *S. hippos*
Elagatis bipinnulata
Rachycentron canadum
Scomberomorus munroi
Scomberomorus commerson
Sarda australis
Pomatomus saltatrix

Part 2 – Restrictions on the use of a lead line

- The boat must be making way (ie. under active propulsion) at all times;
- No more than one hook or gang of hooks to be used on each lead line;
- The hooks used must be constructed of plain steel (ie. not stainless steel);
- No more than two lead lines to be used per licensed fishing boat; and
- Not to be used between half-an-hour past official sunset and half-an-hour before official sunrise.
- The line must not have weights of more than 500g attached to it when used in areas declared to be a critical habitat of the grey nurse shark as set out in Schedule 1A of the *Fisheries Management (General) Regulation 2002*.

In the Schedules to this notification, the latitude and longitude coordinates are in WGS 1984 datum.

In this notification:

“Burleying” means any activity that can be reasonably likely to result in the aggregating of fish associated with line fishing methods.

“Ocean Trap and Line Fishery” means the share management fishery of that name, as described in Schedule 1 to the *Fisheries Management Act 1994*.

“Spinning” means use of an artificial fly or lure in connection with a hand held line deployed from a vessel that is not making way, in a manner that the artificial fly or lure is retrieved at or near the surface of the water (i.e. the fly or lure must not be allowed to sink prior to retrieval).

“Trolling” means use of an artificial fly or lure in connection with a hand held line deployed from a vessel that is making way.

Latitude and longitude coordinates are in WGS 1984 datum.

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

This notification commences on 16 May and is in force for a period of five (5) years unless sooner amended or revoked.

Note 1: The purpose of this fishing closure is to implement additional protection measures for the grey nurse shark.

Note 2: The taking of fish from the waters described in Column 2 of Schedules 3 and 4 are subject to the restrictions which relate to critical habitats of the grey nurse shark contained in Clause 340B of the *Fisheries Management (General) Regulation 2002*.

Dated this 14 day of May 2008.

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