

Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

Clause 37 (3) – Notice of Granting of Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

AL08/018 within the estuary of the Hastings River, having an area of 0.6450 hectares to Robert VAN BREENEN and Cisca VAN BREENEN of Port Macquarie NSW, for a term of 15 years expiring on 11 March 2024.

AL08/005 within the estuary of the Wonboyn River, having an area of 0.1623 hectares to Alan FRASER and Sharon FRASER of Eden NSW, for a term of 15 years expiring on 3 April 2024.

AL05/026 within the estuary of Wallis Lake, having an area of 0.8607 hectares to Guiseppe De GIOIA of Tuncurry NSW, for a term of 15 years expiring on 8 April 2024.

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL68/291 within the estuary of Brisbane Water, having an area 0.9204 hectares to Robyn LATIMORE, Gordon LATIMORE, Darrell JOHNSON and Kay JOHNSON of Karuah NSW, for a term of 15 years expiring on 4 July 2022.

OL78/160 within the estuary of Wallis Lake, having an area of 0.4061 hectares to CLIFT OYSTERS PTY LTD of Forster NSW, for a term of 15 years expiring on 4 March 2024.

OL77/262 within the estuary of Wapengo Lake, having an area of 0.6768 hectares to WAPENGO ROCK OYSTERS PTY LTD of Raymond Terrace NSW, for a term of 15 years expiring on 9 October 2023.

OL78/147 within the estuary of Wallis Lake, having an area of 0.3747 hectares to Trevor DENT of Tuncurry NSW, for a term of 15 years expiring on 18 March 2024.

OL65/268 within the estuary of the Manning River, having an area of 0.3701 hectares to Peter MANSFIELD and Trevor MANSFIELD of Hawks Nest NSW, for a term of 15 years expiring on 29 November 2023.

OL80/128 within the estuary of the Nambucca River, having an area of 0.7963 hectares to WRIGHTSPRING PTY LTD of Coffs Harbour NSW, for a term of 15 years expiring on 26 April 2024.

OL64/141 within the estuary of the Hawkesbury River, having an area of 0.5752 hectares to DOW OYSTER SYSTEMS PTY LTD of Brooklyn NSW, for a term of 15 years expiring on 13 November 2023.

OL78/139 within the estuary of the Hawkesbury River, having an area of 1.3030 hectares to DOW OYSTER SYSTEMS PTY LTD of Brooklyn NSW, for a term of 15 years expiring on 5 March 2024.

OL62/088 within the estuary of Hastings River, having an area of 0.3145 hectares to Peter John TUNSTEAD of Port Macquarie NSW, for a term of 15 years expiring on 28 April 2024.

OL78/196 within the estuary of the Clyde River, having an area of 0.3962 hectares to McASH OYSTERS PTY LTD of Moruya NSW, for a term of 15 years expiring on 2 December 2023.

OL62/095 within the estuary of the Hawkesbury River, having an area of 3.0856 hectares to James Michael MOXHAM of Cheero Point NSW, for a term of 15 years expiring on 25 February 2024.

OL77/268 within the estuary of Wapengo Lake, having an area of 1.4191 hectares to Cindy Belinda WREN and Colin Arthur WREN of Bermagui NSW, for a term of 15 years expiring on 25 September 2023.

BILL TALBOT,
Director,

Fisheries Conservation and Aquaculture,
Fisheries, Compliance and Regional Relations,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 11 Notification – Fishing Closure QX Disease

I, DELIA DRAY, Acting Executive Director, Agriculture, Biosecurity and Mine Safety, with the delegated authority of the Minister for Primary Industries and the Director-General of the NSW Department of Primary Industries pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”), do by this notification pursuant to section 11 of the Act, amend Schedule 1 of the fishing closure notification titled “Section 8 and Section 11 Notification – Fishing Closure QX Disease” published in *New South Wales Government Gazette* No. 87 of 11 July 2008, at pages 6994-6996, to remove Woolli River and Wonboyn River from Category 2 Estuaries.

Dated this 18th day of May 2009.

DELIA DRAY,
Acting Executive Director,
Agriculture Biosecurity and Mine Safety,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 183 – Quarantine Order QX Disease

I, DELIA DRAY Acting Executive Director Agriculture Biosecurity and Mine Safety, with the delegated authority of the Minister for Primary Industries and the Director-General

of the NSW Department of Primary Industries pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”), do by this order:

1. pursuant to section 183 of the Act and section 43(2) of the Interpretation Act 1987, repeal the Quarantine Order titled “Section 183 - Quarantine Order QX Disease” published in *New South Wales Government Gazette* No. 87 of 11 July 2008, at pages 6996-6997;
2. pursuant to section 183 of the Act:
 - (i) declare each the following estuaries to be a quarantine area (“the Quarantine Areas”) because of the presence or suspected presence of the declared disease *marteiliosis* (QX disease):
 - (a) Richmond River
 - (b) Clarence River
 - (c) Macleay River
 - (d) Hawkesbury River
 - (e) Georges River
 - (f) Tweed River
 - (g) Brunswick River
 - (ii) prohibit the taking of oysters or the movement of cultivation equipment and/or infrastructure from the Quarantine Areas except under the following conditions:
 - (a) oyster cultivation equipment and infrastructure (eg. oyster sticks, trays, baskets) used in any of the Quarantine Areas must be dried for 30 days before use in any other NSW estuary.
 - (b) oysters, oyster cultivation equipment and infrastructure may be relocated between the Quarantine Areas but only in accordance with the Oyster Shipment Log Book System for the Movement of Oysters, Oyster Cultivation Equipment and Infrastructure which is detailed below in Schedule 1.
 - (c) oysters may be taken and culled in or adjacent to the Quarantine Areas or in accordance with a protocol approved by the Deputy Director-General, Agriculture, Biosecurity and Mine Safety.
 - (iii) exclude sections 185 and 186 of the Fisheries Management Act 1994 with respect to oysters taken from the Quarantine Areas or any part of the Quarantine Areas in accordance with this order (but only in relation to the declared disease *marteiliosis* (QX disease)).
 - (iv) Require all holders of aquaculture permits within the Quarantine Areas to follow all directions of a fisheries officer made under section 183(4) of the Act.
- (2) Not less than 2 days prior to the shipment of a consignment of oysters, oyster cultivation equipment and infrastructure between estuaries, the shipping permit holder must contact the local District Fisheries Office and identify the shipper, the nature of the shipment and its destination and the Oyster Shipment Log Book shipment permit number (top right hand corner of the shipment sheet).
- (3) Prior to the shipment of oysters, oyster cultivation equipment and infrastructure, the shipping permit holder must record on all four (4) quadruplicate copies of the Oyster Shipment Log Book sheets, details of the destination (including interstate), quantity (bag equivalents) and form (trays, sticks, etc) of oysters to be shipped.
- (4) For each shipment of oysters, oyster cultivation equipment and infrastructure, the completed original white copy (copy 1) of the Oyster Shipment Log Book sheets must accompany the shipment and be retained by the receiving permit holder.
- (5) The Oyster Shipment Log Book, or the original white copy (copy 1) of the Oyster Shipment Log Book that has accompanied a shipment, must be made available to a Fisheries Officer for inspection on demand.
- (6) The holder of an Oyster Shipment Log Book must at the end of each month in which a shipment has occurred, forward all blue copies (copy 3) for those shipments to NSW Department of Primary Industries Aquaculture Management at the address specified below.

Note: Oyster Shipment Log Books are available on application from NSW Department of Primary Industries Aquaculture Administration, Locked Bag 1, Nelson Bay NSW 2315 or by phoning (02) 4982 1232.

In this Schedule, a reference to an estuary in paragraph 3(i) includes a reference to all creeks, rivers, lakes, lagoons and tributaries flowing into or from that estuary and any jetty, wharf, boat ramp or land used for aquaculture purposes in the immediate vicinity of the water.

Note: In addition to complying with the terms of this order, the taking of oysters or the movement of oyster cultivation equipment and/or infrastructure must comply with the terms of any fishing closure made under section 8 and section 11 of the Fisheries Management Act 1994 including the fishing closures titled “QX Disease” of 11 July 2008 (*New South Wales Government Gazette* No. 87 of 11 July 2008, at pages 6994-6996) and of the same date as this order.

This order is effective from the date of publication of this order until 9 August 2013 unless sooner amended or revoked.

Dated this 18th day of May 2009.

DELIA DRAY,
Acting Executive Director,
Agriculture Biosecurity and Mine Safety,
NSW Department of Primary Industries

SCHEDULE 1

Oyster Shipment Logbook System for the Movement of Oysters, Oyster Cultivation Equipment and Infrastructure

- (1) All shipment of oysters, oyster cultivation equipment and infrastructure other than those within an estuary or those destined for direct sale for human consumption must be recorded in an Oyster Shipment Log Book prior to shipment.