

Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 and Section 11 Notification – Fishing Closure
Commercial Fishing Catch Limit for Wobbegong Sharks

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, do by this notification:

1. pursuant to section 11 of the Fisheries Management Act 1994 (“the Act”), amend the notification titled “Commercial Fishing Catch Limits for Shark Species” published in the *New South Wales Government Gazette* No. 114 of 8 September 2006, at page 7935, to remove “Wobbegong” and “*Orectolobus spp.*” from Schedule 1 to the notification;
2. pursuant to section 8 of the Act, do by this notification, prohibit the taking of Wobbegong sharks (*Orectolobus spp.*), by all endorsement holders in the Ocean Trap and Line Fishery and the Lobster Fishery, by all methods, in all ocean waters, except when those Wobbegong shark species are taken in accordance with the minimum size limits specified in Schedule 1 to this notification and in accordance with the condition described in Schedule 2 to this notification.

SCHEDULE 1

<i>Wobbegong shark species</i>	<i>Minimum size limit</i>
<i>Orectolobus halei</i> (Banded wobbegong)	180 cm
<i>Orectolobus ornatus</i> (Ornate wobbegong)	180 cm
<i>Orectolobus maculatus</i> (Spotted wobbegong)	130 cm

SCHEDULE 2

A maximum of 6 carcasses of any one Wobbegong shark species or a combination of Wobbegong shark species can be taken on any one trip.

In this fishing closure:

‘Lobster Fishery’ means the share management fishery of that name, as described in Schedule 1 to the Fisheries Management Act 1994.

‘minimum size limit’ means the overall length of the fish measured from the point of the snout to the tip of the tail, as described in clause 9(2)(a) of the Fisheries Management (General) Regulation 2002.

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

‘ocean waters’ means waters east of the natural coast line but does not include the waters within 3 nautical miles of:

- (a) the high water mark on Lord Howe Island, or
- (b) Balls Pyramid.

‘trip’ means the time from departure of the boat from port to the time of return of the boat or the catch to port, whichever occurs first, within a period of 24 consecutive hours.

The provisions of this fishing closure have effect despite any provision in the Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006 and despite any provision in the Fisheries Management (Lobster Share Management Plan) Regulation 2000.

This fishing closure is effective from the date of publication of this notification for a period of five (5) years unless sooner amended or revoked.

Note: The purpose of this fishing closure is to minimise the risks posed by the Ocean Trap and Line Fishery and the Lobster Fishery to Wobbegong sharks, while still providing for limited incidental catches.

Dated this 21st day of May 2008.

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

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Notice of Receipt of Application for Aquaculture Lease

Notification under s.163 (1) of the Fisheries Management Act 1994, and Cl.33 of the Fisheries Management (Aquaculture) Regulation 2007

NSW Department of Primary Industries (NSW DPI) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters. Location is Wonboyn Lake, described as follows:

- Approx. 0.182 hectares over former oyster lease OL73/426 (to be known as AL08/005 if granted)

NSW DPI is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. Submissions must be in the form of a written response referring to lease number AL08/005 to be signed and dated with a return address.

If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act, 1994. Specific details of the proposed lease can be obtained, or enquiries made with NSW DPI, Aquaculture Administration Section, Port Stephens on (02) 4982 1232.

Objections for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation & Aquaculture Branch,
Aquaculture Administration Section, Port Stephens Fisheries Centre, Locked Bag 1, NELSON BAY, NSW, 2315.

BILL TALBOT,
Director, Fisheries Conservation & Aquaculture
Fisheries, Compliance and Regional Relations
NSW Department of Primary Industries