



# *Government Gazette*

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# Fisheries Management (Commercial Harvest of Abalone Fishing Closure) Notification 2023

under the

Fisheries Management Act 1994

I, Sean Sloan, Deputy Director General Fisheries, with the delegated authority of the Minister and the Secretary under sections 227 and 228 of the *Fisheries Management Act 1994* (**the Act**), give notice of the following fishing closure under sections 8 and 11 of the Act.

Dated this 17th day of March 2023



**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 (Commercial Harvest of Abalone Fishing Closure) Notification 2023*.

### 2. Commencement and duration

This notification commences on the date it is published in the NSW Government Gazette and will remain in force for a period of five years, unless sooner varied or revoked.

### 3. Revocation of *Fishing Closure Relating to the Commercial Harvest of Abalone*

Under section 11 of the Act, the *Fishing Closure Relating to the Commercial Harvest of Abalone* and published in *NSW Government Gazette* No. 69 of 13 July 2018, at pages 4241-4242 is revoked, as is any fishing closure revived because of this revocation.

### 4. Definitions

In this notification:

***abalone fishery*** means the abalone fishery as described in clause 4 of Schedule 1 to the Act.

**endorsement holder** has the same meaning as in clause 2 of the Appendix to the Abalone Plan.

**fishing closure** has the same meaning as in section 8 of the Act.

**fishing period** has the same meaning as in clause 2 of the Appendix to the Abalone Plan.

**legal minimum length** means the shell diameter measured along the shell's longest axis.

**McEwan Point** means the point on Aragannu Beach (36°35.320' S, 150°2.620' E).

**pre-fishing report** means a report made in accordance with condition 1 of the endorsement conditions that apply to an endorsement holder. It is a condition of an endorsement in the abalone fishery that an endorsement holder must use the Real Time Reporting System and report specific information to the Department each occasion on which the endorsement holder proposes to take abalone under the endorsement.

**the Abalone Plan** means the Fisheries Management (Abalone Share Management Plan) Regulation 2000.

## Part 2 Fishing closure

### 5. Fishing closure

Under section 8 of the Act:

- (a) prohibit the taking of abalone (*Haliotis rubra*) by all endorsement holders in the abalone fishery in waters described in Column 1 of Schedule 1 to this notification, except on the conditions specified opposite in Column 2 of Schedule 1.
- (b) during a fishing period, if the total quantity of abalone specified in Column 1 of Schedule 2 is taken by endorsement holders from the waters described opposite in Column 2 of Schedule 2, all the endorsement holders are prohibited from taking abalone from the waters described in Column 2 for the remainder of the fishing period.

#### SCHEDULE 1

<i>Column 1</i> <i>Waters</i>	<i>Column 2</i> <i>Conditions</i>
The whole of the waters south of the entrance to Wonboyn Lake (37°15.074'S, 149°58.021'E).	<p>Any abalone taken must have a legal minimum length of 125 mm or greater.</p> <p>An endorsement holder must make a pre-fishing report and advise their intent to take abalone from waters south of the entrance to Wonboyn Lake.</p> <p>Where the endorsement holder has made a pre-fishing report advising their intent to take abalone from waters south of the entrance to Wonboyn Lake, any abalone taken by the endorsement holder on the day specified in the pre-fishing report must have a legal minimum length of 125 mm or greater.</p>

<p>The whole of the waters north of the McEwan point on Araganu Beach (36°35.320' S, 150°2.620' E), to the whole of the waters south of the point on Redhead Beach (33°1.320' S, 151°42.390' E).</p>	<p>Any abalone taken must have a legal minimum length of 117mm or greater.</p> <p>In addition to making a pre-fishing report an endorsement holder must notify the local District Fisheries office in writing the expected date, time/s, and location/s of any fishing activity prior to proceeding to sea.</p> <p>Where the endorsement holder takes abalone across waters subject to a different legal minimum length, the highest legal minimum length applies for all catch taken on that day.</p>
<p>The whole of the waters north of the entrance to Wonboyn Lake (37°15.074'S, 149°58.021'E) to the whole of the waters south of the McEwan point on Aragannu Beach (36°35.320' S, 150°2.620' E).</p> <p>The whole of the waters north of the point on Redhead Beach (33°1.320' S, 151°42.390' E) to the Queensland border.</p>	<p>Any abalone taken must have a legal minimum length of 120 mm or greater.</p>

## SCHEDULE 2

<i>Column 1</i> <i>Total quantity - tonnes</i>	<i>Column 2</i> <i>Waters</i>
No limit	The whole of the waters north of the point on Redhead Beach (33°1.320' S, 151°42.390' E) to the Queensland border.
20	The whole of the waters north of the McEwan point on Aragannu Beach (36°35.320' S, 150°2.620' E), to the whole of the waters south of the point on Redhead Beach (33°1.320' S, 151°42.390' E).
60	The whole of the waters north of the entrance to Wonboyn Lake (37°15.074'S, 149°58.021'E) to the whole of the waters south of the McEwan point on Aragannu Beach (36°35.320' S, 150°2.620' E).
35	The whole of the waters south of the entrance to Wonboyn Lake (37°15.074'S, 149°58.021'E).

In this fishing closure:

**Note:** Latitude and longitude coordinates are in WGS 1984 datum.