

PRIMARY INDUSTRIES

FISHERIES MANAGEMENT ACT 1994

Critical Habitat of Greynurse Shark (Amendment)
Notification 2013
under the
Fisheries Management Act 1994

I, KATRINA ANN HODGKINSON, M.P., Minister for Primary Industries, in pursuance of section 220U of the Fisheries Management Act 1994, make the following Notification.

Dated this 21st day of June 2013.

KATRINA ANN HODGKINSON, M.P.,
Minister for Primary Industries

Explanatory note

The object of this Notification is to make changes to certain areas declared as critical habitat of the Greynurse Shark under section 220T of the Fisheries Management Act 1994, in the Critical Habitat of Grey Nurse Shark Notification 2002.

This Notification is made under section 220U of the Fisheries Management Act 1994.

Note: The standard fish name, in the Australian Fish Names Standards AS-SSA 5300, for grey nurse shark is now Greynurse Shark.

Critical Habitat of Greynurse Shark (Amendment)
Notification 2013
under the
Fisheries Management Act 1994

1. Name of Notification

This Notification is the Critical Habitat of Greynurse Shark (Amendment) Notification 2013.

2. Commencement

This Notification takes effect on the date it is published in the *New South Wales Government Gazette*.

3. Reasons for amendment of Critical Habitat of Grey Nurse Shark Notification 2002

(1) Pursuant to section 220U(4) of the Act, the reasons for the amendment of the Critical Habitat of Grey Nurse Shark Notification 2002 (“the 2002 Notification”) is to make the changes set out in this clause to the areas described in this clause that were declared, in the 2002 Notification, to be critical habitat of the Greynurse Shark. The reasons for those changes are also set out in this clause.

Removal of Bass Point (Shellharbour) critical habitat

(2) The area described in clause 3(2) of the 2002 Notification (known as the **Bass Point (Shellharbour) critical habitat**) will be omitted from the 2002 Notification and so will cease to be declared to be critical habitat of the Greynurse Shark. The reason for this change is that the area known as the Bass Point (Shellharbour) critical habitat is no longer considered to be habitat that is critical to the survival of the Greynurse Shark because:

- (a) it is not utilised regularly by Greynurse Sharks; and

- (b) it is considered to be of minor importance to the overall Greynurse Shark population.

Changes to Green Island (South West Rocks) critical habitat

(3) The area described in clause 3(5) of the 2002 Notification (known as the **Green Island (South West Rocks) critical habitat**) will be amended to exclude the waters within 50 metres of the mainland shore (as shown in the map under the heading “**Map 4 – Green Island**” in Schedule 1 to this Notification). The reason for this amendment is to avoid or lessen any adverse impacts on shore-based recreational fishing activities of the declaration of the Green Island (South West Rocks) critical habitat by providing a 50 metre wide corridor between the shore and the Green Island (South West Rocks) critical habitat.

Changes to Magic Point (Maroubra) critical habitat

(4) The area described in clause 3(8) of the 2002 Notification (known as the **Magic Point (Maroubra) critical habitat**) will be amended to include all waters within 200 metres of a point centred on a coordinate at 151°15.864'E 33°57.359'S excluding the waters within 50 metres of the mainland shore (as shown in the map under the heading “**Map 7 – Magic Point**” of Schedule 1 to this Notification). The reasons for this amendment are as follows:

- (a) to increase the critical habitat to the seaward side of the main site where Greynurse Sharks aggregate so as to protect an additional area of Greynurse Shark habitat and to improve consistency in approach with other areas declared to be critical habitat of the Greynurse Shark;
- (b) to avoid or lessen any adverse impacts on shore-based recreational fishing activities of the declaration of the Magic Point (Maroubra) critical habitat by providing a 50 metre wide corridor between the shore and the Magic Point (Maroubra) critical habitat; and
- (c) to improve community awareness and compliance.

SCHEDULE 1

Critical Habitat of Greynurse Shark (Amendment)
Notification 2013

[1] Clause 2A

Insert after clause 2:

2A Interpretation

In this Notification, longitude and latitude coordinates are in WGS84 datum.

[2] **Clause 3(2) Bass Point (Shellharbour) critical habitat**
Omit the heading to clause 3(2) and omit clause 3(2).

[3] **Clause 3(5) Green Island (South West Rocks) critical habitat**

Omit clause 3(5). Insert instead:

(5) **Green Island (South West Rocks) critical habitat**
The waters extending 200 metres in all directions from the mean high water mark of Green Island excluding the waters within 50 metres of the

mainland shore, as shown by the area that is shaded dark grey and stippled on Map 4 in Schedule 1.

- [4] **Clause 3(8) Magic Point (Maroubra) critical habitat**
Omit clause 3(8). Insert instead:

(8) **Magic Point (Maroubra) critical habitat**

The waters extending 200 metres in all directions around a point centred on a coordinate at $151^{\circ}15.864'E$ $33^{\circ}57.359'S$ excluding the waters within 50 metres of the mainland shore, as shown by the area that is shaded dark grey and stippled on Map 7 in Schedule 1.

- [5] **Schedule 1 Maps of critical habitat of grey nurse shark**

Map 1 – Bass Point

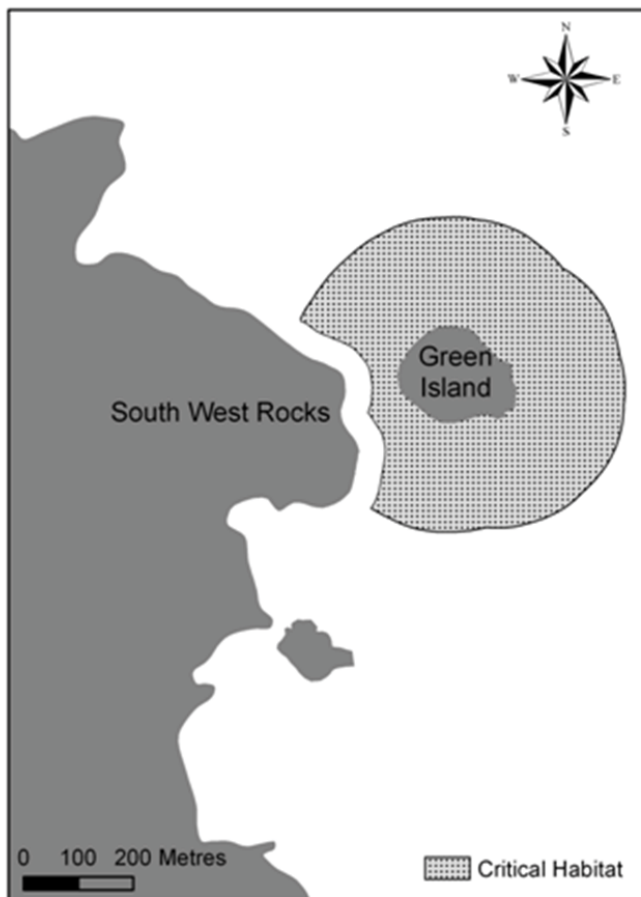
Omit the heading “**Map 1 – Bass Point**” and omit the map under the heading “**Map 1 – Bass Point**”.

- [6] **Schedule 1**

Map 4 – Green Island

Omit the map under the heading “**Map 4 – Green Island**”.

Insert instead the following map under the heading “**Map 4 – Green Island**”:

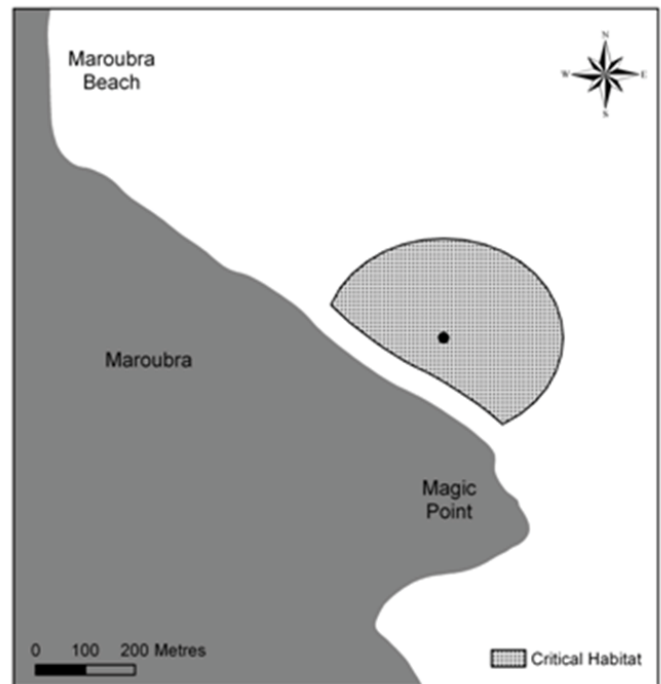


- [7] **Schedule 1**

Map 7 – Magic Point

Omit the map under the heading “**Map 7 – Magic Point**”.

Insert instead the following map under the heading “**Map 7 – Magic Point**”:



FISHERIES MANAGEMENT ACT 1994

Fishing Closure Notification

Pipis

I, KATRINA ANN HODGKINSON, M.P., Minister for Primary Industries, pursuant to section 8 of the Fisheries Management Act 1994 (‘the Act’), do by this notification prohibit the taking of pipis (*Donax deltoides*), by holders of a hand gathering endorsement in the Estuary General Fishery, by the method of hand picking, in the waters specified in the Schedule to this notification.

Dated this 26th day of June 2013.

KATRINA ANN HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE

Ocean waters of Stockton Beach

The whole of the waters of Stockton Beach east of $152^{\circ}3.235'E$ and west of $151^{\circ}50.653'E$.

Ocean waters of South Ballina Beach

The whole of the waters of South Ballina Beach north of $28^{\circ}56.972'S$ and south of $29^{\circ}3.105'S$.

In this Schedule, latitude and longitude coordinates are in WGS84 datum.

In this fishing closure:

Hand gathering endorsement has the same meaning as in clause 6 of the Appendix to the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

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

The provisions of this fishing closure in respect of holders of a hand gathering endorsement in the Estuary General Fishery have effect despite any provisions in the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

This fishing closure is effective from the date of publication of this notification and remains in force until 30 November 2013 unless sooner amended or revoked.

FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2012

Clause 33 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL67/169 within the estuary of Pambula River, having an area of 0.7284 hectares to Andrew John BAKER and Katherine Yvonne BAKER of Pambula Beach NSW, for a term of 15 years expiring on 30 April 2028.

OL68/265 within the estuary of Merimbula Lake, having an area of 0.7972 hectares to Timothy JONES, Suzanne JONES, Christopher JONES and Debhra JONES of Tura Beach NSW, for a term of 15 years expiring on 14 July 2028.

OL83/061 within the Estuary of Wallis Lake, having an area of 0.4750 hectares to Guiseppe DE GIOIA and Nancy DE GIOIA of Tuncurry NSW, for a term of 15 years expiring on 11 May 2028.

OL84/249 within the estuary of Wallis Lake, having an area of 0.2534 hectares to Brian LAUFF and the Estate of the Late Stanley LAUFF of Forster NSW, for a term of 15 years expiring on 31 August 2026.

OL95/031 within the estuary of the Wonboyn River, having an area of 0.2365 hectares to Anthony BACON of Tumut NSW, for a term of 15 years expiring on 20 July 2028.

OL66/218 within the estuary of Camden Haven, having an area of 0.5347 hectares to Brian EGGINS, John EGGINS and Joshua DUNN of Laurieton NSW, for a term of 15 years expiring on 23 July 2028.

OL69/267 within the estuary of the Hastings River, having an area of 0.8238 hectares to Royden WHITTEN and Denise WHITTEN of West Gosford NSW, for a term of 15 years expiring on 30 April 2028.

BILL TALBOT,
Director,
Aquaculture, Conservation and Marine Parks,
Fisheries Division,
NSW Department of Primary Industries

FISHERIES MANAGEMENT (ABALONE SHARE MANAGEMENT PLAN) REGULATION 2000

Clause 14(3)

Instrument of Determination of Fishing Periods for
Abalone Total Allowable Catch

I, KATRINA ANN HODGKINSON, M.P., Minister for Primary Industries, pursuant to Clause 14(3) of the Appendix to the Fisheries Management (Abalone Share Management Plan) Regulation 2000 (“the Regulation”), determine that the Total Allowable Catch Setting and Review Committee is to determine a total allowable catch for abalone in accordance with Clauses 14(1) and (2) of the Regulation for a fishing period of 6 months commencing on 1 July 2013 and ending on 31 December 2013 and from then on for a fishing period of 12 months commencing on 1 January and ending on 31 December in each subsequent year.

Signed this 21st day of June 2013.

KATRINA ANN HODGKINSON, M.P.,
Minister for Primary Industries