

## Primary Industries Notices

### BIOSECURITY ACT 2015

#### Instrument of Appointment of Authorised Officers and Approval of Functions – Department of Primary Industries and Local Land Services officers

I, Peter Day, Director Biosecurity & Food Safety Compliance, in exercise of delegated authority of the Secretary and of the Secretary as Accreditation Authority under the *Biosecurity Act 2015* (the Act) make the following appointments and approvals:

- 1) Pursuant to section 361 of the Act, I appoint the persons listed in Column 1 of the table set out in Schedule 1 as authorised officers for the purposes of the Act.
- 2) Pursuant to section 195 of the Act, I approve those authorised officers listed in Column 1 of the table set out in Schedule 1 to exercise the functions of a biosecurity certifier as specified in Column 2 of the table.

#### **Duration of appointment and approval:**

The appointment and approval of each person listed in Schedule 1 will end on the earliest of the following dates:

- A. the date that is five years from the date of this instrument; or
- B. the date of revocation of this instrument, or an instrument of revocation of appointment of a person listed in Schedule 1 as an authorised officer; or
- C. the date that the person ceases to be employed by either the Department of Industry or the Local Land Services.

Dated this 29th day of August 2018

PETER DAY

Peter Day  
DIRECTOR  
BIOSECURITY & FOOD SAFETY COMPLIANCE  
(as delegate on behalf of the Secretary of the Department of Industry)

#### SCHEDULE 1

Column 1	Column 2
Name of person appointed as authorised officer	Approved functions of biosecurity certifier
Jenna Clare Fraser	NIL Conditions
Kirstin Jane Bisley	NIL Conditions

[n2018-2844]

### FISHERIES MANAGEMENT ACT 1994

#### ORDER UNDER SECTION 37

In accordance with the provisions of section 37(1)(f) and section 37(3)(b) of the *Fisheries Management Act 1994* (the Act) the taking of fish using a meshing net, as described in clause 28 of the Estuary General Share Management Plan ('the Plan'), found in the Appendix to the *Fisheries Management (Estuary General Share Management Plan) Regulation 2006*, that is not registered (in accordance with clause 35A of the Plan), is authorised subject to the conditions specified in this order below:

#### **Conditions**

1. In order to take fish using a meshing net in the Estuary General Fishery that is not registered:
  - a. the person using the net must be the holder of a current commercial fishing licence under the Act, and
  - b. the person using the net must be the holder of an Estuary General meshing endorsement, as prescribed in the Plan, and
  - c. the net must have a mesh size that is greater than 115mm.
2. Unless sooner suspended or cancelled, this order shall remain in force from 1 September 2018 until 21 September 2019.

**Notes**

- A copy of this order will be made available on the NSW DPI website: [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)
- Other than where expressly stated, this order does not authorise fishing activities in contravention of the Act or any Regulation under the Act.
- Failure to comply with any of the conditions of this order may result in prosecution under the Act.
- This order may be varied, suspended or cancelled at any time by a duly delegated officer of NSW DPI.

Dr Geoffrey Allan  
Deputy Director General DPI Fisheries  
Department of Primary Industries  
(an office within the Department of Industry)  
(by delegation)

Date: 21 August 2018

[n2018-2845]

**FISHERIES MANAGEMENT ACT 1994**

Section 8 Notification – Fishing Closure

Mulloway (*Argyrosomus japonicus*)

I, GEOFFREY ALLAN, Deputy Director General, Fisheries, with the delegated authority of the Minister for Primary Industries and the Secretary, Department of Industry pursuant to sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”), do by this notification:

1. pursuant to section 11 of the Act, revoke the fishing closure entitled “Mulloway (*Argyrosomus japonicus*) and published in NSW Government Gazette No. 147 on 1 November 2013 at pages 5053 – 5054; and
2. pursuant to section 8 of the Act prohibit the taking of mulloway (*Argyrosomus japonicus*) from all waters, by any method, by endorsement holders in the Ocean Trap and Line Fishery, Ocean Trawl Fishery, Estuary General Fishery and Lobster Fishery except when the mulloway (*Argyrosomus japonicus*) has an overall length of 70 cm or greater.
3. pursuant to section 8 of the Act prohibit the taking of mulloway (*Argyrosomus japonicus*) from ocean waters, by any method, by endorsement holders in the Ocean Hauling Fishery, except when the mulloway (*Argyrosomus japonicus*) has an overall length of 70 cm or greater and the conditions in Schedule 1 are complied with.
4. pursuant to section 8 of the Act prohibit the taking of mulloway (*Argyrosomus japonicus*) from all waters, by any method, by recreational fishers, except when the mulloway (*Argyrosomus japonicus*) has an overall length of 70 cm or greater and the conditions in Schedule 2 are complied with.

**Schedule 1**

**Conditions**

Endorsement holders must not take or be in possession of more than 500 kg whole weight of mulloway (*Argyrosomus japonicus*) on each day.

**Schedule 2**

**Conditions**

Recreational fishers must not take or be in possession of more than 1 mulloway (*Argyrosomus japonicus*) on each day.

In this notification:

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

"*Ocean Hauling Fishery*" means the share management fishery of that name, as described in Schedule 1 to the Act.

"*Ocean Trawl Fishery*" means the share management fishery of that name, as described in Schedule 1 to the Act.

"*Ocean Trap and Line Fishery*" means the share management fishery of that name, as described in Schedule 1 to the Act.

"*Lobster Fishery*" means the share management fishery of that name, as described in Schedule 1 to the Act.