

PRIMARY INDUSTRIES

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Ocean Trap and Line Fishery Export Approval

North and South Solitary Islands, Fish Rock, Green Island and Magic Point

I, PETER TURNELL, Acting Executive Director, Fisheries NSW, with the delegated authority of the Minister for Primary Industries and the Director General of the Department of Trade and Investment, Regional Infrastructure and Services pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”) and pursuant to section 8 of the Act, do by this notification prohibit the taking of all species of fish by all endorsement holders in the Ocean Trap and Line Fishery by the methods of fishing specified in Column 1 of Schedules 1, 2, 3 and 4 to this notification, from the waters described opposite in Column 2 of Schedules 1, 2, 3 and 4 for the period specified opposite in Column 3 of Schedules 1, 2, 3 and 4.

SCHEDULE 1

<i>Column 1 Methods</i>	<i>Column 2 Waters</i>	<i>Column 3 Period</i>
All methods of line fishing other than trolling, spinning and lead lining, but only if the use of a lead line is for the species described in Column 1 of Schedule 5 and in accordance with the restrictions specified in Column 2 of Schedule 5.	The Steps / Anemone Bay – North Solitary Island All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 153°23.355’ S 29°55.351’	From 1 June to 31 December (inclusive) each year.
Burleying.	The Steps / Anemone Bay – North Solitary Island All waters as described above plus an additional 500 metres extending beyond the waters described above.	From 1 June to 31 December (inclusive) each year.

SCHEDULE 2

<i>Column 1 Methods</i>	<i>Column 2 Waters</i>	<i>Column 3 Period</i>
All methods of line fishing other than trolling, spinning and lead lining, but only if the use of a lead line is for the species described in Column 1 of Schedule 5 and in accordance with the restrictions specified in Column 2 of Schedule 5.	Manta Arch – South Solitary Island All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 153°16.086’ S 30°12’.141’	All year.
Burleying.	Manta Arch – South Solitary Island All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year.

SCHEDULE 3

<i>Column 1 Methods</i>	<i>Column 2 Waters</i>	<i>Column 3 Period</i>
All methods of line fishing other than trolling, spinning and lead lining, but only if the use of a lead line is for the species described in Column 1 of Schedule 5 and in accordance with the restrictions specified in Column 2 of Schedule 5.	Fish Rock – Green Island and connecting corridor All waters from mean high water mark and extending 1,000 metres from mean high water mark in all directions around Green Island and Fish Rock, and including all waters within 1,000 metres of a connecting line extending between the closest extremities of Green Island and Fish Rock.	All year.
Burleying.	Fish Rock – Green Island and connecting corridor All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year.

SCHEDULE 4

<i>Column 1 Methods</i>	<i>Column 2 Waters</i>	<i>Column 3 Period</i>
All methods of line fishing other than trolling, spinning and lead lining, but only if the use of a lead line is for the species described in Column 1 of Schedule 5 and in accordance with the restrictions specified in Column 2 of Schedule 5.	Magic Point – Maroubra All waters from mean high water mark and extending 500 metres in all directions around a point centred on the following coordinates: E 151°15.864' S 33°57.359'	All year.
Burleying.	Magic Point – Maroubra All waters as described above plus an additional 500 metres extending beyond the waters described above.	All year.

SCHEDULE 5

<i>Column 1 Species (Common name (Scientific name))</i>	<i>Column 2 Restrictions on the use of a lead line</i>
Yellowtail Kingfish (<i>Seriola lalandi</i>) Amberjack / Samsonfish (<i>Seriola dumerili</i> & <i>S. hippos</i>) Rainbow Runner (<i>Elagatis bipinnulata</i>) Cobia (<i>Rachycentron canadum</i>) Spotted Mackerel (<i>Scomberomorus munroi</i>) Spanish Mackerel (<i>Scomberomorus commerson</i>) Australian Bonito (<i>Sarda australis</i>) Tailor (<i>Pomatomus saltatrix</i>)	1. The licensed fishing boat from which a lead line is deployed must be making way (that is, under active propulsion) at all times; 2. No more than two lead lines are to be deployed from a licensed fishing boat; 3. No more than one hook or gang of hooks is to be used on each lead line; 4. The hooks used on a lead line must be constructed of plain steel (that is, not stainless steel); 5. A lead line must not be used between half-an-hour past official sunset and half-an-hour before official sunrise; and 6. A lead line must not have weights of more than 500g attached to it when used in areas declared by a notification under section 220T of the Act to be critical habitat of the Grey Nurse Shark.

In this notification:

“**burleying**” means any activity that would be reasonably likely to result in the aggregation of fish associated with line fishing.

“**gang of hooks**” means a group of hooks, each of which is attached to, and in direct contact with, at least one other of those hooks.

“**hand held line**” means a rod (or pole) and line or handline.

“**line fishing**” means the use of a hand held line, set line or drift line.

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

“**spinning**” means the use of an artificial fly or lure in connection with a hand held line deployed from a boat that is not making way (that is, a boat that is anchored, moored or otherwise held stationary), in a manner whereby the artificial fly or lure is retrieved at or near the surface of the water (that is, the fly or lure must not be allowed to sink prior to retrieval).

“**trolling**” means the use of an artificial fly or lure in connection with a hand held line deployed from a boat that is making way (that is, a boat that is under active propulsion).

Latitude and longitude coordinates are in WGS 1984 datum.

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

This notification commences on 16 May 2013 and is effective for a period of five (5) years, unless sooner amended or revoked.

Notes:

1. The purpose of this fishing closure is to continue to implement additional protection measures for the Grey Nurse Shark.
2. The declaration of areas as critical habitat of the Grey Nurse Shark is set out in Critical Habitat of Grey Nurse Shark Notification 2002 published in *New South Wales Government Gazette* No. 237 of 29 November 2002, at pages 10137 to 10149.

Dated this 6th day of May 2013.

PETER TURNELL,
Acting Executive Director,
Fisheries NSW,
Department of Primary Industries
(an office within the Department of Trade and Investment, Regional Infrastructure and Services)

FISHERIES MANAGEMENT ACT 1994

Sections 8 Notification – Fishing Closure

Trip Limits for the Southern Fish Trawl Restricted Fishery, the Ocean Trawl Fishery and the Ocean Trap and Line Fishery

I, KATRINA ANN HODGKINSON, M.P., Minister for Primary Industries, do by this notification pursuant to section 8 of the Fisheries Management Act 1994('the Act'):

1. Prohibit the taking of fish of the species specified in Column 1 of Schedule 1 to this notification, for the period described opposite in Column 2 of Schedule 1, by the methods of fishing specified opposite in Column 3 of Schedule 1, from the waters described opposite in Column 4 of Schedule 1, by endorsement holders in the Southern Fish Trawl Fishery, the Ocean Trawl Fishery and the Ocean Trap and Line Fishery who are also authorised to take fish for sale from Commonwealth managed commercial fisheries.
2. Prohibit the taking of fish of the species specified in Column 1 of Schedule 2 to this notification, for the period described opposite in Column 2 of Schedule 2, by the methods of fishing specified opposite in Column 3 of Schedule 2, from the waters described opposite in Column 4 of Schedule 2, by endorsement holders in the Southern Fish Trawl Fishery, the Ocean Trawl Fishery and the Ocean Trap and Line Fishery who are also authorised to take fish for sale from Commonwealth managed commercial fisheries, except when those fish species are taken in accordance with the trip limits specified opposite in Column 5 of Schedule 2.

In the Schedules to this notification:

“**Fishing 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.

SCHEDULE 1

Column 1 Species	Column 2 Period	Column 3 Method	Column 4 Waters
Orange roughy (<i>Hoplostethus atlanticus</i>), smooth oreodory (<i>Pseudocyttus maculatus</i>), black oreodory (<i>Alloctytus niger</i>), spiky oreodory (<i>Neocyttus rhomboidalis</i>), warty oreodory (<i>Alloctytus verrucosus</i>) and rough oreodory (<i>Neocyttus psilorhynchus</i>).	All year.	All methods.	All ocean waters to which the Act applies.
Pink ling (<i>Genypterus blacodes</i>), mirror dory (<i>Zenopsis nebulosis</i>), blue-eye trevalla (<i>Hyperoglyphe antarctica</i>), blue grenadier (<i>Macruronus novaezelandiae</i>) and royal red prawns (<i>Haliporoides sibogae</i>).	All year	All methods.	All ocean waters to which the Act applies west of a line drawn 3 nautical miles east of the natural coast line.

SCHEDULE 2

Column 1 Species	Column 2 Period	Column 3 Method	Column 4 Waters	Column 5 Trip Limit
Redfish (<i>Centroberyx affinis</i>).	From 1 November to 31 December and from 1 January to 30 June inclusive in each year.	Otter trawl net (fish).	All ocean waters to which the Act applies north of Barrenjoey Head.	No more than 250 kg whole weight during each fishing trip.