

PRIMARY INDUSTRIES

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Commercial Fishing Closure

Bouddi Fishing Closure

ERRATUM

THE Fisheries Management Act 1994, section 8 Closure published in *New South Wales Government Gazette* No. 6 of 19 January 2012, Folio 51, contained an error in that the date referred to in that Closure was inadvertently dated 19 January 2011 when it was published.

The Closure referred to should be dated 19 January 2012. This erratum corrects the error and the gazettal date remains 19 January 2012.

FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007

Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL66/193 within the estuary of the Hastings River, having an area of 0.2006 hectares to KINGSLEY SEARLE and Vivianne SEARLE of Port Macquarie, for a term of 15 years expiring on 1 August 2026.

OL84/225 within the estuary of Wallis Lake, having an area of 0.3684 hectares to BARNETTE PTY LIMITED of Green Point, for a term of 15 years expiring on 31 August 2026.

OL81/142 within the estuary of Wallis Lake, having an area of 0.1246 hectares to CLIFT OYSTERS PTY LTD of Tuncurry, for a term of 15 years expiring on 26 January 2027.

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

FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007

Clause 37 (3) – Notice of Granting of Class 1 Aquaculture Lease

The Minister has granted the following Class 1 Aquaculture Lease:

OL74/251 within the estuary of Port Stephens, having an area of 1.0305 hectares to PHILLIPS OYSTERS PTY LTD of Gympie NSW, for a term of 15 years expiring on 2 May 2026.

OL99/027 within the estuary of Port Stephens, having an area of 1.44 hectares to PHILLIPS OYSTERS PTY LTD of Gympie NSW, for a term of 15 years expiring on 2 May 2026.

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

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Catch limits for certain shark species harvested in the Ocean Trap and Line Fishery

I, PETER TURNELL, A/Executive Director, Fisheries NSW, with the delegated authority of the Minister for Primary Industries and the Director General 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 shark from ocean waters, by holders of line fishing western zone endorsements, line fishing eastern zone endorsements and demersal fish trap endorsements in the Ocean Trap and Line Fishery, except when those fish are taken in accordance with the conditions specified in Schedule 1 to this notification.

SCHEDULE 1

Commercial fishing catch limit conditions

1. A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement must not take more than the weekly limit of any species of shark (excluding those of a type specified in Schedule 2 to this notification) or combination of any species of shark (excluding those of a type specified in Schedule 2 to this notification) within any weekly period commencing midnight Sunday to midnight the following Sunday.
2. A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement must not take any shark (excluding those of a type specified in Schedule 2 to this notification) if the weight of shark (excluding those of a type specified in Schedule 2 to this notification) on a licensed fishing boat at any one time exceeds the weekly limit or if the weekly limit has been reached by that endorsement holder or any other endorsement holder (combined) while using that licensed fishing boat.
3. A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement must not take any shark (excluding those of a type specified in Schedule 2 to this notification) while onboard a boat with any person who is authorised to take shark under the authority of a permit issued under section 37 of the Act enabling that person to take sharks in quantities exceeding the weekly limit specified in this fishing closure.
4. A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement who takes any shark (excluding those of a type specified in Schedule 2 to this notification) must, prior to moving the catch more than 50 metres from the licensed fishing boat used to take the shark, complete the form entitled “NSW DPI Daily Catch and Effort Record” contained within the “NSW DPI Commercial Fisheries Catch and Effort Log Book” issued by the Department of Primary Industries. The completed record must be faxed to (02) 6391 4709 or emailed to cronulla.catchrecords@industry.nsw.gov.au and received by the Department of Primary Industries within 24 hours of landing the catch.

5. A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement who takes any shark species (excluding those of a type specified in Schedule 2 and Schedule 3 to this notification) must:
- if removing the head and gills of the shark, do so by a cut in front of the last gill slit and pectoral fin with the cut being perpendicular to the long axis of the fish, and/or
 - if gutting the shark, only remove the gut and internal organs of the shark.

SCHEDULE 2

Species excluded from catch limit

Common Name	Scientific Name
Harrison's dogfish	<i>Centrophorus harrissoni</i>
Endeavour dogfish	<i>Centrophorus moluccensis</i>
Southern dogfish	<i>Centrophorus zeehaani</i>
Greeneye spurdog	<i>Squalus choloroculus</i>
School shark	<i>Galeorhinus galeus</i>
Gummy shark	<i>Mustelus antarcticus</i>

SCHEDULE 3

Species excluded from condition relating to heading and gutting

Common Name	Family
Gulper sharks	CENTROPHORIDAE
Dogfishes	SQUALIDAE
Catsharks	SCYLORHINIDAE

In this notification:

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

"shark" means the species of cartilaginous fishes contained within the following families:

Family	Common Name
ALOPIIDAE	Thresher sharks
BRACHAELURIDAE	Blind sharks
CARCHARHINIDAE	Whaler sharks
CENTROPHORIDAE	Gulper sharks
CETORHINIDAE	Basking Sharks
CHLAMYDOSELACHIDAE	Frill Sharks
DALATIIDAE	Sleeper sharks
ECHINORHINIDAE	Bramble Sharks
ETMOPTERIDAE	Lantern sharks
GINGLYMOSTOMATIDAE	Nurse sharks
HEMIGALEIDAE	Weasel sharks
HEMISCYLLIDAE	Longtail carpet sharks
HETERODONTIDAE	Horn sharks
HEXANCHIDAE	Sixgill, Sevengill and Broadnose Sharks
LAMNIDAE	Mackerel sharks

Family	Common Name
MEGACHASMIDAE	Megamouth Sharks
MITSUKURINIDAE	Goblin Sharks
OXYNOTIDAE	Roughsharks / prickly dogfishes
PARASCYLLIDAE	Collared carpet sharks
PRISTIOPHORIDAE	Sawsharks
PSEUDOCARCHARIDAE	Crocodile sharks
SCYLORHINIDAE	Catsharks
SOMNIOSIDAE	Sleeper sharks
SPHYRNIDAE	Hammerhead sharks
SQUALIDAE	Dogfishes
SQUATINIDAE	Angelsharks
STEGOSTOMATIDAE	Zebra sharks
TRIAKIDAE	Hound sharks

"weekly limit" means a total weight of 750 kilograms if the sharks are whole or 500 kilograms if the sharks are headed, gutted or headed and gutted as provided for in condition 5 of this closure.

Notes:

- If, during any fishing period that spans 1 February in one year to the 31 January the following year, the total annual catch of sharks by all endorsement holders (excluding those sharks of a type specified in Schedule 2 to this notification and excluding any catches taken pursuant to a permit issued under section 37 of the Act authorising the taking of shark) is more than approximately 70 tonnes dressed weight, the Minister intends to impose further restrictions. Note this limit is subject to change having regard to restrictions imposed on the fishery as part of the Commonwealth Government's Declaration of a Wildlife Trade Operation and associated conditions, and annual reviews of available biological and catch data.
- A separate fishing closure relating to sharks prohibits the practice of shark finning in all NSW waters.
- This closure does not affect the bag limits specified in clause 12D and Schedule 3 of the Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006.
- Contact your District Fisheries Office for details of permit holders referred to in clause 3 of Schedule 1 to this closure. Local District Fisheries Office telephone numbers include: Tweed District - 07 5523 6900, Richmond District (Ballina) - 02 6686 2018, Coffs Harbour District - 02 6652 3977, Clarence River District (Maclean) - 02 6645 0500, Port Macquarie 02 6524 0600

This fishing closure notification takes effect on publication in the NSW Government Gazette and is effective for a five (5) year period, unless sooner amended or revoked.

Dated this 24th day of January 2012.

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