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of the State of

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Number 237–Mining and Primary Industries

Friday, 4 June 2021

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FISHERIES MANAGEMENT ACT 1994
FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2017

Clause 39 (4) - Notice of Aquaculture Lease Renewal

The Minister has renewed the following class 1 Aquaculture Leases:-

OL65/233 within the estuary of the Brisbane Water, having an area of 2.4177 hectares to Wayne Moxham of WALLARAH, NSW, for a term of 15 years expiring on 04 January 2036.

OL61/106 within the estuary of Wapengo Lake, having an area of 1.1558 hectares to John Blankenstein of Nelson, NSW, for a term of 15 years expiring on 18 April 2036.

OL59/267 within the estuary of the Wagonga Inlet, having an area of 0.8947 hectares to Narooma Bridge Oysters Pty Limited of Clifton Hill, VIC, for a term of 15 years expiring on 17 January 2036.

OL60/034 within the estuary of the Hastings River, having an area of 0.1460 hectares to Pastoralize Pty Ltd and Port Oyster Co Pty Ltd of Lane Cove, NSW, for a term of 15 years expiring on 11 November 2035.

OL59/222 within the estuary of the Hastings River, having an area of 1.1289 hectares to Whittens Organic Oyster Farms Pty Ltd of WEST GOSFORD NSW, for a term of 15 years expiring on 17 January 2036.

OL75/165 within the estuary of the Hastings River, having an area of 0.7800 hectares to Whittens Organic Oyster Farms Pty Ltd of WEST GOSFORD NSW, for a term of 15 years expiring on 02 February 2036.

OL99/005 within the estuary of the Brisbane Water, having an area of 0.5860 hectares to Mr Robin Adams of Yanderra, NSW, for a term of 15 years expiring on 03 November 2035.

OL60/119 within the estuary of the Nambucca River, having an area of 0.7330 hectares to Anthony Donohoe and Grahame Clarke of Arrawarra Headland, NSW, for a term of 15 years expiring on 04 August 2035

OL60/106 within the estuary of the Hawkesbury River, having an area of 1.4862 hectares to LMTJ Super Pty Ltd of Mooney Mooney, NSW, for a term of 15 years expiring on 25 April 2036.

OL75/228 within the estuary of the Bermagui River, having an area of 1.2919 hectares to Australia's Oyster Coast Pty Ltd of Batemans Bay, NSW, for a term of 15 years expiring on 23 May 2036.

OL89/044 within the estuary of the Wallis Lake, having an area of 0.2874 hectares to Australia's Oyster Coast Pty Ltd of Batemans Bay, NSW, for a term of 15 years expiring on 3 March 2036.

OL89/050 within the estuary of the Wallis Lake, having an area of 2.3295 hectares to Australia's Oyster Coast Pty Ltd of Batemans Bay, NSW, for a term of 15 years expiring on 10 April 2036.

OL89/051 within the estuary of the Wallis Lake, having an area of 3.1987 hectares to Australia's Oyster Coast Pty Ltd of Batemans Bay, NSW, for a term of 15 years expiring on 10 April 2036.

OL56/062 within the estuary of the Clyde River, having an area of 0.9345 hectares to Jim and John Yiannaros of Batemans Bay, NSW, for a term of 15 years expiring on 11 April 2036.

OL89/056 within the estuary of the Port Stephens, having an area of 0.3461 hectares to Craig Lilley of Swan Bay, NSW, for a term of 15 years expiring on 10 April 2036.

OL60/135 within the estuary of Port Stephens, having an area of 2.2579 hectares to Bruce Lyall of Carrington, NSW, for a term of 15 years expiring on 11 April 2036.

OL88/081 within the estuary of Wallis Lake, having an area of 0.12 hectares to Bell's Island Oysters Australia Pty Ltd of Forster, NSW, for a term of 15 years expiring on 03 March 2036.

OL89/043 within the estuary of the Wallis Lake, having an area of 0.2883 hectares to Polson Oysters Pty Ltd of Oxley Island, NSW, for a term of 15 years expiring on 03 March 2036.

AL04/033 within the estuary of the Wonboyn River, having an area of 1.0904 hectares to Anthony Bacon of Wonboyn, NSW, for a term of 15 years expiring on 17 February 2036.

OL75/168 within the estuary of Port Stephens, having an area of 0.1286 hectares to Grahame Andrews and Anthony Ross Parsons of Tanilba Bay, NSW, for a term of 15 years expiring on 04 January 2036.

OL56/062 within the estuary of the Clyde River, having an area of 0.9345 hectares to Jim and John Yiannaros of Batemans Bay, NSW, for a term of 15 years expiring on 11 April 2036.

OL61/056 within the estuary of the Wallis Lake, having an area of 0.9534 hectares to Polson Oysters Pty Ltd of Oxley Island NSW, for a term of 15 years expiring on 28 May 2036.

OL89/054 within the estuary of Port Stephens, having an area of 0.6847 hectares to Michael O'Connor and Fat Uncle Oysters Pty Ltd of Salamander Bay, NSW, for a term of 15 years expiring on 10 April 2036.

OL89/055 within the estuary of Port Stephens, having an area of 0.7133 hectares to Mark Hunter and Fat Uncle Oysters Pty Ltd of Anna Bay, NSW, for a term of 15 years expiring on 10 April 2036.

OL90/012 within the estuary of the Clyde River, having an area of 0.306 hectares to C & J Single Seed Oysters Pty Ltd of Batemans Bay NSW, for a term of 15 years expiring on 10 April 2036.

PETER TURNELL

Director Fisheries and Aquaculture Management
Fisheries Division
NSW Department of Primary Industries

Fisheries Management (Fishing Determination – Abalone) Notification 2021

under the

Fisheries Management Act 1994

I, ADAM MARSHALL, Minister for Agriculture and Western New South Wales, in pursuance of section 40H of the *Fisheries Management Act 1994*, give notice of the following fishing determination.

Dated this 31st day of May 2021



The Hon Adam Marshall MP
Minister for Agriculture and Western New South Wales

Part 1 Preliminary

1. Name of Instrument

This Instrument is the *Fisheries Management (Fishing Determination – Abalone) Notification 2021*.

2. Interpretation

In this Instrument:

abalone means the species *Haliotis rubra*.

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

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

TAC determination has the same meaning as in section 40A of the Act.

the Act means the *Fisheries Management Act 1994*.

Note: Unless otherwise defined in this Instrument, words and expressions that are defined in the Act have the same meaning in this Instrument.

Part 2 Notification of Fishing Determinations

3. Notice of TAC determination in the Abalone fishery

- (1) The TAC determination for abalone for the fishing period 1 July 2021 to 30 June 2022, as made by the TAF Committee pursuant to section 40D of the Act and clause 35A of the Abalone Plan, is 100 tonnes.
- (2) This fishing determination has effect for the period 1 July 2021 to 30 June 2022.

Competitive Selection Notice (Wollar Allocation Area) 2021



Regional
NSW

under the *Mining Act 1992*

Competitive Selection Notice (Wollar Allocation Area) 2021

under the *Mining Act 1992*

I, JOHN BARILARO, M.P., Deputy Premier, Minister for Regional New South Wales (NSW), Industry and Trade, in pursuance of clauses 2, 3, 4 and 5 of Schedule 1A to the *Mining Act 1992*, (Mining Act) do, by this Notice:

1. invite Applications (Competitive Selection Applications) for the grant of an exploration licence for coal for the Wollar Allocation Area specified in Schedule 1, in accordance with the Competitive Selection Process determined by me and specified in Schedule 2, subject to the Terms and Conditions specified in Schedule 3;
2. stipulate the information that is to accompany a Competitive Selection Application as specified in clause 2.1 of Schedule 2; and
3. require all Competitive Selection Applications to include an undertaking that the Applicant will pay the amount determined through the Tender as consideration if the Applicant is offered the exploration licence within 30 days of being notified of the proposed licence grant, as specified in clause 2.1.3 (b) of Schedule 2.

This Notice is to be interpreted in accordance with Schedule 4.

This Notice takes effect on the date it is published in the NSW Government Gazette.

Dated this 23rd day of May 2021.



JOHN BARILARO, M.P.

Deputy Premier, Minister for Regional New South Wales, Industry and Trade

Explanatory note: Pursuant to section 368A (3) and the Dictionary to the Mining Act, the whole of the State of NSW, including the Wollar Allocation Area, is constituted as a controlled release area and coal is a controlled release mineral. The object of this Notice is to invite Competitive Selection Applications for the grant of an exploration licence for coal for the Wollar Allocation Area, in accordance with the Competitive Selection Process specified in Schedule 2 and the requirements referred to in (2)-(3) above.

under the *Mining Act 1992*

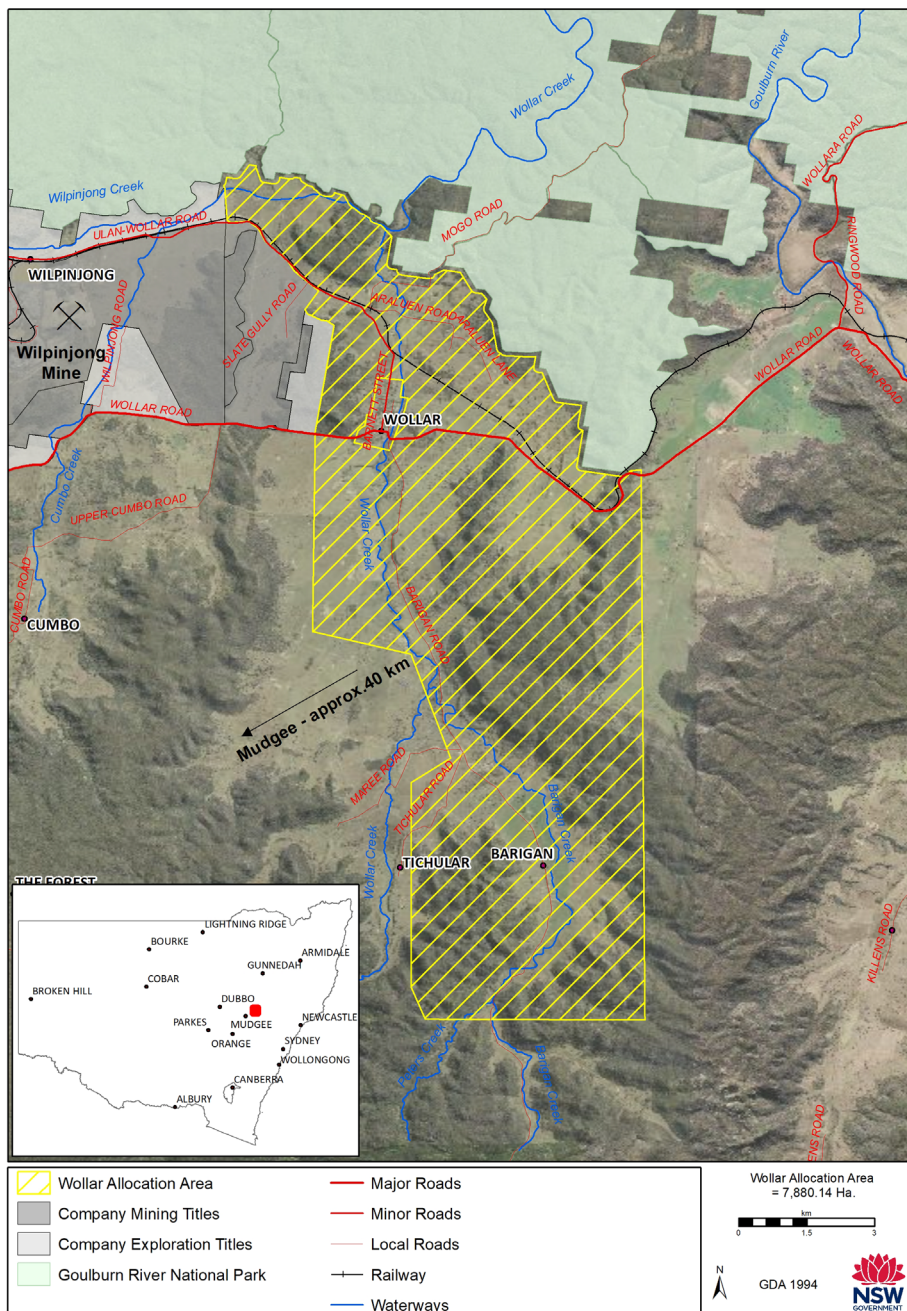
SCHEDULE 1

Wollar Allocation Area

The Wollar Allocation Area is 7880.14 hectares and is shown in **Figure 1**. Coordinates of the area are provided in **Table 1**.

A high-resolution map, shapefile and coordinates (in comma-separated values) of the area are available at www.resourcesandgeoscience.nsw.gov.au/wollar

Figure 1 Wollar Allocation Area



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under the *Mining Act 1992*



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Table 1 Coordinates of Wollar Allocation Area (metres east and north, GDA94 Lambert Projection)

East	North	East	North	East	North	East	North
9575112	4600393	9575523	4600095	9575950	4600088	9576404	4599742
9575177	4600154	9575527	4600103	9575955	4600082	9576410	4599740
9575179	4600149	9575531	4600111	9575962	4600076	9576416	4599739
9575182	4600140	9575534	4600119	9575966	4600072	9576424	4599738
9575186	4600133	9575536	4600128	9576057	4600001	9576433	4599737
9575190	4600125	9575536	4600128	9576062	4599997	9576436	4599737
9575196	4600118	9575548	4600188	9576066	4599994	9576458	4599737
9575201	4600112	9575732	4600149	9576074	4599990	9576465	4599737
9575207	4600105	9575732	4600149	9576082	4599986	9576473	4599738
9575214	4600100	9575741	4600147	9576087	4599984	9576481	4599740
9575221	4600095	9575750	4600147	9576093	4599983	9576490	4599742
9575229	4600091	9575758	4600147	9576147	4599968	9576498	4599745
9575237	4600087	9575767	4600148	9576160	4599939	9576506	4599749
9575245	4600084	9575776	4600149	9576162	4599935	9576513	4599754
9575254	4600082	9575784	4600152	9576164	4599930	9576520	4599759
9575255	4600082	9575792	4600155	9576168	4599923	9576527	4599764
9575418	4600050	9575800	4600159	9576174	4599916	9576533	4599771
9575427	4600049	9575808	4600163	9576179	4599909	9576538	4599777
9575435	4600048	9575815	4600168	9576186	4599903	9576543	4599785
9575444	4600048	9575821	4600174	9576191	4599899	9576546	4599790
9575452	4600049	9575827	4600180	9576228	4599870	9576561	4599817
9575461	4600051	9575929	4600161	9576273	4599806	9576734	4599754
9575469	4600053	9575928	4600153	9576277	4599802	9576832	4599544
9575477	4600056	9575928	4600144	9576282	4599795	9576835	4599539
9575485	4600060	9575929	4600136	9576289	4599789	9576839	4599532
9575493	4600064	9575931	4600127	9576295	4599784	9576844	4599525
9575500	4600070	9575933	4600119	9576303	4599779	9576850	4599518
9575506	4600075	9575936	4600111	9576310	4599775	9576856	4599512
9575513	4600082	9575940	4600103	9576318	4599771	9576860	4599509
9575518	4600088	9575945	4600095	9576323	4599769	9576863	4599506

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East	North
9576930	4599457
9577036	4599351
9577040	4599347
9577047	4599342
9577054	4599337
9577062	4599333
9577070	4599329
9577078	4599326
9577086	4599324
9577092	4599323
9577097	4599323
9577200	4599232
9577201	4599224
9577203	4599215
9577205	4599207
9577208	4599199
9577212	4599191
9577217	4599183
9577222	4599176
9577227	4599170
9577234	4599164
9577240	4599158
9577248	4599153
9577253	4599150
9577259	4599147
9577317	4599121
9577396	4599086
9577462	4599005
9577600	4598828
9577493	4598234
9577492	4598227
9577491	4598220
9577491	4598211

East	North
9577492	4598202
9577494	4598194
9577496	4598185
9577499	4598177
9577503	4598169
9577508	4598162
9577513	4598155
9577518	4598148
9577525	4598142
9577531	4598137
9577539	4598132
9577546	4598127
9577554	4598124
9577562	4598121
9577571	4598119
9577571	4598119
9577676	4598098
9577675	4598093
9577674	4598086
9577674	4598079
9577674	4598070
9577675	4598062
9577676	4598053
9577679	4598045
9577682	4598037
9577686	4598029
9577690	4598021
9577695	4598014
9577701	4598008
9577707	4598002
9577714	4597996
9577721	4597991
9577729	4597987

East	North
9577737	4597983
9577745	4597981
9577754	4597979
9577755	4597978
9578262	4597883
9578269	4597882
9578277	4597882
9578286	4597882
9578295	4597883
9578303	4597884
9578312	4597887
9578320	4597890
9578328	4597894
9578335	4597898
9578342	4597903
9578349	4597909
9578355	4597915
9578360	4597922
9578365	4597929
9578369	4597937
9578373	4597945
9578376	4597953
9578378	4597961
9578550	4598062
9578555	4598066
9578855	4598006
9579053	4597599
9579055	4597595
9579059	4597588
9579064	4597580
9579070	4597574
9579076	4597568
9579083	4597562

East	North
9579090	4597557
9579098	4597553
9579106	4597550
9579114	4597547
9579122	4597545
9579124	4597544
9579244	4597522
9579334	4597393
9579276	4597208
9579276	4597207
9579275	4597202
9579273	4597197
9579272	4597189
9579271	4597180
9579272	4597171
9579272	4597163
9579274	4597154
9579276	4597146
9579280	4597138
9579283	4597130
9579422	4596874
9579440	4596723
9579440	4596713
9579440	4596706
9579441	4596700
9579469	4596484
9579495	4596283
9579495	4596281
9579497	4596273
9579499	4596264
9579502	4596256
9579506	4596248
9579511	4596241

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East	North
9579516	4596234
9579521	4596228
9579526	4596222
9579580	4596173
9579586	4596167
9579593	4596161
9579600	4596157
9579608	4596152
9579616	4596149
9579624	4596146
9579632	4596144
9579638	4596143
9579644	4596142
9580121	4596099
9580127	4596098
9580136	4596098
9580144	4596099
9580149	4596100
9580163	4596103
9580211	4596111
9580170	4595876
9580169	4595869
9580168	4595862
9580168	4595853
9580169	4595844
9580171	4595836
9580173	4595827
9580176	4595819
9580180	4595811
9580185	4595804
9580190	4595797
9580196	4595790
9580202	4595784

East	North
9580209	4595779
9580216	4595774
9580223	4595769
9580231	4595766
9580240	4595763
9580248	4595761
9580250	4595761
9580322	4595747
9580430	4595423
9580519	4595155
9580522	4595147
9580526	4595139
9580531	4595132
9580536	4595125
9580541	4595118
9580548	4595112
9580554	4595107
9580562	4595102
9580569	4595098
9580577	4595094
9580585	4595091
9580594	4595089
9580596	4595089
9580856	4595041
9581037	4595009
9580963	4594594
9580963	4594593
9580960	4594575
9580959	4594568
9580959	4594562
9580959	4594553
9580960	4594544
9580961	4594536

East	North
9580964	4594527
9580967	4594519
9580970	4594511
9580975	4594504
9580980	4594497
9580986	4594490
9580992	4594484
9580999	4594479
9581006	4594474
9581014	4594470
9581022	4594466
9581030	4594463
9581038	4594461
9581040	4594461
9581051	4594459
9580953	4593919
9580911	4593683
9580910	4593676
9580909	4593668
9580909	4593659
9580910	4593651
9580912	4593642
9580914	4593634
9580917	4593626
9580921	4593618
9580926	4593610
9580931	4593603
9580936	4593597
9580943	4593591
9580950	4593585
9580957	4593580
9580964	4593576
9580972	4593572

East	North
9580981	4593569
9580989	4593567
9580990	4593567
9581582	4593452
9581618	4593445
9581623	4593444
9581664	4593436
9581699	4593429
9581732	4593423
9581740	4593422
9581748	4593421
9581757	4593421
9581766	4593422
9581774	4593424
9581783	4593426
9581791	4593429
9581799	4593433
9581806	4593438
9581813	4593443
9581818	4593447
9581823	4593451
9581907	4593537
9581919	4593545
9582114	4593553
9581832	4581452
9577740	4581579
9577491	4582298
9577619	4586800
9578375	4587316
9577703	4589625
9575873	4590175
9576048	4594533
9576040	4594535

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East	North
9576465	4596902
9576335	4597005
9576230	4597024
9575983	4597171
9575933	4597261
9576200	4597668
9575757	4598126
9575637	4598344
9575237	4598792
9575112	4599076
9574927	4599237
9574598	4599214
9574536	4599273
9574514	4599983
9574489	4600028
9574494	4600032

East	North
9574500	4600037
9574506	4600044
9574512	4600050
9574517	4600058
9574521	4600065
9574525	4600073
9574527	4600081
9574529	4600090
9574556	4600219
9574716	4600188
9574724	4600187
9574732	4600187
9574741	4600187
9574750	4600188
9574758	4600189
9574767	4600192

East	North
9574775	4600195
9574783	4600199
9574790	4600203
9574797	4600208
9574804	4600214
9574810	4600220
9574814	4600225
9574818	4600230
9574989	4600480
9575068	4600467
9575115	4600453
9575113	4600448
9575111	4600439
9575110	4600431
9575109	4600422
9575109	4600413

East	North
9575110	4600405
9575111	4600399
9575112	4600393
9577244	4595723
9577108	4594905
9577024	4594920
9576984	4594675
9576924	4594647
9576851	4594556
9576768	4594308
9577423	4594121
9577737	4595010
9577801	4595264
9577658	4595287
9577720	4595660
9577244	4595723

SCHEDULE 2

Competitive Selection Process

Introduction

This Schedule sets out the process for competitive selection for the grant of an exploration licence for coal for the Wollar Allocation Area.

The Applicant who meets the Qualification Requirements and places the highest bid that meets or exceeds the reserve price may have their Application considered for the grant of an exploration licence under the Mining Act. This does not mean that the exploration licence will be granted. The Application will be determined in accordance with the requirements of the Mining Act.

An outcomes report will be published on the Department's website as soon as reasonably practicable after the Competitive Selection Process has been completed. Details of the highest bid amount paid will be made available in the report.

Part 1 – Overview and pre-Tender

1.0 General

- 1.1 The Competitive Selection Process will include a selective tender conducted in accordance with this Schedule.
- 1.2 By submitting a Competitive Selection Application, Applicants agree to be bound by the Terms and Conditions.
- 1.3 The exploration licence being applied for is a standard exploration licence for coal (Group 9 Mineral) for the Wollar Allocation Area. If granted, the licence will be subject to conditions, including the Native Title Condition.
- 1.4 Details about Competitive Selection Applications will only be included in the Department's publicly available register and made available for public inspection after the Competitive Selection Process has been completed.

Note: This is to maintain confidentiality of Applicants during the Competitive Selection Process.

2.0 Applications to participate in Tender

- 2.1 Applicants must submit a Competitive Selection Application that meets the following requirements:
 - 2.1.1 It must be made on the form 'EL7 – Application for an exploration licence for Group 9 (coal) via competitive selection at www.resourcesandgeoscience.nsw.gov.au/wollar;
 - 2.1.2 it must comply with section 13 (4) to (6) of the Mining Act;
 - 2.1.3 it must be accompanied by:
 - a. a proposed work program that meets the Minimum Standards for a coal exploration licence;
 - b. an undertaking that the Applicant will pay the amount determined through the Tender as consideration if the Applicant is offered the exploration licence, within 30 days of being notified of the proposed licence grant;
 - c. an acknowledgement signed by the Applicant agreeing to the Terms and Conditions.
 - 2.1.4 it must be for a coal exploration licence for a six (6) year term; and

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2.1.5 it must relate to the whole of the Wollar Allocation Area, which embraces the surface of the land to a depth of 900 metres below Australian Height Datum (AHD).

2.2 The Competitive Selection Application may be lodged either in person, by facsimile, by post or electronically via email (preferred) with the Department by **5.00pm (AEST) on Tuesday 3 August 2021**.

Note: In accordance with clause 2(4) of Schedule 1A to the Act, the Minister may vary or withdraw this Notice by way of a further notice published in the Gazette. For example, this may include to terminate the process, or extend the close date for Applications.

2.3 The application fee paid with the Competitive Selection Application is non-refundable.

Note: The mandatory participation charge outlined in the Guideline for Competitive Allocation for Coal does not apply to this process.

2.4 An Applicant may withdraw their Application at any time during the Competitive Selection Process by lodging the form 'AD13 - Notice to withdraw an application or objection' available at [resourcesandgeoscience.nsw.gov.au/___data/assets/pdf_file/0005/448250/AD13-Notice-to-withdraw-an-application-or-objection-RNSW-V1.0.pdf](https://resourcesandgeoscience.nsw.gov.au/__data/assets/pdf_file/0005/448250/AD13-Notice-to-withdraw-an-application-or-objection-RNSW-V1.0.pdf).

Note: Email (competitive.allocation@regional.nsw.gov.au) is the preferred method for the submission of application forms and withdrawals. This ensures it is received by the Department as quickly as possible.

3.0 Review of Applications against Qualification Requirements

3.1 The Department will review all lodged Competitive Selection Applications.

Note: The Department will aim to complete this review within 30 days of the close date under clause 2.2.

3.2 A Competitive Selection Application must meet the following Qualification Requirements to the Department's satisfaction:

3.2.1 the Application is complete and meets the requirements in clauses 2.1- 2.2;

3.2.2 the proposed work program complies with:

- a. the Minimum Standards for work programs for a coal exploration licence; and
- b. the Work Program Guideline;

3.2.3 the Applicant meets the Minimum Standards required with respect to technical and financial capability to carry out the proposed work program;

3.2.4 the Applicant, and where the Applicant is a body corporate any director of the body corporate or of any related body corporate, has a satisfactory compliance history;

3.2.5 the Applicant, and where the Applicant is a body corporate any director of the body corporate or of any related body corporate, has no **criminal conduct issues** within the meaning of section 380A(3) of the Mining Act.

3.3 An Applicant must provide any further information requested by the Department in writing, within the period specified in that request.

4.0 Notification to Applicants

4.1 Competitive Selection Applications that fail to meet the Qualification Requirements to the Department's satisfaction will be refused.

Note: In accordance with clause 6(2) of Schedule 1A to the Mining Act, if a Competitive Selection Application fails to meet the requirements of the invitation in relation to which it is made, the Application can be refused at any time during the Competitive Selection Process without waiting for the process to be finalised.

4.2 The Department will notify Applicants in writing whether their Application meets the Qualification Requirements, or does not meet the Qualification Requirements and is refused.

4.3 Before an Application is refused, the Department will:

4.3.1 notify the Applicant of proposed refusal;

- 4.3.2 invite the Applicant to rectify, or to make submissions in relation to the proposed refusal; and
- 4.3.3 take into account any rectification made or submissions received.

Part 2 – Tender

Tender overview

- 5.0 The Tender will be conducted where one or more Applications meet the Qualification Requirements under clause 3.2.

Note: If only one Application is received, the Minister may alternatively decide to extend the close date for Applications or to terminate this process and consider other options for allocating the area. If no Applications are received, or if no Applications meet the Qualification Requirements, the Minister may consider terminating this process, or extend the close date for Applications. Termination or extension will may be via a further Gazette notice in accordance with clause 2(4) of Schedule 1A to the Act.

6.0 Tender Manager

- 6.1 The Department will appoint a Tender Manager.
- 6.2 The Tender Manager must be independent from the State Government of NSW.
- 6.3 The Tender Manager is responsible for:
 - 6.3.1 inviting Applicants to participate in the Tender and notifying them of the Tender round open and close dates and times in accordance with the ASCC's instructions;
 - 6.3.2 managing the Tender system administration including providing all required documents and information to Applicants;
 - 6.3.3 overseeing receipt of Tender bids;
 - 6.3.4 being the single point of contact for Applicants in relation to the Tender and responding to enquiries; and
 - 6.3.5 informing the ASCC of the number and value of bids received during the Tender rounds after they have closed.
- 6.4 The Department will notify the Tender Manager of the Applicants whose Applications met the Qualification Requirements and who may be invited to participate in the Tender.
- 6.5 The Department will provide technical assistance and advice as requested, and all relevant Tender documentation to the Tender Manager.
- 6.6 The Tender Manager must keep the identity and number of Applicants confidential during the Tender.
- 6.7 In addition, during a Tender round the Tender Manager must not have access to information identifying which Applicants have placed a bid or the bid values until after the Tender round has closed.
- 6.8 The Tender Manager must provide all Tender records to the Department after the completion of the Competitive Selection Process.

7.0 Invitation to Tender

- 7.1 The ASCC will provide the Tender Manager with instructions in relation to the Tender round open and close dates and times.
- 7.2 The Tender Manager will invite Applicants notified to the Tender Manager under clause 6.4 to participate in the Tender and provide them with details of the Tender.
- 7.3 Applicants may participate in the Tender rounds if they have:
 - 7.3.1 received a notice under clause 7.2;

under the *Mining Act 1992*

7.3.2 lodged a notice of interest to participate in the Tender, as per the instructions given by the Tender Manager; and

7.3.3 received confirmation from the Tender Manager that they are registered to participate in the Tender.

7.4 After a Tender round has opened, the Tender Manager in accordance with the ASCC's instructions may extend the Tender round close date by written notice to all Applicants.

8.0 Valuation Report

8.1 The Department will engage a Resource Valuer to provide a Valuation Report on:

8.1.1 the value of potential coal in the Wollar Allocation Area as a company asset;

8.1.2 the range of likely values as a return to an investor under different economic and processing scenarios; and

8.1.3 commentary on high level risks associated with the project and any potential opportunities.

8.2 The Resource Valuer must be engaged with the approval of NSW Treasury.

8.3 The Resource Valuer must be independent from the State Government of NSW.

9.0 Setting of the reserve price

9.1 The ASCC will set the Tender reserve price after taking into account:

9.1.1 the Valuation Report;

9.1.2 any advice from the Department; and

9.1.3 any advice from NSW Treasury.

9.2 The reserve price between the first and second Tender rounds may differ.

9.3 When setting the reserve price for the second Tender round, the ASCC may also take into account the number and value of bids from the first Tender round.

9.4 All parties must keep the reserve price confidential.

10.0 Bids

10.1 Applicants must only submit a bid that is:

10.1.1 unconditional;

10.1.2 a single value (not a value range);

10.1.3 in Australian dollars (AUD);

10.1.4 a positive value;

10.1.5 a whole dollar value (no cents); and

10.1.6 for the entire Wollar Allocation Area.

10.2 Applicants must only place one bid.

10.3 If two Applicants place the same value bid, the earliest placed bid takes precedence.

11.0 First Tender round

11.1 The reserve price for the first Tender round will not be disclosed.

11.2 The first Tender round will open and close on the dates and times advised by the Tender Manager.

Note: It is expected the first tender round will remain open for up to 30 days.

under the *Mining Act 1992*

12.0 Second Tender round

12.1 In accordance with the ASCC's instructions, the Tender Manager will notify Applicants of:

- 12.1.1 the open and close dates and times of the second Tender round; and
- 12.1.2 the reserve price for the second Tender round.

12.2 All Applicants may participate in the second Tender round provided they are registered in accordance with clause 7.3.

Note: Even if an Applicant did not participate in the first Tender round, they may participate in the second Tender round if they lodge a notice of interest to participate and have received confirmation from the Tender Manager they are registered to participate under clause 7.3.

12.3 The second Tender round will open and close on the dates and times advised by the Tender Manager.

Note: It is expected the second Tender round will remain open for up to 30 days.

13.0 Evaluation of Tender bids

13.1 The Tender Manager will review all bids after each Tender round closes.

13.2 The Tender Manager will advise the ASCC of the dollar value of all bids made during the Tender round and the highest bid.

13.3 If the highest bid from the Tender round meets or exceeds the reserve price, the ASCC will notify the Minister of the identity of the highest bidding Applicant. The Minister may then consider that Applicant's Application.

13.4 If the highest bid from the Tender round does not meet the reserve price, the ASCC will notify the Minister of:

- 13.4.1 the reserve price; and
- 13.4.2 the number of Applicants and the dollar value of all bids made during the Tender round;

and make a recommendation to the Minister of next steps.

Notes: (1) This may include proceeding to a second Tender round or considering other options such as an ascending auction (the details of which are to be agreed between the Minister administering the Mining Act and the Treasurer), or direct negotiation with the highest bidder (but only following endorsement from NSW Cabinet). (2) If the reserve price is not met after the second Tender round, the Minister may also consider whether to make a public commitment that the area will not be released.

13.5 If the Minister decides to proceed to a second Tender round, the ASCC will instruct the Tender Manager to notify Applicants in accordance with clause 12.1.

Note: Proceeding to a second Tender round is at the discretion of the Minister.

Part 3 – Assessment and determination of Applications

14.0 Assessment of Application for highest bidding Applicant

14.1 Following notification from the ASCC under clause 13.3, the Minister may consider the Application of the highest bidding Applicant.

Notes: (1) In accordance with clause 6(1) of Schedule 1A, the Application is to be dealt with and determined in accordance with the provisions of the Mining Act as they relate to an application for an exploration licence. Accordingly, a power of the decision-maker under the Mining Act to refuse an application for an exploration licence or assessment lease applies to a Competitive Selection Application. (2) The Minister will aim to determine the Application within two months of the Tender close. As the highest bidding Applicant may still have their Application refused – remaining Applications may remain on foot and not be refused until the exploration licence has been granted.

14.2 The Department will:

- 14.2.1 notify the highest bidding Applicant that their Application is being considered; and

14.2.2 notify all other Applicants they did not have the highest bid.

14.3 If the Minister decides to grant the exploration licence to the highest bidding Applicant, the Department will notify the highest bidding Applicant of the Minister's proposed decision to grant them the licence.

14.4 The successful Applicant must pay the bid amount within 30 days of being notified of the proposed licence grant.

14.5 The successful Applicant may request an extension of time for payment, however this is subject to the agreement of the Minister and NSW Treasury.

14.6 If the Minister decides not to grant the licence, or the successful Applicant does not pay the bid amount in accordance with clause 14.4, the Minister may:

14.6.1 refuse the Applicant's application; and

14.6.2 ask the ASCC to provide the Minister with the details of the next highest bidder that meets the reserve price and apply the steps in clause 14.1 – 14.4 in relation to that Applicant.

14.7 If there are no other bids that meet or exceed the reserve price, the ASCC may suggest other options for the Minister to consider.

15.0 Notification to Applicants

15.1 If the exploration licence is granted, or if the Minister decides to terminate the Process, the Minister will refuse all remaining Applications and notify Applicants of the refusal of their Applications.

16.0 Public statement of Tender outcome

16.1 As soon as reasonably practicable after the completion of the Competitive Selection Process, the Department will release a public statement of the outcome.

SCHEDULE 3

Terms and conditions

1. I acknowledge that these Terms and Conditions apply to the Competitive Selection Process and by submitting a Competitive Selection Application, I agree to be bound by these Terms and Conditions.
2. Except to the extent the Minister expressly agrees otherwise, these Terms and Conditions apply to any process the Minister or Department may undertake in connection with the selection of the Applicant for the grant of an exploration licence. This includes without limitation any process involving the reissuing of the call for Tenders, or shortlisting of Applicants.
3. Once submitted, the Competitive Selection Application and all associated documents (including any Tender documents) become NSW Government property and will not be returned.

Communication with the Minister or Department

4. I must not influence or offer inducements, solicit or communicate with the Minister or any person representing the Minister or the Department about the Tender or the Tender process.
5. Unauthorised communication with the Department, the Minister or the Minister's representatives about the Tender process may lead to my disqualification and the refusal of my Competitive Selection Application.
6. All queries in relation to the Competitive Selection Process should be made to competitive.allocation@regional.nsw.gov.au, except enquiries in relation to the Tender (including bids, the Tender system or placing bids) which should be made to the Tender Manager.

Conflict of Interest

7. I must avoid any actual or potential conflicts of interest during the Tender. This includes placing myself in a position which may give rise to an actual or potential conflict of interest during the Tender or in relation to my involvement in the Tender.
8. I will promptly advise the Probity Officer by email to competitive.allocation@regional.nsw.gov.au as to any actual or potential conflicts of interest that arise in relation to the Tender or my involvement in the Tender, including after lodgement of a Tender bid.
9. The Department reserves the right, in its absolute discretion, at any stage to undertake investigations to confirm that there are no actual or potential conflicts of interest which may preclude me from becoming the successful Applicant.

Disclosure by the Minister or the Department

10. I acknowledge the Minister may, without my consent:
 - a. disclose information contained in my Competitive Selection Application or Tender to other Ministers, Department officers, consultants and advisers as may be necessary to evaluate my Application and any Tender received;
 - b. seek information as necessary from third parties and regulatory agencies; and
 - c. make public statements about the Competitive Selection Process and Tender including in relation to the successful Applicant and bid amount.

Applicant's Warranties

11. I warrant at the time of submission of my Tender bid that:
 - a. I have not entered into any agreement with other Applicants or any other person in relation to who will be the highest bidder; and
 - b. I have not been involved in the exchange of information with other Applicants about the Tender.

Discretion not fettered

12. The Minister gives no warranty and makes no representation as to the way the Minister, the Department or any other person may exercise any discretion relevant to any aspect of the Competitive Selection Process.
13. Nothing in the Tender documents or any information provided in association with the Tender fetters the Minister's power to exercise any discretion whether to grant (whether in whole or part), grant subject to conditions, or refuse a grant, or any discretion or other powers or actions whatsoever.
14. The Tender outcome is final and no review applications will be accepted in relation to the Tender.

Information requests by the Minister

15. I must provide all additional information requested by the Department, the Minister or the Tender Manager for the purposes of the Competitive Selection Process and evaluation of my Application.

Applicant's further assistance

16. I must:
 - a. execute all such further documents and do all acts and things required by the Minister, Department or Tender Manager for the purposes of giving effect to these Terms and Conditions;
 - b. provide such additional information or clarification as the Minister, Department or Tender Manager requires;
 - c. do all things reasonably necessary to assist the evaluation of my Application.

Exclusion of claims against the Minister and the Department

17. I will have no entitlement to make any claim for any costs, expenses or other liabilities I incur in preparing my Competitive Selection Application or Tender documents or bids or otherwise in connection with the Competitive Selection Process. This includes any costs, expenses, or other liabilities incurred in providing any further information or in carrying out any further work under 15 or 16 above or any costs, losses, expenses or damages I may suffer as a consequence of the Competitive Selection Process.
18. The Minister and Department's Tender obligations to me are those expressly set out in these Terms and Conditions or under the Mining Act.
19. I release the Minister and the Department and its employees, agents and contractors from all claims under law including the law of tort, submission or otherwise arising from or in connection with:
 - a. the Competitive Selection Process or any information provided by or on behalf of the Minister including due to incompleteness, errors, discrepancies or other inadequacy;
 - b. the Minister or the Department exercising any discretions conferred by the Competitive Selection Process, under these Terms and Conditions or under the Mining Act or Regulation;

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- c. any costs, expenses or liabilities I incur in obtaining the Competitive Selection Process documents or any other related documents;
- d. any of the matters or things relevant to the Competitive Selection Process in respect of which I must satisfy under that process or these Terms and Conditions; and
- e. any costs, expenses or other liabilities I incur in preparing a Competitive Selection Application, Tender documents or bids or otherwise in connection with the Competitive Selection Process (whether or not my Application or Tender documents or bids are lodged or accepted by the Minister) including any costs incurred by me in providing any further information or carrying out any further work under 15 or 16 above.

No reliance

20. I agree that:

- a. information supplied by or on behalf of the Minister, Department or Tender Manager in relation to the Competitive Selection Process as part of the documents or otherwise (state supplied information) is provided in good faith and only for my convenience;
- b. I shall have no claim in law against the Department or any employee, agent or contractor of the Department (whether in contract, tort including negligence, equity, under statute or otherwise) arising from or in connection with the provision of the state supplied information;
- c. without prejudice to any other term or condition, I must satisfy myself entirely from my own sources as to the meaning, effect and interpretation of, and take into account any matter or thing disclosed by any state supplied information relevant to the proposed tender;

21. Clause 20 applies to statements made and information supplied by or on behalf of the Minister, Department or Tender Manager in relation to the Competitive Selection Process. This includes information contained or referred to in surveys, reports, studies, advices, papers, records or other material referred to in this Tender or any other documents provided by the Department including any third party material statements.

Confidentiality

22. I must at all times (including after the completion or termination of the Tender) keep confidential and not disclose to any person, or copy, use or otherwise deal with for any purpose, any information regarding my Tender bid(s), the Tender documents, the Competitive Selection Application or the Department (including its business or activities in relation to the Competitive Selection Process, including the Tender) except to the extent:

- a. I am specifically authorised in writing by the Minister; or
- b. the information is necessarily disclosed to others (who are also bound to keep the information confidential) for the purposes of enabling me to prepare a Competitive Selection Application or Tender bids.

23. I must not make any public or media statement in relation to the Competitive Selection Process, including the Tender, the outcome of the Competitive Selection Process, any coal exploration licence granted or any other matter referred to in the Competitive Selection Process without the prior written consent of the Department.

Code of Conduct

24. I must not engage in unethical or collusive behaviour or seek to obtain an unfair advantage.

25. I must comply with the standards of behaviour in Sections 1 and 2 of the Code of Conduct extracted at Annexure A, and available at buy.nsw.gov.au/policy-library/policies/supplier-code-of-conduct.

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26. Any breaches of the Code of Conduct may preclude me from participating in the Competitive Selection Process and any future such process.
27. The Minister or Department in their sole discretion may refuse to consider my Application for any reason, including but not limited to circumstances where the Minister or Department reasonably believe that I have engaged in collusive behaviour.

Annexure A to Schedule 3 – Code of Conduct

buy.nsw.gov.au/policy-library/policies/supplier-code-of-conduct

1. The NSW Government is committed to the highest ethical standards

When conducting business with the NSW Government I can expect that the NSW Government will:

- comply with applicable laws, regulations, policies and procedures
- act with integrity and openness
- demonstrate fairness and transparency in our dealings with individuals and organisations
- disclose any perceived or real conflicts of interest
- encourage fair and open competition while seeking value for money and innovative solutions
- adopt procurement processes to make it easy to do business
- publish details of contracts awarded as required by legislation
- protect and prevent the release of commercial-in-confidence information
- not seek, or accept, any financial or non-financial benefits from potential, current or past suppliers
- respond to reasonable requests for advice and information, including tender debriefings
- investigate complaints.

2. When conducting business with the NSW Government I will:

- comply with applicable laws, regulations, policies, procedures and good business practices
- ensure third parties acting on my behalf comply with this code
- act with integrity and openness
- conduct business in an ethical and safe manner
- disclose any perceived or real conflicts of interest
- not discuss or disclose dealings with the NSW Government to the media without approval
- pay my suppliers / contractors on time
- protect and prevent the release of commercial-in-confidence information
- ensure the security and proper use of government information, assets and materials
- not offer NSW Government employees/contractors any financial or non-financial benefits
- respond to reasonable requests for advice and information
- report breaches of this code to the NSW Government.

SCHEDULE 4

Interpretation

Unless otherwise defined below, words and expressions that are defined in the Mining Act or the Mining Regulation 2016 have the same meaning in this Notice.

Allocation Steering Committee for Coal (ASCC) means the inter-agency committee that administers the competitive allocation framework under the Allocation Steering Committee for Coal Interim Terms of Reference, available at:

resourcesandgeoscience.nsw.gov.au/__data/assets/pdf_file/0010/1275355/Allocation-Steering-Committee-for-Coal-Interim-Terms-of-Reference.pdf

Applicant means a person who submits a Competitive Selection Application.

Note: Also see 'I' below.

Competitive Selection Application, or Application see clause 2 of Schedule 2.

Competitive Selection Process means the process set out in Schedule 2.

Department, or NSW Government means the Crown in right of the State of New South Wales acting through the Department of Regional New South Wales.

I in Schedule 3 and Annexure A to that Schedule means an Applicant.

Minimum Standards means the Mineral Prospecting Minimum Standards for Work Programs and Technical and Financial Capability (December 2020), published by the Department, available at: resourcesandgeoscience.nsw.gov.au/__data/assets/pdf_file/0003/1242930/Mineral-prospecting-minimum-standards.pdf

Native Title Condition means a condition imposed on an exploration licence that limits prospecting on any land or waters within the licence area on which Native Title has not been extinguished under the *Native Title Act 1993* (Cth), without the prior written consent of the Minister administering the Mining Act.

Notice means this *Competitive Selection Notice (Wollar Allocation Area) 2021* published in the NSW Government Gazette on **Friday 4 June 2021**.

Probity Officer means the probity officer appointed by the ASCC under the Allocation Steering Committee for Coal Interim Terms of Reference.

Qualification Requirements see clause 3.2 of Schedule 2.

Resource Valuer see clause 8 of Schedule 2.

Shapefile means a geospatial vector data format for storing geometric location and attribute information of geographic features for use in geographic information system software.

Tender see clause 1.1 of Schedule 2.

Terms and Conditions see Schedule 3.

Tender Manager see clause 6 of Schedule 2.

Valuation Report see clause 8.1 of Schedule 2.

Work Program Guideline means the 'Exploration Guideline: Work programs for prospecting titles Mining Act 1992' (December 2020) published by the Department, available on the resourcesandgeoscience.nsw.gov.au/__data/assets/pdf_file/565961/Exploration-guideline-work-programs-for-prospecting-titles.pdf

Fisheries Management (Southern Fish Trawl Restricted Fishery Trawl Whiting Grounds) Approval 2021

under the

Fisheries Management Act 1994

I, PETER TURNELL, Director, Fisheries and Aquaculture Management, pursuant to section 26(3) of the Fisheries Management (General) Regulation 2019, and with the delegated authority of the Secretary under section 228 of the *Fisheries Management Act 1994*, make the following approval.

Dated this 27th day of May 2021



PETER TURNELL

**Director, Fisheries and Aquaculture Management
DPI Fisheries
Regional NSW**

Part 1 Preliminary

1. Name of approval

This Approval is the *Fisheries Management (Southern Fish Trawl Restricted Fishery Trawl Whiting Grounds) Approval 2021*.

2. Commencement

This approval commences on the date it is published in the NSW Government Gazette.

3. Repeal

The *Clause 24 Approval: Waters Designated as Trawl Whiting Grounds in the Southern Fish Trawl Fishery* published in the NSW Government Gazette No 47 of 10 June 2016 is repealed.

4. Definitions

In this approval:

ocean waters has the same meaning as in clause 3 of the Regulation.

Southern fish trawl restricted fishery has the same meaning as in clause 145 of the Regulation.

the Act means the *Fisheries Management Act 1994*.

the Regulation means the Fisheries Management (General) Regulation 2019.

Part 2 Waters Designated as Trawl Whiting Grounds

1. Trawl Whiting Grounds

For the purpose of clause 26(3) of the Regulation, in the Southern fish trawl restricted fishery Trawl Whiting Grounds are the ocean waters west of the ninety (90) metre (45 fathom) depth contour.

Pursuant to section 136 of the *Mining Act 1992* and section 16 of the *Petroleum (Onshore) Act 1991*

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(APP-2021-155)

No. 6293, AUSTRALIAN CONSOLIDATED GOLD HOLDINGS PTY LTD (ACN 619 975 405), area of 149 units, for Group 1, dated 27 May 2021. (Orange Mining Division).

(APP-2021-156)

No. 6294, PEEL MINING LIMITED (ACN 119 343 734), area of 50 units, for Group 1, dated 27 May 2021. (Cobar Mining Division).

(APP-2021-157)

No. 6295, BACCHUS RESOURCES PTY LTD (ACN 606340872), area of 100 units, for Group 1, dated 28 May 2021. (Cobar Mining Division).

(APP-2021-158)

No. 6296, TASTEX PTY LTD (ACN 002 092 159), area of 13 units, for Group 2, dated 30 May 2021. (Orange Mining Division).

MINING LEASE APPLICATION

(TMS-APP437)

No. 31, THE AUSTRAL BRICK CO PTY LTD (ACN 000 005 550), area of about 58.632 hectares, to mine for structural clay, dated 27 May 2021. (Sydney Mining Division).

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(TMS-2020-127)

No. 5988, now Exploration Licence No. 9171, SYNDICATE MINERALS PTY LTD (ACN 635 864 587), County of Cadell, Map Sheet (7726, 7825, 7826), area of 142 units, for Group 1, dated 12 May, 2021, for a term until 12 May, 2027.

(TMS-2020-209)

No. 6024, now Exploration Licence No. 9172, LATIN RESOURCES LIMITED (ACN 131405144), Counties of Ashburnham and Bathurst, Map Sheet (8630, 8631), area of 88 units, for Group 1, dated 12 May 2021, for a term until 12 May 2027.

(TMS-2020-220)

No. 6028, now Exploration Licence No. 9142, RIGHT SOLUTIONS AUSTRALIA PTY LTD (ACN 166 199 471), County of Buller, Map Sheet (9340), area of 50 units, for Group 1, dated 30 April 2021, for a term until 30 April 2027.

(TMS-2020-253)

No. 6042, now Exploration Licence No. 9180, EASTERN METALS PTY LTD (ACN 643 902 943), County of Blaxland, Map Sheet (8132, 8133), area of 122 units, for Group 1, dated 21 May 2021, for a term until 21 May 2024.

(TMS-APP162)

No. 6046, now Exploration Licence No. 9179, BULLA PARK METALS PTY LTD (ACN 619 198 024), Counties of Fitzgerald and Ularara, Map Sheet (7637), area of 60 units, for Group 1, dated 24 May, 2021, for a term until 24 May, 2023.

(TMS-2020-323)

No. 6075, now Exploration Licence No. 9173, LACHLAN COPPER PTY LIMITED (ACN 615107812), Counties of Lincoln and Napier, Map Sheet (8734, 8834), area of 16 units, for Group 1, dated 13 May, 2021, for a term until 13 May, 2024.

(TMS-2020-450)

No. 6154, now Exploration Licence No. 9159, DARREN SAMPSON AND KEITH CROSBY, Counties of Clarke, Gough and Gresham, Map Sheet (9238), area of 12 units, for Group 6, dated 4 May 2021, for a term until 4 May 2027.

(TMS-2020-450)

No. 6154, now Exploration Licence No. 9158, DARREN SAMPSON AND KEITH CROSBY, Counties of Clarke, Gough and Gresham, Map Sheet (9237, 9238), area of 55 units, for Group 6, dated 4 May 2021, for a term until 4 May 2027.

(TMS-2020-463)

No. 6158, now Exploration Licence No. 9178, ALKANE RESOURCES LTD (ACN 000 689 216), County of Ashburnham, Map Sheet (8531), area of 7 units, for Group 1, dated 24 May 2021, for a term until 24 May 2027.

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATIONS

(APP-2021-33)

No. 6219, RIVER EXPLORATION PTY LTD (ACN 647507391), County of Rous, Map Sheet (9541, 9641). Withdrawal took effect on 31 May 2021.

(APP-2021-35)

No. 6220, CORE MINERALS PTY LTD (ACN 647693758), County of Beresford and County of Wallace, Map Sheet (8625). Withdrawal took effect on 31 May 2021.

NOTICE is given that the following application for renewal has been received:

(REN-2021-69)

Exploration Licence No. 5574, PROSPECTORE PROPRIETARY LIMITED (ACN 619 426 952), area of 23 units. Application for renewal received 1 June 2021.

RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(TMS-2020-471)

Exploration Licence No. 6354, BOWDENS SILVER PTY LIMITED (ACN 009250051), County of Phillip, Map Sheet (8832), area of 10 units, for a further term until 6 December 2026. Renewal effective on and from 21 May 2021.

(TMS-REN186)

Exploration Licence No. 6594, GLENDELL TENEMENTS PTY LIMITED (ACN 056 693 175), County of Durham, Map Sheet (9133), area of 798 hectares, for a further term until 6 July 2025. Renewal effective on and from 6 November 2020.

(REN-2021-19)

Exploration Licence No. 8530, ST BARBARA LIMITED (ACN 009 165 066), County of Bland, Map Sheet (8330), area of 3 units, for a further term until 7 March 2023. Renewal effective on and from 12 May 2021.

TRANSFER

(TMS-TRF85)

Exploration Licence No. 6455, formerly held by LUCKNOW GOLD LTD (ACN 123 714 910) has been transferred to LUCKNOW GOLD LTD (ACN 123 714 910) AND TALISMAN B PTY LTD (ACN 635 738 500). The transfer was registered on 27 May 2021.

Fisheries Management (Ocean Trawl Fishery Trawl Whiting Grounds) Approval 2021

under the

Fisheries Management Act 1994

I, PETER TURNELL, Director, Fisheries and Aquaculture Management, pursuant to section 7B(3) of the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006, and with the delegated authority of the Secretary under section 228 of the *Fisheries Management Act 1994*, make the following approval.

Dated this 27th day of May 2021



PETER TURNELL
Director, Fisheries and Aquaculture Management
DPI Fisheries
Regional NSW

Part 1 Preliminary

1. Name of approval

This Approval is the *Fisheries Management (Ocean Trawl Fishery Trawl Whiting Grounds) Approval 2021*.

2. Commencement

This approval commences on the date it is published in the NSW Government Gazette.

3. Repeal

The *Clause 7B Approval: Waters Designated as Trawl Whiting Grounds in the Ocean Trawl Fishery* published in the NSW Government Gazette No 47 of 10 June 2016 is repealed.

4. Definitions

In this approval:

OT Plan means the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006.

ocean waters has the same meaning as in Schedule 1 to the Act.

the Act means the *Fisheries Management Act 1994*.

Part 2 Waters Designated as Trawl Whiting Grounds

1. Trawl Whiting Grounds

For the purpose of section 7B(3) of the OT Plan, Trawl Whiting Grounds are ocean waters west of the ninety (90) metre (45 fathom) depth contour.