



Proclamation

under the

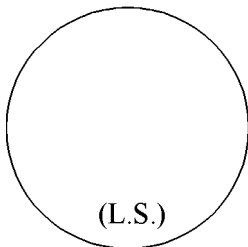
Fisheries Management Act 1994

JAMES JACOB SPIGELMAN, Lieutenant-Governor

I, the Honourable James Jacob Spigelman, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and on the recommendation of the Minister for Agriculture and Fisheries, and in pursuance of section 42 of the *Fisheries Management Act 1994*, do, by this my Proclamation, amend Schedule 1 to that Act, with effect on 27 March 2004, as set out in Schedule 1 to this Proclamation.

Signed and sealed at Sydney, this 24th day of March 2004.

By His Excellency's Command,



IAN MICHAEL MACDONALD, M.L.C.,

Minister for Agriculture and Fisheries

GOD SAVE THE QUEEN!

Explanatory note

Schedule 1 to the *Fisheries Management Act 1994* specifies share management fisheries for the purposes of that Act. The object of this Proclamation is to amend that Schedule so as to convert the following fisheries from category 2 share management fisheries to category 1 share management fisheries:

- (a) the ocean hauling fishery,
- (b) the ocean trap and line fishery,
- (c) the estuary general fishery,

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(d) the estuary prawn trawl fishery.

The Proclamation also creates a category 1 share management fishery called the ocean trawl fishery.

Descriptions of the fisheries are set out in Schedule 1 to this Proclamation.

Schedule 1 Amendment of Fisheries Management Act 1994**[1] Schedule 1 Share management fisheries**

Insert in Part 1 after the description of the lobster fishery (clause 6):

6A Ocean trawl fishery**Description of fishery**

The ocean trawl fishery consists of the following:

- (a) the use of an otter trawl net (prawns) to take fish from any of the following waters
 - (i) inshore waters,
 - (ii) offshore waters,
 - (iii) the waters of Coffs Harbour and Jervis Bay,
- (b) the use of an otter trawl net (fish) to take fish from ocean waters that are north of a line drawn due east from Barrenjoey Headland (other than the waters in which use of an otter trawl net (fish) is prohibited under the regulations under this Act).

6B Ocean hauling fishery**Description of fishery**

- (1) The ocean hauling fishery consists of the use of a hauling net or purse seine net to take fish from any of the following waters:
 - (a) ocean waters within 3 nautical miles of the natural coast line,
 - (b) the waters of Jervis Bay,
 - (c) the waters of Coffs Harbour.
- (2) The ocean hauling fishery extends to the use of any net by the method of hauling to take fish from any of the waters referred to in subclause (1).

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Schedule 1 Amendment of Fisheries Management Act 1994

6C Ocean trap and line fishery

Description of fishery

- (1) The ocean trap and line fishery consists of the following:
 - (a) the use of a fish trap to take fish from ocean waters,
 - (b) the use of a line with hooks attached to take fish from ocean waters,
 - (c) the use of a spanner crab net to take spanner crabs from ocean waters that are north of a line drawn due east from Korogoro Point (Hat Head).
- (2) In this clause, *ocean waters* does not include the waters within 3 nautical miles of:
 - (a) the high water mark on Lord Howe Island, or
 - (b) Balls Pyramid.

6D Estuary general fishery

Description of fishery

The estuary general fishery consists of:

- (a) the taking of fish from estuarine waters by any lawful method other than by use of an otter trawl net (prawns), and
- (b) the taking of fish from ocean beaches by the method of hand picking.

6E Estuary prawn trawl fishery

Description of fishery

The estuary prawn trawl fishery consists of the use of an otter trawl net (prawns) to take fish from estuarine waters.

[2] Schedule 1, Part 2

Omit the descriptions of the ocean hauling fishery, the ocean trap and line fishery, the estuary general fishery and the estuary prawn trawl fishery (clauses 9–12).

BY AUTHORITY
