



New South Wales

Fisheries Management (General) Amendment (Manning River Prawn Nets) Regulation 2004

under the

Fisheries Management Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

IAN MICHAEL MACDONALD, M.L.C.,

Minister for Primary Industries

Explanatory note

The object of this Regulation is to revise the requirements relating to the lawful use of prawn nets (hauling) in the Manning River by commercial fishers. In particular, the amendments require nets to be operated from a boat that is at least 10 metres from the water's edge and restrict the use of mechanically powered boats in connection with prawn hauling operations.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 23, 24 and 289 (the general regulation-making power).

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Clause 1 Fisheries Management (General) Amendment (Manning River Prawn Nets) Regulation 2004

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1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Manning River Prawn Nets) Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

3 Amendment of Fisheries Management (General) Regulation 2002

The *Fisheries Management (General) Regulation 2002* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 33 Prawn net (hauling): Manning River

Omit “subclauses (3), (4) and (5)” from clause 33 (1).

Insert instead “subclauses (3)–(10)”.

[2] Clause 33 (2) (f)

Insert after clause 33 (2) (e):

- (f) a marker buoy with a diameter of not less than 100 millimetres must be affixed to the hauling line at intervals of 55 metres.

[3] Clause 33 (4) (a)

Omit the paragraph. Insert instead:

- (a) one end of the hauling line run on the first leg (first rope shot) to the net must be attached to a stationary licensed fishing boat that:
 - (i) does not have a motor on or in it, and
 - (ii) does not contain any rope other than the mooring line, the anchor line and a maximum of 220 metres of hauling line, and
 - (iii) is secured by an anchor (with the length of the anchor line not exceeding 50 metres) in such a position that both the boat and the anchor are at least 10 metres from the water’s edge (regardless of the tide) during the entire hauling operation,

[4] Clause 33 (4) (b)

Insert “(or laid out)” after “the line must then be cast”.

[5] Clause 33 (4) (f) and (g)

Omit the paragraphs. Insert instead:

- (f) once the shooting of the first hauling line of the net has commenced, the two hauling lines of the net must not be shortened or manipulated in any way so as to alter the shape of the haul (other than as a necessary part of the process of landing the net),

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- (g) once any part of the net other than the hauling line has been shot or cast, the shooting and hauling operation is to be continued without interruption or delay until the hauling lines have been removed from the water and the net landed in such depth of water, or onto the tray of the boat in such a way, as to enable any prohibited size fish in the net to escape.

[6] Clause 33 (6)–(11)

Omit clause 33 (6). Insert instead:

- (6) The entire hauling operation must take place at least 10 metres from the water's edge (regardless of the tide).
- (7) The hauling lines must not be towed by more than one boat at any stage in the hauling operation.
- (8) A crew that uses a net must not operate more than one mechanically powered boat in the Manning River.
- (9) A crew that uses a net must not operate a mechanically powered boat within 50 metres of another crew that is taking prawn from the Manning River, except as provided by subclause (10).
- (10) A crew may operate a mechanically powered boat within 50 metres of another crew that is taking prawn from the Dawson River for the purpose of passing the other crew. The crew passing must pass the other crew as quickly as possible and must not assist the other crew.
- (11) For the purposes of this Regulation or any other instrument under the Act, a net described in this clause may be referred to as a prawn net (hauling).

BY AUTHORITY
