



New South Wales

Fisheries Management (Estuary General Share Management Plan) Regulation 2006

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 MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

The object of this Regulation is to give effect to the share management plan for the estuary general share management fishery.

The share management plan provides for the following matters:

- (a) objectives of the plan,
- (b) description of the fishery,
- (c) minimum and maximum shareholdings,
- (d) endorsement conditions,
- (e) species that may be taken,
- (f) other miscellaneous matters, including the adoption of the supporting plan.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 24, 40, 57, 60 and 289 (the general regulation-making power) and the sections mentioned in the plan.

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Fisheries Management (Estuary General Share Management Plan) Regulation 2006

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (Estuary General Share Management Plan) Regulation 2006*.

2 Commencement

This Regulation commences on 5 February 2007.

3 Estuary General Share Management Plan

The *Estuary General Share Management Plan* set out in the Appendix to this Regulation has effect.

Appendix

(Clause 3)

Part 1 Preliminary

1 Name of Plan

This is the *Estuary General Share Management Plan*.

2 Definitions

(1) In this Plan:

endorsement means an endorsement on a commercial fishing licence that authorises the taking of fish in the fishery.

endorsement holder means a person who holds a commercial fishing licence that has an endorsement.

estuarine waters has the meaning given by Schedule 1 to the Act.

estuary general fishing business means a fishing business the components of which include shares in the fishery.

fishery means the estuary general fishery (as described in Schedule 1 to the Act).

hand picking, of fish, means any method of taking fish by hand (whether or not while wearing a glove) including taking fish by hand while diving or while using any of the following instruments:

- (a) a single blade knife with a blade longer than it is wide,
- (b) a pump or similar device having a barrel or cylinder with a diameter of not more than 85 millimetres,
- (c) a tube or cylinder (whether or not fitted with a cap at one end) with a length of not more than 250 millimetres and a diameter of not more than 85 millimetres,
- (d) a spade or fork (except in a seagrass bed, mangrove or saltmarsh area or for the taking of pipis),
- (e) pliers.

permitted species of fish has the meaning given by clause 16.

Supporting Plan means the *Fisheries Management Supporting Plan* as set out in the Appendix to the *Fisheries Management (Supporting Plan) Regulation 2006*.

the Act means the *Fisheries Management Act 1994*.

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- (2) In this Plan, a reference to a region of the fishery is a reference to a region described in clause 4.
- (3) In this Plan, longitude and latitude coordinates are in WGS84 datum, unless otherwise provided.
- (4) Notes in this Plan do not form part of the Plan.

Part 2 Objectives of Plan

3 Objectives, performance indicators and triggers for review

- (1) The objectives of this Plan are set out in Column 1 of the Table to this clause.
- (2) For the purposes of section 57 (2) (a) of the Act, the performance indicator in relation to each objective of this Plan is set out in Column 2 of the Table to this clause next to the objective concerned.
- (3) For the purposes of section 57 (2) (b) of the Act, a review of this Plan is required in the circumstances provided for in Column 3 of the Table to this clause next to the objective and performance indicator concerned.
- (4) In the Table:
 - key secondary species* means a permitted species of fish that is designated as a key secondary species (as indicated in Column 3 of the Table to clause 16 next to the name of the species concerned).
 - primary species* means a permitted species of fish that is designated as a primary species (as indicated in Column 3 of the Table to clause 16 next to the name of the species concerned).
 - secondary species* means a permitted species of fish that is designated as a secondary species (as indicated in Column 3 of the Table to clause 16 next to the name of the species concerned).

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Table

	Column 1	Column 2	Column 3
	Objective	Performance indicator	Trigger for review
1	Contribute, in conjunction with other fishing regulatory controls (as defined in section 7A of the Act), to managing the impacts of the fishery on the environment and to ensuring ecologically sustainable development	Reduction in the estimated quantity of the estuary general catch (by method) which is discarded	The Director-General is satisfied that the estimated quantity of discards for any observed method increases between consecutive observer surveys
		No new primary species or key secondary species with an exploitation status is classified as “overfished” or “recruitment overfished” by the Department	On the basis of resource assessment frameworks approved by the Director-General, the exploitation status of a primary species or key secondary species is changed to “overfished” or “recruitment overfished” by the Department
		Total annual landings of all secondary species taken in the fishery as a percentage of the total annual landings in the fishery remains at 15% or less	The Director-General is satisfied that the contribution of secondary species to total annual landings exceeds 15% in any 2 consecutive years

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Column 1	Column 2	Column 3
Objective	Performance indicator	Trigger for review
	<p>No interactions between the fishery and any threatened species, population or ecological community that are likely to threaten the survival of a species, population or ecological community</p> <p>No interactions between the fishery and protected fish that are likely to threaten the survival of protected fish</p>	<p>Any interaction between the fishery and any threatened species, population or ecological community reported by endorsement holders in the fishery or observed during an observer survey that is likely to threaten the survival of a threatened species, population or ecological community, as determined by the Director-General on advice from relevant experts</p> <p>On a biennial review undertaken by the Department of interactions between the fishery and protected fish reported by endorsement holders in the fishery or observed during an observer survey, the Director-General, on advice from relevant experts, determines that the level of these reported interactions is likely to threaten the survival of the protected fish</p>

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	Column 1	Column 2	Column 3
	Objective	Performance indicator	Trigger for review
2	Contribute, in conjunction with other fishing regulatory controls (as defined in section 7A of the Act), to promoting viable commercial fishing	There are net returns to the fishery	The Director-General is satisfied that the gross value of production of the fishery has not exceeded the sum of indicative industry operational costs and government management costs relevant to the fishery for 3 consecutive years

Part 3 Description of fishery

Note. The fishery is described in Schedule 1 to the Act as consisting 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.

Estuarine waters do not include the waters of Port Jackson.

4 Regions of fishery

- (1) For the purposes of this Plan, the fishery is divided into 7 regions, as specified in Column 1 of the Table to this clause.
- (2) A description of each region, and the estuarine waters within the region, is set out in Columns 2 and 3 of the Table to this clause next to the name of the region concerned.

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Table Regions and estuarine waters

Column 1	Column 2	Column 3
Region	Description of region	Estuarine waters within region
Upper North Coast— Region 1	That part of the State lying generally between the border between the States of Queensland and New South Wales and the parallel 29°15' south latitude	Tweed River Cudgen Lake Cudgera Creek Mooball Creek Brunswick River Richmond River Evans River Jerusalem Creek
Clarence—Region 2	That part of the State lying generally between the parallel 29°15' south latitude and the parallel 29°45' south latitude	Clarence River Sandon River
North Coast—Region 3	That part of the State lying generally between the parallel 29°45' south latitude and the parallel 31°44' south latitude	Wooli Wooli River Station Creek Corindi River Arrawarra Creek Darkum Creek Woolgoolga Lake Hearns Lake Moonee Creek Coffs Harbour Creek Boambee Creek Bonville Creek Dalhousie Creek Oyster Creek Nambucca River Macleay River South West Rocks Creek Saltwater Creek Korogoro Creek Killick Creek Lake Innes Lake Cathie Camden Haven River

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Column 1	Column 2	Column 3
Region	Description of region	Estuarine waters within region
Central—Region 4	That part of the State lying generally between the parallel 31°44' south latitude and the parallel 33°25' south latitude	Manning River Khappinghat Creek Wallis Lake Smiths Lake Myall Lakes Myall River Lake Boolambayte Port Stephens Karuah River Hunter River Tuggerah Lakes
Metropolitan—Region 5	That part of the State lying generally between the parallel 33°25' south latitude and the parallel 34°20' south latitude	Hawkesbury River Pittwater Port Hacking
Upper South Coast—Region 6	That part of the State lying generally between the parallel 34°20' south latitude and the parallel 35°25' south latitude	Towradgi Creek Lake Illawarra Minnamurra River Spring Creek Werri Lagoon Crooked River Shoalhaven River Lake Wollumboola Jervis Bay Swan Lake Berrara Creek Nerrindilah Creek

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Column 1	Column 2	Column 3
Region	Description of region	Estuarine waters within region
Lower South Coast— Region 7	That part of the State lying generally between the parallel 35°25' south latitude and the border between the States of New South Wales and Victoria	Termeil Lake Willinga Lake Durras Lake Batemans Bay Candlagan Creek Moruya River Congo Creek Meringo River Coila Lake Lake Brou Kianga Lake Wagonga Inlet Nangudga Lake Corunna Lake Tilba Tilba Lake Wallaga Lake Barragoot Lake Cuttagee Lake Murrah Lake Bunga Lagoon Wapengo Lake Middle Lake (Bega) Wallagoot Lake Bournda Lagoon Merimbula Lake Pambula Lake Curalo Lake

5 Classes of share

There are 63 classes of share available in the fishery, being the following classes:

- (a) Estuary general—handline and hauling crew shares—Regions 1, 2, 3, 4, 5, 6 and 7,
- (b) Estuary general—meshing shares—Regions 1, 2, 3, 4, 5, 6 and 7,
- (c) Estuary general—prawning shares—Regions 1, 2, 3, 4, 5, 6 and 7,
- (d) Estuary general—trapping shares—Regions 1, 2, 3, 4, 5, 6 and 7,
- (e) Estuary general—eel trapping shares—Regions 1, 2, 3, 4, 5, 6 and 7,

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- (f) Estuary general—mud crab trapping shares—Regions 1, 2, 3, 4, 5, 6 and 7,
- (g) Estuary general—hand gathering shares—Regions 1, 2, 3, 4, 5, 6 and 7,
- (h) Estuary general—category one hauling shares—Regions 1, 2, 3, 4, 5, 6 and 7,
- (i) Estuary general—category two hauling shares—Regions 1, 2, 3, 4, 5, 6 and 7.

Note. The classes of share available correspond to the type of endorsement available in the fishery and the region in which that endorsement authorises the holder to take fish.

Under section 71A of the Act, it is possible for the management plan to provide for the creation and issue of further classes of shares in the fishery.

6 Types of endorsement

- (1) There are 63 types of endorsement available in the fishery, as follows:
 - (a) Handline and hauling crew endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (b) Meshing endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (c) Prawning endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (d) Trapping endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (e) Eel trapping endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (f) Mud crab trapping endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (g) Hand gathering endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (h) Category one hauling endorsement—Regions 1, 2, 3, 4, 5, 6 and 7,
 - (i) Category two hauling endorsement—Regions 1, 2, 3, 4, 5, 6 and 7.
- (2) **Handline and hauling crew endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**

A handline and hauling crew endorsement authorises the holder to take fish from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement using a handline or by assisting another commercial fisher who holds a category one or category two hauling endorsement (using hauling methods only).
- (3) Only shareholders who hold estuary general—handline and hauling crew shares for a region are eligible to be given, or to nominate a person to be given, a handline and hauling crew endorsement for that region.

(4) **Meshing endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**

A meshing endorsement authorises the holder to take fish from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement using any of the following nets:

- (a) meshing net,
- (b) flathead net.

(5) Only shareholders who hold estuary general—meshing shares for a region are eligible to be given, or to nominate a person to be given, a meshing endorsement for that region.

(6) **Prawning endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**

A prawning endorsement authorises the holder to take prawns from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement using any of the following nets:

- (a) prawn net (hauling),
- (b) prawn net (set pocket),
- (c) prawn running net,
- (d) seine net (prawns),
- (e) hand-hauled prawn net,
- (f) push or scissors net (prawns),
- (g) dip or scoop net (prawns).

(7) Only shareholders who hold estuary general—prawning shares for a region are eligible to be given, or to nominate a person to be given, a prawning endorsement for that region.

(8) **Trapping endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**

A trapping endorsement authorises the holder to take fish (other than eels and mud crabs) from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement using any of the following nets and traps:

- (a) fish trap,
- (b) hoop or lift net.

Note. This endorsement extends to the taking of blue swimmer crabs from estuarine waters using the trap or net referred to above.

(9) Only shareholders who hold estuary general—trapping shares for a region are eligible to be given, or to nominate a person to be given, a trapping endorsement for that region.

- (10) **Eel trapping endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**
An eel trapping endorsement authorises the holder to use an eel trap to take eels from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement.
- (11) Only shareholders who hold estuary general—eel trapping shares for a region are eligible to be given, or to nominate a person to be given, an eel trapping endorsement for that region.
- (12) **Mud crab trapping endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**
A mud crab trapping endorsement authorises the holder to use a crab trap or a hoop or lift net (or both) to take mud crabs from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement.
- (13) Only shareholders who hold estuary general—mud crab trapping shares for a region are eligible to be given, or to nominate a person to be given, a mud crab trapping endorsement for that region.
- (14) **Hand gathering endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**
A hand gathering endorsement authorises the holder to take beachworm, pipi, cockle, cuttlefish, mussel and nippers from estuarine waters and ocean beaches, within a region of the fishery specified in the endorsement, by the method of hand picking.
- (15) Only shareholders who hold estuary general—hand gathering shares for a region are eligible to be given, or to nominate a person to be given, a hand gathering endorsement for that region.
- (16) **Category one hauling endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**
A category one hauling endorsement authorises the holder to take fish from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement using any of the following nets:
- (a) hauling net (general purpose),
 - (b) trumpeter whiting net (hauling),
 - (c) pilchard, anchovy and bait net (hauling),
 - (d) garfish net (hauling),
 - (e) garfish net (bullringing),
 - (f) bait net.
- (17) Only shareholders who hold estuary general—category one hauling shares for a region are eligible to be given, or to nominate a person to be given, a category one hauling endorsement for that region.

(18) **Category two hauling endorsement—Regions 1, 2, 3, 4, 5, 6 and 7**

A category two hauling endorsement authorises the holder to take fish from the estuarine waters specified in Column 3 of the Table to clause 4 within a region of the fishery specified in the endorsement using any of the following nets:

- (a) garfish net (hauling),
- (b) garfish net (bullringing),
- (c) bait net.

(19) Only shareholders who hold estuary general—category two hauling shares for a region are eligible to be given, or to nominate a person to be given, a category two hauling endorsement for that region.

(20) Any endorsement that authorises the taking of fish from the estuarine waters within Region 5 (as specified next to Region 5 in the Table to clause 4) is taken to also authorise the taking of fish from any part of the Hawkesbury River that lies outside Region 5 in the proximity of Wisemans Ferry and Mangrove Creek.

(21) Any endorsement that authorises the taking of fish from estuarine waters within one region is taken to also authorise the taking of fish from estuarine waters within another region, but only if those other waters are specified in the endorsement.

Part 4 Minimum and maximum shareholdings

7 Minimum shareholding

(1) For the purpose of section 67 (1) of the Act, the minimum shareholding in relation to a class of shares specified in the Table to this clause is, subject to subclause (2), the number of shares of that class specified in the Table next to the class concerned.

Note. A person who does not hold the minimum shareholding required for a class of shares will not be eligible to be given, or to nominate another person to be given, an endorsement that authorises the taking of fish in respect of shares of that class. See sections 68 (3) (b) and 69 (2) of the Act.

(2) The minimum shareholding in relation to a class of shares is, if the shareholder is an original entitlement holder in relation to that class of shares, 1 share of that class.

(3) Subclause (2) ceases to apply in respect of a class of shares held by a shareholder if the shareholder transfers, assigns, forfeits or surrenders any shares of that class after the commencement of this Plan (in which case subclause (1) applies to the shareholder).

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- (4) For the purposes of this clause, an *original entitlement holder*, in relation to a class of shares, is a person who:
- (a) held shares of that class immediately before the commencement of this Plan, and
 - (b) was, immediately before the commencement of this Plan, eligible for an endorsement in the fishery (or to nominate a person to be given an endorsement in the fishery) on the basis of that shareholding.
- (5) A person who is issued with shares of a class as a consequence of a decision of the Share Appeal Panel on an appeal in relation to the issue of shares in the fishery and who would have been entitled to an endorsement in the fishery, or to nominate a person to be given an endorsement, if those shares had been issued before the commencement of this Plan, is taken to be an original entitlement holder in relation to that class of shares.
- (6) The shares relied on to meet the minimum shareholding requirement must all be a component of the same estuary general fishing business.

Table

Class of shares	Minimum shareholding
Estuary general—handline and hauling crew shares (Region 1, 2, 3, 4, 5, 6 or 7)	125
Estuary general—meshing shares (Region 1, 2, 3, 4, 5, 6 or 7)	125
Estuary general—prawning shares (Region 1, 2, 3, 4, 5, 6 or 7)	125
Estuary general—trapping shares (Region 1, 2, 3, 4, 5, 6 or 7)	125
Estuary general—eel trapping shares (Region 1, 2, 3, 4, 5, 6 or 7)	125
Estuary general—mud crab trapping shares (Region 1, 2, 3, 4, 5, 6 or 7)	125
Estuary general—hand gathering shares (Region 1, 2, 3, 4, 6 or 7)	125
Estuary general—hand gathering shares (Region 5)	100
Estuary general—category one hauling shares (Region 1, 2, 3, 4, 5, 6 or 7)	125
Estuary general—category two hauling shares (Region 1, 2, 3, 4, 5, 6 or 7)	125

8 Maximum shareholding

For the purpose of section 72 (1) of the Act, the maximum shareholding is 40% of the total number of shares in the fishery at the commencement of this Plan.

Part 5 Endorsement conditions

9 Use of traps and nets by trapping endorsement holders

- (1) This clause applies if a person holds a trapping endorsement (but not a mud crab trapping endorsement or eel trapping endorsement).
- (2) For the purposes of section 68 (6A) of the Act, it is a condition of a trapping endorsement that the fisher taking fish under the endorsement does not set or use a fish trap or hoop or lift net (or both) in any waters in contravention of this clause.
- (3) A fisher must not set or use in the waters of Wallis Lake Broadwater or Port Stephens Broadwater (or both) at any one time:
 - (a) a total of more than 20 fish traps, or
 - (b) a total of more than 10 hoop or lift nets.
- (4) A fisher must not set or use in any other waters at any one time:
 - (a) a total of more than 10 fish traps, or
 - (b) a total of more than 10 hoop or lift nets.
- (5) Without affecting subclauses (3) and (4), if fish traps or hoop or lift nets (or both) are set or used by a fisher in the waters of Wallis Lake Broadwater or Port Stephens Broadwater (or both) and in other waters, the fisher must not set or use at any one time:
 - (a) a total of more than 20 fish traps, or
 - (b) a total of more than 10 hoop or lift nets.

Note. See also clauses 48, 59 and 61 of the *Fisheries Management (General) Regulation 2002*. Any breach of those clauses is an offence under section 24 of the Act.

10 Use of traps and nets by mud crab trapping endorsement holders

- (1) This clause applies if a person holds a mud crab trapping endorsement (but not a trapping endorsement).
- (2) For the purposes of section 68 (6A) of the Act, it is a condition of a mud crab trapping endorsement that the fisher taking fish under the endorsement does not set or use a crab trap or hoop or lift net (or both) in any waters in contravention of this clause.

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- (3) A fisher must not set or use in any waters at any one time:
 - (a) a total of more than 10 crab traps, or
 - (b) a total of more than 10 hoop or lift nets.
- (4) In addition, a fisher must not set or use in any waters at any one time a combined total of crab traps and hoop or lift nets that exceeds 10. Accordingly, for every one crab trap the fisher sets or uses, the maximum number of hoop or lift nets he or she is permitted to use at the same time is reduced by one.

Note 1. Accordingly, a fisher who uses 1 crab trap is permitted to use only 9 hoop or lift nets, a fisher who uses 2 crab traps is permitted to use only 8 hoop or lift nets, a fisher who uses 3 crab traps is permitted to use only 7 hoop or lift nets, and so on.

Note 2. See also clauses 48, 59 and 61 of the *Fisheries Management (General) Regulation 2002*. Any breach of those clauses is an offence under section 24 of the Act.

11 Use of traps and nets by dual endorsement holders

- (1) This clause applies if a person holds both a trapping endorsement and a mud crab trapping endorsement.
- (2) For the purposes of section 68 (6A) of the Act, it is a condition of a trapping endorsement and a mud crab trapping endorsement that the fisher taking fish under the endorsements does not set or use a fish trap, hoop or lift net or crab trap (or any combination of those traps and nets) in any waters in contravention of this clause.
- (3) A fisher must not set or use in the waters of Wallis Lake Broadwater or Port Stephens Broadwater (or both) at any one time:
 - (a) a total of more than 20 fish traps, or
 - (b) a total of more than 20 hoop or lift nets, or
 - (c) a total of more than 10 crab traps.
- (4) A fisher must not set or use in any other waters at any one time:
 - (a) a total of more than 10 fish traps, or
 - (b) a total of more than 20 hoop or lift nets, or
 - (c) a total of more than 10 crab traps.
- (5) Without affecting subclauses (3) and (4), if fish traps, hoop or lift nets or crab traps (or any combination of those traps or nets) are set or used by a fisher in the waters of Wallis Lake Broadwater or Port Stephens Broadwater (or both) and in other waters, the fisher must not set or use at any one time:
 - (a) a total of more than 20 fish traps, or
 - (b) a total of more than 20 hoop or lift nets, or

(c) a total of more than 10 crab traps.

- (6) In addition, a fisher must not set or use in any waters, at any one time, a combined total of crab traps and hoop or lift nets that exceeds 20. Accordingly, for every one crab trap the fisher sets or uses, the maximum number of hoop or lift nets he or she is permitted to use at the same time is reduced by one.

Note 1. Accordingly, a fisher who uses 1 crab trap is permitted to use only 19 hoop or lift nets, a fisher who uses 2 crab traps is permitted to use only 18 hoop or lift nets, a fisher who uses 3 crab traps is permitted to use only 17 hoop or lift nets, and so on. A fisher who uses the maximum number of crab traps he or she is permitted to use (that is, 10 crab traps) is permitted to use only 10 hoop or lift nets.

Note 2. See also clauses 48, 59 and 61 of the *Fisheries Management (General) Regulation 2002*. Any breach of those clauses is an offence under section 24 of the Act.

12 No more than one net to be used by holders of hauling endorsement

- (1) For the purposes of section 68 (6A) of the Act, it is a condition of a category one hauling endorsement that the holder of the endorsement does not use or cause to be used more than one of the nets that the holder is authorised to use in the fishery by the endorsement at any one time.
- (2) For the purposes of section 68 (6A) of the Act, it is a condition of a category two hauling endorsement that the holder of the endorsement does not use or cause to be used more than one of the nets that the holder is authorised to use in the fishery by the endorsement at any one time.

13 Boat capacity restrictions

- (1) For the purposes of section 68 (6A) of the Act, it is a condition of an endorsement that the endorsement holder does not use a boat to take fish in the fishery if it has a length exceeding the maximum boat length specified in Column 1 of the Table to this clause.

Table

Column 1	Column 2
Maximum boat length	Exemption code
10 metres	EG

- (2) Subclause (1) does not apply in respect of an original boat if:
- (a) it is exempted from the maximum boat length requirement in accordance with an exemption criteria determined by the Director-General, and

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- (b) that exemption is noted on the fishing boat licence for the boat by the Minister using a code of a kind specified in Column 2 of the Table to this clause.
- (3) In this clause, an *original boat* means a boat that, immediately before the commencement of this Plan, was a component of an estuary general fishing business.
- (4) For the purposes of this clause, the length of a boat is the length noted on the fishing boat licence for that boat.

14 Taking fish with the assistance of other persons

- (1) For the purposes of section 68 (6A) of the Act, it is a condition of an endorsement that the endorsement holder does not take fish in the fishery with the assistance of any person, other than a person who holds the same type of endorsement to take fish as the endorsement holder.
- (2) This clause does not apply to the taking of fish in the fishery by use of a seine net (prawns).

Part 6 Species that may be taken

15 Only permitted species may be taken

For the purposes of section 68 (6A) of the Act, it is a condition of an endorsement that the endorsement holder does not take fish by use of a net, trap or line or by the method of hand picking in the fishery unless the fish taken is a permitted species for the fishery.

Note. Size requirements for permitted species are set out in the *Fisheries Management (General) Regulation 2002*.

16 Permitted species

For the purposes of this Plan, a *permitted species* of fish is a species of fish listed in the following Table.

Table Species of fish permitted to be taken in the fishery

Common name	Scientific name	Designation
Anchovy	<i>Engraulis australis</i>	Secondary species
Australian bonito	<i>Sarda australis</i>	Secondary species
Australian salmon	<i>Arripis trutta</i>	Secondary species
Beachworm spp.	various (Class: POLYCHAETA)	Key secondary species
Blue mackerel	<i>Scomber australasicus</i>	Secondary species
Bream		
• Black bream	<i>Acanthopagrus butcheri</i>	Secondary species
• Yellowfin bream	<i>Acanthopagrus australis</i>	Primary species
Catfish spp.	various (Family: ARIIDAE/ PLOTOSIDAE)	Secondary species
Cockle spp.	various (Family: ARCIDAE/ VENERIDAE)	Key secondary species
Crabs		
• Blue swimmer crab	<i>Portunus pelagicus</i>	Key secondary species
• Mud crab	<i>Scylla serrata</i>	Primary species
• Sand crab spp.	various (Family: PORTUNIDAE)	Secondary species
Cuttlefish spp.	various (Family: SEPIIDAE)	Secondary species
Eels		
• Longfin river eel	<i>Anguilla reinhardtii</i>	Primary species
• Pike eel	<i>Muraenesox bagio</i>	Secondary species
• Shortfin river eel	<i>Anguilla australis</i>	Primary species
• Short-finned conger eel	<i>Conger wilsoni</i>	Secondary species
• Southern conger eel	<i>Conger verreauxi</i>	Secondary species
Emperor	<i>Lethrinus</i> spp.	Secondary species

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Common name	Scientific name	Designation
Flathead		
• Dusky flathead	<i>Platycephalus fuscus</i>	Primary species
• Sand/ Bluespotted flathead	<i>Platycephalus caeruleopunctatus</i>	Secondary species
Flounder spp.	various (Family: PLEURONECTIDAE/ BOTHIDAE)	Secondary species
Garfish		
• Eastern sea garfish	<i>Hyporhamphus australis</i>	Secondary species
• River garfish	<i>Hyporhamphus regularis</i>	Key secondary species
• Shortbill garfish	<i>Arrhamphus sclerolepis</i>	Secondary species
Gurnard spp.	various (Family: TRIGLIDAE)	Secondary species
Hairtail	<i>Trichiurus lepturus</i>	Secondary species
Hardyhead spp.	various (Family: ATHERINIDAE)	Secondary species
John dory	<i>Zeus faber</i>	Secondary species
Leatherjacket spp.	various (Family: MONACANTHIDAE)	Secondary species
Longtom spp.	various (Family: BELONIDAE)	Secondary species
Luderick	<i>Girella tricuspidata</i>	Primary species
Mackerel tuna	<i>Euthynnus affinis</i>	Secondary species
Mangrove jack	<i>Lutjanus argentimaculatus</i>	Secondary species
Mantis shrimp spp.	various (Family: SQUILLIDAE)	Secondary species
Mullet		
• Flat-tail mullet	<i>Liza argentea</i>	Key secondary species
• Pink-eye mullet	<i>Myxus petardi</i>	Secondary species
• Red mullet	<i>Upeneichthys lineatus</i>	Secondary species
• Sand mullet	<i>Myxus elongatus</i>	Secondary species
• Sea mullet	<i>Mugil cephalus</i>	Primary species

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Common name	Scientific name	Designation
Mulloway	<i>Argyrosomus japonicus</i>	Key secondary species
Mussel spp.	various (Family: MYTILIDAE)	Secondary species
Nipper spp.	<i>Callianassa</i> spp.	Secondary species
Octopus spp.	various (Family: OCTOPODIDAE)	Secondary species
Old maid	<i>Scatophagus multifasciatus</i>	Secondary species
Pike spp.	<i>Sphyræna</i> spp.	Secondary species
Pilchard	<i>Sardinops neopilchardus</i>	Secondary species
Pipi	<i>Donax deltoides</i>	Primary species
Prawns		
• Eastern king prawn	<i>Melicertus plebejus</i>	Primary species
• Greasyback prawn	<i>Metapenaeus bennettæ</i>	Key secondary species
• School prawn	<i>Metapenaeus macleayi</i>	Primary species
• Tiger prawn	<i>Penaeus esculentus</i>	Secondary species
Red morwong	<i>Cheilodactylus fuscus</i>	Secondary species
Saucer scallop	<i>Amusium</i> spp.	Secondary species
Scallop	<i>Pecten fumatus</i>	Secondary species
Shell spp.	various (Class: GASTROPODA/PELECYPODA)	Secondary species
Silver biddy	<i>Gerres subfasciatus</i>	Key secondary species
Snapper	<i>Pagrus auratus</i>	Secondary species
Sole spp.	various (Family: SOLEIDAE)	Secondary species
Squid spp.	various (Class: CEPHALOPODA)	Secondary species
Stingray/stingaree spp.	various (Family: DASYATIDAE/UROLOPHIDAE)	Secondary species
Striped grunter spp.	<i>Pelates</i> spp.	Secondary species
Sweep	<i>Scorpiis lineolata</i>	Secondary species

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Common name	Scientific name	Designation
Tailor	<i>Pomatomus saltatrix</i>	Secondary species
Tarwhine	<i>Rhabdosargus sarba</i>	Secondary species
Trevally		
• Black trevally	<i>Siganus nebulosus</i>	Secondary species
• Golden trevally	<i>Gnathanodon speciosus</i>	Secondary species
• Silver trevally	<i>Pseudocaranx dentex</i>	Secondary species
Whaler shark spp.	<i>Carcharhinus</i> spp.	Secondary species
Whitebait spp.	various (Family: CLUPEIDAE/ GALAXIIDAE)	Secondary species
Whiting		
• Sand whiting	<i>Sillago ciliata</i>	Primary species
• School whiting	<i>Sillago bassensis</i>	Secondary species
• Trumpeter whiting	<i>Sillago maculata</i>	Key secondary species
Yellowtail scad	<i>Trachurus novaezelandiae</i>	Secondary species
Yellowtail kingfish	<i>Seriola lalandi</i>	Secondary species

Part 7 General**17 Adoption of Supporting Plan**

For the purposes of section 57A (5) of the Act, the provisions of the Supporting Plan, as they relate to the fishery, and as in force from time to time, are adopted by this Plan.

18 Authorised amendments to Plan

For the purposes of section 64 of the Act, any amendment to this Plan is authorised.

BY AUTHORITY