



New South Wales

# Environmental Planning and Assessment Amendment (Shark Meshing) Regulation 2009

under the

Environmental Planning and Assessment Act 1979

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

KRISTINA KENEALLY, MP  
Minister for Planning

## Explanatory note

Normally, shark meshing and certain other fishing activities are activities that require assessment in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979*. Currently, the *Environmental Planning and Assessment Regulation 2000* contains a provision exempting such activities from Part 5 of that Act. That exemption was extended from 31 December 2008 until 1 April 2009 by the *Fisheries Management and Planning Legislation Amendment (Shark Meshing) Amendment Act 2008*.

The objects of this Regulation are:

- (a) to amend the *Environmental Planning and Assessment Regulation 2000* to further extend that exemption until 31 August 2009, and
- (b) to clarify the application of that exemption in respect of fishing activities carried out pursuant to certain fisheries approvals.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including the definition of **activity** in section 110 (1) and section 157 (the general regulation-making power).

**2009 No 106**

Clause 1

Environmental Planning and Assessment Amendment (Shark Meshing)  
Regulation 2009

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**Environmental Planning and Assessment Amendment  
(Shark Meshing) Regulation 2009**

under the

Environmental Planning and Assessment Act 1979

**1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment Amendment (Shark Meshing) Regulation 2009*.

**2 Commencement**

This Regulation takes effect on the day on which it is published on the NSW legislation website.

**3 Amendment of Environmental Planning and Assessment  
Regulation 2000**

**(1) Clause 244B Fishing activities and shark meshing**

Omit clause 244B (1). Insert instead:

- (1) For the purposes of the definition of *activity* in section 110 (1) of the Act, a fishing activity carried out pursuant to a fisheries approval that is issued or renewed before 31 August 2009 for a period of not more than 12 months is prescribed not to be such an activity.

**(2) Clause 244B (2)**

Omit “1 April 2009”. Insert instead “31 August 2009”.