

FISHERIES AND OYSTER FARMS ACT 1935—REGULATION

(Relating to submersible lift nets)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Fisheries and Oyster Farms Act 1935, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY, M.P.,
Minister for Agriculture and Fisheries.

The Fisheries and Oyster Farms (Nets and Other Fishing Gear) Regulation 1989 is amended:

(a) by inserting in clause 3 (1), in alphabetical order, the following definition:

“**Ocean waters**” includes any natural or artificial harbour;

(b) by inserting after clause 37 the following clause:

Submersible lift net (bait)

37A. (1) It is lawful to use a submersible lift net for taking mackerel, yellowtail and pilchards in the waters specified in the Table to this clause if the net complies with the description as set out in relation to those waters in that Table.

(2) 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 submersible lift net (bait).

TABLE

SUBMERSIBLE LIFT NET (BAIT)

1. (a) *Waters*—That part of Twofold Bay east of a line drawn between Snug Cove Breakwater and the eastern extremity of Cattle Bay.

- (b) *Description of net*—Total length not exceeding 15 metres, 15 metres in width, mesh throughout not less than 13mm nor more than 25mm.
2. (a) *Waters*—Ocean waters excepting the waters contained in the following boundaries: (i) those waters in a radius of 300 metres from the highest point of Park Beach Bombora (submerged) located about 904 metres generally north from the most northerly point of Muttonbird Island and about 760 metres generally east of the most easterly point of Little Muttonbird Island (latitudinal and longitudinal position highest point Bombora 153°9'08", 30" 17'82"); (ii) those waters from MHW to 200m seawards from MLWM around Cook Island; (iii) those waters within 100m of Merimbula fishing platform and Tathra Wharf.
- (b) *Description of the net*—Total length not exceeding 15 metres, 15 metres in width, meshed throughout not less than 13mm nor more than 25mm.

EXPLANATORY NOTE

The object of this Regulation is to make it lawful for licensed fishermen to use a submersible lift net of a certain description to catch bait in specified waters and to make it clear that any reference to "Ocean waters" in the principal Regulation includes natural and artificial harbours.

This Regulation is made under the Fisheries and Oyster Farms Act 1935, including section 120 (2) (f), (g) and (h).
