

1993—No. 90

FISHERIES AND OYSTER FARMS ACT 1935—REGULATION

(Relating to the use of hauling nets for prawning on the Manning River)

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 Natural Resources.

Commencement

1. This Regulation commences on 1st April, 1993.

Amendment

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

- (a) by omitting item 4 (relating to the Manning River) from the Table to clause 23;
- (b) by inserting in item 11 (a) of the Table to clause 23 after the words “inland waters” the words “and the Manning River”;
- (c) by inserting at the end of clause 23 the following clause:

Prawn net (hauling): Manning River

23A. (1) It is lawful to use a hauling net for taking prawns in the Manning River if the net (including hauling lines) complies with the description set out in subclause (2) and the conditions set out in subclauses (3), (4) and (5) are complied with.

(2) The net must comply with the following description:

- (a) The total length of the net must not exceed 40 metres.

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- (b) The mesh throughout must not be less than 30 mm nor more than 32 mm.
 - (c) The net must have no attachments except spreader poles and hauling lines.
 - (d) The hauling line run on the first leg to the net must not be longer than 220 metres.
 - (e) The hauling line running from the net to the motor boat used to assist in shooting the net must not be longer than 90 metres, and not be shorter than 60 metres.
- (3) The net must be used only by the method of hauling, and must not be set or staked at any time.
- (4) The net must be shot and hauled as follows:
- (a) One end of the hauling line run on the first leg to the net must be:
 - (i) attached to a fixed point on shore; or
 - (ii) anchored ashore; or
 - (iii) attached to an unpowered boat which itself is secured on shore.
 - (b) The line must then be cast from a motor boat, and the net then shot.
 - (c) The second hauling line must then be cast (or laid out) from the motor boat as the boat moves in a circular path so as to return to a landing-up point near the shore end of the first hauling line.
 - (d) The second hauling line must be attached to a point on the motor boat by the line's extremity only (that is, one end must be attached to the net, and the other end secured to the boat to prevent loss of the line overboard).
 - (e) The second hauling line must not be towed until all of it has been shot away free of tangles, knots or anything else which would effectively shorten it.
 - (f) Once the shooting and hauling of the net have commenced, they must continue 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 taken in the net to escape.
- (9) Once any prohibited size fish have been allowed to escape, the net must be fully removed from the water.
- (5) The net must be operated in accordance with the determination (if any) by the District Inspector as to the number of licensed fishermen to constitute the crew operating the net.

(6) 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).

EXPLANATORY NOTE

The purpose of this Regulation is to amend the Fisheries and Oyster Farms (Nets and Other Fishing Gear) Regulation 1989 to allow commercial licensed fishermen to use a modified hauling net for prawning on the Manning River and to set out the method to be used in shooting and hauling such a net.
