

Fisheries Management (Inshore and Offshore Prawn Trawl Nets) Order 2019

under the

Fisheries Management Act 1994

I, DARREN REYNOLDS, Acting Group Director, Commercial Fisheries & Aquaculture, with the delegated authority of the Minister and Secretary in pursuance of sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”) make the following Order in pursuance of section 37 of the Act.

Dated this 14th day of June 2019

DARREN REYNOLDS

Acting Group Director, Commercial Fisheries and Aquaculture
Department of Primary Industries
(an office within the Department of Industry)

Explanatory note:

The purpose of this Order is to authorise modifications to prawn trawl nets used in the Inshore prawn and Offshore prawn sectors of the NSW Ocean Trawl Fishery.

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1. Name of Order

This Order is the *Fisheries Management (Inshore and Offshore Prawn Trawl Nets) Order 2019*.

2. Commencement and Duration

This Order commences on the date it is published on the website of the NSW Department of Primary Industries and will remain in force until 1 July 2024.

3. Definitions

In this Order:

bar has the same meaning as in clause 2A of the OT Plan.

body of a net has the same meaning as in clause 2 of the OT Plan.

centre-trawl length means the measured length between the centre of the head line of a net and the point where the tapered part of the net ends (i.e. where the tapered part of the body of the net is joined to the extension piece if fitted, otherwise the codend of the net).

codend of a net has the same meaning as in clause 2 of the OT Plan.

endorsement holders means a person who holds and is operating pursuant to an Inshore prawn endorsement or an Offshore prawn endorsement as described in clause 5 of the OT Plan.

inshore prawn endorsement has the same meaning as in clause 5 of the OT Plan.

net means an otter trawl net (prawns) as described in clause 7A of the OT Plan.

square-shaped mesh means mesh not less than 27 millimetres in size and constructed of single twine knotless polyamide or polyethylene material not more than 2.5 millimetres in diameter and hung on a bar so that the meshes are square shaped.

the Act means the *Fisheries Management Act 1994 (NSW)*.

the OT Plan means the appendix to the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006.

Note: Pursuant to section 11 of the *Interpretation Act 1987*, unless otherwise specified words in this Order have the same meaning as in the Act.

4. Special approval for taking or possessing fish: soft-brush ground gear

Endorsement holders are authorised to attach to the foot rope of a net multiple short lengths of chain not more than 13 millimetres in diameter or more than 10 links in length in lieu of a single line of ground chain.

5. Special approval for taking or possessing fish: gauge of chain

Endorsement holders are authorised to use ground chain with links greater than 12 millimetres in diameter but not more than 13 millimetres in diameter to take fish.

6. Special approval for taking or possessing fish: spreading mechanism (beam)

Endorsement holders are authorised to use, in lieu of otter boards, a single beam between two sleds to spread one or more net to take fish, subject to (a), (b) and (c) below:

- (a) the beam is a single and straight structure;
- (b) the sleds are no greater than 150 millimetres wide at the base (shoe); and
- (c) the points of attachment of the head line and footrope to the sleds are no more than 1 metre apart.

7. Special approval for taking or possessing fish: square-mesh wings and side panels

Endorsement holders are authorised to use a net to take fish that has wings and side panels constructed of mesh less than 40 millimetres but not less than 38 millimetres subject to the mesh being hung on the bar so that the meshes are square-shaped.

8. Special approval for taking or possessing fish: codend mesh size

Endorsement holders are authorised to use a codend to take fish that is constructed of mesh:

- (a) of a size greater than 50 millimetres but not more than 60 millimetres in the case of a diamond-mesh codend; and
- (b) of a size greater than 45 millimetres but not more than 50 millimetres in the case of a square-mesh codend.

9. Special approval for taking or possessing fish: modified Big-eye BRD

Endorsement holders are authorised to use a Big-eye bycatch reduction device (BRD) fitted with rigid material to keep the escape gap open in lieu of fitting floats to the rear panel and chain to the front panel of the device.

10. Special approval for taking or possessing fish: Fish-eyes and other behavioural-type devices

Endorsement holders are authorised to use any behavioural-type BRD, subject to (a) and (b) below:

- (a) the opening or escape hole being not less than 300 millimetres wide; and
- (b) the device being positioned not more than 1.5 metres forward of the codend drawstring.

11. Special approval for taking or possessing fish: Large-mesh panel BRD

Endorsement holders are authorised to use a panel of square-shaped mesh constructed of any type of material (hard or soft) subject to (a), (b), (c), (d) and (e) below:

- (a) the panel being of a size not less than 400 millimetres wide and 500 millimetres in length;

- (b) the panel being positioned not more than 1.5 metres forward of the codend drawstring;
- (c) if the panel comprises soft netting material;
 - (i) the mesh must be not less than 100 millimetres in size;
 - (ii) the mesh must be hung on the bar so that it is square shaped;
 - (iii) the twine diameter of the netting must be not more than 5 millimetres; and
 - (iv) the panel must be sewn into the net (top and bottom only) using the bating rates in Column 1 of Table 1 below when using mesh of the size opposite in Column 2;

Table 1

Column 1	Column 2
Bating rate	Mesh
At least 6 points to each bar on the panel	100–124 millimetres
At least 8 points to each bar on the panel	>125 millimetres

- (d) if the panel comprises rigid mesh material:
 - (i) the mesh must be not less than 50 millimetres in size (inside mesh measurement) from one bar to the opposite bar in both directions; and
 - (ii) the diameter of the bars of the rigid mesh panel must be not more than 5 millimetres in size; and
- (e) if a rigid frame is applied to the outside of the BRD the rigid frame must be not less than 400 millimetres wide and 500 millimetres high along the inside edge of the rigid frame (inside frame measurement).

12. Special approval for taking or possessing fish: diamond-mesh body of net (school prawn fishers only)

Inshore prawn endorsement holders are authorised to use a net to take fish that has a body (including belly, wings and extension) constructed of diamond-shaped mesh of a size less than 40 millimetres but not less than 34 millimetres, subject to (a), (b) and (c) below:

- (a) the net is not used in waters more than 2 nautical miles from the natural coastline;
- (b) the depth of the wings must not exceed 3.0 metres measured in a straight line from the inside edge of the top knot (along the top seam) to the inside edge of the bottom knot (at the bottom seam) along any single line (or row) of meshes when stretched; and
- (c) the ratio of centre-trawl length to head line length must not exceed the ratio specified in Column 1 of Table 2 below when using the net configuration specified opposite in Column 2 of the table.

Table 2

Column 1	Column 2
Ratio	Net configuration

0.60	Single gear (1 net)
0.60	Double or dual gear (2 nets)
0.75	Triple gear (3 nets)
0.90	Quad gear (4 nets)

13. Special approval for taking or possessing fish: square-mesh wings and side panels (school prawn fishers only)

Inshore prawn endorsement holders are authorised to use a net to take fish in waters more than 2 nautical miles from the natural coastline that has wings and side panels constructed of mesh of a size less than 40 millimetres but not less than 34 millimetres hung on the bar so that the meshes are square-shaped.

Note: Other than where expressly stated, this Order does not authorise fishing activities in contravention of the Act or the regulations under the Act.