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Fisheries Management (Ocean Trawl Codend) Order 2023

under the

Fisheries Management Act 1994

I, PETER TURNELL, Director, Fisheries & Aquaculture, under section 37 of the *Fisheries Management Act 1994* (***the Act***) and with the delegated authority of the Minister and Secretary pursuant to sections 227 and 228 of the *Act* make the following Order.

Dated this 30th day of March 2023



Peter Turnell

Director, Fisheries and Aquaculture

Department of Primary Industries (within the Department of Regional NSW)

Part 1 Preliminary

1. Name of Order

This Order is the *Fisheries Management (Ocean Trawl Codend) Order 2023*.

2. Commencement and Duration

- (1) This order commences on the date of publication.
- (2) This order remains in force for a period 5 years.

3. Definitions

In this Order:

codend of a net means the piece of netting that forms the posterior most part of the net where the catch accumulates.

endorsement holder means a person who holds a commercial fishing licence that has an inshore prawn endorsement, offshore prawn endorsement or deepwater prawn endorsement as described in clause 5 of the OT Plan.

OT fishery means the ocean trawl share management fishery, as described in Schedule 1 to the Act.

the Act means the [*Fisheries Management Act 1994*](#).

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

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

Part 2 Special approval for authorised purposes

4. Square shaped mesh codend – Otter trawl net (prawns) and try net

- (1) Despite clause 7A of the OT Plan, in waters of the OT fishery, it is lawful for an endorsement holder to use an otter trawl net (prawns) or a try net with a square shaped mesh codend that:
 - (a) is constructed of knotted material, and
 - (b) has a circumference of not more than 3.2 metres.
- (2) In this clause, **codend** means an *all waters codend* and a *school prawn codend* as described in clause 7A of the OT Plan.

5. Diamond shaped mesh codend - otter trawl net (prawns) and try net:

Despite clauses 7A of the OT Plan, in all waters of the OT fishery, it is lawful for an endorsement holder to use an otter trawl net (prawns) or a try net with a codend that:

- (a) consists of diamond-shaped mesh not less than 40 mm nor more than 50 mm,
- (b) is constructed of knotted material,
- (c) is constructed of any material type (not just polyamide or polyethylene),
- (d) is constructed of material comprising twine of any diameter,
- (e) is constructed of material comprising any number of twines,
- (f) has a circumference greater than 2.5 metres but not more than 150 meshes; and
- (g) is of any length.

6. Square and diamond mesh codends - otter trawl net (prawns):

- (1) Despite clause 7A of the OT Plan, in all waters of the OT Fishery, it is lawful for an endorsement holder to use an otter trawl net prawns with a codend that:
 - (a) has a draw or closing string, including a secondary string for fixing the draw or closing string, attached to the frill more than 3 meshes from the point where the frill is attached to the codend, or
 - (b) has ‘belly ropes’ fixed to meshes within 25 meshes of the draw or closing string of the codend, but not meshes within 1 metre of the draw or closing string of the codend.
- (2) Despite subclause (1) of this clause, the bottom half of a net, other than within 150 rows of mesh from its drawstring, must not be completely covered.