

Fisheries Management (Codend Protection Special Approval) Order 2023

under the

Fisheries Management Act 1994

I, PETER TURNELL, Director Fisheries and Aquaculture Management, 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 17th day of August 2023



Peter Turnell

Director Fisheries and Aquaculture Management
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1. Name of Order

This Order is the *Fisheries Management (Codend Protection Special Approval) Order 2023*.

2. Commencement and Duration

- (1) This order commences on the date of publication on the Department's website.
- (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, offshore prawn or deepwater prawn endorsement as described in clause 5 of the OT Plan.

otter trawl net (prawns) has the same meaning as in clause 7A of the OT Plan.

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

Supporting Plan means the Fisheries Management (Supporting Plan) Regulation 2006.

the Act means the *Fisheries Management Act 1994*.

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. Codend protector

Despite clause 7A of the OT Plan and clause 11E of the Supporting Plan, it is lawful for an endorsement holder to use an otter trawl net (prawns) that is fitted with a codend protector that:

- (a) is constructed of netting material that has a mesh size not less than 40mm,
- (b) is attached by sewing around the outside of the net:
 - (i) not less than 25 meshes forward of the of the draw or closing string,
 - (ii) not more than 1.5m forward of the draw or closing string, and
 - (iii) such that it does not cover any part of the Bycatch Reduction Device,
- (c) has a circumference that is greater than that part of the net to which it is attached or covers, and
- (d) is open and not tied off at the posterior of the codend protector so that fish escaping the codend may swim free.