

Fisheries Management (Wallagoot Lake Prawn Running Net) Order 2022

under the

Fisheries Management Act 1994

I, SEAN SLOAN, Deputy Director General, Fisheries with the delegated authority of the Minister and Secretary under sections 227 and 228 of the *Fisheries Management Act 1994* (**the Act**), make this order under section 37 of the Act.

Dated this 22 day of December 2022



Sean Sloan

Deputy Director General, Fisheries
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1. Name of Order

This order is the *Fisheries Management (Wallagoot Lake Prawn Running Net) Order 2022*.

2. Commencement and duration

- (1) This order commences on the day on which it is published in the Gazette.
- (2) This order will remain in force until the 30 June 2023.

Part 2 Special approval for authorised purposes

3. Use of prawn running net in Wallagoot Lake

- (1) Despite clauses 16A and 25, and Schedule 1 to the EG Plan, an endorsement holder is authorised to
 - (a) use a prawn running net within the specified waters of Wallagoot Lake if the following conditions are complied with:
 - (i) if the net is not staked, the net is used only by the method of casting or shooting the net and picking up and landing the whole of the net into a boat in the manner known as “running the net” within 1 hour of the commencement of the casting or shooting, and
 - (ii) in the case of a staked net,
 - (A) the net is not set earlier than 1 hour before sunset, and
 - (B) the net is not set within 10 meters of the high water mark, and
 - (C) no stakes are left in the water in the period between sunrise and 1 hour before sunset, and

- (b) to use a prawn running net to take other permitted species of fish (other than a prohibited size class of fish) that are taken by the net when it is being lawfully used for taking prawns.
- (2) In this clause:
- the EG Plan** means the appendix to the *Fisheries Management (Estuary General Share Management Plan) Regulation 2006*.
- endorsement holder** means a person who holds a commercial fishing licence that has a prawning endorsement – Region 7 as described in clause 6 of the EG Plan.
- permitted species** of fish has the same meaning as in clause 16 of the EG Plan.
- prawn running net** means a net where its total length does not exceed 75 metres and the mesh throughout not less than 25 mm nor more than 36 mm.
- prohibited size class of fish** means any species of fish referred to in the *Fisheries Management (General) Regulation 2019*, clause 6.
- specified waters of Wallagoot Lake** means all the waters of Wallagoot Lake, below the mean high-water mark, that is bound by both –
- (a) a line commencing at 36°47.626'S, 149°56.794'E, then northerly to 36°47.028'S, 149°56.794'E, then easterly to where 149°56.909'E intersects with the mean high water mark, then easterly along the mean high water mark to where 149°57.161'E intersects with the mean high water mark, then south where 149°57.161'E intersects with the mean high water mark, then westerly along the mean high water mark to where 149°56.909'E intersects with the mean high water mark, then westerly to 36°47.626'S, 149°56.794'E, and
- (b) a line commencing at the intersection of the mean high water mark and 149°56.131'E at the eastern end of Scotts Bay, then west and northerly along the mean high water mark to where 149°56.292'E intersects with the mean high water mark adjacent to Lot 1/246808 on Wallagoot Lake Road.

Note. Other than where expressly stated, this Order does not authorise fishing activities in contravention of the *Fisheries Management Act 1994* or the regulations under the Act.