

# Fisheries Management (Garfish net (hauling) Temporal Restriction Special Approval) Order 2026

under the

*Fisheries Management Act 1994*

I, David McPherson, Executive Director Resource Management, 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 15th day of May 2026



**David McPherson**

Executive Director Resource Management

Department of Primary Industries and Regional Development

## Part 1 Preliminary

### 1. Name of Order

This Order is the *Fisheries Management (Garfish net (hauling) Temporal Restriction Special Approval) Order 2026*.

### 2. Commencement and duration

- (1) This order commences on the day on which it is published in the Gazette.
- (2) This order remains in force for 5 years commencing on the date of publication.

### 3. Definitions

In this Order:

**endorsement holder** means a commercial fisher who holds a Garfish net (hauling) endorsement.

**Garfish net (hauling) endorsement** means an endorsement that authorises the holder to use a garfish net (hauling) to take fish in the region of the fishery specified in the endorsement.

**Garfish net (hauling)** means the net as described under clause 13B of OHSMF

**Ocean hauling fishery** means the share management fishery declared under Part 1 of Schedule 1 to the *Fisheries Management Act 1994*.

***OHSMP*** means the Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006

***public holiday*** means a day that is observed as a public holiday throughout New South Wales

***weekend*** means the period between midnight on a Friday and midnight on the immediately following Sunday.

## **Part 2 Special approval for authorised purposes**

### **3. Use of a Garfish net (hauling)**

(1) Despite clause 13 of the OHSMP:

- a) an endorsement holder may operate a boat-based Garfish net (hauling) on a weekend; except during the months November, December, January and February and
- b) an endorsement holder may operate a beach-based Garfish net (hauling) on a weekend, except
  - (i) where the weekend immediately precedes or immediately follows a public holiday
  - (ii) during the months November, December, January and February.

**Note:** This order does not authorise the use of Garfish net (hauling) in a marine park or an aquatic reserve contrary to any regulations or instruments made under the *Marine Estate Management Act 2014*.