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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 OHSMP

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*.