

# Fisheries (Fishing Gear) Declaration 2020

## Disallowable instrument DI2020–113

made under the

***Fisheries Act 2000, s 17 (Declaration of fishing gear)***

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### **1 Name of instrument**

This instrument is the *Fisheries (Fishing Gear) Declaration 2020*.

### **2 Commencement**

This instrument commences on the day after its notification day.

### **3 Declaration of fishing gear**

I declare the fishing gear—

- (a) that may be used for taking fish; and
- (b) that is prohibited for taking fish,

is as described in schedule 1 of this instrument.

*Note 1* A person commits an offence if the person uses or possesses fishing gear in or beside public waters and the use of fishing gear is not permitted by a declaration (see *Fisheries Act 2000, s 86*).

*Note 2* A person commits an offence if the person uses or possesses prohibited fishing gear in or beside any waters (see *Fisheries Act 2000, s 86A*).

Mick Gentleman MLA  
Minister for the Environment and Heritage

13/5/2020

## Schedule 1 Fishing gear

(see s 3)

### 1 Permitted fishing gear

- 1.1 The following fishing gear may be used in or beside open waters—
- (a) for taking yabbies (*Cherax destructor*)—no more than ten baited lines;
  - (b) for any other fish—no more than two rods or handlines with no more than two hooks per rod or handline;
  - (c) no more than five hoop nets or open-top pyramid nets combined; and

*Note 1* Clause 1.3 prohibits the use of hoop nets and open-top pyramid nets in or beside open waters within the nature reserves in the Murrumbidgee River corridor.

*Note 2* The *Fisheries Regulation 2001*, s 5 sets out how a hoop net may be used.

(d) a landing net.

- 1.2 Hoop nets and open-top pyramid nets may be used only for taking yabbies and freshwater shrimp and prawns.

- 1.3 Hoop nets and open-top pyramid nets are not permitted to be used for taking fish in the nature reserves in the Murrumbidgee River corridor as indicated in Schedule 2.

*Note* The map at schedule 2 shows the location of the nature reserves in the Murrumbidgee River corridor.

- 1.4 The following fishing gear may be used in or beside trout waters:
- (a) one rod with no more than two hooks for use with artificial flies or lures only; and
  - (b) a landing net.

*Note* Fishing is prohibited at certain times of the year in or beside trout waters (see *Fisheries Prohibition and Declaration 2016*, sch 1).

- 1.5 To avoid doubt, the use of any fishing gear not referred to in this schedule, or the use of fishing gear in a manner not referred to in this schedule (or another declaration under s17 of the *Fisheries Act 2000*, is not permitted in or beside public waters.

### 2 Prohibited fishing gear

- 2.1 Opera house nets are prohibited

## Dictionary

In this schedule:

***baited line*** means a line with bait but no hooks attached, used for taking yabbies.

***freshwater shrimp and prawn*** means a member of the families Atyidae or Palaemonidae.

***hoop net*** means a net with a minimum mesh size of 13mm and a drop of no more than 1m, attached to no more than two hoops, rings or frames not more than 1.25m at their greatest diameter (in the case of hoops or rings) or diagonal (in the case of frames).

***landing net*** means a net that consists of a hoop or ring that is attached to netting or other soft material and which is to be used only for the purpose of landing a fish that is already hooked using a rod or handline.

***nature reserves in the Murrumbidgee River corridor*** means the following nature reserves as identified in the map at schedule 2:

- (a) Bullen Range Nature Reserve;
- (b) Gigerline Nature Reserve;
- (c) Stony Creek Nature Reserve;
- (d) Swamp Creek Nature Reserve;
- (e) Woodstock Nature Reserve.

***open-top pyramid net*** means a net open at the top not exceeding 60cm long or more than 60cm wide or with a mesh size of more than 15mm and a top opening of no less than 20cm by 20cm without any internal device, that is designed for use, or is capable of being used, in connection with the taking of yabbies.

***open waters*** means any public waters that are not prohibited waters or trout waters.

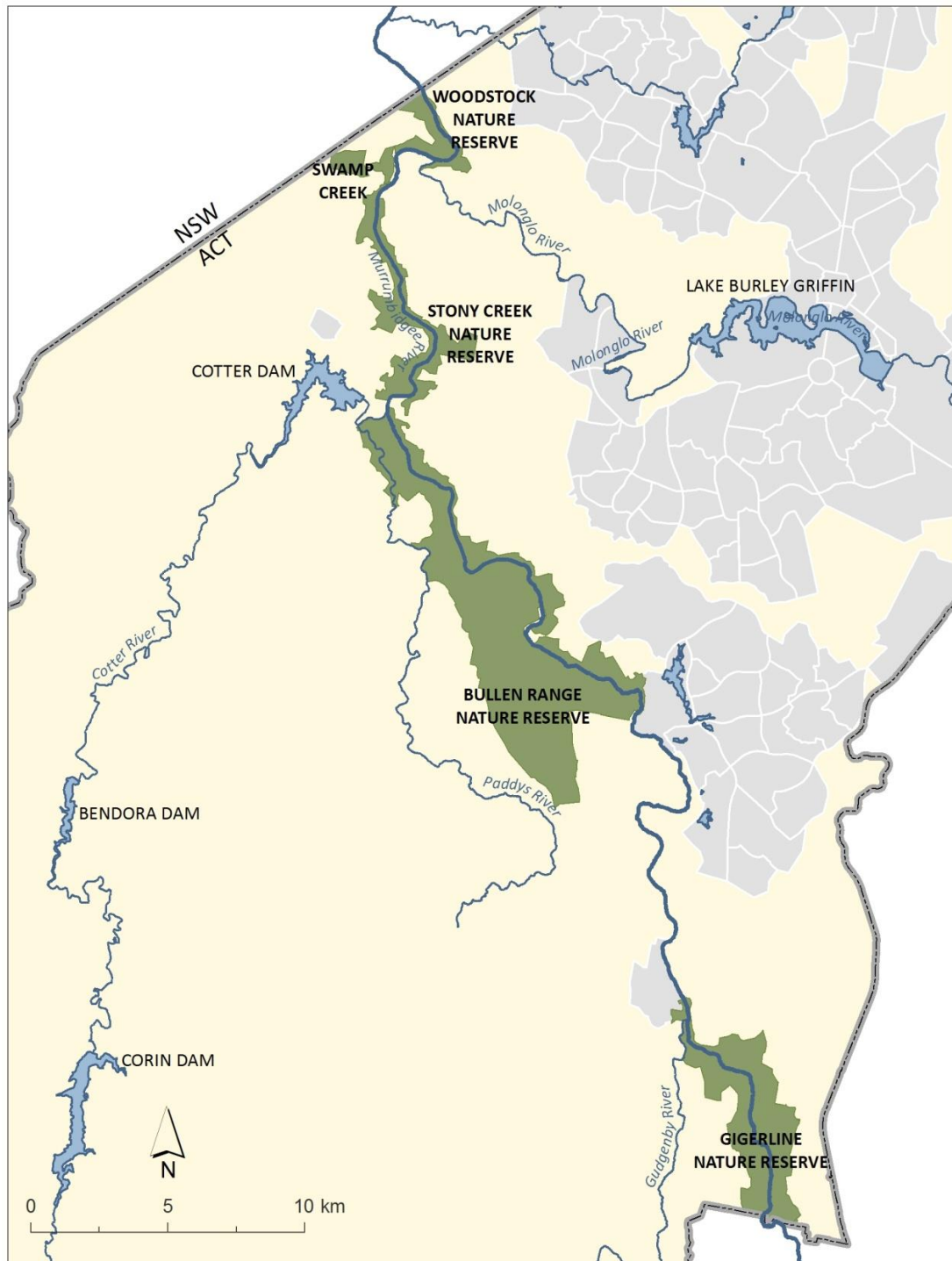
***opera house net*** means an enclosed net or trap, resembling the Sydney Opera House, that is designed for use, or is capable of being used, in connection with the taking of yabbies.

***prohibited waters***—see the *Fisheries Prohibition and Declaration 2016* (DI2016-282), section 3.

***trout waters***—see the *Fisheries Prohibition and Declaration 2016* (DI2016-282), section 3.

## Schedule 2 Nature reserves in the Murrumbidgee River Corridor

(see sch 1, dict)



**Nature Reserves on the Murrumbidgee River Corridor**

- Murrumbidgee Nature Reserves classified Pc in Territory Plan
- Urban area
- ACT / NSW Border

