

Fisheries Prohibition and Declaration 2010 (No 1)

Disallowable Instrument DI2010—248

Made under the

Fisheries Act 2000, section 13 (Fishing closures), section 15 (Declaration of fish of prohibited size or weight), section 16 (Declaration of fish quantity) and section 17 (Declaration of fishing gear)

1 Name of instrument

This instrument is the Fisheries Prohibition and Declaration 2010 (No 1).

2 Commencement

This instrument commences on the day after notification.

3 Dictionary and map

The dictionary and map at the end of the schedule form part of this instrument.

4 Fishing closures – Act, s 13

The taking of fish from public waters as described in the schedule, sections 1.2 to 1.6, is prohibited.

5 Fish of prohibited size or weight – Act, s 15

The fish described in the schedule, section 1.7, are fish of prohibited size or weight.

6 Fish quantity – Act, s 16

The quantity of a species of fish that a person may take in a day is described in the schedule, sections 1.6 and 1.8.

7 Fishing gear – Act, s 17

The fishing gear that a person may use to take fish is described in the schedule, section 1.9.

8 Revocation of previous instrument

Disallowable Instrument DI2000-290 is revoked.

Simon Corbell MLA

Minister for the Environment, Climate Change and Water

23 June 2010

1.1 Types of Public Waters

- (1) The following public waters are *open waters* –
 - (a) all of the urban lakes and ponds;
 - (b) the Molonglo River downstream of its junction with the Queanbeyan River;
 - (c) the Murrumbidgee River downstream of its junction with the Gudgenby River.
- (2) The following public waters are *prohibited waters* –
 - (a) Cotter River upstream of Cotter dam wall, to the junction of Pierces Creek, including Cotter reservoir,
 - (b) Cotter River catchment upstream of Bendora dam wall, including Bendora and Corin reservoirs;
 - (c) Murrumbidgee River downstream of Angle Crossing to the junction with the Gudgenby River;
 - (d) Orroral River upstream of the bridge located west of the site of the former Orroral space tracking station;
 - (e) Tidbinbilla River within the Tidbinbilla Nature Reserve.
- (3) Any public waters that are not open waters or prohibited waters are *trout waters*.

1.2 No fishing in prohibited waters – Act, s 13

The taking of any fish from prohibited waters is prohibited at all times.

1.3 No fishing in trout waters at certain times – Act, s 13

The taking of any fish from trout waters is prohibited from midnight Monday of the Queen's birthday long weekend in June to midnight Friday before the Labour Day long weekend in October in any year.

1.4 No taking of Murray Cod at certain times – Act, s 13

The taking of Murray Cod from public waters is prohibited from midnight 31 August to midnight 30 November in any year.

1.5 No taking of Rainbow Trout or Brown Trout at certain times – Act, s 13

The taking of Rainbow Trout or Brown Trout from public waters is prohibited from midnight Monday of the Queen's birthday long weekend in June to midnight Friday before the Labour Day long weekend in October in any year.

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1.6 No taking of certain species of fish at any time – Act, s 13, s16

The taking of the following species of fish from public waters is prohibited at any time –

- (a) Macquarie Perch;
- (b) Murray River Crayfish;
- (c) Silver Perch;
- (d) Trout Cod;
- (e) Two-spined Blackfish.

1.7 Fish of Prohibited Size – Act, s 15

The following fish are of prohibited size –

- (a) Brown Trout less than 25 centimetres in length;
- (b) Golden Perch less than 30 centimetres in length;
- (c) Murray Cod less than 60 centimetres in length;
- (d) Rainbow Trout less than 25 centimetres in length.

1.8 Fish quantity – Act, s 16

- (1) A person may take no more than 5 Golden Perch in any one day.
- (2) A person may take no more than 2 Murray Cod, of which only one may be longer than 100 centimetres in length, in any one day.
- (3) A person may take no more than 5 Rainbow Trout and Brown Trout in total in any one day.

Note A person may not take any of the fish referred to in section 1.6 from public waters at any time.

1.9 Fishing Gear– Act, s 17

- (1) The following fishing gear is permitted to be used by a person in open waters –
 - (a) for taking yabbies – 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 (other than in the nature reserves in the Murrumbidgee River corridor);
 - (d) a landing net.

Note Section 5 of the *Fisheries Regulation 2001* sets out how a hoop net may be used.

- (2) Hoop nets must not be used in the nature reserves in the Murrumbidgee River corridor.

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- (3) The following fishing gear is permitted to be used by a person in trout waters –
- (a) one rod with no more than two hooks for use with artificial flies or lures;
 - (b) a landing net, in conjunction with a rod.

Note Fishing is prohibited at certain times of the year in trout waters – see section 1.3.

- (4) For the avoidance of doubt, the use of any fishing gear not listed in this section, or the use of fishing gear in a manner not described in this section, is not permitted.

Dictionary

Note The *Fisheries Act 2000* contains definitions and other provisions relevant to this instrument. The dictionary to the Act defines the following terms:

- fish
- fishing gear
- net
- public waters
- species
- take

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

hoop net means a net with a drop of no more than 1 metre, attached to no more than two hoops, rings or frames not more than 1.25 metres at their greatest diameter (in the case of rings or frames) or diagonal (in the case of frames).

landing net means a net consisting of a hoop or ring not exceeding 0.6 metres at its greatest diameter and to which is attached netting having a mesh not less than 25 millimetres.

The ***length*** of a fish is measured from the point of its snout to the tip of its tail.

nature reserves in the Murrumbidgee River corridor means the following nature reserves, as depicted on the attached map —

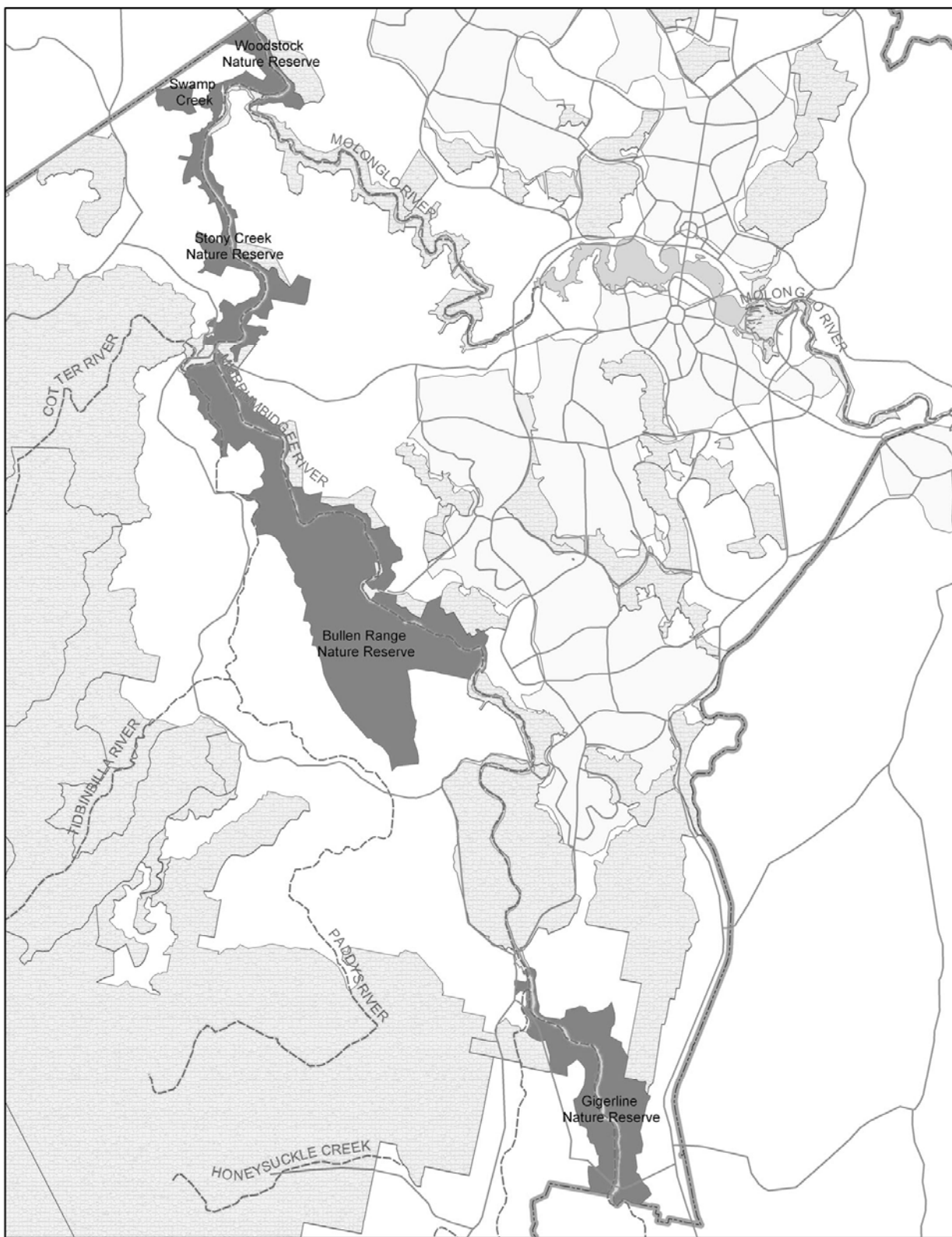
- (a) Bullen Range nature reserve;
- (b) Gigerline nature reserve;
- (c) Stony Creek nature reserve;
- (d) Swamp Creek nature reserve;
- (e) Woodstock nature reserve.

open waters – see section 1.1(1).

prohibited waters – see section 1.1(2).

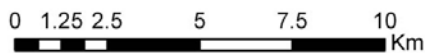
trout waters – see section 1.1(3).

Fisheries Prohibition and Declaration 2010 (No 1) – The schedule – Map of nature reserves in the Murrumbidgee River corridor



Nature reserves on the Murrumbidgee River corridor

- Roads
 - - - Rivers
 ■ Murrumbidgee Nature Reserves
 ■ Other Reserves
 ■ NSW/ACT Border



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