

AUSTRALIAN CAPITAL TERRITORY
FISHERIES ACT 2000
DECLARATION
INSTRUMENT No. 290 OF 2000
EXPLANATORY STATEMENT

The *Fisheries Act 2000* (the Act) emphasises protection of ACT native fish species through the introduction of recreational angling rules on size and bag limits, fishing gear restrictions, fishing closures and for several species, a closed season. The Act also makes ACT legislation consistent with the corresponding fisheries legislation in NSW, thus minimising potential confusion when anglers cross the State/Territory border.

Fishing Closures

Under section 13 of the Act Prohibited Waters are declared to protect vulnerable populations of fish or significant fish habitats. The closures on the Tidbinbilla River and the Orroral River are both associated with Nature Conservation areas (Tidbinbilla Nature Reserve and Namadgi National Park).

The declared parts of the Cotter River catchment are closed to fishing to protect threatened fish species such as Macquarie Perch, Trout Cod and Two-spined Blackfish.

The declared closure to fishing in the Murrumbidgee River downstream from Angle Crossing to its confluence with the Gudgenby River is to protect the threatened fish species Trout Cod and Macquarie Perch. Trout Cod have been stocked at Angle Crossing as part of a national recovery program for this endangered species

Trout Waters are closed to fishing from June to October and Brown and Rainbow trout can not be taken from any public waters from June to October. This protects trout during their spawning season

Murray Cod can not be taken from any public waters in the ACT from September to November. This is the spawning season for this species, with spawning fish easily captured because of their more aggressive behaviour. The closure to fishing will help minimise disturbance to spawning fish and facilitate successful breeding.

Under section 13 of the Act, there are 5 species of fish which are prohibited to be taken from ACT public waters. These fish are all locally or nationally threatened. Protection from recreational angling will aid in the recovery of these species.

Under section 15 of the Act minimum allowable sizes have been set to ensure all fish taken are sexually mature, allowing the fish the opportunity to breed before being harvested by anglers. Four fish species have been prescribed under this declaration, Murray Cod, Golden Perch, Rainbow Trout and Brown Trout.

Under section 16 of the Act the number of fish of each species taken from public waters by recreational anglers is limited to ensure sustainable populations of these fish remain, whilst guaranteeing fair access to the fishery for all anglers.

Fishing Gear

Under section 17 of the Act, a limit is set on the number of fishing rods or handlines that can be used in Open Waters and Trout Waters. This ensures fair access to the fishery by all anglers. Note that urban lakes and ponds include Lake Burley Griffin, Lake Ginninderra, Lake Tuggeranong, Point Hut Pond, Lower Stranger Pond, Gungahlin Pond and Yerrabi Pond.

Hoop nets and baited lines are permitted in open waters with the exception of the five nature reserves along the Murrumbidgee River. These are Gingerline Nature Reserve, Bullen Range Nature Reserve, Stony Creek Nature Reserve, Swamp Creek Nature Reserve and Woodstock Nature Reserve.

Any gear not mentioned in this declaration is prohibited, by force of section 87 of the Act. Enclosed traps (including yabby, bait and minnow traps) are not allowed because they have the potential to kill platypus, water rats and tortoises. Set lines, gaffs, spears, spearguns, bows and arrows, poisons, explosives and firearms are not allowed to be used to take fish in the ACT, consistent with inland fishing regulations in NSW.

In addition to these restrictions, section 86 of the Act provides that it is an offence to use fishing gear to take fish from public waters unless you are within 10 metres of the gear, and it is within your line of sight. This promotes 'active' recreational angling, and eliminates the use of set gear and the associated 'meat-harvesting' mentality of past years.