



New South Wales

Fisheries Management (General) Amendment (Recreational Saltwater and Freshwater Fishing) Regulation 2014

under the

Fisheries Management Act 1994

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

KATRINA HODGKINSON, MP
Minister for Primary Industries

Explanatory note

The object of this Regulation is to make the following changes to the restrictions on recreational saltwater and freshwater fishing that are set out in the *Fisheries Management (General) Regulation 2010*:

- (a) to impose a minimum size limit of 55 centimetres, and a maximum size limit of 75 centimetres, for Murray Cod (and amend Murray Cod daily limits and possession limits accordingly, so that they apply to fish of any length),
- (b) to reduce the daily recreational fishing bag limit for the taking of certain commonly-caught species of fish (but to retain the possession limit for such fish),
- (c) to increase the daily bag limit for both the taking and possession of certain small baitfish,
- (d) to reduce the daily bag limit for both the taking and possession of trout and salmon,
- (e) to reduce the number of hoop or lift nets that may be used in estuarine waters,
- (f) to increase the number of recreational crab traps that may be used for taking crabs,
- (g) to provide that it is lawful to use yabby traps to take freshwater shrimp when the trap is lawfully used to take yabbies, and that it is lawful to use a shrimp trap to take yabbies when the trap is being lawfully used to take freshwater shrimp,
- (h) to change the requirements for the marking of spanner crab nets, hoop or lift nets, recreational lobster and crab traps, bait traps, yabby traps and shrimp traps,
- (i) to create an offence of transferring fish other than certain bait species (taken under recreational fishing rules) from one boat to another when the boats are not in port,
- (j) to extend the period during which Australian bass and estuary perch in ocean and estuarine waters and in inland waters are protected from recreational fishing,
- (k) to exclude Copeton Dam from the waters in which Murray Cod are protected from recreational fishing for part of the year.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 15 (1), 17 (1), 18 (1), 20A (2), 24 (1), 40 (1) and 289 (the general regulation-making power).

Fisheries Management (General) Amendment (Recreational Saltwater and Freshwater Fishing) Regulation 2014

under the

Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management (General) Amendment (Recreational Saltwater and Freshwater Fishing) Regulation 2014*.

2 Commencement

This Regulation commences on 3 November 2014 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Fisheries Management (General) Regulation 2010

[1] Clause 11 Prohibited size fish

Omit “60” from Column 2 of the matter relating to Murray Cod in Part 3 of Table 1 to the clause.

Insert instead “55”.

[2] Clause 11, Table 2

Insert at the end of the Table:

Part 2 Fish—Freshwater or estuarine

	Column 1	Column 2
Common name	Species	Maximum measurement in centimetres
Murray Cod	<i>Maccullochella peelii peelii</i>	75

[3] Clause 14 Bag limits—possession of fish

Omit “Column 2” from clause 14 (1). Insert instead “Column 3”.

[4] Part 2, Division 4, Table

Omit the Table. Insert instead:

Table Bag limits

Part 1 Fish—Marine or estuarine

	Column 1	Column 2	Column 3
Common name	Species	Daily limit	Possession limit
Australian Anchovy	<i>Engraulis australis</i>	100	100
Banded Rockcod	<i>Epinephelus ergastularius</i>	5 comprised of any single species or a combination of species, with a maximum of 2 Gemfish	5 comprised of any single species or a combination of species, with a maximum of 2 Gemfish
Bass Groper, Bass Grouper	<i>Polyprion americanus</i>	2 Gemfish	2 Gemfish
Gemfish	<i>Rexea solandri</i>		
Hapuku, Hapuka	<i>Polyprion oxygenios</i>		
Blue-eye Trevalla, Trevalla	<i>Hyperoglyphe antarctica</i>		
Billfish	Species of families <i>Xiphiidae</i> and <i>Istiophoridae</i>	1 of each species	1 of each species
Rock Blackfish	<i>Girella elevata</i>	10	10
Cobia	<i>Rachycentron canadum</i>	5	5

	Column 1	Column 2	Column 3
Common name	Species	Daily limit	Possession limit
Australian Bonito	<i>Sarda australis</i>	10	10
Tarwhine	<i>Rhabdosargus sarba</i>	10 comprised wholly of any single species or a combination of species or 10	20 comprised wholly of any single species or a combination of species or 20
Black Bream, Southern Bream	<i>Acanthopagrus butcheri</i>	comprised wholly of Black Bream and Yellowfin Bream	comprised wholly of Black Bream and Yellowfin Bream
Yellowfin Bream	<i>Acanthopagrus australis</i>		
Dusky Flathead, Common Flathead	<i>Platycephalus fuscus</i>	10 (with not more than one longer than 70 cm)	10 (with not more than one longer than 70 cm)
Bluespotted Flathead, Sand Flathead	<i>Platycephalus caeruleopunctatus</i>	10 comprised wholly of a single flathead species or a combination of species except for Dusky Flathead, which are subject to a separate limit	20 comprised wholly of a single flathead species or a combination of species except for Dusky Flathead, which are subject to a separate limit
Tiger Flathead	<i>Platycephalus richardsoni</i>		
Flathead	<i>Platycephalus</i> spp.		
Flounder	Species of families <i>Bothidae</i> and <i>Pleuronectidae</i>	20 comprised wholly of any single species or a combination of species	20 comprised wholly of any single species or a combination of species
Sole	Species of families <i>Cynoglossidae</i> and <i>Soleidae</i>		
Eastern Sea Garfish	<i>Hyporhamphus australis</i>	20	20
Garfish (except Eastern Sea Garfish)	Species of family <i>Hemiramphidae</i>	50 comprised wholly of any single species or a combination of species	50 comprised wholly of any single species or a combination of species
Eastern Blue Groper, Blue Groper, Brown Groper, Red Groper	<i>Achoerodus viridis</i>	2 (only 1 of which can be longer than 60 cm)	2 (only 1 of which can be longer than 60 cm)
Largehead Hairtail, Hairtail	<i>Trichiurus lepturus</i>	10	10
Hardyhead, Silverfish	Species of family <i>Atherinidae</i>	50 comprised wholly of any single species or a combination of species	50 comprised wholly of any single species or a combination of species
Southern Herring	<i>Herklotsichthys castelnaui</i>	100	100
Yellowtail Kingfish	<i>Seriola lalandi</i>	5	5
Leatherjacket	Species of family <i>Monacanthidae</i>	20 comprised wholly of any single species or a combination of species	20 comprised wholly of any single species or a combination of species

	Column 1	Column 2	Column 3
Common name	Species	Daily limit	Possession limit
Luderick, Blackfish	<i>Girella tricuspidata</i>	10	20
Blue Mackerel, Slimy Mackerel	<i>Scomber australasicus</i>	50	50
Spotted Mackerel	<i>Scomberomorus munroi</i>	5 comprised wholly of Spotted Mackerel or wholly of Spanish Mackerel or partly of each	5 comprised wholly of Spotted Mackerel or wholly of Spanish Mackerel or partly of each
Spanish Mackerel	<i>Scomberomorus commerson</i>		
Mahi Mahi, Dolphinfish	<i>Coryphaena hippurus</i>	10 (only 1 of which can be longer than 110 cm)	10 (only 1 of which can be longer than 110 cm)
Mangrove Jack	<i>Lutjanus argentimaculatus</i>	5	5
Maray, Round Herring	<i>Etrumeus teres</i>	100	100
Banded Morwong	<i>Cheilodactylus spectabilis</i>	5	5
Jackass Morwong	<i>Nemadactylus macropterus</i>	10	10
Red Morwong, Sea Carp	<i>Cheilodactylus fuscus</i>	5	5
Grey Morwong, Rubberlip Morwong	<i>Nemadactylus douglasii</i>	10	10
Mullet	Species of family <i>Mugilidae</i>	20 comprised wholly of any single species or a combination of species	20 comprised wholly of any single species or a combination of species
Mulloway, Jewfish	<i>Argyrosomus japonicus</i>	5 (only 2 of which can be longer than 70 cm)	5 (only 2 of which can be longer than 70 cm)
Moses Snapper, Moses Perch	<i>Lutjanus russelli</i>	5	5
Pearl Perch	<i>Glaucosoma scapulare</i>	5	5
Australian Sardine, Pilchard	<i>Sardinops neopilchardus</i>	100	100
Eastern Australian Salmon, Australian Salmon	<i>Arripis trutta</i>	5	5
Samsonfish, Amberjack	<i>Seriola hippos, Seriola dumerili</i>	5 comprised wholly of any single species or a combination of species	5 comprised wholly of any single species or a combination of species
Eastern Red Scorpionfish, Eastern Red Rockcod	<i>Scorpaena cardinalis</i>	5	5

	Column 1	Column 2	Column 3
Common name	Species	Daily limit	Possession limit
Sharks and Rays (other than Wobbegongs)	All species (other than <i>Orectolobus</i> spp.)	5 comprised wholly of any single species or a combination of species but with no more than one of each of the following: (a) <i>Galeocerdo cuvier</i> (Tiger Shark), (b) <i>Isurus oxyrinchus</i> (Shortfin Mako Shark), (c) <i>Carcharhinidae</i> family (Whaler Shark, Blue Shark), (d) <i>Sphyrna</i> spp. (Hammerhead Shark).	5 comprised wholly of any single species or a combination of species but with no more than one of each of the following: (a) <i>Galeocerdo cuvier</i> (Tiger Shark), (b) <i>Isurus oxyrinchus</i> (Shortfin Mako Shark), (c) <i>Carcharhinidae</i> family (Whaler Shark, Blue Shark), (d) <i>Sphyrna</i> spp. (Hammerhead Shark).
Snapper	<i>Pagrus auratus</i>	10	10
Blue Sprat, Bluebait	<i>Spratelloides robustus</i>	100	100
Sandy Sprat, Whitebait	<i>Hyperlophus vittatus</i>	100	100
Australian Sawtail, Sawtail Surgeon	<i>Prionurus microlepidotus</i>	5	5
Tailor	<i>Pomatomus saltatrix</i>	10	20
Teraglin	<i>Atractoscion aequidens</i>	5	5
Trevally	<i>Pseudocaranx dentex</i> , <i>Caranx</i> spp.	10 comprised wholly of any single species or a combination of species	20 comprised wholly of any single species or a combination of species
Albacore, Albacore Tuna	<i>Thunnus alalunga</i>	7 comprised of any single species or combination of species, of which 2 have a length of 90 cm or more and 5 have a length of less than 90 cm	7 comprised of any single species or combination of species, of which 2 have a length of 90 cm or more and 5 have a length of less than 90 cm
Bigeye Tuna	<i>Thunnus obesus</i>		
Longtail Tuna	<i>Thunnus tonggol</i>		
Southern Bluefin Tuna	<i>Thunnus maccoyii</i>		
Yellowfin Tuna	<i>Thunnus albacares</i>		
Wahoo	<i>Acanthocybium solandri</i>	5	5
Wobbegong	<i>Orectolobus</i> spp.	0	0

	Column 1	Column 2	Column 3
Common name	Species	Daily limit	Possession limit
Whiting	<i>Sillago</i> spp.	20 comprised of any single species or a combination of species	20 comprised of any single species or a combination of species
Yellowtail, Jack Mackerel	<i>Trachurus</i> spp.	50 comprised wholly of any single species or a combination of species	50 comprised wholly of any single species or a combination of species

Part 2 Invertebrates

	Column 1	Column 2	Column 3
Common name	Species	Daily limit	Possession limit
Blacklip Abalone, Abalone	<i>Haliotis rubra</i>	2	2
Beachworm	Species of family <i>Onuphidae</i>	20	20
Cockle	<i>Anadara trapezia</i>	50 comprised wholly of Cockles or wholly of Pips or wholly of Blue Mussels or partly of each	50 comprised wholly of Cockles or wholly of Pips or wholly of Blue Mussels or partly of each
Pipi	<i>Donax deltoides</i>		
Blue Mussel, Mussel	<i>Mytilus galloprovincialis</i>	10	20
Blue Swimmer Crab, Sand Crab	<i>Portunus armatus</i>	5	5
Mud Crab, Black Crab, Mangrove Crab	<i>Scylla serrata</i>	10	10
Soldier Crab	Species of family <i>Mictyridae</i>	100 comprised wholly of any single species or a combination of species	100 comprised wholly of any single species or a combination of species
Crab (except for Blue Swimmer Crab, Sand Crab, Mud Crab, Spanner Crab and Soldier Crab)	Species of subclass <i>Brachyura</i>	10 comprised wholly of any single species or a combination of species	10 comprised wholly of any single species or a combination of species
Cunjevoi	<i>Pyura</i> spp.	20 comprised wholly of any single species or a combination of species	20 comprised wholly of any single species or a combination of species
Eastern Rocklobster	<i>Sagmariasus verreauxi</i>	2 comprised wholly of any single species or a combination of species	2 comprised wholly of any single species or a combination of species
Southern Rocklobster	<i>Jasus edwardsii</i>		

	Column 1	Column 2	Column 3
Common name	Species	Daily limit	Possession limit
Tropical Rocklobster, Painted Rocklobster, Ornate Rocklobster	<i>Panulirus</i> spp. except <i>Panulirus cygnus</i>	2 comprised wholly of any single species or a combination of species	2 comprised wholly of any single species or a combination of species
Slipper Lobster, Flat Lobster	<i>Scyllarides</i> spp.	2	2
Octopus	All species	10 comprised wholly of any single species or a combination of species	10 comprised wholly of any single species or a combination of species
Sydney Rock Oyster	<i>Saccostrea glomerata</i>	50 comprised wholly of any single species or a combination of species	50 comprised wholly of any single species or a combination of species
Pacific Oyster	<i>Crassostrea gigas</i>		
Native Oyster, Flat Oyster, Drift Oyster	<i>Ostrea angasi</i>		
Molluscs (except squid, octopus and cuttlefish (class <i>Cephalopoda</i>) and any other mollusc referred to in this Table)	Species of phylum <i>Mollusca</i>	20 comprised wholly of any single species or a combination of species	20 comprised wholly of any single species or a combination of species
Prawns	Species of family <i>Penaeidae</i> and <i>Macrobrachium</i> spp.	10 litres	10 litres
Saltwater nippers	Species of genus <i>Callinassa</i> and <i>Alpheus</i> spp.	100 comprised wholly of any single species or a combination of species	100 comprised wholly of any single species or a combination of species
Scallops	Species of family <i>Pectinidae</i>	50	50
Sea Urchin	Species of class <i>Echinoidea</i>	10 comprised wholly of any single species or a combination of species	10 comprised wholly of any single species or a combination of species
Squid	All species	20 comprised wholly of any single species or a combination of species	20 comprised wholly of any single species or a combination of species
Cuttlefish	All species		
Worms (except beachworms)	Species of class <i>Polychaeta</i> other than family <i>Onuphidae</i>	100 comprised wholly of any single species or a combination of species	100 comprised wholly of any single species or a combination of species

Part 3 Fish—Freshwater or estuarine

Common name	Column 1 Species	Column 2 Waters	Column 3 Daily limit	Column 4 Possession limit
Golden Perch, Yellow Belly Perch	<i>Macquaria ambigua</i>	All waters of NSW	5	10
Murray Cod	<i>Maccullochella peelii peelii</i>	All waters of NSW	2	4
Silver Perch	<i>Bidyanus bidyanus</i>	Waters from which Silver Perch may lawfully be taken	5	10
Freshwater Catfish, Eel-tailed Catfish	<i>Tandanus tandanus</i>	Backed up waters of dams and impoundments	5	10
		All other waters of NSW	2	4
Australian Bass	<i>Macquaria novemaculeata</i>	Backed up waters of dams and impoundments	2 comprised wholly of a single species or of a combination of species	4 comprised wholly of a single species or of a combination of species
Estuary Perch	<i>Macquaria colonorum</i>			
Australian Bass	<i>Macquaria novemaculeata</i>	All other waters of NSW	2 comprised wholly of one species or of a combination of species (with not more than one, of either species, being longer than 35 cm)	4 comprised wholly of one species or of a combination of species (only 1 of which can be longer than 35 cm)
Estuary Perch	<i>Macquaria colonorum</i>			
Atlantic Salmon	<i>Salmo salar</i>	All waters of NSW	5 comprised of any single species or a combination of species	10 comprised of a combination of species
Brook Trout	<i>Salvelinus fontinalis</i>			
Brown Trout	<i>Salmo trutta</i>			
Rainbow Trout	<i>Oncorhynchus mykiss</i>			

Part 4 Invertebrates—Freshwater

	Column 1	Column 2	Column 3	Column 4
Common name	Species	Waters	Daily limit	Possession limit
Spiny Crayfish (other than Murray Crayfish)	<i>Euastacus</i> spp. (other than <i>Euastacus armatus</i>)	All waters of NSW	5 (only 1 of which can be longer than 12 cm) comprised of any single species or a combination of species	10 (only 1 of which can be longer than 12 cm) comprised of any single species or a combination of species
Murray Crayfish	<i>Euastacus armatus</i>	All waters of NSW	5 (only 1 of which can be longer than 12 cm) during the months of May, June, July and August	10 (only 1 of which can be longer than 12 cm) during the months of May, June, July and August
Yabby	<i>Cherax</i> spp.	All waters of NSW	200	200

[5] Clause 27 Spanner crab net

Omit “the name and address of” from clause 27 (1) (c) (v).

Insert instead “the initial of the first name, the surname, the year of birth and the residential postcode of”.

[6] Clause 28 Hoop or lift net

Omit clause 28 (1) (b). Insert instead:

- (b) no more than the following number of nets are used:
 - (i) in estuarine waters, no more than 4 nets are used by a person at any one time when the person is fishing in estuarine waters only, and
 - (ii) in inland waters, no more than 5 nets are used by a person at any one time when the person is fishing in inland waters only, and
 - (iii) where a person is using hoop or lift nets in both estuarine waters and inland waters, not more than a combined total of 4 nets are used at any one time,

[7] Clause 28 (1) (c) (v)

Omit “the name and address of”.

Insert instead “the initial of the first name, the surname, the year of birth and the residential postcode of”.

[8] Clause 36 Recreational lobster trap

Omit “the name and address of” from clause 36 (2) (a) (v).

Insert instead “the initial of the first name, the surname, the year of birth and the residential postcode of”.

[9] Clause 37 Recreational crab trap

Omit “the name and address of” from clause 37 (1) (a) (v).

Insert instead “the initial of the first name, the surname, the year of birth and the residential postcode of”.

[10] Clause 37 (1) (c)

Omit “1 trap”. Insert instead “2 traps”.

[11] Clause 38 Bait trap

Omit “the name and address of” from clause 38 (1) (a) (iii).

Insert instead “the initial of the first name, the surname, the year of birth and the residential postcode of”.

[12] Clause 39 Yabby trap

Omit “the name and address of” wherever occurring in clause 39 (1) (b) (ii) (D) and (iii) (C).

Insert instead “the initial of the first name, the surname, the year of birth and the residential postcode of”.

[13] Clause 39 (2)

Insert after clause 39 (1):

- (2) It is lawful for a person to use a yabby trap to take freshwater shrimp that are taken by the yabby trap when it is being lawfully used to take yabbies.

[14] Clause 40 Shrimp trap

Omit “the name and address of” from clause 40 (1) (a) (iii).

Insert instead “the initial of the first name, the surname, the year of birth and the residential postcode of”.

[15] Clause 40 (1A)

Insert after clause 40 (1):

- (1A) It is lawful for a person to use a shrimp trap to take yabbies that are taken by the shrimp trap when it is being lawfully used to take freshwater shrimp.

[16] Clause 99A

Insert after clause 99:

99A Prohibition on transfer of fish from one boat to another

- (1) A person must not transfer any fish that has been taken by a recreational fisher while on board a boat from that boat to another boat when either boat is not secured to the shore, a mooring, a wharf or a marina berth.
Maximum penalty: 100 penalty units.
- (2) This clause does not apply to any of the following bait species:
 - (a) Australian Anchovy (*Engraulis australis*),
 - (b) Southern Herring (*Herklotsichthys castelnaui*),
 - (c) Maray, Round Herring (*Etrumeus teres*),
 - (d) Australian Sardine, Pilchard (*Sardinops neopilchardus*),
 - (e) Blue Sprat, Bluebait (*Spratelloides robustus*),

- (f) Sandy Sprat, Whitebait (*Hyperlophus vittatus*),
- (g) Blue Mackerel, Slimy Mackerel (*Scomber australasicus*),
- (h) Yellowtail, Jack Mackerel (*Trachurus* spp.),
- (i) Garfish (Species of family *Hemiramphidae*),
- (j) Hardyhead, Silverfish (Species of family *Atherinidae*),
- (k) Squid (All species),
- (l) Cuttlefish (All species).

[17] Schedule 4 Fish and waters protected from recreational fishing

Omit “June” from clause 1 (4). Insert instead “May”.

[18] Schedule 4, clause 145 (4)

Omit “June”. Insert instead “May”.

[19] Schedule 4, clause 147 (1)

Insert “other than Copeton Dam” after “inland waters”.

[20] Schedule 7 Penalty notice offences

Insert in appropriate order in Part 2, in Columns 1 and 2, respectively:

Clause 99A

\$500