



New South Wales

Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011

under the

Fisheries Management Act 1994

I, the Minister for Primary Industries, in pursuance of section 221IA of the *Fisheries Management Act 1994*, make the following Order.

Dated, this 7th day of December 2011.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Explanatory note

The object of this Order is to allow certain recreational and commercial fishing activities in the Lowland Darling River Catchment, subject to compliance with any applicable fishing regulatory controls imposed by or under the *Fisheries Management Act 1994*.

This Order is made under section 221IA of the *Fisheries Management Act 1994*.

Clause 1 Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011

Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011

under the

Fisheries Management Act 1994

1 Name of Order

This Order is the *Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011*.

2 Commencement

This Order commences on the day on which it is published in the Gazette.

3 Fishing activities that may be carried out

- (1) The activities referred to in subclauses (2)–(4) may be carried out in the Lowland Darling River Catchment subject to compliance with any applicable fishing regulatory controls.
- (2) A recreational fisher may take from the Lowland Darling River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland Darling River Catchment or may carry out any routine activity in connection with any such taking or possession:
 - (a) *Paratya australiensis* (freshwater shrimp),
 - (b) *Macrobrachium australiense* (freshwater prawn),
 - (c) *Caridina mccullochi* (freshwater shrimp),
 - (d) *Cherax destructor* (yabby),
 - (e) *Maccullochella peelii* (Murray cod),
 - (f) *Macquaria ambigua* (golden perch),
 - (g) *Nematalosa erebi* (bony bream),
 - (h) *Leiopotherapon unicolor* (spangled perch).

Note. A **recreational fisher** is defined in the *Fisheries Management Act 1994* as a fisher who takes fish by any method, otherwise than for sale.

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Clause 4

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- (3) A person holding a commercial fishing licence that has a Class A: Yabby and carp endorsement (transferable) in the inland restricted fishery may:
- (a) take *Cherax destructor* (yabby) from the Lowland Darling River Catchment, or
 - (b) possess or sell *Cherax destructor* (yabby) taken from the Lowland Darling River Catchment, or
 - (c) carry out any routine activities in connection with any such taking, possession or sale.
- (4) A broodstock collector may take from the Lowland Darling River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland Darling River Catchment or may carry out any routine activity in connection with any such taking or possession:
- (a) *Maccullochella peelii* (Murray cod),
 - (b) *Macquaria ambigua* (golden perch).

- (5) In this clause:

applicable fishing regulatory controls means requirements imposed by or under the *Fisheries Management Act 1994* that apply to or in respect of the activities concerned.

broodstock collector means a person who takes fish under the authority of a permit issued under section 37 of the *Fisheries Management Act 1994* for aquaculture purposes.

inland restricted fishery has the same meaning as it has in the *Fisheries Management (General) Regulation 2010*.

Lowland Darling River Catchment means the aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River (described in the recommendation of the Fisheries Scientific Committee to list that aquatic ecological community as the area covered by that recommendation).

4 Repeal of interim order

The *Fisheries Management (Continuation of Activities in Lowland Darling River Catchment) Interim Order 2011* is repealed.