Recreational spearfishing

Recreational Fisheries Management, Cronulla

Our State's fisheries are a community-owned resource. We all have a responsibility to protect and safeguard this natural asset for present and future generations.

Fishing regulations are in place to protect and conserve our fish stocks and aquatic habitats to ensure that fishing activities remain sustainable.

Spearfishing in NSW is a popular form of recreational fishing and has been recognised for its selective fishing practices. Spearfishers in NSW are required to pay the NSW recreational fishing fee and the same rules and regulations regarding bag and size limits apply.

Commonly targeted species for spearfishing in NSW include yellowtail kingfish, mulloway, various tuna species, snapper, luderick, yellowfin bream and Spanish and spotted mackerel, with a wide variety of other species on offer. This guide will give readers much of the information they need to get started, including the details of local fishing rules.

I&I NSW fisheries officers routinely patrol waterways, boat ramps and foreshores advising anglers about responsible fishing practices and ensuring compliance with NSW fishing regulations.

Information on bag and size limits, fishing closures and legal fishing gear can be obtained from the I&I NSW website www.industry.nsw.gov.au/fisheries or by visiting your local I&I NSW fisheries office.

To report illegal fishing activity, call your local fisheries office or the Fishers Watch phone line on 1800 043 536. All calls will be treated as confidential and you can remain anonymous.

When do I need to pay the Fee

When fishing in NSW waters, both freshwater and saltwater, you are required by law to pay the NSW recreational fishing fee and carry a receipt showing the payment of the fee. This applies when spearfishing, handlining, hand gathering, trapping, bait collecting and prawn netting or when in possession of fishing gear in, on or adjacent to waters.

All money raised by the NSW recreational fishing fee is spent on improving recreational fishing in NSW. Projects include:

- the installation of fish aggregating devices (FADs) to enhance fishing opportunities for dolphinfish or even tuna and marlin;
- creation of recreational fishing havens;
- angler facilities such as fish cleaning tables and fishing platforms;
- stocking of freshwater fish in dams and rivers;
- essential research on popular recreational fish species;
- restoring important fish habitat;
- research stocking of mulloway and prawns in estuaries;
- angler education and advisory programs such as the fishcare volunteer program, fishing workshops and fishing guides;
- building artificial reefs to create new fishing locations in estuaries including Lake Macquarie, Botany Bay, St Georges basin, Lake Conjola and Merimbula Lake;
- investigating the building of artificial reefs in offshore areas.

You can pay the NSW recreational fishing fee at hundreds of agents throughout NSW such as over the counter at most fishing tackle shops. You can also pay the fee at some caravan parks, local shops and service stations, many Kmart stores, online at www.licence.nsw.gov.au/ or by calling 1300 369 365.

If you pay for a one year or three year period online, over the phone, or at a Touch agent, or if you renew your licence using your renewal letter, you will receive a plastic receipt in the post. You must be able to produce evidence of payment, such as your receipt number, if requested by an authorised officer.
(until you receive your receipt in the post). If you pay for a 3 day or 1 month period, no receipt will be posted.

Some exemptions apply to paying the fishing fee, including people under the age of 18 and holders of pensioner concession cards. For further information on exemptions visit the I&I NSW website or call (02) 9527 8957.

You may not need to pay the NSW recreational fishing fee if you are fishing on a charter boat, hire boat or under the supervision of a fishing guide. Please check with the charter/hire boat operator, or guide, before you go fishing. If they do not hold a recreational fishing fee exemption certificate you will need to pay the NSW recreational fishing fee.

Spearfishing and diving
Spearfishers and divers are permitted to use:
• a snorkel when taking fish;
• SCUBA for scallops and sea urchins only; and
• bare/gloved hand only when taking lobsters.
Spearfishers and divers are not permitted to use:
• hookah apparatus;
• a light with a spear/spear-gun;
• a spear/spear-gun to take blue, brown or red groper or any protected fish;
• powerheads and/or explosive devices.

SPEARFISHING CLOSURES
• Spearfishing is prohibited in freshwater as well as many entrances, coastal lagoons and other tidal waters.
• All NSW ocean beaches, excluding the last 20 m at each end of the beach.
• Areas closed to all methods of fishing.
The following areas covered by this guide are closed to spearfishing.

Brunswick River (Figure 1). The following waters are closed to spearfishing: the whole of the waters of Brunswick River and its tributaries from the most eastern extremities of the training walls to its source, including Simpsons and Marshalls creeks. Note this is a closure under the Cape Byron Marine Park zoning plan.

Figure 1. Brunswick River

Cudgen Creek. Tweed District. The waters of Cudgen Creek north of the traffic bridge at Kingscliff.

Cudgera Creek. Tweed District. The waters of Cudgera Creek, together with its tributaries from the ocean to its source.

Mooball Creek. Tweed District. The waters of Mooball Creek from the traffic bridge at Pottsville downstream to its confluence with the waters of the ocean.

Tweed River (Figure 2). Tweed District. The waters of the Tweed River within the following boundaries. Commencing at the easternmost extremity of the northern breakwater at the entrance to Tweed River and bounded by the high water mark of the western training wall, inclusive of northern boatharbour, generally south to its point of commencement, by the high water mark of Greenbank Island as reclaimed to the southern boatharbour, by the high water mark of the boatharbour, by the high water mark generally southwest to Boyd’s Bay bridge, by the eastern side of that bridge, by the south-western bank of Ukerebagh Passage to a point being the intersection of the north-eastern prolongation of the north-western boundary of portion 374 with the high water mark of that bank, and then by a line easterly to the westernmost extremity of Ukerebagh Island, by the north-western shore of Ukerebagh Island to the northernmost extremity of that island then by a
line drawn north-easterly to the end of the eastern training wall by the high water mark of that wall inclusive of the tidal waters of Kerosene Inlet on the eastern side of the eastern training wall and then to the high water mark of the southern breakwater north-westerly and north-easterly to the easternmost extremity of that breakwater and then by a line across the entrance to the Tweed River to the point of commencement.

**Richmond River. Richmond District.** The waters of the Richmond River including creeks and tributaries upstream from a line drawn between eastern extremities of the northern and southern breakwalls to the Burns Point ferry crossing.

**Clarence River (Figure 4). Clarence District.** The waters of the Clarence River from a line drawn across the eastern extremity of the Iluka training wall to the eastern extremity of the Yamba training wall, upstream to a line drawn south-westerly from the north-western extremity of the Goodwood Island training wall to the north-western extremity of Orogandiman or Freeburn Island, then generally south-easterly by the northern and north-eastern foreshores of that island to the north-western extremity of the middle training wall at the northern end of the old viaduct and then across to the southern end of that viaduct on the southern foreshore of the Clarence River, then by the southern foreshore of the Clarence River (including Yamba Bay) to the commencing point at the eastern extremity of the Yamba training wall; together with the waters of those parts of the Clarence River and the ocean from the Yamba training wall by the coastline to a point 20 m south of Yamba Point and extending easterly from that coastline for a distance of 400 m.

**Evans River (Figure 3). Richmond District.** The waters of the Evans River together with all of its tributaries, from the Pacific Hwy Bridge, downstream to its meeting with the ocean, together with the waters of the ocean for a distance of 50 m from the northern breakwall of the River.

**Woody Bay: Clarence District.** The area known as Woody Bay commencing from the broad arrow on a rock and marked FD, north of portion 54 then in a northerly direction for approximately 300 m to a spike in the rock, then generally in a westerly direction to Big Knobby Rock, then in a south-westerly direction to a 10 × 10 centimetre peg on the foreshore, then along the mean high water mark to the point of commencement.
Bellinger River (Figure 5). Coffs District. The waters of the Bellinger River within the following boundaries. Commencing at a point on the western bank of the north arm of the River due west of the northern extremity of the northern training wall and then bounded by a line easterly to that training wall; then by the northern training wall and the northern breakwater southerly and south-easterly to the eastern extremity of the northern breakwater; then by a line south-easterly to the eastern extremity of the southern breakwater; then by that breakwater and the southern training wall north-westerly to the north-western extremity of the southern training wall; then by a line north-east to the inner training wall; then by that training wall and the western bank of the north arm south-easterly and northerly to the point of commencement; and the whole of the waters of South Lagoon together with all its creeks, tributaries and inlets.

Boambee Creek. Coffs District. The waters of Boambee Creek, together with all its creeks, tributaries and inlets extending from the ocean upwards to its source.

Bonville Creek. Coffs District. The waters of Bonville Creek, together with all its creeks, tributaries and inlets extending from the ocean upwards to its source.

Nambucca River (Figure 6). Coffs District. The waters of that part of the Nambucca River and its tributaries (except Warrell or Gurravembi Creek) within the following boundaries: commencing at the eastern extremity of the northern breakwater at the entrance of the Nambucca River, and bounded by a line bearing southwest to the north-western extremity of the right bank of that river at its entrance, then by that bank generally south-}

Red Bank River (Figure 7). Coffs District. The waters of Red Bank River, Saltwater and Corindi Creeks, including all their creeks, inlets and tributaries, downstream from a line drawn from a white post marked ‘FD↑’ erected on Jewfish point, and bearing 344° across the River, to the River’s confluence with the ocean.
Camden Haven Inlet (Figure 8). Hastings District. The waters of Camden Haven Inlet, from a line drawn across the entrance to the inlet from the easternmost extremity of the northern training wall to the easternmost extremity of the southern training wall, upstream to the bridge across the Inlet at Laurieton and including the waters of Gogley’s Bay and Gogley’s Creek, and that part of the waters of Queens Lake Entrance, from their confluence with Camden Haven Inlet upstream to the North Haven road bridge.

Figure 8. Camden Haven

Crescent Head (Figure 9). Hastings District. The whole of the waters of that part of the ocean extending seawards for a distance of 400 m from the line of high water, between the prolongation of the northern boundary of portion 325, and the prolongation of the northernmost north-western boundary of Reserve No 63725 for Public Recreation and Resting Place.

Hastings River (Figure 10). Hastings District. The waters of the Hastings River within the following boundaries: commencing at the eastern extremity of the northern breakwater and bounded then by that breakwater and the northern training wall generally westerly and northerly to the PWD Coal Wharf; then by a line south-westerly to a point on the high water mark of that river at its intersection with the northerly prolongation of the eastern side of Park Street, Port Macquarie; then by that high water mark, south-easterly, the confluence of Kooloonbung Creek with that river north-easterly, and again the high water mark of the Hastings River generally north-easterly to the southern training wall; then by that training wall, and the southern breakwater generally easterly to the eastern extremity of that breakwater and then by a line northerly to the point of commencement; also the

whole of the waters of Kooloonbung Creek, Lake Innes, Cathie Lake and Cathie Creek, together with all their creeks, tributaries and inlets.

Figure 9. Crescent Head

Killick Creek. Hastings District. The waters of Killick or Crescent Head Creek and its creeks, tributaries, inlets and lagoons upwards from its confluence with the ocean to its source.

Korogoro Creek. Hastings District. The waters of Korogoro (Hat Head) Creek and its creeks, tributaries, inlets and lagoons upwards from their confluence with the ocean to their source.

Shelly Beach Lagoon. Hastings District. The waters of Shelly Beach Lagoon bounded by the reef that surrounds the lagoon at the southern end of Shelly Beach in Port Macquarie.

Figure 10. Hastings River
South West Rocks Creek (Figure 11). Hastings District. The waters of South West Rocks Creek (or Back Creek) and the waters of the Macleay River and the ocean lying generally north and north-easterly of a line drawn across the River in a south-easterly direction from the southernmost extremity of Shark Island to the point of high water mark on the northern edge of the public boat ramp on the eastern training wall, fronting portion 302; to the easternmost extremities of the northern and southern breakwaters of the Macleay River; and including the waters of the ocean within 100 m of the north-western side of the northern breakwater and within 100 m on the south-eastern side of the southern breakwater.

Manning River (Figure 12). Wallis District. The waters of the Manning River at Harrington within the following boundaries. Commencing at the south-western extremity of the northern training wall and bounded then by a line west to the north-western bank of Manning River, by the line of high water mark generally northerly and easterly to the breakwater; by that breakwater generally easterly to its eastern extremity: by a line south-westerly to the northern extremity of the sandbank forming the southern point of entrance of Manning River (Harrington Inlet); by the line of high water mark of the south-eastern bank of the Manning River generally south-westerly to the eastern shore of the mouth of Mangrove Creek; and then by a line generally north-easterly to the point of commencement.

Manning River. Wallis District. The waters of the lagoon north of the northern training wall at Manning River and near the entrance of the river, known as the Harrington Swimming Lagoon.
Myall River (Figure 14). Port Stephens District. The waters of the Myall River and Paddy Marr’s Bar between a line drawn from the southern tip of Dredge Island due east to the eastern bank and due west to the western bank of the river and a line drawn due east and west from the south-western end of the training wall in Paddy Marr’s Bar but exclusive of Corrie Creek from its confluence with the Myall River.

Lake Macquarie (Figure 15). Hunter District. The waters of the entrance to Lake Macquarie including Black Ned’s Bay extending generally easterly to the ocean, from a line across that entrance being the easterly prolongation of the northern side of Rawson Street, Swansea: and the whole of the waters of that part of the ocean west of a line joining the more easterly extremities of the northern and southern breakwaters at the entrance to Lake Macquarie.

Brisbane Water (Figure 16). Central Coast District. The waters of Brisbane Water together with all its creeks, tributaries, inlets and bays north of a line drawn westerly from the southern extremity of Box or Hawk Head to the eastern extremity of Green Point.

Nelson Bay Boat Harbour. Port Stephens District. The waters of Nelson Bay Boat Harbour within the walls and extending a distance of 50 m from the outer edge of both walls into the waters of Port Stephens commencing at the junction of the western wall and Teramby Street to the junction of the eastern wall and Nelson Bay beach.
**Tuggerah Lake Entrance** (Figure 17). *Central Coast District.* The waters of Tuggerah Lake Entrance within the following boundaries: commencing at the north-west corner of lots A and B of Strata Plan No 4000 on Marine Parade; then by a line bearing 90° for a distance of 160 m; then by a line bearing generally north-westerly to the south-east extremity of Karagi Point; then continuing generally northerly along mean high water mark of the eastern shore of Tuggerah Lake to PWD Survey mark No 215 at Coogee Avenue; then continuing generally south-westerly to the north-westernmost point of Terilbah Island and to PWD Survey Mark No 217 on Picnic Point; then generally easterly and south-easterly along mean high water mark of the southern shore of Tuggerah Lake to the point where the line bearing 90° from the point of commencement intersects mean high water mark.

**Figure 17. Tuggerah Lake entrance**

**Narrabeen Lake.** *Sydney North District.* The waters of Narrabeen Lake together with all its creeks, tributaries, and inlets.

**Port Jackson** (Figure 18). *Sydney North District.* The waters of North Harbour, Manly Cove, Little Manly Cove and Spring Cove, their bays and tributaries, north of a line drawn between Grotto Point and outer North Head and those waters of Chowder Bay west of a line drawn from the easternmost extremity of Chowder Head, to the foreshore of the south-eastern extremity of Georges Head on the eastern side of the Army Maritime School.

**Clovelly Bay and Gordons Bay** (Figure 19). *Sydney South District.* The waters of Clovelly Bay and Gordons Bay including waters encompassed by a line commencing at the south-eastern extremity of Shark Point, extending south-easterly for 100 m to a point 33°54.950’S, 151°16.3’E, then generally south-westerly to a point 33°55.100’S, 151°15.800’E, then 100 m north-westerly to the easternmost point of the southern headland of Gordons (or Thompsons) Bay, then by the mean high water mark to the point of commencement.

**Figure 18. Port Jackson**

**Figure 19. Clovelly Bay and Gordons Bay**

**Port Hacking.** *Sydney South District.* The waters of Port Hacking together with all its tributaries, inlets and bays west of a line drawn from the eastern extremity of Glashier Point to the northern extremity of Port Hacking Point.

**Lake Illawarra** (Figure 20). *Illawarra District.* The waters of Lake Illawarra from a line drawn between the most easterly points of the southern and northern breakwaters at the entrance of the Lake Illawarra upstream to a white post on the foreshore at the western prolongation of Boronia Avenue,
Windang at a point 34°31.76′S, 150°51.78′E, then generally north-westerly to a white post at a point 34°31.74′S, 150°51.73′E, then continuing north-westerly to a white post at a point 34°31.66′S, 150°51.51′E, then south-westerly to a white post at a point 34°31.72′S, 150°51.42′E, then to the north-western shore of Bevans Island at a point 34°31.92′S, 150°51.37′E, then by that shore of that island bearing generally south south-westerly to a white post marked FD at a point 34°32.13′S, 150°51.19′E at the westernmost extremity of the island, then in a south south-westerly direction to a white post marked FD at a point 34°32.39′S, 150°51.07′E on the southern shore of Lake Illawarra at the eastern point of the entrance to Foster’s Creek, then by the southern foreshore of Lake Illawarra generally north-easterly and south-easterly to the point of commencement.

‘FD’ on the southern shore of the Basin, situated about 1.6 km easterly from the junction of the southern shore of the Basin with the eastern shore of Sussex Haven.

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**Minnamurra River.** *Illawarra District.* The waters of the Minnamurra River, its creeks and tributaries from its source downwards to the ocean.

**Conjola Lake** (Figure 21). *Shoalhaven District.* The waters of Conjola Lake and the waters of Berringer Lake, together with all their creeks, tributaries and inlets eastwards of a line drawn from the northern extremity of Roberts Point to the western extremity of Station Point, downstream to the ocean.

**Sussex Haven** (Figure 22). *Shoalhaven District.* The waters of Sussex Haven, its creeks and inlets, and part of St Georges Basin, its creeks and bays, between a line drawn north-easterly from the most easterly south-eastern corner of Reserve 81746, to the point of junction of the eastern shore of Sussex Haven with the shore of the ocean and a line from the easternmost extremity of Kangaroo Point bearing 144° to a point marked broad arrow over

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**Burrill Lake** (Figure 23). *Batemans Bay District.* The entrance waters to Burrill Lake, including the bays and inlets and tributaries extending from a line drawn across the entrance from the northermmost point of Thisleton’s Point in a north-eastern direction bearing 23°, about 291 m to a point on the north-eastern foreshore of the lake, downwards to the ocean.
The waters of Candlagan Creek and adjacent ocean waters below the traffic bridge, commencing from the south-east pylon of the bridge, then by a line bearing 130° to an established concrete cairn at the entrance of the creek, then by a line bearing 66° to a position marked by a broad arrow painted white on the rocks on the northern side of the entrance, then bounded by the northern shore of Candlagan Creek to the north-eastern pylon of the bridge, then along the bridge to the point of commencement.

Wagonga River. Montague District. The waters of the Wagonga River, east of a line from the Princess Hwy Road Bridge to a line drawn between the eastern extremities of the northern and southern training walls at the entrance to Wagonga River.

Sandy Beach Creek. Far South Coast District. The waters of Sandy Beach Creek and Bournada Lagoon, together with all their inlets, creeks and tributaries.

Wonboyn River (Figure 25). Far South Coast District. The entrance waters of Wonboyn River downwards to their confluence with the South Pacific Ocean from a line drawn in a southerly direction from the north-westernmost foreshore at a point 37°14.57′S, 149°55.91′E to the westernmost foreshore at a point 37°14.69′S, 149°55.88′E.

Figure 25. Wonboyn River

GENERAL RECREATIONAL FISHING RULES

- Leave all commercial fishing gear in place and do not disturb commercial fishers going about their lawful business. Penalties up to $5,500 can apply.
- You cannot use any chemical or explosive devices to take or assist to take fish.
- It is illegal for recreational fishers to sell their catch.
- You must not alter the length of fish or invertebrate by filleting, shucking and/or removing the head until you are well away from the water. This rule does not apply at areas normally used for cleaning fish such as boat ramp cleaning tables, if the fish are for immediate consumption or immediate use as bait, or for fish that do not have a legal length. You may clean fish by gilling and gutting only.
- It is an offence to interfere with any oyster lease. Please ensure that your vessel, your vessel’s wash or your tackle does not interfere with any part of an oyster lease, including the oysters.
Fishing safely
Fishing is fun, but remember to take care and exercise caution. Rock fishing can be particularly dangerous due to the unpredictable nature of the ocean. Remember the following basic safety tips.

- Observe first, fish later. Always check weather and water conditions before you start fishing. Make sure you are aware of local weather, swell and tidal conditions before going fishing. Listen to weather forecasts or call the weather information line on 1900 937 107. Be aware that conditions may change dramatically in a short period of time.
- Never spearfish alone and always inform others of your fishing plans. Let friends or family know where you are going and when you will be back.
- A safety boat, with the operator acting as a lookout, should accompany spearfishers at all times.
- Spearfishers should always tow a float displaying the ‘Divers Flag A’.
- Care for your own safety and never take undue risks when fishing, even when fighting fish. If the location looks dangerous, don’t fish there.
- Ask for advice from locals who know the area – they can advise you of good fishing locations.

Responsible fishing
- Observe all bag and size limits as well as any other restrictions for the area you are fishing.
- Take only what is sufficient for your immediate needs.
- Collect and dispose of all litter, bait, fish waste and discarded tackle responsibly.
- Use environmentally friendly fishing tackle where possible.

Fish aggregating devices – FADs
I&I NSW deploy a series of fish aggregating devices (FADs) each year along the NSW coast between September and June. The FADs are funded by the Recreational Fishing Trust and are installed to provide improved fishing for recreational fishers.

For exact GPS locations of your nearest FAD please check the website www.industry.nsw.gov.au/fisheries.

For more information or to report a lost or damaged FAD please phone (02) 9527 8411 or email: fisheries.FADs@dpi.nsw.gov.au.

Recreational harvest of shellfish
Shellfish are filter feeders and they sometimes accumulate harmful substances from the water during feeding. Shellfish collected by recreational fishers should never be eaten raw. This is because recreationally harvested shellfish are not subject to the same strict food safety controls as commercially harvested shellfish. Consequently the NSW Food Authority recommends eating only shellfish harvested under a recognised program. For more information check the I&I NSW Recreational Fishing Guide or www.foodauthority.nsw.gov.au or phone 1300 552 406.

Penalties
Penalties apply to persons who take or possess fish (including invertebrates, shells, etc.) taken in contravention of fishing closures, including aquatic reserves and intertidal protected areas.

Further information
For more information on spearfishing, please download ‘The Guide to Spearfishing in New South Wales’ at www.usfa.com.au

For more information about fishing restrictions that apply to the waterways and beaches, please contact the local fisheries office.

Tweed District: (07) 5523 6900
Richmond District: (02) 6618 1800
Clarence District: (02) 6645 0500
Coffs District: (02) 6652 3977
Hastings District: (02) 5524 0600
Wallis District: (02) 6591 6300
Port Stephens District: (02) 4982 1232
Hunter District: (02) 4971 1201
Central Coast District: (02) 4348 1900
Sydney North District: (02) 8437 4900
Sydney South District: (02) 9529 6021
Illawarra District: (02) 4295 1809
Shoalhaven District: (02) 4428 3400
Batemans Bay District: (02) 4472 4032
Montague District: (02) 4476 2072
Far South Coast District: (02) 6496 1377


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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (January 2011). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of Industry & Investment NSW or the user’s independent adviser.

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