



# *Government Gazette*

of the State of

New South Wales

**Number 105–Environment**

**Thursday, 2 March 2023**

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# Fisheries Management (Trout and Salmon - Fishing Closure) Notification 2023

under the

## Fisheries Management Act 1994

I, Sean Sloan DDG DPI Fisheries, with the delegated authority of the Minister and Secretary make the following notification under sections 8 and 11 of the *Fisheries Management Act 1994*.

Dated this 20th day of February 2023



### Deputy Director General

Department of Primary Industries – Fisheries

Department of Regional NSW

## Part 1 Preliminary

### 1 Name of notification

This notification is the *Fisheries Management (Trout and Salmon – Fishing Closure) Notification 2023*.

### 2 Commencement and duration

This notification commences on the day on which it is published in the NSW Government Gazette and will remain in force for a period of 5 years.

### 3 Revocation

The *Fisheries Management (Trout and Salmon) (Fishing Closure) Notification 2019 (No.2)* dated 17 January 2020 and published in NSW Government Gazette No 16 of 24 January 2020 is revoked, as is any notification revived as a result of this revocation.

### 4 Definitions

In this notification:

*artificial flies or lures* does not include the use of dough-based baits or any other

similar artificial or manufactured bait product.

**hook** includes a single hook, double hook or treble hook.

**hoop or lift net** means a net that complies with the description set out in the Table to clause 30 of the Regulation.

**landing net** means a net that complies with the description set out in the Table to clause 36 of the Regulation.

**line** means a rod and line and does not include a handline.

**one day** means within a 24-hour period from midnight.

**open pyramid lift net** means a net that complies with the description set out in the Table to clause 31 of the Regulation.

**the Act** means the *Fisheries Management Act 1994*.

**the Regulation** means the *Fisheries Management (General) Regulation 2019*.

## **Part 2 Fishing closure**

### **5 Fishing closure**

A person is prohibited from taking fish of the species specified in Column 1 of the Table in Schedule 1:

- (a) by the methods specified opposite that species of fish in Column 2, if any
- (b) from the waters described opposite that species of fish in Column 3, and
- (c) subject to the conditions specified opposite that species of fish in Column 4.

**Note.** This notification is made in conjunction with the *Fisheries Management (Trout and Salmon – Possession Limit) Order 2023*.

## Schedule 1

In this Schedule, **Table** means a Table in Schedule 2.

Column 1 Species of fish	Column 2 Methods	Column 3 Waters	Column 4 Conditions
All species	<p>All methods other than:</p> <p>a) not more than one line with not more than 2 artificial flies or lures attached and not more than 3 hooks attached to each fly or lure, and</p> <p>b) a landing net.</p>	The waters described in Table A1 excluding Black Lake, The Mill Pond, Lake Crackenback and Splitters Creek Quarries	<ol style="list-style-type: none"> <li>1. From Tuesday after the June (King's Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.</li> <li>2. At all other times, the maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>), Rainbow Trout (<i>Oncorhynchus mykiss</i>) or a hybrid of any of those species in one day is 2.</li> <li>3. A person must not have in their possession, in or on or adjacent to the Waters more than 3 lines with artificial flies or lures attached.</li> </ol>
All species	<p>All methods other than:</p> <p>a) not more than one line with not more than 3 artificial flies or lures attached and not more than 3 hooks attached to each fly or lure, and</p> <p>b) a landing net.</p>	The waters described in Table A1 as Black Lake, The Mill Pond, Lake Crackenback and Splitters Creek Quarries	<ol style="list-style-type: none"> <li>1. The maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>), Rainbow Trout (<i>Oncorhynchus mykiss</i>) or a hybrid of any of those species in one day is 2.</li> <li>2. A person must not have in their possession, in or on or adjacent to the Waters more than 3 lines with artificial flies or lures attached.</li> <li>3. A person must not take fish by any method in the waters</li> </ol>

Column 1 Species of fish	Column 2 Methods	Column 3 Waters	Column 4 Conditions
			of the Splitters Creek Quarry known as “the Gravel Pit”, northwest from a line drawn across the waterway between the 2 marked posts.
Atlantic Salmon ( <i>Salmo salar</i> ), Brook Trout ( <i>Salvelinus fontinalis</i> ), Brown Trout ( <i>Salmo trutta</i> ), Rainbow Trout ( <i>Oncorhynchus mykiss</i> ) or a hybrid of any of those species	All methods other than: a) not more than one line with not more than 2 artificial flies or lures attached and with not more than 3 hooks attached to each fly or lure, and b) a landing net.	The waters described in Table A2	<ol style="list-style-type: none"> <li>1. From 1 May to the Monday of the June (King’s Birthday) long Weekend (inclusive), in each year: <ol style="list-style-type: none"> <li>a) the maximum quantity that a person may take in one day is 1, and</li> <li>b) the minimum size of the fish taken must be 50 centimetres.</li> </ol> </li> <li>2. From Tuesday after the June (King’s Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of fish by all methods is prohibited.</li> <li>3. A person must not have in their possession, in or on or adjacent to the Waters more than 3 lines with artificial flies or lures attached.</li> </ol>
All species	All methods other than (a) those permitted by clause 48(1) of the Regulation, and (b) a landing net	The waters described in Table B1	<ol style="list-style-type: none"> <li>1. From Tuesday after the June (King’s Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.</li> <li>2. At all other times, the maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>),</li> </ol>

Column 1 Species of fish	Column 2 Methods	Column 3 Waters	Column 4 Conditions
			<p>Rainbow Trout (<i>Oncorhynchus mykiss</i>) or a hybrid of any of these species in one day is 5.</p> <p>3. A person must not have in their possession, in or on or adjacent to the Waters more than 4 lines with artificial flies or lures attached.</p>
All species	<p>All methods other than:</p> <p>a) those permitted by clauses 48(2) of the Regulation, and</p> <p>b) a landing net, or</p> <p>c) for the purpose of taking yabbies (<i>Cherax destructor</i>), a hoop or lift net, or open pyramid lift net in the backed up waters of Lake Eucumbene, Lake Jindabyne, Lake Lyell, Lake Wallace and Googong Dam.</p>	The waters described in Table B2	<p>1. The maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>), Rainbow Trout (<i>Oncorhynchus mykiss</i>) or a hybrid of any of those species in one day is 5.</p> <p>2. A person must not have in their possession, in or on or adjacent to the Waters more than 4 lines with artificial flies or lures attached.</p>
Spiny Crayfish species ( <i>Euastacus</i> spp.) other than Murray Crayfish ( <i>Euastacus armatus</i> )	All methods.	The waters described in Tables A1, A2, B1 and B2	

**Note:** Murray Crayfish can only be taken in waters specified in the Regulation.

## Schedule 2

**TABLE A1**

### Artificial fly and lure only waters

Table A1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A1 except for Black Lake, Lake Crackenback, Splitters Creek Quarries and The Mill Pond where the backed up waters of these impoundments are included.

<b>Southern NSW Trout Waters</b>	
Bobundara Creek	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries upstream from its junction with, but not including the Snowy River.
Eucumbene River	County of Wallace. The whole of the waters of the Eucumbene River, its creeks and tributaries upstream from the dam wall of Lake Eucumbene and including Providence Portal.
Khancoban Creek	County of Selwyn. The whole of the waters of Khancoban Creek, together with all of its tributaries, from its confluence with the backed-up waters of Khancoban Pondage or junction with Swampy Plain River upstream to its source.
Kybeyan River	County of Beresford. The whole of the waters of the Kybeyan River, its creeks and tributaries upstream from its junction with, but not including, the Numeralla River.
Maclaughlin River	County of Wellesley. The whole of the waters of the Maclaughlin River, its creeks and tributaries upstream from its junction, but not including the Snowy River.
Mowamba River	County of Wallace. The whole of the waters of the Mowamba River (or Moonbah River), its creeks and tributaries upstream from its junction, but not including the Snowy River.
Splitters Creek Quarries	County of Goulburn. The whole of the waters of Splitters Creek Quarries (known as the “Gravel Pit” and “the Second Pit”), located within Lot 2 DP 810132 and Lot 5 856087.
Swampy Plain River	County of Selwyn. The whole of the waters of the Swampy Plain River, its creeks and tributaries downstream of the southern (upstream) boundary of Khancoban Station and upstream from its junction, but not including the Murray River.
Thredbo River	County of Wallace. The whole of the waters of the Thredbo River (or Crackenback River), its creeks and tributaries upstream from where it enters the backed-up waters of Lake Jindabyne.
Flea Creek	County of Cowley. The whole of the waters of Flea Creek and its

	tributaries including Tumbledown Creek and its tributaries upstream of the junction with the Goodradigbee River.
Wilde's Meadow Creek	County of Camden. The whole of the waters of Wilde's Meadow Creek (including its creeks and tributaries, from a point where its visible flow merges with the backed-up waters of the Fitzroy Falls Reservoir, upstream to its source).
Black Lake	County of Wellesley. The whole of the waters of Black Lake.
Lake Crackenback	County of Wallace. The whole of the waters of Lake Crackenback.

<b>Central NSW Trout Waters</b>	
Bell River	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from the Belgravia Road crossing.
The Mill Pond	County of Roxburg. The whole waters of the Mill Pond (Portland Dam No. 3) including those waters backed up to the road culvert west of the waterway, located within Lot 1 DP 1227369.
Molong Creek	County of Wellington. The whole of the waters of the Molong Creek and its tributaries upstream from its junction, but not including Borenore Creek.

**TABLE A2**

### Spawning Streams

In Table A2, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A2.

Eucumbene River	County of Wallace. The whole of the waters of the Eucumbene River and its tributaries upstream of the dam wall and including the Providence Portal.
Thredbo River	County of Wallace. The whole of the Thredbo River.

**TABLE B1**

### General trout waters

In Table B1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table B1.



<b>Southern NSW Trout Waters</b>	
Bemboka River	County of Auckland. The whole of the waters of Bemboka River, its creeks and tributaries upstream its junction with, and including, Tantawangalo Creek.
Goodradigbee River	County of Buccleuch. The whole of the waters of the Goodradigbee River, its creeks and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
Ingeegoodbee River	County of Wallace. The whole of the waters of the Ingeegoodbee River, its creeks and tributaries upstream from the Victorian border.
Macphersons Swamp Creek	County of Buccleuch. The whole of the waters of the Macphersons Creek and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
Molonglo River	County of Murray. The whole of the waters of the Molonglo River, its creeks and tributaries upstream from the railway bridge at Burbong.
Murray River	County of Selwyn. The whole of the waters of the Murray River, its creeks and tributaries upstream from the road bridge at Tintaldra.
Murrumbidgee River	County of Cowley. The whole of the waters of the Murrumbidgee River, its creeks and tributaries upstream from its junction with, and including, the Bredbo River.
Queanbeyan River	County of Murray. The whole of the waters of the Queanbeyan River, its creeks and tributaries upstream of the fence boundary of the Googong Dam Reservoir (about 1 kilometre downstream of the wall of Googong Dam).
Shoalhaven River	County of Murray. The whole of the waters of the Shoalhaven River, its creeks and tributaries upstream from its junction with, and including, the Mongarlowe River.
Snowy River	County of Wallace. The whole of the waters of the Snowy River, its creeks and tributaries upstream of the Victorian border.
Tumut River	County of Buccleuch. The whole of the waters of the Tumut River, its creeks and tributaries upstream from its junction with, but not including, the Murrumbidgee River.
Tuross River	County of Dampier. The whole of the waters of the Tuross River, its creeks and tributaries upstream from the Tuross Falls.
<b>Central NSW Trout Waters</b>	
Bell River	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from its junction with, and including, the Molong Creek.
Belubula River	County of Bathurst. The whole of the waters of the Belubula River, its creeks and tributaries upstream from the Cherry Tree Falls low level road bridge near Canowindra.

Boree Creek	County of Ashburnham. The whole of the waters of the Boree Creek and its tributaries upstream from its junction with, but not including, Mandagery Creek.
Coxs River	County of Westmoreland. The whole of the waters of the Coxs River, its creeks and tributaries upstream from its junction with, but not including, Little River.
Cudgegong River	County of Phillip. The whole of the waters of the Cudgegong River, its creeks and tributaries downstream of the wall of Windermere Dam and upstream from the Lawson Park Weir at Mudgee.
Guinecor Creek	County of Argyle. The whole of the waters of Guinecor Creek and its tributaries upstream from its junction with, but not including, the Wollondilly River.
Kowmung River	County of Westmoreland. The whole of the waters of the Kowmung River, its creeks and tributaries upstream from its junction with, and including, Morong Creek.
Lachlan River	County of Bathurst. The whole of the waters of the Lachlan River, its creeks and tributaries upstream from the Cowra-Young road bridge.
Macquarie River	County of Bathurst. All tributaries of the Macquarie River (but not including the Macquarie River) upstream of its junction with and including Lewis Ponds Creek.
Turon River	County of Bathurst. The whole of the waters of the Turon River, its creeks and tributaries upstream of the Upper Turon Road Crossing near Green Point.
Wollondilly River	County of Argyle. The whole of the waters of the Wollondilly River, its creeks and tributaries upstream from its junction with, and including, the Tarlo River.
<b>Northern NSW Trout Waters</b>	
Apsley River	County of Vernon. The whole of the waters of the Apsley River, its creeks and tributaries upstream from its junction with, and including, the Tia River.
Barnard River	County of Hawes. The whole of the waters of the Barnard River, its creeks and tributaries upstream from its junction with, and including, Gulf Creek.
Barrington River	County of Gloucester. The whole of the waters of the Barrington River, its creeks and tributaries upstream from its junction with, and including, the Moppy River.
Beardy Waters	County of Gough. The whole of the waters Beardy Waters, its creeks and tributaries upstream from its junction with, and including, Furracabad Creek.
Blicks River	County of Fitzroy. The whole of the waters of the Blicks River, its creeks and tributaries upstream from the road bridge at Dundarrabin.

Carters Brook	County of Durham. The whole of the waters of Carters Brook, its creeks and tributaries upstream from its junction with, and including, Stewarts Brook.
Chandler River	County of Clarke. The whole of the waters of the Chandler River, its creeks and tributaries upstream from its junction with, and including, the Wollomombi River.
Cobark River	County of Gloucester. The whole of the waters of the Cobark River, its creeks and tributaries upstream from its junction with, and including, the Dilgry River.
Cooplacurripa River	County of Hawes. The whole of the waters of the Cooplacurripa River, its creeks and tributaries upstream from its junction with, and including, the Mummel River.
Deepwater River	County of Gough. The whole of the waters of the Deepwater River, its creeks and tributaries upstream of the New England Highway Road bridge near Deepwater.
Dungowan Creek	County of Parry. The whole of the waters of Dungowan Creek and its tributaries upstream from the road crossing near Ogunbil Station.
Georges Creek	County of Hardinge. The whole of the waters of Georges Creek and its tributaries upstream from its junction with, and including, Louisa Creek.
Gloucester River	County of Gloucester. The whole of the waters of the Gloucester River, its creeks and tributaries upstream from its junction with, and including, Sharpes Creek.
Guy Fawkes River	County of Gresham. The whole of the waters of the Guy Fawkes River, its creeks and tributaries upstream from its junction with, but not including the Aberfoyle River.
Gwydir River	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries upstream of the road bridge at Torryburn and downstream from Copeton Dam to its junction with, but not including Dingo Creek.
Horton River	County of Murchison. The whole of the waters of the Horton River, its creeks and tributaries upstream from its junction with, and including, Cut Road Creek.
Hunter River	County of Brisbane. The whole of the waters of the Hunter River, its creeks and tributaries upstream from its junction with, but not including Pages Creek.
Laura Creek	County of Hardinge. The whole of the waters of Laura Creek and its tributaries of the ford at Baldeslie Station.
Macdonald River	County of Vernon. The whole of the waters of the Macdonald River, its creeks and tributaries upstream of the New England Highway road bridge at Bendemeer.
Macintyre River	County of Gough. The whole of the waters of the MacIntyre River, its

	creeks and tributaries upstream from the road bridge at Elsmore.
Manning River	County of Gloucester. The whole of the waters of the Manning River, its creeks and tributaries upstream from the Gummi Trail crossing.
Moonan Brook	County of Durham. The whole of the waters of Moonan Brook and its tributaries upstream from its junction with, but not including, the Hunter River.
Moredun Creek	County of Hardinge. The whole of the waters of Moredun Creek and its tributaries upstream of the ford immediately below its junction with Limestone Creek.
Mulla Mulla Creek	County of Parry. The whole of the waters of Mulla Mulla Creek and its tributaries upstream from its junction with, but not including, the Cockburn River.
Myall Creek	County of Hawes. The whole of the waters of Myall Creek and its tributaries upstream from its junction with, and including, Tuggolo Creek.
Nowendoc River	County of Hawes. The whole of the waters of the Nowendoc River, its creeks and tributaries upstream from Nowendoc Falls.
Nymboida River	County of Sandon. The whole of the waters of the Nymboida River, its creeks and tributaries upstream from its junction with, and including, Wild Cattle Creek.
Oaky River	County of Clarke. The whole of the waters of the Oaky River, its creeks and tributaries upstream from where it enters the backed-up waters of Oaky River Dam.
Oban River	County of Clarke. The whole of the waters of the Oban River (or Ann River), its creeks and tributaries upstream from its junction with, but not including, the Sara River.
Omadale Brook	County of Durham. The whole of the waters of Omadale Brook and its tributaries upstream from its junction with, and including, Polblue Creek.
Styx River	County of Clarke. The whole of the waters of the Styx River, its creeks and tributaries upstream of the road crossing on the Armidale-Bellbrook road.
Swanbrook	County of Gough. The whole of the waters of Swanbrook and its tributaries upstream of the Kings Plains road crossing near Inverell.
Wellingrove Creek	County of Gough. The whole of the waters of Wellingrove Creek and its tributaries upstream from the Gwydir Highway road bridge near Glenn Innes

**TABLE B2****General trout dams**

In Table B2, the waters described include the backed up waters of all impoundments and weirs. The tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters are not included.

<b>Waters</b>	<b>Nearest town</b>
Beardy Waters Dam	Glen Innes
Ben Chifley Dam	Bathurst
Captain's Flat Dam	Queanbeyan
Carcoar Dam	Carcoar
Coolumbooka Weir	Bombala
Diggers Creek Dam	Perisher Valley
Dumaresq Dam	Armidale
Fitzroy Falls Reservoir	Fitzroy Falls
Geehi Dam	Khancoban
Googong Dam	Queanbeyan
Gosling Creek Reservoir	Orange
Guthega Lake	Jindabyne
Happy Jacks Pondage	Khancoban
Island Bend Dam	Jindabyne
Jounama Pondage	Talbingo
Khancoban Pondage	Khancoban
Lake Bathurst	Tarago
Lake Canobolas	Orange
Lake Eucumbene	Adaminaby
Lake Jindabyne	Jindabyne
Lake Lyell	Lithgow
Lake Pillans	Lithgow
Lake Wallace	Wallerawang
Lake Williams	Nimmitabel
Malpas Dam	Armidale
Marsden Weir	Goulburn
Murray 2 Pondage	Khancoban

Oberon Dam	Oberon
Paddys River Dam	Tumberumba
Pejar Dam	Goulburn
Redground Dam (Crookwell Water Supply)	Crookwell
Rossi Weir	Goulburn
Sheba Dams	Nundle
Talbingo Dam	Talbingo
Tantangara Dam	Adaminaby
Tod Kill Park Dam	Crookwell
Tooma Dam	Khancoban
Tumut Ponds	Adaminaby
Tumut 2 Pondage	Khancoban
Three Mile Dam	Kiandra
Wentworth Falls Lake	Wentworth Falls

# Fisheries Management (Thompsons Creek Dam - Fishing Closure) Notification 2023

under the

## Fisheries Management Act 1994

I, Sean Sloan DDG DPI Fisheries, with the delegated authority of the Minister and Secretary make the following notification under sections 8 and 11 of the *Fisheries Management Act 1994* and.

Dated this 20th day of February 2023



**Deputy Director General Fisheries**  
Department of Primary Industries – Fisheries  
Department of Regional NSW

## Part 1 Preliminary

### 1 Name of notification

This notification is the *Fisheries Management (Thompsons Creek Dam - Fishing Closure) Notification 2023*.

### 2 Commencement and duration

This notification commences on the day on which it is published in the NSW Government Gazette and will remain in force for a period of five years.

### 3 Revocation

The *Fisheries Management (Thompsons Creek Dam Fishing Closure) Notification 2021* dated 29 November 2021 and published in NSW Government Gazette No 648 of 17 December 2021 is revoked.

### 4 Definitions

In this notification:

*artificial flies or lures* does not include the use of dough based baits or any other similar artificial or manufactured bait product.

**carp** has the meaning set out in clause 4 (1) of the Regulation.

**hook** includes a single hook, double hook or treble hook.

**landing net** means a net that complies with the description set out in the Table to clause 36 of the Regulation.

**line** means a rod and line and does not include a handline.

**one day** means within a 24-hour period from midnight.

**permitted species** means these species of fish and hybrid of species:

- (a) Atlantic Salmon (*Salmo salar*),
- (b) Brook Trout (*Salvelinus fontinalis*),
- (c) Brown Trout (*Salmo trutta*),
- (d) Rainbow Trout (*Oncorhynchus mykiss*),
- (e) Tiger trout (*Salmo trutta* × *Salvelinus fontinalis*), and
- (f) carp.

**the Act** means the *Fisheries Management Act 1994*.

**the Regulation** means the Fisheries Management (General) Regulation 2019.

## **Part 2 Fishing closure**

### **4 Fishing closure – all species**

A person is prohibited from taking any species of fish except a permitted species from the waters of Thompsons Creek Dam and its tributaries.

### **5 Fishing closure – permitted species**

- (a) A person is prohibited from taking a permitted species from the waters of Thompsons Creek Dam and its tributaries in the period starting 4 hours after sunset and ending 1 hour before sunrise.
- (b) A person is prohibited from taking a permitted species from the waters of Thompsons Creek Dam and its tributaries by any method other than fishing from the bank or edge of the waters, or fishing from within the waters that are no more than 1 metre from the bank or edge of the waters, where:
  - (i) fishing is not from the dam wall, or from a boat, flotation device or floating platform, and
  - (ii) fishing involves the use of not more than 1 line with not more than 3 artificial flies or lures attached and with not more than 3 hooks attached to any artificial fly or lure, and a landing net.
- (c) One any one day, A person is prohibited from taking more than 2 of the following permitted species of fish, comprised either as a single species or in combination with other species:
  - (i) Atlantic Salmon (*Salmo salar*),



- (ii) Brook Trout (*Salvelinus fontinalis*),
  - (iii) Brown Trout (*Salmo trutta*),
  - (iv) Rainbow Trout (*Oncorhynchus mykiss*),
  - (v) Tiger trout (*Salmo trutta* × *Salvelinus fontinalis*).
- (e) A person must not, for the purpose of taking a permitted species of fish, have in the person's possession more than 3 lines with artificial flies or lures attached.

**Note:** This closure is made in conjunction with the *Fisheries Management (Thompsons Creek Dam - Possession Limit) Order 2023*.

# Fisheries Management (Trout and Salmon – Possession Limit) Order 2023

under the

## Fisheries Management Act 1994

I, Sean Sloan DDG DPI Fisheries, with the delegated authority of the Minister and Secretary, make the following order under section 17C of the *Fisheries Management Act 1994*.

Dated this 20th day of February 2023



**Deputy Director General Fisheries**  
Department of Primary Industries – Fisheries  
Department of Regional NSW

## Part 1 Preliminary

### 1 Name of order

This order is the *Fisheries Management (Trout and Salmon – Possession Limit) Order 2023*.

### 2 Commencement and duration

This order commences on the day on which it is published in the NSW Government Gazette and will remain in force for a period of 5 years.

### 3 Revocation

The *Fisheries Management (Trout and Salmon) (Possession) Order 2019* dated 23 April 2019 and published in NSW Government Gazette No 41 of 3 May 2019 is revoked, as is any order revived as a result of this revocation.

### 4 Definitions

In this order:

***possession limit*** means the maximum quantity of fish that a person may have in the

person's possession in any specified circumstances.

## **Part 2 Possession limit**

### **5 Possession limit**

- (1) The possession limit for a species of fish in Column 1 of the Table in Schedule 1 to this order is the quantity specified opposite that species in Column 3 and consists of any single species or a combination of species.
- (2) The possession limit applies if a person takes fish of the species specified in Column 1 from the waters specified opposite that species of fish in Column 2.
- (3) The possession limit applies if a person is in possession of fish in or on or adjacent to any waters or is transporting or storing fish.

**Note:** This order is made in conjunction with the *Fisheries Management (Trout and Salmon - Fishing Closure) Notification 2023*.

## Schedule 1

In this Schedule, **Table** means a Table in Schedule 2.

Column 1 Species of fish	Column 2 Waters	Column 3 Possession Limit
Atlantic Salmon ( <i>Salmo salar</i> ), Brook Trout ( <i>Salvelinus fontinalis</i> ), Brown Trout ( <i>Salmo trutta</i> ), Rainbow Trout ( <i>Oncorhynchus mykiss</i> ) or a hybrid of any of those species	The waters described in Table A1 excluding Black Lake, The Mill Pond, Lake Crackenback and Splitters Creek Quarries	4
Atlantic Salmon ( <i>Salmo salar</i> ), Brook Trout ( <i>Salvelinus fontinalis</i> ), Brown Trout ( <i>Salmo trutta</i> ), Rainbow Trout ( <i>Oncorhynchus mykiss</i> ) or a hybrid of any of those species	The waters described in Table A1 as Black Lake, The Mill Pond, Lake Crackenback and Splitters Creek Quarries	4
Atlantic Salmon ( <i>Salmo salar</i> ), Brook Trout ( <i>Salvelinus fontinalis</i> ), Brown Trout ( <i>Salmo trutta</i> ), Rainbow Trout ( <i>Oncorhynchus mykiss</i> ) or a hybrid of any of those species	The waters described in Table A2	2
Atlantic Salmon ( <i>Salmo salar</i> ), Brook Trout ( <i>Salvelinus fontinalis</i> ), Brown Trout ( <i>Salmo trutta</i> ), Rainbow Trout ( <i>Oncorhynchus mykiss</i> ) or a hybrid of any of those species	The waters described in Table B1	10

Atlantic Salmon ( <i>Salmo salar</i> ), Brook Trout ( <i>Salvelinus fontinalis</i> ), Brown Trout ( <i>Salmo trutta</i> ), Rainbow Trout ( <i>Oncorhynchus mykiss</i> ) or a hybrid of any of those species	The waters described in Table B2	10
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## Schedule 2

**TABLE A1**

### Artificial fly and lure only waters

In Table A1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A1 except for Black Lake, Lake Crackenback, Splitters Creek Quarries and The Mill Pond where the backed up waters of these impoundments are included.

<b>Southern NSW Trout Waters</b>	
Bobundara Creek	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries upstream from its junction with, but not including the Snowy River.
Eucumbene River	County of Wallace. The whole of the waters of the Eucumbene River, its creeks and tributaries upstream from the dam wall of Lake Eucumbene and including Providence Portal.
Khancoban Creek	County of Selwyn. The whole of the waters of Khancoban Creek, together with all its tributaries, from its confluence with the backed-up waters of Khancoban Pondage or junction with Swampy Plain River upstream to its source.
Kybeyan River	County of Beresford. The whole of the waters of the Kybeyan River, its creeks and tributaries upstream from its junction with, but not including, the Numeralla River.
Maclaughlin River	County of Wellesley. The whole of the waters of the Maclaughlin River, its creeks and tributaries upstream from its junction, but not including the Snowy River.
Mowamba River	County of Wallace. The whole of the waters of the Mowamba River (or Moonbah River), its creeks and tributaries upstream from its junction, but not including the Snowy River.
Splitters Creek Quarries	County of Goulburn. The whole of the waters of Splitters Creek Quarries (known as the “Gravel Pit” and “the Second Pit”), located within Lot 2 DP 810132 and Lot 5 856087.

Swampy Plain River	County of Selwyn. The whole of the waters of the Swampy Plain River, its creeks and tributaries downstream of the southern (upstream) boundary of Khancoban Station and upstream from its junction, but not including, the Murray River.
Thredbo River	County of Wallace. The whole of the waters of the Thredbo River (or Crackenback River), its creeks and tributaries upstream from where it enters the backed-up waters of Lake Jindabyne.
Flea Creek	County of Cowley. The whole of the waters of Flea Creek and its tributaries including Tumbledown Creek and its tributaries upstream of the junction with the Goodradigbee River.
Wildes Meadow Creek	County of Camden. The whole of the waters of Wildes Meadow Creek (including its creeks and tributaries, from a point where its visible flow merges with the backed-up waters of the Fitzroy Falls Reservoir, upstream to its source).
Black Lake	County of Wellesley. The whole of the waters of Black Lake.
Lake Crackenback	County of Wallace. The whole of the waters of Lake Crackenback.
<b>Central NSW Trout Waters</b>	
Bell River	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from the Belgravia Road crossing.
The Mill Pond	County of Roxburg. The whole waters of the Mill Pond (Portland Dam No. 3) including those waters backed up to the road culvert west of the waterway, located within Lot 1 DP 1227369.
Molong Creek	County of Wellington. The whole of the waters of the Molong Creek and its tributaries upstream from its junction, but not including, Borenore Creek.

**TABLE A2**

### Spawning Streams

In Table A2, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A2.

Eucumbene River	County of Wallace. The whole of the waters of the Eucumbene River and its tributaries upstream of the dam wall and including the Providence Portal.
Thredbo River	County of Wallace. The whole of the Thredbo River.

**TABLE B1**

**General trout waters**

In Table B1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table B1.

<b>Southern NSW Trout Waters</b>	
Bemboka River	County of Auckland. The whole of the waters of Bemboka River, its creeks and tributaries upstream its junction with, and including, Tantawangalo Creek.
Goodradigbee River	County of Buccleuch. The whole of the waters of the Goodradigbee River, its creeks and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
Ingeegoodbee River	County of Wallace. The whole of the waters of the Ingeegoodbee River, its creeks and tributaries upstream from the Victorian border.
Macphersons Swamp Creek	County of Buccleuch. The whole of the waters of the Macphersons Creek and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
Molonglo River	County of Murray. The whole of the waters of the Molonglo River, its creeks and tributaries upstream from the railway bridge at Burbong.
Murray River	County of Selwyn. The whole of the waters of the Murray River, its creeks and tributaries upstream from the road bridge at Tintalra.
Murrumbidgee River	County of Cowley. The whole of the waters of the Murrumbidgee River, its creeks and tributaries upstream from its junction with, and including, the Bredbo River.
Queanbeyan River	County of Murray. The whole of the waters of the Queanbeyan River, its creeks and tributaries upstream of the fence boundary of the Googong Dam Reservoir (about 1 kilometre downstream of the wall of Googong Dam).
Shoalhaven River	County of Murray. The whole of the waters of the Shoalhaven River, its creeks and tributaries upstream from its junction with, and including, the Mongarlowe River.
Snowy River	County of Wallace. The whole of the waters of the Snowy River, its creeks and tributaries upstream of the Victorian border.
Tumut River	County of Buccleuch. The whole of the waters of the Tumut River, its creeks and tributaries upstream from its junction with, but not including, the Murrumbidgee River.
Tuross River	County of Dampier. The whole of the waters of the Tuross River, its creeks and tributaries upstream from the Tuross Falls.

<b>Central NSW Trout Waters</b>	
Bell River	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from its junction with, and including, the Molong Creek.
Belubula River	County of Bathurst. The whole of the waters of the Belubula River, its creeks and tributaries upstream from the Cherry Tree Falls low level road bridge near Canowindra.
Boree Creek	County of Ashburnham. The whole of the waters of the Boree Creek and its tributaries upstream from its junction with, but not including, Mandagery Creek.
Coxs River	County of Westmoreland. The whole of the waters of the Coxs River, its creeks and tributaries upstream from its junction with, but not including, Little River.
Cudgegong River	County of Phillip. The whole of the waters of the Cudgegong River, its creeks and tributaries downstream of the wall of Windermere Dam and upstream from the Lawson Park Weir at Mudgee.
Guinecor Creek	County of Argyle. The whole of the waters of Guinecor Creek and its tributaries upstream from its junction with, but not including, the Wollondilly River.
Kowmung River	County of Westmoreland. The whole of the waters of the Kowmung River, its creeks and tributaries upstream from its junction with, and including, Morong Creek.
Lachlan River	County of Bathurst. The whole of the waters of the Lachlan River, its creeks and tributaries upstream from the Cowra-Young road bridge.
Macquarie River	County of Bathurst. All tributaries of the Macquarie River (but not including the Macquarie River) upstream of its junction with and including Lewis Ponds Creek.
Turon River	County of Bathurst. The whole of the waters of the Turon River, its creeks and tributaries upstream of the Upper Turon Road Crossing near Green Point.
Wollondilly River	County of Argyle. The whole of the waters of the Wollondilly River, its creeks and tributaries upstream from its junction with, and including, the Tarlo River.
<b>Northern NSW Trout Waters</b>	
Apsley River	County of Vernon. The whole of the waters of the Apsley River, its creeks and tributaries upstream from its junction with, and including, the Tia River.
Barnard River	County of Hawes. The whole of the waters of the Barnard River, its creeks and tributaries upstream from its junction with, and including, Gulf Creek.



Barrington River	County of Gloucester. The whole of the waters of the Barrington River, its creeks and tributaries upstream from its junction with, and including, the Moppy River.
Beardy Waters	County of Gough. The whole of the waters Beardy Waters, its creeks and tributaries upstream from its junction with, and including, Furracabad Creek.
Blicks River	County of Fitzroy. The whole of the waters of the Blicks River, its creeks and tributaries upstream from the road bridge at Dundarrabin.
Carters Brook	County of Durham. The whole of the waters of Carters Brook, its creeks and tributaries upstream from its junction with, and including, Stewarts Brook.
Chandler River	County of Clarke. The whole of the waters of the Chandler River, its creeks and tributaries upstream from its junction with, and including, the Wollomombi River.
Cobark River	County of Gloucester. The whole of the waters of the Cobark River, its creeks and tributaries upstream from its junction with, and including, the Dilgry River.
Cooplacurripa River	County of Hawes. The whole of the waters of the Cooplacurripa River, its creeks and tributaries upstream from its junction with, and including, the Mummel River.
Deepwater River	County of Gough. The whole of the waters of the Deepwater River, its creeks and tributaries upstream of the New England Highway road bridge near Deepwater.
Dungowan Creek	County of Parry. The whole of the waters of Dungowan Creek and its tributaries upstream from the road crossing near Ogunbil Station.
Georges Creek	County of Hardinge. The whole of the waters of Georges Creek and its tributaries upstream from its junction with, and including, Louisa Creek.
Gloucester River	County of Gloucester. The whole of the waters of the Gloucester River, its creeks and tributaries upstream from its junction with, and including, Sharpes Creek.
Guy Fawkes River	County of Gresham. The whole of the waters of the Guy Fawkes River, its creeks and tributaries upstream from its junction with, but not including, the Aberfoyle River.
Gwydir River	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries upstream of the road bridge at Torryburn and downstream from Copeton Dam to its junction with, but not including, Dingo Creek.

Horton River	County of Murchison. The whole of the waters of the Horton River, its creeks and tributaries upstream from its junction with, and including, Cut Road Creek.
Hunter River	County of Brisbane. The whole of the waters of the Hunter River, its creeks and tributaries upstream from its junction with, but not including, Pages Creek.
Laura Creek	County of Hardinge. The whole of the waters of Laura Creek and its tributaries of the ford at Baldeslie Station.
Macdonald River	County of Vernon. The whole of the waters of the Macdonald River, its creeks and tributaries upstream of the New England Highway road bridge at Bendemeer.
Macintyre River	County of Gough. The whole of the waters of the MacIntyre River, its creeks and tributaries upstream from the road bridge at Elsmore.
Manning River	County of Gloucester. The whole of the waters of the Manning River, its creeks and tributaries upstream from the Gummi Trail crossing.
Moonan Brook	County of Durham. The whole of the waters of Moonan Brook and its tributaries upstream from its junction with, but not including, the Hunter River.
Moredun Creek	County of Hardinge. The whole of the waters of Moredun Creek and its tributaries upstream of the ford immediately below its junction with Limestone Creek.
Mulla Mulla Creek	County of Parry. The whole of the waters of Mulla Mulla Creek and its tributaries upstream from its junction with, but not including, the Cockburn River.
Myall Creek	County of Hawes. The whole of the waters of Myall Creek and its tributaries upstream from its junction with, and including, Tuggolo Creek.
Nowendoc River	County of Hawes. The whole of the waters of the Nowendoc River, its creeks and tributaries upstream from Nowendoc Falls.
Nymboida River	County of Sandon. The whole of the waters of the Nymboida River, its creeks and tributaries upstream from its junction with, and including, Wild Cattle Creek.
Oaky River	County of Clarke. The whole of the waters of the Oaky River, its creeks and tributaries upstream from where it enters the backed-up waters of Oaky River Dam.
Oban River	County of Clarke. The whole of the waters of the Oban River (or Ann River), its creeks and tributaries upstream from its junction with, but not including, the Sara River.
Omadale Brook	County of Durham. The whole of the waters of Omadale Brook and its tributaries upstream from its junction with, and including, Polblue Creek.

Styx River	County of Clarke. The whole of the waters of the Styx River, its creeks and tributaries upstream of the road crossing on the Armidale- Bellbrook road.
Swanbrook	County of Gough. The whole of the waters of Swanbrook and its tributaries upstream of the Kings Plains road crossing near Inverell.
Wellingrove Creek	County of Gough. The whole of the waters of Wellingrove Creek and its tributaries upstream from the Gwydir Highway road bridge near Glenn Innes

**TABLE B2**

**General trout dams**

In Table B2, the waters described include the backed up waters of all impoundments and weirs. The tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters are not included.

<b>Waters</b>	<b>Nearest Town</b>
Beardy Waters Dam	Glen Innes
Ben Chifley Dam	Bathurst
Captain's Flat Dam	Queanbeyan
Carcoar Dam	Carcoar
Coolumbooka Weir	Bombala
Diggers Creek Dam	Perisher Valley
Dumaresq Dam	Armidale
Fitzroy Falls Reservoir	Fitzroy Falls
Geehi Dam	Khancoban
Googong Dam	Queanbeyan
Gosling Creek Reservoir	Orange
Guthega Lake	Jindabyne
Happy Jacks Pondage	Khancoban
Island Bend Dam	Jindabyne
Jounama Pondage	Talbingo
Khancoban Pondage	Khancoban
Lake Bathurst	Tarago
Lake Canobolas	Orange
Lake Eucumbene	Adaminaby

<b>Waters</b>	<b>Nearest Town</b>
Lake Jindabyne	Jindabyne
Lake Lyell	Lithgow
Lake Pillans	Lithgow
Lake Wallace	Wallerawang
Lake Williams	Nimmitabel
Malpas Dam	Armidale
Marsden Weir	Goulburn
Murray 2 Pondage	Khancoban
Oberon Dam	Oberon
Paddys River Dam	Tumberumba
Pejar Dam	Goulburn
Redground Dam (Crookwell Water Supply)	Crookwell
Rossi Weir	Goulburn
Sheba Dams	Nundle
Talbingo Dam	Talbingo
Tantangara Dam	Adaminaby
Tod Kill Park Dam	Crookwell
Tooma Dam	Khancoban
Tumut Ponds	Adaminaby
Tumut 2 Pondage	Khancoban
Three Mile Dam	Kiandra
Wentworth Falls Lake	Wentworth Falls

# Fisheries Management (Thompsons Creek Dam – Possession Limit) Order 2023

under the

## Fisheries Management Act 1994

I, Sean Sloan DDG DPI Fisheries, with the delegated authority of the Minister and Secretary, make the following order under section 17C of the *Fisheries Management Act 1994*.

Dated this 20th day of February 2023



**Deputy Director General Fisheries**  
Department of Primary Industries – Fisheries  
Department of Regional NSW

## Part 1 Preliminary

### 1 Name of order

This order is the *Fisheries Management (Thompsons Creek Dam – Possession Limit) Order 2023*.

### 2 Commencement and duration

This order commences on the day on which it is published in the NSW Government Gazette and will remain in force for a period of five years.

### 3 Revocation

The *Fisheries Management (Thompsons Creek Dam Special Approval and Possession Limit) Order 2021* dated 29 November 2021 and published in NSW Government Gazette No 648 of 17 December 2021 is revoked.

### 4 Definitions

In this order:

***possession limit*** means the maximum quantity of fish that a person may have in the person's possession in any specified circumstances.

## Part 2 Possession Limit

### 5 Possession Limit - section 17C of the Act

A person must not possess more than 4 of the following species of fish taken from the waters of Thompsons Creek Dam and its tributaries, comprised either as a single species or in combination with other species.

- (a) Atlantic Salmon (*Salmo salar*)
- (b) Brook Trout (*Salvelinus fontinalis*)
- (c) Brown Trout (*Salmo trutta*)
- (d) Rainbow Trout (*Oncorhynchus mykiss*), or
- (e) Tiger trout (*Salmo trutta* × *Salvelinus fontinalis*).

**Note:** This order is made in conjunction with the *Fisheries Management (Thompsons Creek Dam - Fishing Closure) Notification 2023*.

## **Pesticides Regulation 2017**

### **Transport for NSW Pesticide Use Notification Plan**

Notice is hereby given, under section 43 of the Pesticides Regulation 2017, that Transport for NSW has prepared a Pesticide Use Notification Plan (the plan) in accordance with the requirements of the Pesticides Regulation 2017. The plan sets out how Transport for NSW, our operating agencies and delivery partners will notify the community of pesticide application in public places that Transport for NSW operates or maintains, across NSW.

The plan is available to download on the Transport for NSW website <https://www.transport.nsw.gov.au/operations/roads-and-waterways/environment-and-heritage/environmental-compliance/pesticide-use>

Hardcopies can be viewed at the Transport for NSW head office concierge, 231 Elizabeth St, Sydney NSW 2000.

Dated 24 February 2023

## PESTICIDES ACT 1999 – PESTICIDE CONTROL ORDER UNDER SECTION 38

### 1. Name

This Order is to be known as the Pesticide Control (4-aminopyridine and alphachloralose) Order 2023.

### 2. Authority for Order

This Order is made by the Environment Protection Authority under Part 4 of the *Pesticides Act 1999*.

### 3. Commencement

This Order commences on the date of publication in the NSW Government Gazette.

### 4. Revocation of Previous Order

This Order revokes and replaces The Pesticide Control (Avicide Products) Order 2010 as published in NSW Government Gazette No 66 of 21 May 2010 and amended by NSW Government Gazette No 140 of 24 December 2010.

### 5. Objects

The objects of this Order are to: –

- (a) authorise those persons described in clause 9 of this Order to use and possess 4-aminopyridine products and alphachloralose products in NSW;
- (b) specify the manner in which 4-aminopyridine products and alphachloralose products may be used in NSW; and
- (c) revoke and replace the Pesticides Control (Avicide Products) Order 2010 to:
  - (i) implement a decision of the Australian Pesticides and Veterinary Medicines Authority relating to the registration of alphachloralose rodenticides; and,
  - (ii) protect public health, property, and the environment by authorising persons, subject to the conditions specified in this Order, to use and possess 4-aminopyridine products and alphachloralose products.

### 6. Background

A vertebrate pest control chemical product that contains 4-aminopyridine or alphachloralose is a “restricted chemical product” under regulation 45 and Schedule 4 of the *Agricultural and Veterinary Chemicals Code Regulations 1995* (Cth).

Section 94 of the Agvet Code, which is applied as a law of New South Wales by the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*, provides that a person must not, without reasonable excuse, supply a restricted chemical product, or cause or permit a restricted chemical product to be supplied, to a person who is not authorised to use the product under another law of this jurisdiction.

Section 4 of the *Pesticides Act 1999* provides that a “restricted pesticide” means a pesticide that is a restricted chemical product within the meaning of the Agvet Code. Section 17 of the *Pesticides Act 1999* provides that a person must not use or possess a restricted pesticide unless authorised to do so by a certificate of competency or a pesticide control order.

### 7. Application

This Order authorises the use and possession of 4-aminopyridine products and alphachloralose products, subject to the conditions specified in this Order.

### 8. Interpretation

- (1) Words used in this Order have the meanings set out in the Dictionary at the end of this Order.
- (2) Unless otherwise defined in this Order, words used in this Order have the same meanings as in the *Pesticides Act 1999*.

### 9. Authorised persons

- (1) The following persons are authorised to use or possess 4-aminopyridine avicides and alphachloralose avicides:
  - (a) A Bird Control Officer;



- (b) A person who is qualified within the meaning of clause 31(1)(b), or (c) of the Pesticides Regulation 2017, subject to clause 10(1) of this Order;
  - (c) A person who is authorised, pursuant to a licence or exemption under the *Pesticides Act 1999* or the Pesticides Regulation 2017, to carry out pest management technician work and holds:
    - (i) a current certificate of completion issued by ProTrain Training and Consulting Services Pty Ltd (ABN 80 793 244 357) on completion of the bird management training course delivered by it;
    - (ii) a current certification of completion issued by PestCert Limited (ACN 115 850 872) on completion of the bird management training course delivered by it; or
    - (iii) a current certification of completion or statement of attainment for an EPA approved bird management training course.
- (2) The following persons are authorised to use or possess alphachloralose rodenticides:
- (a) A person who is:
    - (i) authorised, pursuant to a licence or exemption under the *Pesticides Act 1999* or the Pesticides Regulation 2017, to carry out pest management technician work; or
    - (ii) qualified within the meaning of clause 31(1)(b), or (c) of the Pesticides Regulation 2017.
- (3) The following persons are authorised to use or possess 4-aminopyridine products and alphachloralose products:
- (a) a person who conducts a business of selling or supplying 4-aminopyridine products or alphachloralose products, whether as an employee, contractor or self-employed person, subject to clause 10(2) of this Order.
  - (b) an authorised officer, subject to clause 10(3) of this Order.

#### **10. Conditions on the possession and use of 4-aminopyridine products and alphachloralose products**

- (1) A person authorised to use and possess 4-aminopyridine avicides and alphachloralose avicides under clause 9(1)(b) of this Order must only use or possess 4-aminopyridine avicides and alphachloralose avicides:
- (a) in connection with agricultural operations or forestry operations;
  - (b) by means of hand-held or hand-powered equipment;
  - (c) on no more than 12 days in the previous 12 months and on no more than 4 days in the previous month; and,
  - (d) under the supervision of a Bird Control Officer.
- (2) A person authorised to use and possess 4-aminopyridine products and alphachloralose products under clause 9(3)(a) of this Order must only possess or store the 4-aminopyridine products or alphachloralose products for the purposes of selling or supplying these pesticides.
- (3) A person authorised to possess 4-aminopyridine products and alphachloralose products under clause 9(3)(b) of this Order must only use or possess the 4-aminopyridine products or alphachloralose products for the purposes of storing or possessing a sample of 4-aminopyridine products or alphachloralose products collected in the exercise of powers under section 198 of the *Protection of the Environment Operations Act 1997*.

#### **Notes**

*A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.*

*This Order will remain in force until it is revoked.*

*Clauses 9(1)(b) and 9(2)(a)(ii) refer to clauses 31(1)(b) and (c) of the Pesticides Regulation 2017, which provide that a person is qualified if they have achieved certain units of competency and meet other criteria. These units of competency are approved by the EPA and published in the NSW Government Gazette. Information about these units of competency, and a link to the current approved units of competency, is available on the EPA's website.*

Approved labels and permits do not contain all of the conditions that apply to the use of 4-aminopyridine products and alphachloralose products in NSW. All persons using 4-aminopyridine products or alphachloralose products must also follow the instructions in this Order, in order to comply with section 39 of the Pesticides Act 1999. Where this Order gives no instruction on a matter that is included in an approved label or permit for a 4-aminopyridine product or alphachloralose product, then the instructions on that matter in the approved label or permit must be complied with. Where any instructions on the approved label or permit are inconsistent with instructions in this Order, the conditions in this Order prevail to the extent of the inconsistency.

KAREN MARLER  
Director Environmental Solutions – Chemicals, Land and Radiation  
Environment Protection Authority  
(as delegate of the EPA)

## Dictionary

In this Order –

**4-aminopyridine product** means a vertebrate pest control chemical product containing 4-aminopyridine within the meaning of item 12 of Schedule 4 in the *Agricultural and Veterinary Chemicals Code Regulations 1995* (Cth).

**4-aminopyridine avicide** means a 4-aminopyridine product:  
(b) registered under Part 2 of the Agvet Code; or,  
(c) for which a permit under Part 7 of the Agvet Code has been issued;  
for use in NSW against a pest which is a species of the class Aves.

**alphachloralose avicide** means an alphachloralose product which APVMA has:  
(a) registered under Part 2 of the Agvet Code; or,  
(b) for which a permit under Part 7 of the Agvet Code has been issued;  
for use in NSW against a pest which is a species of the class Aves.

**alphachloralose product** means a vertebrate pest control chemical product containing alphachloralose within the meaning of item 12 of Schedule 4 in the *Agricultural and Veterinary Chemicals Code Regulations 1995* (Cth).

**alphachloralose rodenticide** means an alphachloralose product:  
(a) registered under Part 2 of the Agvet Code; or,  
(b) for which a permit under Part 7 of the Agvet Code has been issued;  
for use in NSW against a pest which is a species of the order Rodentia.

**Australian Qualifications Framework** has the same meaning as in section 7 of the *Higher Education Act 2001*.

**Bird Control Officer** means a person who:  
(a) holds a statement of attainment for a NSW Government Vertebrate Pest Management course; and  
(b) holds at least one of the following:  
(i) a current certificate of completion issued by ProTrain Training and Consulting Services Pty Ltd (ABN 48 131 945 741) on completion of the bird management training course delivered by it;  
(ii) a current certificate of completion issued by PestCert (ACN 115 850 872) on completion of the bird management training course delivered by it;  
(iii) a current certificate of completion or statement of attainment issued by NSW Department of Primary Industries on completion of an avicide training course delivered by it; or,

- (iv) a current certificate of completion or statement of attainment for an EPA approved bird management training course; and
- (c) either:
  - (i) holds a statement of attainment for completion of a Chemical Accreditation training program assessed at Australian Qualifications Framework 4; or,
  - (ii) holds a statement of attainment for completion of a Chemical Accreditation training program assessed at Australian Qualifications Framework 3 and, if the training program was completed over 5 years ago, has completed refresher training at least once every 5 years since the training program was completed; and
- (d) is either:
  - (i) employed in the Public Service under Part 4 of the *Government Sector Employment Act 2013*; or,
  - (ii) approved in writing for the purposes of this clause by a person employed by the EPA and appointed from time to time (in an ongoing, temporary, casual or acting capacity) to the position of Senior Executive Band 1 or above.

**current certificate of completion or current statement of attainment** means:

- (a) If the certificate of completion or statement of attainment includes an expiry date, a certificate of completion or statement of attainment that has not yet expired;
- (b) Otherwise, a certificate of completion or statement of attainment.

**EPA approved bird management training course** means a course:

- (a) that gives specifically contextualised training in pest bird management including training on how to identify pest birds, know and understand their behaviour, assess how to manage them and to lawfully use an avicide product to control them;
- (b) delivered by a Registered Training Organisation, within the meaning of the *National Vocational Education and Training Regulator Act 2011* (Cth); and,
- (c) approved in writing by a person employed by the EPA and appointed from time to time (in an ongoing, temporary, casual or acting capacity) to the position of Senior Executive Band 1 or above.

**NSW Government Vertebrate Pest Management Course** means the Vertebrate Pest Management course delivered by the NSW Department of Primary Industries and includes the Vertebrate Pest Management course delivered by the NSW Department of Primary Industries or NSW Agriculture prior to the establishment of nationally recognised competencies.

**statement of attainment** means a VET statement of attainment under the *National Vocational Education and Training Regulator Act 2011* (Cth).