



FISHERIES & AQUACULTURE

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NOTICE TO LAKES AND COORONG FISHERY AND RIVER FISHERY LICENCE HOLDERS

Arrangements to support replacement of Yabby Pot registrations with Pyramid Net registrations and arrangements for use of rigid Commercial Yabby Traps

Dear licence holder

Further to the notices of 7 April 2023 and 2 May 2023 regarding the removal of Yabby Pots as a permitted device from **1 July 2023** in all waters of the State for all persons, I write to advise of management arrangements and options available to Lakes and Coorong Fishery and River Fishery licence holders, in particular:

1. the process to remove Yabby Pot registrations from a licence and replace them with Pyramid net registrations;
2. arrangements to allow the temporary use of rigid frame, non-collapsible wire-mesh Commercial Yabby Traps.

1. Process to replace Yabby Pots with Pyramid Nets

Given the management decision taken to remove Yabby Pots as a lawful device from the fishery as of 1 July 2023, I am satisfied that it will be appropriate to support the registration of the number of Pyramid Nets on a licence as is equivalent to the number of Yabby Pots that are to be removed from the same licence where such an application is received from the licence holder pursuant to section 54(7)(d) of the *Fisheries Management Act 2007*.

Please note that the decision to approve an application for the registration of Pyramid Nets on a licence will necessarily take into consideration whether or not the licence holder has also applied to revoke the same number of Yabby Pots from the same licence. For example, if 50 Yabby Pots are removed from a licence, 50 Pyramid Nets can be registered.

**An application form to enable this process is enclosed (Enclosure 1).
Pyramid nets can only be lawfully used once they are registered on your
licence. Completed application forms must be lodged with PIRSA Fisheries
and Aquaculture:**

- Email: pirsa.fisherieslicensing@sa.gov.au
- Mail: PIRSA Fisheries and Aquaculture, GPO Box 1625, Adelaide SA 5001

Please note that the application form merges two applications: firstly, an application to revoke all Yabby Pots registered on the licence for the purposes of section 56 of

the *Fisheries Management Act 2007*; and secondly, an application to register the number of Pyramid Nets equivalent to the number of Yabby Pots removed from the licence pursuant to section 54 of the *Fisheries Management Act 2007*.

Please note that the replacement of Yabby Pots with Pyramid Nets on your licence is not compulsory and applications may be submitted at any time, however, from 1 July 2023, it will be unlawful to use Yabby Pots as previously defined under the *Fisheries Management (General) Regulations 2017* (**Appendix A**).

2. Ministerial exemption for certain rigid frame, non-collapsible Commercial Yabby Traps

I note that some commercial licence holders have been using rigid frame, wire mesh Yabby Traps to target Yabby, and these are considered significantly different from Opera House style Yabby Pots. After consideration of scientific advice from the South Australian Research and Development Institute (SARDI), and feedback provided by the Department for Environment and Water (DEW), Southern Fishermen's Association, and River Fishery licence holders, as delegate of the Minister for Primary Industries and Regional Development, I have issued a Ministerial exemption (**ME9903270**) pursuant to section 115 of the *Fisheries Management Act 2007* to enable a Commercial Yabby Trap constructed of a rigid, non-collapsible frame enclosed with wire mesh meeting defined requirements to be used that will mitigate risks to air-breathing animals (**Enclosure 2**).

Please note, the exemption is subject to strict conditions and only applies to commercial licence holders with existing Yabby Pot or Pyramid Net entitlements endorsed on their licence. It is the exemption holder's responsibility to ensure they are aware of their obligations and they have a copy of the exemption notice when undertaking the exempted activity. The *Fisheries Management Act 2007* provides that it is an offence to breach a condition of an exemption.

Over the course of the 12-month exemption period, the Department of Primary Industries and Regions (PIRSA) will evaluate the fishery and ecological performance of the gear type before considering legislative amendments that may provide longer-term use of a Commercial Yabby Trap.

Should you have any further queries in regard to this matter please contact Mr Sam Stone, Manager - Community Fisheries on (08) 8429 2101, email: sam.stone@sa.gov.au, or Todd Sutton, Manager - Leasing and Licensing on (08) 8207 5332, email: pirsa.fisherieslicensing@sa.gov.au.

Yours sincerely



Prof Gavin Begg
EXECUTIVE DIRECTOR
FISHERIES AND AQUACULTURE

Enclosures:

1. Application form
2. Ministerial exemption notice (**ME9903270**)

APPENDIX A

Pyramid nets

Subject to any relevant licence conditions and regulations, Pyramid nets can be lawfully used by River Fishery and Lakes and Coorong Fishery licence holders where they have been endorsed on the licence:

Pyramid nets are defined in the *Fisheries Management (General) Regulations 2017* as:

a square or rectangular net that—

- a) is open at the top with an opening that is not less than 20 centimetres by 20 centimetres; and
- b) is not more than 60 centimetres in length and not more than 60 centimetres wide; and
- c) has a mesh net height not more than 15 centimetres perpendicular from the base; and
- d) does not have any internal device designed for use, or capable of use, in connection with the taking of fish;

Yabby Pot

Yabby pots as previously defined under the *Fisheries Management (General) Regulations 2017* (prior 1 July 2023) **cannot be lawfully used from 1 July 2023.**

Commercial Yabby Trap

A Commercial Yabby Trap as defined below may be used pursuant to Ministerial exemption (**ME9903270**) and any relevant conditions that apply. A Commercial Yabby Trap is a trap constructed of a rigid, non-collapsible frame enclosed with wire mesh that:

- Must not be more than 1 metre at its greatest dimension;
- Must not have more than 2 entrance funnels;
- Must not have any entrance funnel that exceeds 4.5 centimetres at its narrowest part, or, where the Commercial Yabby Trap is open at the top with a 20 cm x 20 cm square opening, must not have any entrance funnel that exceeds 7.5 cm at its narrowest part;
- Must be buoyed with a 2 litre white float displaying Licence numbers as per Regulation 13 *Fisheries Management (General) Regulations 2017*.