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My ref: [Nomination Sept Berried Yabbies 2010](#)

**Date:** 27<sup>th</sup> September 2010

Martin O'Brien  
Secretary, Scientific Advisory Committee  
Dept. Sustainability and Environment  
2/8 Nicholson St., (PO Box 500) Victoria Pde.,  
EAST MELBOURNE 3002

Nomination under the **Flora and Fauna Guarantee Act** of "Severe impact on yabby populations due to no requirement to return berried yabbies (*Cherax spp*) under Fisheries Victoria Regulations 2009".

Dear Martin,

I wish to nominate the following **potentially threatening process** for listing under the **Flora and Fauna Guarantee Act 1988**.

I believe that the nomination shows that the process is eligible for listing according to the criteria given in the nomination.

Yours sincerely,

Stephen Chara

encl.

File name:

Nomination by Stephen Chara – Berried Yabbies.doc

**FLORA AND FAUNA GUARANTEE ACT 1988**

**NOMINATION OF A POTENTIALLY THREATENING PROCESS FOR LISTING**

<b>Nominator's name</b>		<b>Signature</b>
Stephen Chara		
<b>Nominator's address</b>		
250 Portreath Road, Bellbrae, Victoria, 3228 Phone: 03 5266 1556 Email: stephen@charas.com.au		
<b>Name of potentially threatening process</b>		
Severe impact on yabby populations due to no requirement to return berried yabbies ( <i>Cherax spp</i> ) under Fisheries Victoria Regulations 2009		
<b>Please state whether this is a nomination for listing or delisting</b>		
This is a nomination for a listing.		
<b>Description</b>	<i>Provide a brief, general description of the potentially threatening process. A reference to a detailed description could be included.</i>	
<p>Victoria's Fisheries Regulations were reviewed and approved March 2009. There was no requirement to return berried females <i>Cherax spp</i> and no size restriction. The allowable daily take of whole <i>Cherax spp</i> (yabbies – <i>Cherax albidus</i>, <i>Cherax destructor</i> and an un-named rare species of <i>Cherax</i> found in North Victoria) was increased from 20 litres to 30 litres. Please note that NSW and SA have a daily take set at 200 yabbies per person per day regardless of size with berried females being required to be returned. In Victoria a large number of berried <i>Cherax spp</i> and non <i>Cherax spp</i> can potentially be taken in the 30 litre limit.</p> <p>Recreational fishermen are not required to be able to distinguish different species so crayfish that are not <i>Cherax</i> species would also be targeted. For example <i>Geocharax spp</i>, <i>Gramastacus spp</i>, <i>Euastacus spp</i> and <i>Engaeus spp</i> would be severely impacted if berried female crayfish are not required to be returned.</p> <p>The following requirements in relation to berried fish was taken from Fisheries Regulations 2009, S.R. No. 2/2009</p> <ul style="list-style-type: none"> <li>95 Offence to take, land or possess bugs or spiny freshwater crayfish in berry.</li> <li>328 Offences to take, land or possess rock lobster in berry.</li> <li>339 Taking, landing, possession etc. of berried or soft-shelled rock lobster prohibited.</li> <li>371 Offence to take, land or possess giant crab in berry.</li> <li>380 Taking, landing, possession etc. of berried giant crab prohibited.</li> </ul> <p>There was no requirement to return berried <i>Cherax spp</i> in Victorian Fisheries Regulations 2009.</p>		
<b>Habitats or areas affected</b>	<i>Describe the habitats, geographic areas or environments where the potentially threatening process operates.</i>	
<p>The potentially threatening process would cover the whole state of Victoria. For example <i>Cherax destructor</i>, north, north east and east of Victoria. <i>Cherax albidus</i>, south west Victoria, <i>Geocharax gracillus</i>, around Colac, <i>Gramastacus</i> species around the Grampians. The yabby is a semi-aquatic freshwater crayfish commonly found in a wide range of habitats throughout most of Victoria, including low-lying swamp ground, streams, rivers, man made channels and dams.</p>		

<b>Taxa or communities affected</b>	<i>List individual taxa, functional groups of taxa or communities affected by this potentially threatening process.</i>
<p><i>Cherax destructor, Cherax albidus, Un-named Cherax species (Barmah Swamp Yabby)</i>  <i>Geocharax spp, Gramastacus spp, Engaeus spp,</i>  <i>Euastacus spp</i> that have an OCL less than 5cm.</p> <p>Platypus, Rakali, Turtles, Eels, and numerous native fish including Murray Cod, Macquarie Perch and Silver Perch (listed under FFG).</p>	
<b>Significance of the threat</b>	<i>Indicate the significance of the threat, in terms of its scale and/or severity. Indicate how the potentially threatening process is operating now and/or is expected to operate in the future.</i>
<p>The significance of the threat is a severe and dramatic reduction in <i>Cherax spp</i> and non <i>Cherax spp</i> populations. With Recreational Fishers approaching one million in number and each permitted to take 30 litres of whole yabbies per person per day including berried females the long term sustainability of yabby and other freshwater crayfish populations is affected.</p>	
<b>Eligibility criteria</b>	<i>Indicate which of the primary criteria and sub-criteria stated in the Regulations the potentially threatening process satisfies, on what evidence the case is based and cite the sources of this evidence. The evidence may have been presented in full in the preceding sections, but, in this section, a summary of the logic of the case should be provided. Unsupported statements which need to be verified delay the SAC's consideration of the nomination.</i>
<p>5.1 <i>the potentially threatening process poses or has the potential to pose a significant threat to the survival of a range of flora and fauna.</i></p> <p>Allowing Recreational fishermen to take berried female <i>Cherax spp</i> will deplete their numbers and have broader ecosystem impacts on species that require yabbies as a food source.</p> <p>5.1.1 <i>the potentially threatening process poses or has the potential to pose a significant threat to the survival of two or more taxa;</i></p> <p>Allowing Recreational fishermen to take berried female <i>Cherax spp</i> will pose a significant threat to <i>Cherax albidus, Cherax destructor</i> and an un-named rare species of <i>Cherax</i> found in North Victoria.</p> <p>Also since there is no requirement by recreational fishermen to be able to distinguish various species then being allowed to take berried female <i>Cherax spp</i> would severely impact on <i>Geocharax spp, Gramastacus spp, Engaeus spp,</i> and <i>Euastacus spp.</i></p> <p>Duck hunters are tested for their ability to distinguish between duck species before a hunting license is issued but there is no such requirement for obtaining a Recreational Fishing licence.</p> <p>5.1.2 <i>the potentially threatening process poses or has the potential to pose a significant threat to the survival of a community of flora and fauna.</i></p> <p>Yabbies form a large portion of the diet of Platypus, Rakali, Turtles, Eels and numerous native fish including Murray Cod, Macquarie Perch and Silver Perch (listed under FFG). Reducing yabby numbers will impact on the survival of these species. Yabbies are also a mechanism for keeping waterways clean.</p>	
<b>References</b>	<i>Provide full details of references which have been cited as sources of evidence in the nomination.</i>
<p>Fisheries Regulations 2009  Expert opinions from Stephen Chara, Manager of Otway Yabbies, Manager of Otway Freshwater Aquaculture, Holder of Fisheries Victoria Commercial Bait License.</p>	

# Comparison of Recreational Fishing limits between Victoria, SA and NSW

## VICTORIA

### CRUSTACEANS

#### Yabby (freshwater)

**Scientific name:** *Cherax spp.*

**Minimum legal size:** no minimum.

**Bag/possession limit:** 30 litres whole yabby or 5 litres yabby tails. You may have in your possession whole yabbies or tailed yabbies, but not both at the same time.

*NOTE: No requirement to return berried females as per NSW and SA.*

## NEW SOUTH WALES

[Yabbies - freshwater](#) +

N/A

-

200 in total



Unlisted native species

N/A

N/A

10 in total

\* a bag limit comprised of any single species or a combination of listed grouped species.

+ All crayfish, including yabbies carrying eggs must be returned to the water.

## SOUTH AUSTRALIA

### Yabby, Cooper Creek and Diamantina River

Genus *Cherax*

Freshwater

**Minimum legal length:**

There are no size limits for yabbies

**Personal daily bag limit:**

200

**Restrictions:**

Female yabbies carrying eggs are totally protected and must be returned to the water immediately.



### Yabby, River Murray

*Cherax destructor*

Freshwater

**Minimum legal length:**

There are no size limits for yabbies

**Personal daily bag limit:**

200

**Restrictions:**

Female yabbies carrying eggs are totally protected and must be returned to the water immediately.

