

Queensland



Fisheries Act 1994

FISHERIES REGULATION 1995

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Reprint No. 1

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See endnotes for information about when provisions commenced.

Queensland



FISHERIES REGULATION 1995

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REGULATED FISH

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| 104 | Use of primary commercial fishing boats | 285 |
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| 10 | What fish may be taken | 289 |
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| 30 | What fish may be taken | 297 |
| 31 | Permitted ways of taking prawns | 297 |
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| 48 | Use of beam trawl nets in the Noosa River and connected lakes | 300 |
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| 52 | Fishery area | 301 |
| 53 | What fish may be taken | 301 |
| 54 | Permitted ways of taking prawns | 302 |
| 55 | Use of primary commercial fishing boats | 302 |
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| 60 | Fishery area | 303 |
| 61 | What fish may be taken | 303 |
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| 66 | Fishery area | 304 |
| 67 | What fish may be taken | 304 |
| 68 | Permitted ways of taking prawns | 304 |
| 69 | Use of primary commercial fishing boats | 305 |
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| 76 | Permitted ways of taking prawns | 307 |
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| 13 | What fish may be taken | 311 |
| 14 | Permitted ways of taking bêche-de-mer | 311 |
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FISHERIES REGULATION 1995

[reprinted as in force on 22 December 1995]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Fisheries Regulation 1995*.

PART 2—INTERPRETATION

Division 1—Words and phrases

Words and phrases—the dictionary

2. The dictionary¹ in schedule 17 defines particular words and phrases used in this regulation.

Division 2—Working out boundaries

References to boundaries, lines, shores and other points

- 3.(1) Unless otherwise stated in this regulation—

¹ In some regulations, definitions are contained in a dictionary that appears as the last schedule and forms part of the regulation—*Acts Interpretation Act 1954*, section 14(4) and *Statutory Instruments Act 1992*, section 14.

In this regulation, if a section has a definition that only applies to the section, or a part of the section, the definition is set out in a separate subsection (generally the last subsection) of the section.

Fisheries Regulation 1995

- (a) a boundary or line along a shore follows high water mark; and
- (b) a boundary or line along a shore intersected by a waterway crosses the waterway by the shortest line between its banks; and
- (c) other boundaries and lines run from point to point in a straight line.

(2) Unless otherwise stated in this regulation—

- (a) a reference to a shore is a reference to the shore at high water mark; and
- (b) a reference to the tip of a cape, island or another geographical feature, or a point on the tip, is a reference to the tip or point on the shore at high water mark.

Example of subsection (2)(b)—

If a boundary point is described as the southern tip of an island, the point is at the island's southernmost tip at high water mark.

References to waterways

4. Unless otherwise stated in this regulation, a reference to a waterway is a reference to the waterway upstream of the shortest line between its banks at their junction, at low water, with the body of water into which the waterway finally flows.

References to banks of waterways

5. Unless otherwise stated in this regulation, a reference to a bank of a waterway is a reference to the bank at its junction, at high water, with the body of water into which it finally flows.

*Division 3—Other provisions aiding interpretation***References to aids to navigation**

6. A reference in this regulation to a beacon, buoy, lead, light or mark is a reference to an aid to navigation.

References to certain commercial fishing boats

7. A reference in this regulation to—

- (a) a primary commercial fishing boat's tender commercial fishing boat is a reference to a tender commercial fishing boat with a derivative of the primary commercial fishing boat's marking on it; and
- (b) a tender commercial fishing boat's primary commercial fishing boat is a reference to a primary commercial fishing boat with the tender commercial fishing boat's alphabetical marking on it.

Example—

If the primary commercial fishing boat has the marking ABC on it, its tender commercial fishing boats have the marking ABC-1, ABC-2 etc.

References to distances between nets

8. A reference in this regulation to a distance between nets is a reference to—

- (a) for nets set in a waterway—the distance between the nets measured along the centre line of the waterway; and
- (b) for nets set on a foreshore—the distance between the nets measured along the shore.

References to drops and number of meshes

9. A reference in this regulation to—

- (a) a net's drop is a reference to the distance between the top and the bottom of the net when its meshes are taut; and
- (b) a number of meshes in a net's drop is a reference to the number of rows of mesh between the top and bottom of the net.

Scientific names of fish

10.(1) The scientific names of fish mentioned in this regulation are in schedule 16.

(2) The scientific names follow—

- (a) for nonindigenous fish—Axelrod H R, Burgess W E, Pronek N and Walls J G (1989), *Dr Axelrod's Atlas of Freshwater Aquarium Fishes*, (3rd edition), T.F.H. (Australia) Pty Ltd, Box 149, Brookvale, New South Wales; and
- (b) for noxious fisheries resources—Merrick J and Schmida G (1984), *Australian Freshwater Fishes*, John R Merrick, School of Biological Sciences, Macquarie University, North Ryde, New South Wales; and
- (c) for regulated fish—
 - (i) Grant E M (1982), *Guide to Fishes*, (5th edition), E M Grant Pty Limited, 19 Australia Court, Scarborough, Queensland; and
 - (ii) Kailola P J, Williams M J, Stewart P C, Reichelt R E, McNee A, Grieve C (1993), *Fisheries Resources*, Bureau of Resource Sciences, Department of Primary Industries and Energy and the Fisheries Research and Development Corporation, Canberra, Australian Capital Territory.

Time periods

11. Periods of time fixed by a provision of this regulation start at the first time, day or month stated in the provision and end at the second time, day or month, whether in the same, or a different, day, week, month or year.

Examples—

- The period from midday on 1 November to midday on 1 February is a period of 3 months starting at midday on 1 November and ending at midday on 1 February
- The period from 4.00 p.m. to 4.00 a.m. is a period of 12 hours starting at 4.00 p.m. and ending at 4.00 a.m.

PART 3—MANAGEMENT PLANS

Information to be contained in draft management plans

12.(1) A draft management plan for a fishery must contain the following information—

- (a) a description of the fishery;
- (b) the known status of the fishery;
- (c) the objectives of the proposed plan and how they are to be achieved;
- (d) anything else the fisheries agency considers appropriate to deal with in the plan.²

(2) A draft management plan must also state how the plan may be amended or repealed after it is made and the consultation and other processes to be followed before amendment or repeal.

Publication of draft management plans

13.(1) The fisheries agency must notify the preparation of a draft management plan for a fishery in the gazette and in a newspaper likely to be read by people particularly affected by the proposed plan.

(2) If the draft management plan is likely to significantly impact on a particular group of people, the notice must be published in a way likely to ensure members of the group understand the purpose and content of the notice.

(3) The notice must state the following—

- (a) briefly, the policy objectives sought to be achieved by the draft management plan;
- (b) where copies of the draft plan may be obtained or inspected;
- (c) that anyone may comment on the draft plan;
- (d) how and when comments may be made;

² See section 36 of the Act for examples of what the fisheries agency may consider appropriate to deal with in a management plan for a fishery.

(e) how consultation about the draft plan will take place.

(4) The notice must allow at least 28 days from its publication for the making of comments.

(5) A copy of the draft management plan must be available free, or on payment of a reasonable price, at the place, or each of the places, stated in the notice.

PART 4—CLOSED SEASONS AND CLOSED WATERS

Closed seasons

14.(1) Each period in schedule 1 is a closed season for fish to which the closed season relates.

(2) A person must not take or possess fish to which the closed season relates during the closed season.

(3) However, it is not unlawful for a person to—

- (a) take fish unintentionally during a closed season if the fish are not intentionally or recklessly injured or damaged and are immediately put back; or
- (b) possess aquaculture fisheries resources, or fish taken before the start of the closed season.

Barramundi closed season exemption for recreational fishers

15.(1) The closed season for barramundi does not apply to a recreational fisher who, in the Lake Tinaroo area, takes barramundi, or possesses barramundi taken in the area.

(2) Also, the closed season for barramundi does not apply to a recreational fisher who possesses barramundi outside the Lake Tinaroo area, if the barramundi—

- (a) was taken in the Lake Tinaroo area; and
- (b) is tagged in the required way.

(3) In subsection (2)—

“**required way**” means the way required by—

- (a) an official sign erected by the Authority in, or at or near an entrance to, the Lake Tinaroo area; or
- (b) another notice given by the Authority.

Closed waters

16.(1) The waters described in schedules 2 and 3 are closed.³

(2) Unless otherwise stated in the schedules, the waters are closed all year.

(3) Each schedule states the activities that are prohibited in the waters described in it.

(4) It is not unlawful for a person in closed waters—

- (a) if taking fish is prohibited—to take the fish unintentionally if the fish are not intentionally or recklessly injured or damaged and are immediately put back; or
- (b) if possessing fish is prohibited—to possess the fish if the fish were taken from outside the closed waters; or
- (c) if possessing fishing apparatus is prohibited—to possess the fishing apparatus if it is stowed and secured.

Application of schs 2 and 3

17.(1) Schedule 2 applies only to persons taking fish for trade or commerce.

(2) Schedule 3 applies only to recreational fishers.

³ Schedule 2 (Closed waters—commercial fishing)
Schedule 3 (Closed waters—recreational fishing)

PART 5—REGULATED FISH

Division 1—Regulated fish

Regulated fish

18.(1) Fish in schedule 4 are regulated fish.

(2) However, if fish are regulated by number or percentage, only fish taken in excess of the number or percentage are regulated fish.

Application of sch 4 (Regulated fish)

19. Schedule 4 applies to the following persons—

- (a) for part 1—persons taking fish for trade or commerce;
- (b) for part 2—recreational fishers;
- (c) for part 3—everybody.

Division 2—Measurement of percentage, size and weight of fish to decide if they are regulated

Measurement of percentage of certain fish

20. If fish of a type are regulated by percentage and a particular characteristic of the fish,⁴ the percentage must be worked out in 1 of the following ways—

- (a) by counting the fish of the type and the fish with the particular characteristic and expressing the number of fish with the particular characteristic as a percentage of the fish of the type;
- (b) by statistical sampling (including, for example, random sampling) of the fish of the type, working out the percentage of the sample under paragraph (a), and using statistical tests to work out the percentage of the fish of the type.

⁴ See, for example, saucer scallops in schedule 4, part 3, division 4.

Examples of 'types' of fish—

- a species
- a genus
- a gender.

Example of 'characteristics' of fish—

- size.

Measurement of size of fish

21.(1) The size of a mud or sand crab is decided by measuring—

- (a) the widest part of its carapace; or
- (b) if its carapace is damaged or missing—the underside of its body on 1 side, from the notch at the junction of the claw with the body to the notch at the junction of the last leg with the body.

(2) The size of a spanner crab is decided by measuring—

- (a) the shortest distance between the tip of the spike (at the middle of the front edge of its carapace) and the mid point of the rear edge of its carapace; or
- (b) if its carapace is damaged or missing—the widest part of the front of its breastplate (located directly behind the bases of the main claws).

(3) The size of a saucer scallop is decided by measuring the widest part of its shell, whether or not the shell is broken or chipped.

(4) The size of a trochus is decided by measuring the widest part of the base of its shell.

(5) The size of a pearl oyster is decided by measuring from the edge of its butt or hinge to the opposite edge of its shell, whether or not the shell is broken or chipped.

(6) The size of a Moreton Bay bug is decided by measuring the widest part of its carapace.

(7) The size of other fish is decided by measuring the distance between the front and end tips of the fish.

Measurement of weight of green snails

22. The weight of a green snail is its empty shell weight.

Division 3—Exemptions**Exemption for recreational fishers about barramundi size limit**

23.(1) The maximum size for barramundi stated in schedule 4 does not apply to a recreational fisher who, in the Lake Tinaroo area, takes barramundi, or possesses barramundi taken in the area.

(2) Also, the maximum size for barramundi stated in schedule 4 does not apply to a recreational fisher who possesses barramundi outside the Lake Tinaroo area, if the barramundi—

- (a) was taken in the Lake Tinaroo area; and
- (b) is tagged in the required way.

(3) Subsection (2) only applies to barramundi taken other than during the closed season for barramundi.⁵

(4) In subsection (2)—

“**required way**” means the way required by—

- (a) an official sign erected by the Authority in, or at or near an entrance to, the area; or
- (b) another notice given by the Authority.

Exemption for recreational fishers about certain regulated reef fish

24.(1) This section does not apply to maori wrasse, potato cod or Queensland groper.

(2) Despite section 18(2), if reef fish are regulated by number, a recreational fisher may—

- (a) take not more than twice the number of the reef fish during an extended commercial fishing tour; or

⁵ See section 15 for tagging requirements during the closed season.

- (b) possess not more than twice the number of the reef fish if they were taken during an extended commercial fishing tour.

(3) However, subsection (1) applies only if the recreational fisher ensures a square area (each side of which is at least 3 cm) of the skin of each reef fish is kept on it.

Other exemptions

25.(1) Despite section 18, a person may possess regulated fish in the form of cleaned and preserved molluscs in a genuine shell collection.

(2) Also, despite section 18, a person may possess regulated fish if the fish are—

- (a) aquarium display fish bred by the person for aquarium display; or
- (b) obtained from the holder of an authority allowing the holder to sell the fish.

PART 6—QUOTAS

Quotas for commercial fisheries

26. A quota stated in a fishery provision for a commercial fishery is the quota for the fishery.

Notice of filling of annual quota

27.(1) When a fisheries agency becomes aware that an annual quota has been, or is likely to be, filled on or by a particular day, the fisheries agency must immediately notify a relevant authority holder, in writing, that the quota has been, or is likely to be, filled by a stated day.

(2) The authority holder must immediately tell persons acting under the authority that the quota has been, or is likely to be, filled on or by the stated day.

(3) A person given notice under subsection (1) or (2) must not take fish to which the notice relates after the day stated in the notice or, if the stated day has passed, the day after the notice is received.

(4) In this section—

“**relevant authority holder**” means an authority holder to whom the quota applies.

Daily quota

28.(1) A person fishing in a commercial fishery must not take more fish than allowed by the daily quota stated in a fishery provision for the fishery.

(2) However, it is not unlawful for a person to unintentionally take more fish than allowed by the daily quota if the fish are not intentionally or recklessly injured or damaged and are immediately put back.

Time quota

29. If a fishery provision for a commercial fishery states a period (“**time quota**”) during which certain fishing apparatus may be used or certain fish may be taken, a person fishing in the commercial fishery must not use the apparatus or take the fish other than during the time quota.

PART 7—AUTHORITIES

Division 1—Licences

Licences chief executive may issue

30.(1) The chief executive may issue aquaculture licences and coral limestone licences.

(2) The chief executive may issue an aquaculture licence only for cultivating fisheries resources or occupying an area for aquaculture.

(3) The chief executive may issue a coral limestone licence as an exclusive licence allowing only the holder to take coral limestone in the area identified in the licence.

Licences Authority may issue

31.(1) The Authority may issue the following types of licences—

- boat licences
- buyer licences
- crew licences
- fisher licences
- storage licences.

(2) The Authority may issue each of the following types of licences in a category stated for the licence—

- (a) buyer licences—class A or B;
- (b) boat licences—primary commercial fishing, tender commercial fishing or carrier;
- (c) fisher licences—assistant or commercial.

Restriction on issue of crew licences

32.(1) The Authority may issue a crew licence only to a commercial fisher or commercial fishing boat licence holder.

(2) The Authority may issue only 1 crew licence to a commercial fisher.

(3) The Authority may issue only 1 crew licence to a commercial fishing boat licence holder for each primary commercial fishing boat licence held by the holder.

Restriction on issue of tender commercial fishing boat licences

33.(1) The Authority may issue a tender commercial fishing boat licence for a boat only if its length is not more than 7 m.

(2) However, the Authority may renew a tender commercial fishing boat licence in force immediately before the commencement for a boat longer than 7 m.

Division 2—Permits

Permits chief executive may issue

34. The chief executive may issue the following types of permits—

- aquaculture permits
- fisheries resources permits
- fish habitat area permits
- fish way permits
- marine plant permits.

Permits Authority may issue

35.(1) The Authority may issue general fisheries permits.

(2) The Authority may issue a general fisheries permit only for a following purpose or activity if the purpose or activity is otherwise unlawful under this regulation—

- assessing the commercial viability of a fishing activity, fishing apparatus or a boat
- being on board a commercial fishing boat
- buying, taking, possessing, processing or selling regulated fish
- collecting broodstock for aquaculture
- conducting an educational activity involving fish, fishing apparatus or boats
- conducting commercial fishing tours
- conducting developmental or exploratory fishing
- conducting research or training about fish, fishing apparatus or boats

- releasing fish
- taking, buying, possessing, processing or selling fish
- taking or possessing fish in closed waters
- taking, possessing or selling fish in a closed season
- using, buying or possessing fishing apparatus.

Restrictions on issue of aquaculture permits

36. The chief executive may issue an aquaculture permit only for the following purposes—

- (a) placing fisheries resources in Queensland waters;
- (b) keeping fish for stocking waters;
- (c) possessing regulated fish or nonindigenous fisheries resources for aquaculture purposes;
- (d) using a boat, aquaculture furniture or fishing apparatus for aquaculture purposes.

Restrictions on issue of fisheries resources permits

37. The chief executive may issue a fisheries resources permit only for—

- (a) research about an activity related to something for which the chief executive may issue an authority; or
- (b) diseased fisheries resources.

Restrictions on issue of fish habitat area permits

38.(1) The chief executive may issue a fish habitat area permit only for the performance of works or related activity in a declared fish habitat area.

(2) However, the chief executive may issue the permit only if the chief executive is satisfied the works or activity is—

- (a) to maintain an existing facility; or
- (b) to restore the habitat or natural processes in it; or

- (c) for the management, use or enjoyment of the area; or
- (d) for community infrastructure; or
- (e) for an educational or research purpose; or
- (f) for public health or safety reasons.

(3) Further, the chief executive may issue a fish habitat area permit for community infrastructure works or an educational or research purpose only if the chief executive is satisfied—

- (a) the works or purpose will have minimal impact on the area and natural processes in it; and
- (b) any disturbance to the area will be temporary and the area disturbed will be satisfactorily restored.

Restriction on issue of marine plant permits

39. The chief executive may issue a marine plant permit only for 1 of the following purposes—

- (a) collecting marine plants for trade or commerce;
- (b) displaying marine plants;
- (c) removing, destroying or damaging marine plants;
- (d) removing marine plants from an area and placing them somewhere else.

Division 3—Other authorities

Other authorities the Authority may issue

40.(1) The Authority may issue an authority for taking fish for trade or commerce in a commercial fishery.

(2) The Authority may issue an authority for taking coral, shell grit or star sand for trade or commerce as an exclusive coral, shell grit or star sand authority allowing only the holder to take the fish in the area identified in the authority.

Division 4—Fishery symbols on authorities**Fishery symbols to be written on authorities**

41.(1) If an authority (other than a tender commercial fishing boat licence) allows a person to do something in a commercial fishery, the Authority must write the fishery symbol for the commercial fishery on the authority.

Example—

If the authority allows fishing for trade or commerce in the net fishery (ocean beach), the Authority must write ‘N4’ on the authority.

(2) Also, the Authority may write a fishery symbol on a tender commercial fishing boat licence.

(3) However, the Authority may write the fishery symbol ‘C5’, ‘L7’ or ‘T2’ on an authority only if the boat identified in the authority can be used to take fish for trade or commerce under New South Wales law.⁶

(4) Despite subsection (1), the Authority need not write the fishery symbol for a following commercial fishery on a crew or fisher licence under which a crew member or fisher may take fish in the fishery—

- (a) line fishery (multiple hook—Queensland Fisheries Joint Authority);
- (b) line fishery (Queensland Fisheries Joint Authority No. 1);
- (c) line fishery (Queensland Fisheries Joint Authority No. 2).

Restrictions on writing fishery symbols on authorities allowing the use of boats in commercial fisheries

42.(1) If a licence for a primary commercial fishing boat has a fishery symbol for the line fishery (reef) on it, the Authority may write the fishery symbol on licences for not more than the following number of its tender commercial fishing boats—

⁶ ‘C5’ is a fishery symbol for the crab fishery (spanner crab—south Queensland);
‘L7’ is a fishery symbol for the line fishery (south Queensland);
‘T2’ is the fishery symbol for the trawl fishery (concessional zone).

- (a) for a primary commercial fishing boat licence with the fishery symbol 'L2' on it—4;
- (b) for a primary commercial fishing boat licence with the fishery symbol 'L3' on it—1.

(2) However, the Authority may renew a tender commercial fishing boat licence allowing the use of a boat in the line fishery (reef), if the licence was in force immediately before the commencement and has the fishery symbol 'L2' or 'L3' on it.

(3) Also, the Authority may issue a tender commercial fishing boat licence with the fishery symbol 'L2' or 'L3' on it, allowing the use of a boat in the line fishery (reef), but only if—

- (a) the boat is a replacement for a boat identified in another tender commercial fishing boat licence; and
- (b) the other tender commercial fishing boat licence was in force immediately before the commencement and has the fishery symbol on it.

Restrictions on writing fishery symbols on authorities allowing the use of boats of certain lengths in commercial fisheries

43.(1) The Authority may write a fishery symbol on an authority allowing the use of a boat in a commercial fishery only if the boat is not longer than the length permitted under a fishery provision for the fishery.

(2) However, the Authority may renew an authority allowing the use of a boat in a commercial fishery even though the boat is longer than the length permitted under a fishery provision for the fishery, if the authority—

- (a) was in force immediately before the commencement; and
- (b) has a fishery symbol for the fishery on it.

(3) Also, the Authority may issue an authority with a fishery symbol on it allowing the use of a boat in a commercial fishery even though the boat is longer than the length stated in a fishery provision relating to the boat's use in the fishery, but only if—

- (a) the boat is a replacement for a boat identified in another authority; and

- (b) the other authority was in force immediately before the commencement and has the fishery symbol on it.

Things authorised by fishery symbol

44.(1) A person acting under an authority with a fishery symbol on it may take fish only in—

- (a) the commercial fishery identified by the symbol; or
(b) if an area is stated on the authority—the stated area.⁷

(2) If a fishery provision for the commercial fishery states that only particular fish may be taken, the person may take only the stated fish.

(3) Also, the person may take fish in the commercial fishery only by using fishing apparatus—

- (a) permitted by a fishery provision for the fishery; and
(b) in accordance with a fishery provision for the fishery.

(4) If a fishery provision for the commercial fishery does not state how many of a particular type of fishing apparatus a person may use, the person may use only 1 of each type at a time.

(5) Subsection (4) applies even if more than 1 person is acting under the authority.

Restriction on things authorised by an authority with more than 1 fishery symbol on it

45.(1) If an authority has more than 1 fishery symbol on it, persons acting under the authority cannot take fish in more than 1 commercial fishery at a time.

(2) However, if 1 of the fishery symbols is for the crab fishery (other than spanner crab), the persons may take crabs in that fishery and fish in 1 other commercial fishery at the same time.

⁷ There may be other restrictions applying to the taking of fish. See, for example, the provisions about closed seasons, closed waters and regulated fish.

Fishery symbol does not authorise taking fish in certain Joint Authority fisheries

46. This division does not allow a person, in a Joint Authority fishery managed under Queensland law, and acting under an authority, to take fish to which the Joint Authority fishery applies unless—

- (a) the Joint Authority endorses the authority to extend its operation to activities over which the Joint Authority has powers under the Act; and
- (b) taking the fish is an activity over which the Joint Authority has powers under the Act.

When effect of certain fishery symbols end

47.(1) The effect of the fishery symbol ‘C5’, ‘L7’ or ‘T2’ written on an authority ends if the boat identified in the authority cannot be used to take fish for trade or commerce under New South Wales law.⁸

(2) Also, the effect of the trawl fishery (river and inshore—area 3) fishery symbol written on an authority ends if—

- (a) the authority is transferred; or
- (b) only a named commercial fisher may use the boat identified in the authority to take fish and another commercial fisher uses the boat to take fish.

(3) In addition, the effect of a fishery symbol for any of the following commercial fisheries written on an authority ends when the authority is transferred—

- (a) line fishery (multiple hook—East Coast);
- (b) line fishery (multiple hook—Queensland Fisheries Joint Authority);
- (c) net fishery (bait No. 2).

⁸ ‘C5’ is a fishery symbol for the crab fishery (spanner crab—south Queensland); ‘L7’ is a fishery symbol for the line fishery (south Queensland); ‘T2’ is the fishery symbol for the trawl fishery (concessional zone).

(4) Further, if the effect of the fishery symbol for the net fishery (bait No. 2) written on an authority ends, the effect of a fishery symbol for the net fishery (bait No. 1) written on the authority also ends.

(5) Nothing in subsection (1) or (2) prevents the Authority issuing an authority (a “**new authority**”) with a fishery symbol on it for a fishery mentioned in the subsection if—

- (a) the new authority is for a boat replacing the boat identified in an existing authority to which the subsection applies; and
- (b) the existing authority holder and the new authority holder are the same person.

Division 5—Things authorised by, and conditions of, authorities

Aquaculture licence

48.(1) An aquaculture licence holder may buy fisheries resources stated in the licence, cultivate the fisheries resources in the area stated in the licence, process and sell fisheries resources cultivated under the licence.

(2) The licence is subject to the following conditions, in addition to any other conditions stated on the licence—

- (a) the holder must mark the area covered by the licence in the way stated on the licence;
- (b) for aquaculture on unallocated State land—
 - (i) the holder must keep the area and posts marking it in good condition and free from waste material and debris; and
 - (ii) if the licence expires, is cancelled or surrendered—the person who held the licence immediately before it expired, was cancelled or surrendered (the “**former holder**”) must, as soon as practicable, remove and dispose of anything used for the aquaculture activity in the way the chief executive reasonably considers is satisfactory.

(3) Subsection (2)(b)(ii) does not apply if the former holder has applied for another aquaculture licence for the same land, unless the application is refused.

(4) If the former holder does not comply with subsection (2)(b)(ii), the chief executive may remove and dispose of anything used for the aquaculture activity.

(5) The chief executive may recover costs reasonably incurred under subsection (4) as a debt payable to the State.

Assistant fisher licence

49. An assistant fisher may use or possess commercial fishing apparatus and take fish for trade or commerce, but only while using a commercial fishing boat and under direction.⁹

Buyer licence

50.(1) A class A buyer may do the following—

- (a) buy fisheries resources from a person who holds an authority allowing the person to sell the fisheries resources;
- (b) sell fisheries resources;
- (c) process fisheries resources for trade or commerce, but only at a place stated in the buyer licence.

(2) A class B buyer may do the things mentioned in subsection (1), but only in relation to fisheries resources not intended for human consumption.

Carrier boat licence

51. A carrier boat licence holder may use the boat identified in the licence, or allow it to be used, to carry fish taken for trade or commerce by—

- (a) a fisher; or
- (b) the holder of another authority who may take fish for trade or commerce under the authority.

⁹ For the meaning of “under direction”, see schedule 17 (Dictionary), part 2, section 14.

Commercial fisher licence

52. A commercial fisher may do the following—

- (a) use or possess commercial fishing apparatus;
- (b) take fish for trade or commerce, but only while using a commercial fishing boat;
- (c) possess fish lawfully taken for trade or commerce while using a commercial fishing boat;
- (d) sell fish lawfully taken for trade or commerce while using a commercial fishing boat to a buyer or someone else who may buy the fish under an authority.

Crew licence

53.(1) A commercial fisher who holds a crew licence¹⁰ may engage crew members to act under the licence.

(2) A commercial fishing boat licence holder who holds a crew licence may engage crew members to work on a commercial fishing boat identified in a commercial fishing boat licence held by the holder.

(3) A crew member engaged under a crew licence, and acting under the licence, is taken to hold an assistant fisher licence.

(4) A crew member may be in control of a commercial fishing boat, but only if a commercial fisher is on the boat and the crew member is under direction.

(5) A crew licence is subject to the condition that not more than 4 crew members may be engaged under it.

Primary commercial fishing boat licence

54.(1) A primary commercial fishing boat licence holder may use, or allow someone else to use, the boat identified in the licence (the “**primary boat**”) to take fish for trade or commerce.

¹⁰ For restrictions on the issue of crew licences, see section 32 (Restriction on issue of crew licences).

(2) However, the following conditions apply to the licence—

- (a) a commercial fisher or an assistant fisher under direction must be in control of the primary boat;
- (b) the primary boat may be used in a commercial fishery only if the fishery symbol for the fishery is written on the licence.

(3) A primary commercial fishing boat licence holder may sell fish taken while using the primary boat or its tender commercial fishing boat to a buyer or the holder of another authority who may buy the fish under the authority.

Storage licence

55. A storage licence holder may use only the place identified in the licence, or allow it to be used, for storing fish for trade or commerce.

Tender commercial fishing boat licence

56.(1) A tender commercial fishing boat licence holder may use, or allow someone else to use, the boat identified in the licence (the “**tender boat**”) to take fish for trade or commerce.

(2) However, it is a condition of the licence that a commercial fisher or an assistant fisher under direction must be in control of the tender boat.

(3) Also, it is a condition of the licence that the tender boat may be used in a commercial fishery only if its primary commercial fishing boat may be used in the fishery and is not being used in another commercial fishery (other than the crab fishery (other than spanner crab)).

(4) A tender commercial fishing boat licence holder may use the tender boat as a primary commercial fishing boat if—

- (a) its primary commercial fishing boat is able to be used by the holder, but is not also being used to take fish for trade or commerce; and
- (b) the primary commercial fishing boat licence is kept on board the tender boat while it is used as the primary commercial fishing boat.

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(5) While a tender commercial fishing boat is used as a primary commercial fishing boat, it is taken to be the primary commercial fishing boat.

(6) In subsection (4)(a)—

“**take fish**” does not include merely have fishing apparatus or fish on board the primary commercial fishing boat.

Fish habitat area permit

57. A fish habitat area permit holder may perform the works or related activity stated in the permit in a fish habitat area stated in the permit.

Authority allowing sale of fisheries resources

58.(1) The holder of an authority allowing the holder to sell fisheries resources may sell them—

- (a) if the authority has a fishery symbol on it—in the way stated in a fishery provision for the commercial fishery identified by the fishery symbol; or
- (b) if the authority does not have a fishery symbol on it—in the way stated in the authority or, if no way is stated, in any way.

(2) This section does not limit another provision of this regulation applying to the sale of fisheries resources by the authority holder.

*Division 6—Transfer of authorities***Authorities that are not transferable**

59. Each of the following authorities is not transferable—

- (a) a crew licence;
- (b) a fisher licence;
- (c) an authority with a fishery symbol for any of the following fisheries on it—
 - aquarium fish fishery

- bêche-de-mer fishery (east coast)
 - bêche-de-mer fishery (Torres Strait)
 - eel fishery
 - pearl fishery
 - trochus fishery (east coast)
 - trochus fishery (Torres Strait)
 - worm fishery (beachworm)
 - worm fishery (bloodworm)
 - yabby fishery;
- (d) an authority with the shell fishery symbol on it (other than an authority allowing the use of shell dredges).

Conditions of transfer of aquaculture licence for unallocated State land

60. The chief executive may transfer an aquaculture licence for unallocated State land only if the chief executive is reasonably satisfied the area mentioned in the licence is free from waste material and debris.

Division 7—Other matters about authorities

Authority holder only needs 1 authority for an activity

61. A holder of an authority allowing an activity for which another authority may be issued under this regulation does not also need the other authority for the activity.

Particulars to be contained in register of authorities

62. The register of authorities a fisheries agency must keep¹¹ must contain the following information about each authority the fisheries agency issues—

¹¹ See the Act, section 73 (Registers of authorities).

- (a) authority type, category and number;
- (b) fishery symbols written on it;
- (c) holder's full name;
- (d) holder's locality;
- (e) details, decided by the fisheries agency, about a boat identified in the authority;
- (f) a third party interest notified to the fisheries agency.

Holder to notify fisheries agency of certain changes

63. An authority holder must give the fisheries agency written particulars of a change in any of the following¹²—

- (a) the holder's name or address;
- (b) if the holder is a corporation—the corporation's directorship or nominees;
- (c) third party interests notified to the fisheries agency;
- (d) details contained in the register about a boat identified in the authority.

Authorities inspectors may have an interest in

64. An inspector may hold or have an interest in an authority for—

- (a) conducting research or training about fisheries resources, fishing apparatus or commercial fishing boats; or
- (b) taking or possessing fish for stocking waters; or
- (c) releasing fish.

¹² Section 73(3) of the Act requires the authority holder to give written particulars to the fisheries agency within 21 days after the change and imposes a penalty for noncompliance.

PART 8—FISHERIES OFFENCES

Division 1—Prohibited acts about fish

Prohibition on taking, possessing or selling regulated fish

65.(1) Taking, possessing or selling regulated fish is prohibited.¹³

(2) However, subsection (1) does not apply to a person who takes, possesses or sells regulated fish under an authority allowing the person to take, possess or sell the fish.¹⁴

Prohibited ways of taking fish

66. Unless otherwise allowed under this regulation or a management plan, the following ways of taking fish are prohibited—

- (a) jaggging;
- (b) using underwater breathing apparatus (other than a snorkel);
- (c) using fishing apparatus across a waterway or navigation channel in a way that makes more than one-half of its width impassable to a boat or fish;
- (d) using a crab hook;
- (e) a way that contravenes a fishery provision.¹⁵

¹³ It is an offence to unlawfully take, possess or sell a regulated fish. See section 78 of the Act.

¹⁴ Certain persons are also exempted from certain provisions about regulated fish. See part 5, division 3.

¹⁵ It is an offence to take fish in a way prohibited under a regulation or management plan. See section 80 of the Act.

Division 2—Acts only an authority holder may do**Purpose of division**

67. This division prescribes the acts that must be done only by the holder of a relevant authority.¹⁶

Using, buying or possessing commercial fishing apparatus

68.(1) A person may use commercial fishing apparatus only if the person holds an authority allowing the person to use commercial fishing apparatus.

(2) A person may buy commercial fishing apparatus only if the person holds an authority allowing the person to use or possess the apparatus.

(3) A person may possess commercial fishing apparatus only if the person holds an authority allowing the person to possess the apparatus.¹⁷

Using boats

69.(1) A person may use a boat to take fish for trade or commerce only if the person holds a commercial fishing boat licence for the boat or another authority under which the boat may be used for taking fish for trade or commerce.

(2) A person may be in control of a boat while it is used for taking fish for trade or commerce only if the person—

- (a) is a commercial fisher; or
- (b) is an assistant fisher under direction; or
- (c) holds another authority allowing the boat's use for taking fish for trade or commerce.

¹⁶ It is an offence under section 82 of the Act to unlawfully do an act prescribed under a regulation or management plan as an act that must only be done by the holder of an authority.

¹⁷ See section 85 of the Act for offences about buying commercial fishing apparatus and for the circumstances in which the sale, purchase, use or possession of commercial fishing apparatus is not an offence.

Conducting commercial fishing tours

70.(1) A person may conduct a commercial fishing tour only if the person holds a general fisheries permit for the commercial fishing tour.

(2) Also, a person who may conduct a commercial fishing tour may use 2 or more boats longer than 7 m only if the person holds a permit for each boat.

Taking fish

71.(1) A person may take fish for trade or commerce only if the person—

- (a) is a commercial fisher; or
- (b) is an assistant fisher under direction; or
- (c) holds another authority allowing the person to take fish for trade or commerce.

(2) Also, a person may take fish for trade or commerce in a commercial fishery only if the person holds an authority allowing the person to take fish in the fishery.

Carrying fish

72.(1) A person may use a boat, or allow it to be used, to carry fish taken for trade or commerce only if the person holds a carrier boat licence or another authority allowing the boat's use for carrying fish.

(2) However, subsection (1) does not apply to a person who carries fish (other than fish intended to be sold live) on a commercial fishing boat or a boat registered as a commercial ship under the *Transport Operations (Marine Safety) Act 1994* north of latitude 17°52' south.¹⁸

(3) Also, subsection (1) does not apply to a person who uses a commercial fishing boat to carry fish, but only if the fish are lawfully taken in a commercial fishery while using the boat or its primary or tender commercial fishing boat.

¹⁸ This is approximately the latitude of Clump Point (Mission Beach).

Processing fisheries resources

73.(1) A person may process fisheries resources for trade or commerce only if the person is a buyer or holds another authority allowing the processing.

(2) A person may use a place or boat for processing fisheries resources only if the person holds an authority allowing processing at the place or on the boat.

(3) However, scallops may only be processed on a boat in waters described in schedule 5.

(4) Subsections (1) and (2) do not apply to—

- (a) a person who buys the fisheries resources by wholesale and processes them for sale by retail; or
- (b) a fisher or commercial fishing boat licence holder, in relation to freezing, refrigerating, cleaning, filleting, sorting, preserving or cooking fisheries resources lawfully taken by the person, but only if the processing is done—
 - (i) on a commercial fishing boat; or
 - (ii) at a place permitted under a commercial fisher, or the commercial fishing boat, licence; or
- (c) a person processing scallops on a commercial fishing boat if—
 - (i) the person is a fisher or holds the licence for the boat; and
 - (ii) the licence for the boat has the trawl fishery (east coast—No. 1) or trawl fishery (concessional zone) fishery symbol on it.

Storing fish

74. A person may store fish for trade or commerce at a place only if the person holds an authority allowing the person to store the fish at the place.

Selling fisheries resources

75.(1) A person may sell fisheries resources by wholesale only if the person holds an authority allowing the person to sell the fisheries

resources.¹⁹

(2) Despite subsection (1), a person may sell fish for bait without an authority, but only if the person reasonably expects the person's annual gross income from the sale of fish for bait will not be more than \$7 500.

Buying fisheries resources

76.(1) A person may buy fisheries resources by wholesale only if the person holds an authority allowing the person to buy the fisheries resources.²⁰

(2) However, a person may buy fish by wholesale without an authority if the person—

- (a) buys the fish from someone else who may sell them by wholesale (other than a commercial fisher or a commercial fishing boat licence holder); and
- (b) sells them by retail.

Aquaculture

77.(1) A person may engage in aquaculture only if the person holds an aquaculture authority.

(2) However, subsection (1) does not apply to a person engaged in the cultivation of fish for sale by retail as live fish only.

(3) A person may take fisheries resources for aquaculture only if the person holds an authority allowing the person to take the fisheries resources.

(4) A person may sell aquaculture fisheries resources only if the person holds an aquaculture authority allowing the person to sell the fisheries resources.

(5) However, subsection (4) does not apply to a person selling live aquaculture fish by retail.

¹⁹ For other relevant provisions about selling fisheries resources, see section 86 of the Act.

²⁰ For other relevant provisions about buying fisheries resources, see section 86 of the Act.

(6) A person may release aquaculture fisheries resources into Queensland waters only if the person holds an authority allowing the person to release the fisheries resources into the waters.

Fisheries resources cultivated other than for sale

78.(1) This section applies to fisheries resources cultivated other than for sale.

(2) A person may put fisheries resources taken from an area (whether in Queensland or elsewhere) in another area in Queensland only if the person holds an authority for the purpose.

Marine plants

79.(1) A person may remove, destroy or damage a marine plant only if the person holds an authority to remove, destroy or damage the plant.

(2) Subsection (1) does not apply to—

- (a) a fisher who takes mangrove leaves by hand to pack crabs; or
- (b) a person who removes, damages or destroys a marine plant that the chief executive is reasonably satisfied is or may be a danger to public health or safety.

Nonindigenous fisheries resources

80.(1) A person may do the following things involving nonindigenous fisheries resources only if the person holds an authority for the purpose—

- (a) bring them or cause them to be brought into Queensland;
- (b) possess, rear, sell or buy them;
- (c) release them, or cause them to be released, into Queensland waters.

(2) Subsections (1)(a) and (b) do not apply to nonindigenous fisheries resources mentioned in schedule 6 if the fisheries resources are released into waters other than waters on unallocated State land and are kept in a way preventing their escape into other waters.

Noxious fisheries resources

81. A person may do the following things involving noxious fisheries resources only if the person holds an authority for the purpose—

- (a) bring them or cause them to be brought into Queensland;
- (b) possess, rear, sell or buy them;
- (c) release them, or cause them to be released, into Queensland waters.

Division 3—Miscellaneous

Allowing persons on board a commercial fishing boat

82.(1) The holder of a commercial fishing boat licence, or a commercial fisher on board the boat identified in the licence, must not allow someone else to be on the boat while it is used to take fish for trade or commerce, unless the other person is a fisher or may be on board the boat under an authority.

Maximum penalty—100 penalty units.

(2) Subsection (1) does not apply to the spouse, de facto spouse or a child of the licence holder or commercial fisher, but only if the spouse, de facto spouse or child does not help take fish.

(3) Also, subsection (1) does not apply to a crew member not actually engaged in taking fish.

Examples of ‘crew member’ in subsection (3)—

- a cook
- an engineer.

Aquaculture authority holder creating hazard on unallocated State land

83.(1) The holder of an aquaculture authority for unallocated State land must not place or allow anything (the “**hazardous thing**”) to be placed in the area mentioned in the authority in a way that endangers or is likely to endanger a person, a person’s property or the environment.

Maximum penalty—100 penalty units.

(2) If the chief executive reasonably believes a contravention of subsection (1) has happened, the chief executive must, by written notice, direct the authority holder to remove and dispose of the hazardous thing.

(3) The notice must state—

- (a) the nature of the hazard; and
- (b) the reasons the chief executive believes it is hazardous; and
- (c) that the holder must comply with the notice within a stated reasonable time.

(4) The holder must comply with the notice, unless the holder has a reasonable excuse.

Maximum penalty—100 penalty units.

(5) If the holder does not comply with the notice, the chief executive may remove and dispose of the hazardous thing.

(6) The chief executive may recover costs reasonably incurred under subsection (5) as a debt payable to the State.

Aquaculture area offences

84.(1) This section applies to a tidal area on which aquaculture fisheries resources are growing under an aquaculture authority (“**aquaculture area**”).

(2) This section is for ensuring—

- (a) aquaculture authority holders are protected from acts that may not immediately interfere with aquaculture fisheries resources, but may interfere with them over time; and

(b) individuals on aquaculture areas are protected from risks associated with aquaculture activities on the area.

(3) A person must not enter or take fisheries resources from the aquaculture area, unless the person has a reasonable excuse.

Maximum penalty—100 penalty units.

(4) Despite subsection (3), the aquaculture authority holder or someone else acting under the authority may enter the aquaculture area and take fisheries resources cultivated under the authority.

Contravening a condition of an authority

85. A person acting under an authority must not contravene a condition of the authority.

Maximum penalty—100 penalty units.

Contravening certain fishery provisions

86.(1) A person must not contravene a fishery provision.

Maximum penalty—100 penalty units.

(2) This section does not apply to a fishery provision about a quota or a way of taking fish.²¹

Fish habitat area offences

87.(1) A person must not take molluscs in a fish habitat area.

Maximum penalty—100 penalty units.

(2) A person must not take bait by using a digging implement (other than a hand pump for taking yabbies) in a fish habitat area.

Maximum penalty—100 penalty units.

²¹ The Act creates offences for contravention of fishery provisions about quotas and ways of taking fish. See sections 79 (Quota offences) and 80 (Fish not to be taken in prohibited way) of the Act.

Interfering with official signs

88.(1) A person must not interfere with an official sign, unless the person has a reasonable excuse.

Maximum penalty—100 penalty units.

(2) In this section—

“**interfere with**” includes damage, destroy, mark and remove.

Leaving fish in fishing apparatus

89.(1) A person using fishing apparatus must not allow a part of the apparatus containing fish to be out of the water other than to immediately remove the fish from the apparatus.

Maximum penalty—100 penalty units.

(2) A person taking fish with fishing apparatus must immediately release regulated fish, or fish the person did not intend to take, into water deep enough to allow the fish to escape.

Maximum penalty—100 penalty units.

(3) Subsections (1) and (2) do not apply if the person has a reasonable excuse.

Obstructing persons fishing under an authority

90.(1) A person must not obstruct a fisher, or someone else acting under an authority, who is using a net to take fish, unless the person has a reasonable excuse.

Maximum penalty—100 penalty units.

(2) A person must not obstruct a commercial fisher in exercising a fishing priority, unless the person has a reasonable excuse.

Maximum penalty—100 penalty units.

(3) A person must not disturb fish to prevent a fisher or someone else acting under an authority from taking them.

Maximum penalty—100 penalty units.

Possessing certain crabs, crab meat and Moreton Bay bugs

91.(1) A person must not possess a mud or sand crab with its carapace missing, or crab meat, (the “**crab**”) unless the person—

- (a) is a buyer or fish retailer; or
- (b) may possess the crab under another authority.

Maximum penalty—100 penalty units.

(2) Subsection (1) does not apply if the crab is bought by retail or the person possesses it for immediate consumption.

(3) A person must not possess a Moreton Bay bug on a commercial fishing boat if the bug has been mutilated or had eggs removed from it.

Maximum penalty—100 penalty units.

Taking and possessing oysters

92.(1) A person must not take an oyster from the place where it is growing, unless the person eats the oyster where it is taken.

Maximum penalty—50 penalty units.

(2) A person must not possess an oyster the person took from the place where it was growing, other than at the place from which it was taken.

Maximum penalty—50 penalty units.

(3) This section does not apply to oysters grown under an authority or bought by the person.²²

Using nets

93.(1) A person must not do any of the following things about nets—

- (a) join 2 or more nets;
- (b) allow nets to overlap;
- (c) set nets less than 1 m apart;

²² Oysters grown under an authority are covered by section 87 of the Act (Interference etc. with aquaculture activity or fishing apparatus).

(d) put or do anything between 2 nets to stop fish escaping.

Maximum penalty—100 penalty units.

(2) However, subsection (1) does not apply if the activity is otherwise allowed under this regulation or a management plan.

(3) A person using a net in a commercial fishery must not do anything that effectively reduces the net's mesh size below the minimum size stated for the net in a fishery provision for the fishery, unless the person has a reasonable excuse.

Maximum penalty—100 penalty units.

Examples of 'anything that effectively reduces' a net's mesh size in subsection (3)—

- overlapping nets
- covering a net.

(4) Subsection (3) does not apply to anything the person may do under another provision of this regulation or a management plan.

PART 9—PROTECTION AND CONSERVATION OF FISH HABITATS

Fish habitat areas

94.(1) Each area described in, or shown on a plan mentioned in, schedule 7 is a fish habitat area.

(2) Each fish habitat area in schedule 7, part 1 includes tidal land of lagoons, lakes and waterways joining the area described as, or shown on the plan for, the area, even though it is outside the area described or shown.

(3) Each fish habitat area does not include the following—

- (a) an area the plan states is not included;
- (b) an area schedule 7, part 1 states is not included; and
- (c) the area of a channel marked by aids to navigation.

(4) Anything indicated on a plan about the boundary of a fish habitat area has effect for deciding the location of the boundary.

(5) However, a line or hatching on a plan of a fish habitat area may not indicate the current position of a boundary,²³ but merely indicates—

- (a) what forms the boundary; and
- (b) the area is on the hatched side of the boundary.

(6) If a boundary shown on a plan of a fish habitat area has a gap in it, the boundary continues in a straight line across the gap to the nearest point of the boundary on the other side of the gap.

PART 10—ENFORCEMENT

Persons who may be appointed inspectors

95. For section 140(1)(d) of the Act,²⁴ the following persons may be appointed inspectors under the Act—

- (a) a local government employee or officer;
- (b) a person with relevant knowledge of fisheries resources or fish habitat in a particular area;
- (c) a person appointed to enforce Commonwealth or State fisheries legislation.

Example of 'person with relevant knowledge' in paragraph (b)—

A member of a fish stocking group.

²³ A fish habitat area's boundaries may shift to follow shifts in property boundaries caused by shifting banks. Also, high and low water mark shift.

²⁴ Section 140 (Appointment)

PART 11—RECREATIONAL FISHING

Things recreational fishers may do

96.(1) A recreational fisher may use or possess only fishing apparatus permitted under schedule 8.

(2) A recreational fisher may only use the fishing apparatus in accordance with the schedule.

Using commercial fishing boats for recreational fishing

97. A person using a commercial fishing boat for recreational fishing must cover or remove the boat's mark required by a fisheries agency under this regulation.

Maximum penalty—100 penalty units.

Identifying and counting fish

98.(1) A recreational fisher who possesses fin fish on a boat must not remove the skin from the fish until it is brought ashore.

Maximum penalty—100 penalty units.

(2) If a recreational fisher brings a fin fish ashore and removes its skin, the recreational fisher must not return the fish to the boat.

Maximum penalty—100 penalty units.

(3) Despite subsection (1), a recreational fisher who is on a boat during an extended commercial fishing tour may remove the skin from a fin fish (other than a square area of the skin, each side of which is at least 3 cm).

(4) A recreational fisher who possesses a fish must not divide it into portions other than in a way that allows an inspector to easily count the number of fish possessed by the recreational fisher.

Maximum penalty—100 penalty units.

PART 12—MISCELLANEOUS

Division 1—General

Amounts payable into Fisheries Research Fund

99. Fees paid to the chief executive under the Act must be paid into the Fisheries Research Fund.

Declared fisheries resources

100. Fish of a species of regulated fish are fisheries resources to which section 154 of the Act applies.²⁵

Expenses prescribed for definition of “net proceeds of sale” in the Act

101. For the definition of “net proceeds of sale” of seized fisheries resources, the following expenses are prescribed—

- (a) expenses incurred in performing any necessary processing of the fisheries resources;
- (b) expenses reasonably incurred in keeping the fisheries resources in the best possible saleable condition.

Forfeiture offences

102. An offence about taking, possessing or selling a regulated fish is a forfeiture offence to which section 154 of the Act applies.²⁶

²⁵ Under section 154(1) of the Act (Seizure of fisheries resources in heap etc.), regulated fish are therefore “declared fisheries resources”.

²⁶ See section 78 of the Act (Prohibited acts about regulated fish) which creates the offences.

Marking boats

103.(1) If a fisheries agency issues an authority allowing the use of a boat, the authority holder must mark the boat in the way required by the fisheries agency.

Examples of ways of marking boats—

- FAAA
- FAAA—1.

(2) Unless the holder has a reasonable excuse, the holder—

- (a) must comply with the requirement; and
- (b) must not use, or allow the boat to be used, to take fish for trade or commerce unless it is marked in the required way.

Maximum penalty—100 penalty units.

(3) If the boat is replaced or the authority is cancelled, surrendered or expires, the holder or former holder must remove the mark from the boat.

Maximum penalty—100 penalty units.

Nonindigenous fisheries resources that need not be destroyed etc. under the Act

104. For section 92(2) of the Act,²⁷ nonindigenous fisheries resources are stated in schedule 6.

Noxious fisheries resources

105. Fisheries resources in schedule 9 are noxious fisheries resources.

²⁷ Section 92(1) of the Act (Duty of person who takes or possesses noxious or nonindigenous fisheries resources) creates an offence about unlawfully taking or possessing nonindigenous fisheries resources. Under section 92(2), the offence does not apply to nonindigenous fisheries resources in schedule 6.

Particulars to be contained on dockets for wholesale sale of fisheries resources etc.

106. A docket under section 86 of the Act must contain the following particulars—

- (a) the seller's name, usual address and authority number;
- (b) the buyer's name, usual address and authority number (if any);
- (c) if the seller is a fish stocking entity incorporated under the *Associations Incorporation Act 1981*—its certificate of incorporation number;
- (d) the date of the sale to which the docket relates;
- (e) the species of fish sold and the estimated quantity (by weight or number) of each species;
- (f) the estimated total quantity (by weight or number) of all fish sold;
- (g) how the fish are sold.

Examples of paragraph (g)—

- live
- whole, or in fillets.

Particulars to be legible, visible and in english

107.(1) A person required under this regulation to write or mark particulars in or on anything must write or mark the particulars in or on the thing legibly, visibly and in english.

Examples—

- markings on floats attached to fishing apparatus
- markings on boats
- particulars to be contained on a docket for the wholesale sale of fisheries resources.

Maximum penalty—100 penalty units.

(2) Subsection (1) does not prevent a person writing or marking the particulars in another language as well as in english.

Serious fisheries offences

108. Each of the following is a serious fisheries offence—

- (a) a forfeiture offence for which an inspector may seize fisheries resources in a heap;²⁸
- (b) an offence against fisheries legislation about any of the following—
 - (i) contravening a closed season or closed waters declaration;
 - (ii) buying or selling fish;
 - (iii) obstructing, hindering or resisting an inspector;
 - (iv) using or possessing fishing apparatus.

Statistical records to be kept

109.(1) The following persons must keep and give to the Authority the returns required by the Authority—

- (a) primary commercial fishing boat licence holders;
- (b) holders of an authority to take, possess or sell fish;
- (c) commercial fishing tour operators;
- (d) buyers.

(2) A primary commercial fishing boat licence holder is taken to have complied with subsection (1) if the commercial fisher who used the boat during the period of the returns keeps and gives the required returns for the licence holder.

(3) The following persons must keep and give to the chief executive the returns required by the chief executive—

- (a) aquaculture authority holders;
- (b) marine plant permit holders.

²⁸ See section 154 of the Act (Seizure of fisheries resources in heap etc.).

Threshold percentage for declared fisheries resources

110. The threshold percentage for declared fisheries resources under section 154 of the Act²⁹ is—

- (a) for fisheries resources other than saucer scallops—5%; and
- (b) for saucer scallops—
 - (i) from 8 a.m. on 1 November to 8 a.m. on 1 May—7%; and
 - (ii) from 8 a.m. on 1 May to 8 a.m. on 1 November—10%.

Division 2—Fees**Witness fees for persons appearing before the Tribunal**

111. Amounts payable as witness fees to a person required to appear as a witness before the Tribunal are—

- (a) amounts payable as attendance fees under the *Rules of the Supreme Court* to a person appearing as a witness before the Supreme Court; and
- (b) amounts payable as travelling allowances under the *Public Service Management and Employment Regulation 1988* to an officer of the public service travelling on official duty.

Other fees

112.(1) The fees payable under the Act and this regulation are in schedule 10.

(2) Unless otherwise stated in the schedule, a fee is an annual fee.

Fishery agency may refund or waive a fee

113.(1) This section does not apply to fees for crew and fisher licences.

(2) The fisheries agency to which a fee for an authority (other than an assessment fee) is payable may refund or waive part of the fee.

²⁹ Section 154 of the Act (Seizure of fisheries resources in heap etc.)

- (3) However, the fisheries agency must not—
- (a) for a surrendered authority—refund more than one-twelfth of the fees (other than an assessment fee) for each remaining whole month of its term; or
 - (b) for an authority issued for part of a year or for a term that includes part of a year—waive more than one-twelfth of the fees (other than an assessment fee) for each whole month the part is less than a year.

Example of operation of subsection (3)(b)—

For a particular licence, the fees (which are annual fees) are \$1 200. If the licence is issued for a term of 1½ years, the annual fees are payable for 2 years (i.e. \$2 400) but the fisheries agency may waive not more than six-twelfths of the 2nd year's annual fee (i.e. \$600).

(4) Also, the fisheries agency must not refund a fee for a surrendered authority if the amount to be refunded is less than \$20.

PART 13—TRANSITIONAL PROVISIONS

Transitional provision about certain authorities

115.(1) An authority issued under the Act and in force immediately before the commencement of this section, continues in force, subject to the Act, until it is cancelled, expires or is renewed, whichever happens first.

(2) This section expires 1 year after it commences.

SCHEDULE 1**CLOSED SEASONS**

section 14(1)

Barramundi

1. For barramundi, the closed season is from midday on 1 November to midday on 1 February.

Spanner crab

2. For spanner crab, the closed season is from midday on 20 November to midday on 20 December.

SCHEDULE 2**CLOSED WATERS—COMMERCIAL FISHING**

sections 16(1) and 17(1)

PART 1—TAKING OR POSSESSING ANY FISH**Prohibited activities**

1. Taking or possessing any fish in waters described in this part is prohibited.

Severn River at Queen Mine Waterhole

2. The part of the Severn River commonly known as Queen Mine Waterhole, about 6 km west of Ballandean.

Dumaresq River at Bonshaw Weir

3. The Dumaresq River from 400 m upstream to 400 m downstream of Bonshaw Weir.

Macintyre River at Goondiwindi Weir

4. The Macintyre River from 400 m upstream to 400 m downstream of Goondiwindi Weir.

Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs

5. Macintyre Brook from—

- (a) 200 m upstream to 100 m downstream of the Coolmunda Dam wall; and

SCHEDULE 2 (continued)

- (b) 400 m upstream to 400 m downstream of Whetstone Weir; and
- (c) 400 m upstream to 400 m downstream of Bendor Weir.

Pike Creek at Glenlyon Dam

6. Pike Creek from 200 m upstream to 400 m downstream of the Glenlyon Dam wall.

Quart Pot Creek at Storm King Dam

7. Quart Pot Creek from 200 m upstream to 400 m downstream of the Storm King Dam wall.

Barwon River at Mungindi Weir

8. The Barwon River from 400 m upstream to 400 m downstream of Mungindi Weir.

Condamine River at or near the Chinchilla, Loudon, Lemon Tree, Yarramalong, Cecil Plains and Reilly's Weirs

9. The following parts of the Condamine River—

- (a) from 400 m upstream to 400 m downstream of Chinchilla Weir;
- (b) from 400 m upstream to 200 m downstream of Loudon Weir;
- (c) from 200 m upstream to 400 m downstream of Lemon Tree Weir;
- (d) from 200 m upstream to 200 m downstream of Yarramalong Weir;
- (e) from 200 m upstream to 150 m downstream of Cecil Plains Weir;
- (f) between lines between F↑B signs on opposite sides of the river at the following places—

SCHEDULE 2 (continued)

- near the southern boundary of portion 26, county of Bulwer, parish of Arubial
- about 150 m downstream from Reilly's Weir.

Balonne River at Beardmore Dam and Jack Taylor Weir

10. The Balonne River from—

- (a) 200 m upstream to 400 m downstream of the Beardmore Dam wall; and
- (b) 400 m upstream to 400 m downstream of Jack Taylor Weir.

Sandy Creek at Leslie Dam

11. Sandy Creek from 200 m upstream to 400 m downstream of the Leslie Dam wall.

Dogwood Creek at Miles Weir

12. Dogwood Creek from 400 m upstream to 400 m downstream of Miles Weir.

Burnett Creek at Maroon Dam

13. Burnett Creek from 200 m upstream to 400 m downstream of the Maroon Dam wall.

Reynolds Creek at Moogerah Dam

14. Reynolds Creek from 200 m upstream to 300 m downstream of the Moogerah Dam wall.

Coomabah Lake and Coombabah Creek

15. Coombabah Lake, and tidal waters of Coombabah Creek upstream from the lake.

SCHEDULE 2 (continued)

Swan Bay, North Stradbroke Island

16. Swan Bay, and tidal waters of the unnamed creek joining the bay's northern end.

Brisbane River at Mt Crosby Weir

17. The Brisbane River from 200 m upstream to 400 m downstream of Mt Crosby Weir.

Pumicestone Strait

18. Pumicestone Strait.

Mary River at Mary River Barrage

19. The Mary River from 400 m upstream to 400 m downstream of Mary River Barrage.

Tinana Creek at Tinana Creek Barrage

20. Tinana Creek from 400 m upstream to 400 m downstream of Tinana Creek Barrage.

Fraser Island between Indian Head and Waddy Point

21.(1) Eastern foreshore waters of Fraser Island and waters within 400 m out to sea from the eastern shore at low water, between 400 m north of Waddy Point and 400 m south of Indian Head.

(2) The waters are closed from midday on 1 September to midday on 30 September.

Burnett River at Burnett Barrage

22. The Burnett River—

(a) from 400 m upstream to 400 m downstream of Burnett Barrage;

SCHEDULE 2 (continued)

and

- (b) from 200 m upstream to 200 m downstream of Claude Wharton Weir.

Kolan River at Kolan Barrage

23. The Kolan River from 400 m upstream to 400 m downstream of Kolan Barrage.

Three Moon Creek at Cania Dam

24. Three Moon Creek from 200 m upstream to 400 m downstream of the Cania Dam wall.

Nogo River at Wuruma Dam

25. The Nogo River from 200 m upstream to 400 m downstream of the Wuruma Dam wall.

Stuart River at Gordonbrook Dam

26. The Stuart River from 750 m upstream to 200 m downstream of the Gordonbrook Dam wall.

Boyne River at Boondoomba and Awoonga Dams

27. The Boyne River from—

- (a) 200 m upstream to 400 m downstream of the Boondoomba Dam wall; and
- (b) 200 m upstream to 400 m downstream of the Awoonga Dam wall.

SCHEDULE 2 (continued)

Dawson River at Neville Hewitt Weir

28. The Dawson River from 400 m upstream of Neville Hewitt Weir to the downstream side of the bridge across the river on the road from Baralaba to Woorabinda.

Fitzroy River at Fitzroy River Barrage

29. The Fitzroy River from 400 m upstream to 400 m downstream of Fitzroy River Barrage.

Keppel Bay near Middle Island Observatory

30. Keppel Bay within a 150 m radius of the Middle Island Underwater Observatory.

Nogoa River at Fairbairn Dam

31. The Nogoa River from 200 m upstream to 400 m downstream of the Fairbairn Dam wall.

Pioneer River at the Marian, Mirani and Dumbleton Weirs

32. The Pioneer River from—

- (a) 200 m upstream to 200 m downstream of Marian Weir; and
- (b) 200 m upstream to 200 m downstream of Mirani Weir; and
- (c) 400 m upstream to 250 m downstream of Dumbleton Weir.

Hook Island

33. Waters within a 100 m radius of the Hook Island Observatory.

Burdekin River at Clare Weir

34. The Burdekin River from 400 m upstream to 400 m downstream of Clare Weir.

SCHEDULE 2 (continued)

Centenary Lakes, Cairns

35. Saltwater Creek, Lily Creek and lakes joining the creeks, between Greenslopes Street and Collins Avenue, Cairns.

Barron River

36. The Barron River, at the place commonly known as Barron Waters, between F↑B signs on opposite sides of the river near its junction with Stony Creek and near its junction with Camp Oven Creek.

Mission Bay

37. Mission Bay south of a line between Cape Grafton and False Cape, and waters flowing into that part of the bay.

Bizant River, Princess Charlotte Bay

38. German Bar Lagoon, and the Bizant River from the road crossing commonly known as German Bar downstream for 2 km.

South Mitchell River

39. The South Mitchell River and waterways joining it, between F↑B signs near the river's banks and F↑B signs near its junction with Surprise Creek.

Torres Strait near Hammond Island

40. Waters within the following boundary—

- from Turtle Head, Hammond Island, to Hammond Rock
- to 1 n mile east of Menmuir Point, Hammond Island
- to the northern tip of Kapuda Island
- to Bruce Point, Hammond Island
- along the eastern shore of Hammond Island to Turtle Head.

SCHEDULE 2 (continued)

PART 2—TAKING OR POSSESSING CERTAIN FISH**Prohibited activities**

41. The following activities are prohibited in waters described in this part—

- (a) taking a stated species of fish in waters described in this part;
- (b) possessing fish taken in contravention of paragraph (a).

Platypus Bay

42.(1) Platypus Bay, Fraser Island, and waterways joining the bay, east of a line between F[↑]B signs at Rooney Point and Coongul Point, Fraser Island.

(2) Subsection (1) applies only to narrow-barred mackerel, slender barracuda and fish with the scientific name *Agrioposphyraena barracuda*.

Eurimbula Creek (north of Round Hill Creek)

43.(1) Eurimbula Creek and waterways joining it.

(2) Subsection (1) applies only to mud crabs.

South of latitude 20° south (near Bowen) or west of longitude 143° east

44.(1) Waters south of latitude 20° south or waters west of longitude 143° east.

(2) Subsection (1) applies only to bêche-de-mer.

Fitzroy Island and High Island (near Cairns)

45.(1) Foreshore waters of Fitzroy Island and High Island and waters within 400 m out to sea from the shore of each island at low water.

(2) Subsection (1) does not apply to fin fish.

SCHEDULE 2 (continued)

Darnley Island, Torres Strait

46.(1) Darnley Island foreshore waters west of longitude 143°46'4" east.

(2) Subsection (1) applies only to pearl oysters.

**PART 3—TAKING OR POSSESSING SOME FISH
AND USING OR POSSESSING SOME APPARATUS***Division 1—Fish other than fin fish***Prohibited activities**

47.(1) The following activities are prohibited in waters described in this division—

- (a) taking fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing commercial fishing apparatus.

(2) Subsection (1) does not apply to fin fish taken with a fishing rod or line or possession of a fishing rod or line.

Michaelmas Cay

48. Michaelmas Cay foreshore waters and waters within 400 m out to sea from the shore at low water.

Upolu Cay

49. Upolu Cay foreshore waters and waters within 400 m out to sea from the shore at low water.

SCHEDULE 2 (continued)

*Division 2—Narrow-barred mackerel***Prohibited activities**

50. The following activities are prohibited in waters described in this division—

- (a) using commercial fishing nets to take narrow-barred mackerel;
- (b) possessing narrow-barred mackerel taken in contravention of paragraph (a).

Waters east of longitude 142°09' east

51. Waters east of longitude 142°09' east.

**PART 4—TAKING OR POSSESSING ANY FISH AND
USING OR POSSESSING CERTAIN FISHING
APPARATUS***Division 1—Fishing with commercial fishing nets***Prohibited activities**

52. The following activities are prohibited in waters described in this division—

- (a) using a net to take fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing a net.

SCHEDULE 2 (continued)

Lakes and lagoons south of Endeavour River and east of latitude 142°31'49" east

53.(1) All lakes and lagoons south of the northern bank of the Endeavour River and east of longitude 142°31'49" east.

(2) The waters are closed from 6 p.m. on Friday to 6 p.m. on Sunday if they are not otherwise closed during the period.

Currumbin Beach

54. Foreshore waters and waters within 400 m out to sea from the shore at low water, between the northern tip of Elephant Rock and the shore's intersection with the shortest line from the northern tip of Currumbin Rock to the shore.

Currumbin Creek

55. Currumbin Creek and waterways joining it.

Tallebudgera Creek

56. Tallebudgera Creek and waterways joining it.

Tallebudgera Creek to Burleigh

57.(1) Foreshore waters and waters within 400 m out to sea from the shore at low water, between the southern bank of Tallebudgera Creek and a point on the shore in line with the northern edge of First Avenue, Burleigh Heads.

(2) The waters are closed from 1 September to 30 April.

The Broadwater (southern part) and the Nerang River

58. The following waters—

(a) the Nerang River and waterways joining it;

SCHEDULE 2 (continued)

- (b) the part of The Broadwater upstream of a line between a point on the shore of The Broadwater in line with the northern edge of Stevens Street, Southport and an F[↑]B sign on the shore of The Spit near the floating helipad near Seaworld.

Gold Coast Seaway

59. The Gold Coast Seaway within the following boundary—

- from an F[↑]B sign west of the Seaway Tower on the northern shore of The Spit to an F[↑]B sign on South Stradbroke Island west of the island's southern tip
- along the island's southern shore to the seaward end of the Seaway's northern breakwater wall
- to the seaward end of the Seaway's southern breakwater wall at Nerang Head on The Spit
- along The Spit's northern shore to the F[↑]B sign west of the Seaway Tower on The Spit's northern shore.

The Broadwater (central part)

60.(1) The Broadwater within the following boundary—

- from an F[↑]B sign on the opposite side of The Broadwater's western navigation channel from a point on the shore in line with the northern edge of Stevens Street, Southport, along the eastern edge of the channel to the flashing green beacon nearest to the northern tip of Carters Bank
- to the southern tip of Crab Island
- to an F[↑]B sign on South Stradbroke Island westerly of the island's southern tip
- to an F[↑]B sign westerly of the Seaway Tower on The Spit's northern shore
- along The Spit's shore by the shortest route to an F[↑]B sign near the floating helipad near Seaworld

SCHEDULE 2 (continued)

- to the F[↑]B sign on the opposite side of The Broadwater's western navigation channel from a point on the shore in line with the northern edge of Stevens Street, Southport.

(2) The waters are closed from 1 August to the end of February.

(3) However, from 1 September to 30 November the waters are not closed from 6 p.m. to 6 a.m. Sunday to Friday.

The Broadwater (western part)

61. The Broadwater within the following boundary—

- from a point on the shore in line with the northern edge of Stevens Street, Southport, along the shore to an F[↑]B sign near the southern bank of the southern branch of the Coomera River
- towards the north-western tip of the northernmost island of the Sovereign Islands for 140 m
- along a line parallel to, and 140 m from, Sovereign Island's western shore, to a line from an F[↑]B sign at the corner of the Esplanade and Nankeen Avenue, Paradise Point to the northern tip of Ephraim Island
- to the northern tip of Ephraim Island
- to the southern tip of Ephraim Island
- to the northern tip of Crab Island
- to the southern tip of Crab Island
- to the flashing green beacon marking the eastern edge of the western navigation channel, nearest to Carters Bank
- along the channel's eastern edge to an F[↑]B sign in line with the northern edge of Stevens Street, Southport
- to the point on the shore in line with the northern edge of Stevens Street, Southport.

SCHEDULE 2 (continued)

Coomabah Creek, Oyster Lake and Saltwater Creek

62. Saltwater Creek and Coombabah Creek (including Oyster Lake), downstream from Coombabah Lake.

Coomera River

63. The southern branch of the Coomera River downstream of F[↑]B signs on opposite sides of the southern branch at its junction with the river's northern branch.

Dunwich

64.(1) North Stradbroke Island foreshore waters between F[↑]B signs about 800 m either side of the Harold Walker Jetty at Dunwich.

(2) The waters are closed from 1 August to 30 April.

Manly Boat Harbour

65. Manly Boat Harbour and its foreshores, up to a line between the seaward ends of the harbour's breakwaters.

Wynnum and Manly

66. Foreshore waters between the northern breakwater of Manly Boat Harbour and the southern bank of Wynnum Creek.

Brisbane River

67. The following waters—

- (a) the Brisbane River, upstream of a line between the northern tip of the northernmost wharf on Fisherman Islands and the mainland passing through the rear (seaward) lead of the Lytton Rocks Reach about 900 m downstream from Luggage Point;

SCHEDULE 2 (continued)

- (b) waterways joining the waters described in paragraph (a) (other than the part of the Boat Passage east of the bridge between Whyte Island and Fisherman Islands).

Brisbane Airport floodway channel to the Pine River

68. The following waters—

- (a) waterways flowing into Moreton Bay between the southern bank of the Brisbane Airport floodway channel and the southern tip of the Houghton Highway;
- (b) waterways joining the waterways described in paragraph (a);
- (c) Moreton Bay foreshore waters between the southern bank of the Brisbane Airport floodway channel and the southern tip of the Houghton Highway;
- (d) Jacksons Creek (which joins the floodway channel near the channel's banks).

Sandgate Pier

69. Bramble Bay under, and within 200 m of, the Sandgate Pier.

South Pine River and North Pine River

70. The following waters—

- (a) the South Pine River upstream of F[↑]B signs on opposite sides of the river, about 1.5 km upstream from its junction with the North Pine River, at a place commonly known as Stones Corner;
- (b) the North Pine River upstream of F[↑]B signs on opposite sides of the river about 2.5 km upstream from the northbound bridge across the river near the start of the Bruce Highway.

Moreton Bay (including The Broadwater)

71.(1) Moreton Bay and waterways joining it.

SCHEDULE 2 (continued)

(2) The waters are closed from 6 p.m. on Friday to 6 p.m. on Sunday if they are not otherwise closed during the period.

Bribie Island's eastern shore and the sand spit at Kings Beach

72. The following waters—

- (a) eastern foreshore waters of Bribie Island between an F↑B sign at latitude 26°15'12" south on the island's shore and an F↑B sign at the island's northern tip;
- (b) foreshore waters at Caloundra between the groyne at the southern end of Kings Beach and the western tip of Bulcock Beach.

Caloundra—Kings Beach to Shelly Beach

73.(1) Foreshore waters and waters within 400 m out to sea from the shore at low water, between the following lines—

- (a) a line running south-east from the southern end of the sand spit between Kings Beach and Bulcock Beach, Caloundra;
- (b) a line running east-north-east out to sea from an F↑B sign at the southern end of Shelly Beach, Caloundra.

(2) The waters are closed from 1 January to the end of February and from 1 August to 31 December.

Currimundi Lake and Currimundi Creek near Caloundra

74. Currimundi Lake, Currimundi Creek, and waterways joining the lake and creek.

Mooloolah River

75. The Mooloolah River and waterways joining it, upstream of a line between the seaward ends of the breakwaters at its banks.

SCHEDULE 2 (continued)

South Maroochy River and the North Maroochy River

76. The Maroochy River upstream of the junction between its northern and southern branches.

Maroochy River and ocean foreshores

77. The following waters—

- (a) the Maroochy River and waterways joining it, downstream of a line between an F[↑]B sign on the river's southern side near the public boat ramp at the place commonly known as the Cod Hole and an F[↑]B sign on the opposite side of the river;
- (b) ocean foreshore waters for 400 m (measured along the shore) from each bank of the Maroochy River;
- (c) waters within 400 m out to sea from the part of the shore described in paragraph (b) at low water.

Noosa River and Noosa's main beach

78. The following waters—

- (a) the Noosa River downstream of a line between an F[↑]B sign on the river's southern side near Thomas Street, Noosaville and an F[↑]B sign on the opposite side of the river;
- (b) foreshore waters of Noosa's main beach between First Point and the southern bank of the Noosa River.

Weyba Creek

79. Weyba Creek and waterways joining it, downstream of Lake Weyba.

Lake Como, Kin Kin Creek, the upper Noosa River and Lake Cootharaba

80. Lake Como, Kin Kin Creek, the Noosa River and the part of Lake Cootharaba north of the following line—

SCHEDULE 2 (continued)

- from an F↑B sign on Lake Cootharaba's north-western shore to an F↑B sign on the southern tip of the peninsula on the eastern side of Shark Bay (which is part of the lake)
- to an F↑B sign at the southern tip of Kinaba Island
- to an F↑B sign on Lake Cootharaba's eastern shore.

Noosa River—ocean foreshore north of its northern bank

81.(1) Foreshore waters for 400 m (measured along the shore) north of the northern bank of the Noosa River and waters within 400 m out to sea from that part of the shore at low water.

(2) The waters are closed from 1 May to 31 August.

Waterways south of Double Island Point

82.(1) Waterways south of Double Island Point and waterways joining them.

(2) The waters are closed from 6 p.m. on Friday to 6 p.m. on Sunday if they are not otherwise closed during the period.

Rainbow Beach

83. Wide Bay foreshore waters and waters within 400 m from the shore at low water, between F↑B signs about 3 km south, and 1 km north, of Eight Mile Rocks at Rainbow Beach.

Wide Bay Bar

84. Waters within the following boundary—

- from an F↑B sign at Inskip Point near the flashing white navigation lead on the shore, west for about 1.3 km to an F↑B sign
- to an F↑B sign on the southern shore of Fraser Island about 3 km west of Hook Point

SCHEDULE 2 (continued)

- to an F↑B sign at Hook Point near the south-eastern tip of Fraser Island
- to the F↑B sign at Inskip Point near the flashing white navigation lead.

Fraser Island

85.(1) Fraser Island's eastern foreshore waters and waters within 200 m out to sea from the shore at low water, between an F↑B sign at Hook Point and the northern tip of Breaksea Spit.

(2) The waters are closed from midday on 1 September to midday on 1 April.

Snapper Creek near Tin Can Bay

86. Snapper Creek and waterways joining it, upstream of a line between F↑B signs near its banks.

Great Sandy Strait

87.(1) Great Sandy Strait, Tin Can Inlet and waterways joining the strait and inlet, between the following lines—

- (a) a line from the eastern tip of Point Vernon to Sandy Point, Fraser Island;
- (b) a line between F↑B signs at Inskip Point and Hook Point, Fraser Island.

(2) The waters are closed—

- (a) from 2 p.m. Friday to 2 p.m. Sunday from 1 February to 30 November; and
- (b) from 6 p.m. Friday to 6 p.m. Sunday from 1 December to 31 January.

SCHEDULE 2 (continued)

Hervey Bay

88. The following waters of Hervey Bay—

- (a) waters west of the following line—
 - from the eastern tip of Point Vernon to the seaward end of the public jetty at Scarness
 - to the seaward end of the Urangan jetty
 - to the seaward end of the southern rock wall of the Urangan Boat Harbour;
- (b) foreshore waters of the bay between Sixth and Second Avenues, Woodgate.

Theodolite Creek

89. Theodolite Creek and waterways joining it upstream of a line between F↑B signs near its banks.

Coonar Creek

90. Coonar Creek and waterways joining it, upstream of a line between F↑B signs near its banks.

Burnett River

91. The Burnett River—

- (a) upstream of a line between F↑B signs on opposite sides of the river near its junction with Bundaberg Creek; and
- (b) downstream of a line between F↑B signs on opposite sides of the river near the western tip of Harriett Island.

Round Hill Creek

92. Round Hill Creek and waterways joining it, upstream of a line between F↑B signs at the creek's northern bank and the northern tip of the

SCHEDULE 2 (continued)

Miriam Vale Shire Council Caravan Park at the Town of Seventeen Seventy.

Eurimbula Creek

93. Eurimbula Creek and waterways joining it, upstream of a line between F[↑]B signs near its banks.

Rodds Harbour

94. Rodds Harbour and waterways joining it, within the following boundary—

- from the eastern tip of Blackney Point to the eastern tip of Bird Island
- to the western bank of Mort Creek, Rodds Peninsula
- along the shore to Blackney Point.

Wild Cattle Creek

95.(1) Wild Cattle Creek (also known as Red Cliff Creek) between the following lines—

- (a) a line from an F[↑]B sign at the creek's northern bank to the F[↑]B sign at the northern tip of Wild Cattle Island;
- (b) a line from an F[↑]B sign about 1 600 m (measured along the bank) upstream from the F[↑]B sign at the northern tip of Wild Cattle Island to an F[↑]B sign on the opposite bank of Wild Cattle Creek.

(2) The waters are closed from 1 September to 30 April.

Boyne River and part of South Trees Inlet

96.(1) The Boyne River and waterways joining it, upstream from a line between F[↑]B signs near its banks.

SCHEDULE 2 (continued)

(2) South Trees Inlet between the northern edge of the bridge over the inlet on Boyne Island Road and the inlet's junction with the Boyne River.

(3) The waters described in this section are closed from 1 September to 30 April.

Tannum Sands

97.(1) Foreshore waters between F↑B signs near the southern bank of the Boyne River and the northern bank of Wild Cattle Creek (also known as Red Cliff Creek).

(2) The waters are closed from 1 September to 30 April.

Calliope River

98. The Calliope River and waterways joining it, upstream of a line passing through F↑B signs on opposite sides of the river near the south-western tip of Farmers Island.

The Narrows near Curtis Island

99.(1) The waters between a line from an F↑B sign near the southern bank of the Boyne River to Gatcombe Head, Facing Island, and a line from Sea Hill Point, Curtis Island, to Cardigan Point, Balaclava Island.

(2) The waters are closed from 6 p.m. Friday to 6 p.m. Sunday.

(3) For subsection (1), the boundary of the Narrows between Facing Island and Curtis Island is a line from North Point, Facing Island, to South End, Curtis Island.

Fitzroy River and waters near its mouth

100.(1) Waters near the banks of the Fitzroy River within the following boundary—

- from Cardigan Point, Balaclava Island, to Cattle Point
- to Sea Hill Point, Curtis Island

SCHEDULE 2 (continued)

- to Cardigan Point, Balaclava Island.

(2) The Fitzroy River and waterways joining it, between the Fitzroy River Barrage and the shortest line across the river at the southern bank of Givial Creek.

(3) The waters described in subsection (1) are closed from 6 p.m. on Friday to 6 p.m. on Sunday.

Point Vernon to Cape Manifold

101.(1) Waterways flowing into the ocean between Point Vernon and Cape Manifold, other than the following waters—

- (a) the Fitzroy River and Casuarina Creek between a line from Cattle Point on the mainland to Cardigan Point, Balaclava Island, and electricity transmission lines across the Fitzroy River at the Lakes Creek Meatworks;
- (b) waterways (other than Connor Creek, Kamiash Passage, Inkerman Creek and Raglan Creek) joining waters described in paragraph (a).

(2) Waterways joining the closed waters in subsection (1).

(3) The waters are closed from 6 p.m. on Friday to 6 p.m. on Sunday if they are not otherwise closed during the period.

Cawarral Creek

102. Cawarral Creek and waterways joining it, upstream of the line between F[↑]B signs near its banks.

Causeway Lake, Shoal Bay

103. Causeway Lake and waterways joining it, upstream of the Shoal Bay Causeway on the Yeppoon-Emu Park Road.

SCHEDULE 2 (continued)

Water Park Creek

104. Water Park Creek (which flows into Corio Bay) and waterways joining it, upstream of the shortest line across the creek at the place commonly known as Kelly's Landing (about 2.6 km from the creek's banks).

St. Lawrence Creek to Endeavour River

105.(1) Waterways between the northern bank of St. Lawrence Creek and the northern bank of the Endeavour River.

(2) The waters are closed from 6 p.m. on Friday to 6 p.m. on Sunday if they are not otherwise closed during the period.

Rocky Dam Creek

106. Rocky Dam Creek (which flows into Llewellyn Bay) and waterways joining it, upstream of a line between F↑B signs on opposite sides of the creek about 100 m upstream of the creek's junction with Cherry Tree Creek.

Louisa Creek

107. Louisa Creek (which flows into Dalrymple Bay) and waterways joining it, upstream of a line between F↑B signs near its banks.

Pioneer River

108. The Pioneer River and waterways joining it, upstream of the Pioneer Bridge at Mackay.

Reliance Creek, west of Eimio

109. Reliance Creek and waterways joining it, upstream of a line between F↑B signs near its banks.

SCHEDULE 2 (continued)

Constant Creek

110. Constant Creek and waterways joining it, upstream of a line between F↑B signs near its banks.

Seaforth Creek

111. Seaforth Creek (which is north of Mackay).

Victor Creek

112. Victor Creek.

Proserpine River

113. The Proserpine River and waterways joining it, upstream of a line between F↑B signs near its banks.

Pioneer Bay

114. Pioneer Bay south of the following line—

- from an F↑B sign at Mandalay Point to an F↑B sign near the intersection of Broadwater Avenue and Ocean View Avenue, Airlie Beach
- to an F↑B sign at the eastern tip of Pigeon Island
- to an F↑B sign on the mainland shore about 2 km south from Bluff Point.

Merinda Creek

115. Merinda Creek (also known as Meatworks Creek) and waterways joining it, upstream of a line between F↑B signs near its banks.

SCHEDULE 2 (continued)

Bowen Harbour and Magazine Island

116. Foreshore waters of Bowen Harbour, between the southern bank of Doughty Creek and the eastern tip of the harbour's entrance.

Groper Creek, Yellow Gin Creek and the Burdekin River

117. The following waters—

- (a) Groper Creek and Yellow Gin Creek upstream of a line between an F↑B sign on the shore north-easterly of Beach Hill and an F↑B sign at the southern tip of Peters Island;
- (b) the Burdekin River upstream of a line between an F↑B sign near the southern tip of Rita Island and an F↑B sign at the eastern tip of Peter's Island;
- (c) waterways joining the waters described in paragraphs (a) and (b).

Burdekin River

118. The Burdekin River Anabranche and waterways joining it, upstream of a line between an F↑B sign near the anabranche's northern bank and an F↑B sign at its opposite bank near the north-eastern tip of Rita Island.

Plantation Creek and Seaforth Creek

119. Plantation Creek and waterways joining it, upstream of a line between F↑B signs on opposite sides of the creek at the downstream side of its junction with Seaforth Creek.

Haughton River and the Short Cut

120. The following waters—

- (a) the Haughton River and waterways joining it, upstream of a line between an F↑B sign near the river's eastern bank (near Big Beach) and an F↑B sign on the opposite side of the river near the north-western tip of Connors Island;

SCHEDULE 2 (continued)

- (b) the channel commonly known as the Short Cut, between the Houghton River and Barramundi Creek.

Barramundi Creek

121. Barramundi Creek and waterways joining it, upstream of a line between F[↑]B signs on opposite sides of the creek near its junction with the channel commonly known as the Short Cut.

Townsville Harbour and Cleveland Bay

122.(1) Townsville Harbour between the following lines—

- (a) a line between an F[↑]B sign near the landward end of the oil tanker berth and an F[↑]B sign at the landward end of the harbour's western breakwater;
- (b) a line between the seaward tip of the harbour's eastern breakwater and the northern tip of the rocks at the north-eastern end of the western breakwater.

(2) Cleveland Bay, outside Townsville Harbour, within 400 m of the mainland shore at low water and between the following lines—

- (a) a line running north-east from the point on the shore (near the landward end of the oil tanker berth) where the eastern breakwater of Townsville Harbour meets the rock seawall at the breakwater's landward end;
- (b) a line running north-east from Kissing Point.

(3) For subsection (2), the mainland shore—

- (a) at the harbour entrance, is taken to be a line from the seaward tip of the eastern breakwater to the northern tip of the rocks at the north-eastern end of the western breakwater; and
- (b) is taken to extend to the seaward tip of any artificial structure on the shore.

SCHEDULE 2 (continued)

Rollingstone Creek

123. Waters within an 800 m radius of the F↑B sign near the southern bank of Rollingstone Creek (which flows into Halifax Bay).

Herbert River

124. The Herbert River and waterways joining it, upstream of the bridge across the river on the Ingham to Halifax-Bemerside Road.

Hinchinbrook Channel

125.(1) Hinchinbrook Channel and waterways joining it, between a line from Lucinda Point to George Point, Hinchinbrook Island, and a line from Hecate Point, Hinchinbrook Island, to the northern bank of Meunga Creek.

(2) The waters are closed from 6 p.m. on Friday to 6 p.m. on Sunday.

Meunga Creek

126. Meunga Creek (which flows into Rockingham Bay) and waterways joining it, upstream of a line between F↑B signs near its banks.

Murray River

127. The Murray River (which flows into Rockingham Bay) and waterways joining it, upstream of a line running west across the river through the northern tip of the island at the banks of Bedford Creek.

Johnstone River

128. The Johnstone River and waterways joining it, upstream of a line, across the river, passing through the western tip of Banana Island and the western tip of the island commonly known as Bergin Island.

SCHEDULE 2 (continued)

Russell River, Mulgrave River and Mutchero Inlet

129. The Russell River, the Mulgrave River, Mutchero Inlet, and waterways joining the rivers and inlet, upstream of a line between F↑B signs at Flirt Point and Constantine Point.

Trinity Bay

130.(1) Ocean waters and waterways joining the ocean waters, west of a line between False Cape and Taylor Point.

(2) The waters are closed from 6 p.m. on Friday to 6 p.m. on Sunday.

Bloomfield River

131. The Bloomfield River and waterways joining it, upstream of a line between F↑B signs near its banks.

Annan River

132. The Annan River and waterways joining it, upstream of a line between F↑B signs on opposite sides of the river about 800 m downstream from the bridge across the river on the Cooktown Developmental Road.

Endeavour River

133. The Endeavour River and waterways joining it, upstream of a line between an F↑B sign about 400 m downstream of the No. 1 Public Wharf at Cooktown and an F↑B sign on Sachs Spit about 400 m north of Point Saunders (commonly known as St. Patrick's Point).

Pine River

134. The Pine River (near Albatross Bay) and waterways joining it, upstream of a line between F↑B signs near its banks.

SCHEDULE 2 (continued)

Mission River, Embley River and Hey River

135. The Mission, Embley and Hey Rivers and waterways joining them, upstream of a line from an F[↑]B sign at Andoomajettie Point to F[↑]B signs at Kerr Point and Urquhart Point.

Watson River

136. The Watson River and waterways joining it, upstream of the following line—

- from the river's southern bank to the eastern tip of Long Island
- along Long Island's eastern shore to the island's north-eastern tip
- north along the shore to a point in line with the public boat ramp at Aurukun
- to the public boat ramp at Aurukun.

Moonkan Creek

137. Moonkan Creek and waterways joining it.

Chapman River

138. The Chapman River and waterways joining it.

Chapman River to Moonkan Creek

139. Gulf of Carpentaria foreshore waters and waters within 1 km out to sea from the shore of the Gulf at low water between an F[↑]B sign about 1 km south of the banks of the Chapman River and an F[↑]B sign about 1 km north of the banks of Moonkan Creek.

SCHEDULE 2 (continued)

Mitchell River

140. The Mitchell River and waterways joining it, upstream of a line between F[↑]B signs on opposite sides of the river near the banks of West Mottle Creek.

Staaten River

141. The Staaten River and waterways joining it, upstream of the road crossing between Picnic Waterhole and Bayswater Waterhole (near Gailbraith).

Gilbert River

142. The Gilbert River and waterways joining it, upstream of the road crossing near Goose Lagoon and Mosquito Waterhole.

Norman River

143. The Norman River and waterways joining it, upstream of the bridge across the river on the Normanton to Karumba road.

Bynoe River

144. The Bynoe River and waterways joining it, upstream of the causeway across the river on the Normanton to Burketown road.

Flinders River

145. The Flinders River and waterways joining it, upstream of the causeway across the river on the Normanton to Burketown road.

Albert River

146. The Albert River and waterways joining it, upstream of the shortest line across the river from Truganini Landing.

SCHEDULE 2 (continued)

Nicholson River

147. The Nicholson River and waterways joining it, upstream of the shortest line across the river from its eastern bank at the northern mouth of Gaynor Creek.

Gin Arm Creek

148. Gin Arm Creek and waterways joining it, upstream of the shortest line across the creek from its northern bank at the northern mouth of Wild Horse Creek.

Elizabeth River on Mornington Island

149. The Elizabeth River and waterways joining it.

Sandalwood Place River on Mornington Island

150. The Sandalwood Place River and waterways joining it.

*Division 2—Trawl nets***Prohibited activities**

151. The following activities are prohibited in waters described in this division—

- (a) using a trawl net to take fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing trawl nets.

Near the New South Wales border to Point Lookout on North Stradbroke Island

152.(1) Waters within the following boundary—

 SCHEDULE 2 (continued)

- from latitude 28°10' south on the territorial sea baseline, along the territorial sea baseline to Point Lookout, North Stradbroke Island
- to latitude 27°26'12" south, longitude 153°34'36" east
- to latitude 27°30' south, longitude 153°32'36" east
- to latitude 27°33'48" south, longitude 153°31'12" east
- to latitude 27°36'24" south, longitude 153°30'24" east
- to latitude 27°43'36" south, longitude 153°29'12" east
- to latitude 27°48'12" south, longitude 153°28'12" east
- to latitude 27°53' south, longitude 153°27'36" east
- to latitude 27°55'12" south, longitude 153°27'24" east
- to latitude 27°56'24" south, longitude 153°27'48" east
- to latitude 28° south, longitude 153°27'48" east
- to latitude 28°04'24" south, longitude 153°29' east
- to latitude 28°06' south, longitude 153°30' east
- to latitude 28°06'36" south, longitude 153°30'24" east
- to latitude 28°06'48" south, longitude 153°30'48" east
- to latitude 28°08'12" south, longitude 153°31'48" east
- to latitude 28°08'12" south, longitude 153°33'24" east
- to latitude 28°08'36" south, longitude 153°34' east
- to latitude 28°09'12" south, longitude 153°34'48" east
- to latitude 28°10' south on the Territorial Sea Baseline.

(2) The waters are closed between 6 p.m. and 6 a.m. from 1 October to 31 March.

Moreton Bay

153. Moreton Bay outside the following boundary—

- from the intersection of the shore of Bribie Island with a line

SCHEDULE 2 (continued)

running south-west from the water tower at Bongaree to the special mark flashing yellow light beacon off the mouth of the Caboolture River

- to the northernmost flashing green light beacon at the entrance to Scarborough Boat Harbour
- to the North Reef flashing green light beacon
- to the Garnet Rock flashing green light beacon off Margate
- to the Otter Rock flashing green light beacon off Woody Point
- to the seaward end of the Woody Point Jetty
- to the special mark flashing yellow light beacon off the banks of Cabbage Tree Creek
- to the West Coffee Pot flashing green light beacon near the banks of the Brisbane River, marking the main shipping channel
- to the channel's No. 1 Entrance West flashing white and red light beacon
- to the channel's No. 2 Entrance East flashing yellow light beacon
- to the East Coffee Pot flashing red light beacon
- to the channel's east inner bar flashing red light beacon
- to the red beacon northerly of St. Helena Island
- to the special mark flashing yellow light beacon south-east of St. Helena Island
- to the red light beacon north-east of Green Island
- to the A S Huybers flashing red light beacon off King Island (near Wellington Point)
- to the flashing green light beacon off the western tip of Peel Island
- to the special mark flashing yellow light beacon off the northern tip of the bank commonly known as Banana Bank
- to the green light beacon on the south-western side of the Pelican Banks

SCHEDULE 2 (continued)

- to the special mark flashing yellow light beacon at the southern tip of the Pelican Banks
- to the flashing red light beacon on the eastern side of the Pelican Banks
- northerly about 0.6 n mile to the flashing green light beacon off the western shore of North Stradbroke Island
- northerly about 2 n miles to the flashing green light beacon off Wallen Wallen
- to the special mark flashing yellow light beacon at the southern tip of Goat Island
- to the Harold Walker Jetty, Dunwich, North Stradbroke Island
- along North Stradbroke Island's western shore to Amity Point
- to Reeders Point, Moreton Island
- along Moreton Island's western shore to Comboyuro Point
- to Skirmish Point, Bribie Island
- along Bribie Island's shore (by the shortest route) to a line running south-west from the water tower at Bongaree to the special mark flashing yellow light beacon off the banks of the Caboolture River.

Amity Bight and the South Passage

154.(1) Waters within the following boundary—

- from an F[↑]B sign at Rocky Point on North Stradbroke Island's northern shore, along the shore to Amity Point
- to Reeders Point, Moreton Island
- along the island's eastern shore to latitude 27°17'30" south
- to latitude 27°17'30" south, longitude 153°27'25" east (about 2 n miles east of Sovereign Beach)
- to the northern tip of Shag Rock off North Stradbroke Island

SCHEDULE 2 (continued)

- to the F↑B sign at Rocky Point, North Stradbroke Island.

(2) The waters are closed between 6 p.m. and 6 a.m from 1 October to 31 December.

Boggy Creek, Pinkenba

155.(1) Boggy Creek upstream of a line—

- from Luggage Point to the oil tanker berth
- along the oil pipeline viaduct to the start of the viaduct on Bulwer Island.

(2) The waters are closed from midday on 1 November to midday on 30 April.

Caloundra Head

156.(1) Ocean waters within a 3 n mile radius of Caloundra Head.

(2) The waters are closed between 6 p.m. and 6 a.m. from 1 October to 31 December.

Warana Beach at Kawana Waters

157. Waters within the following boundary—

- from latitude 26°43.904' south, longitude 153°8.035' east, to latitude 26°43.911' south, longitude 153°8.673' east
- to latitude 26°44.019' south, longitude 153°8.672' east
- to latitude 26°44.012' south, longitude 153°8.033' east
- to latitude 26°43.904' south, longitude 153°8.035' east.

Hook Point to Taleerba Creek, Fraser Island

158. Waters within the following boundary—

- from latitude 25°47'14" south, longitude 153°04'77" east, to

SCHEDULE 2 (continued)

latitude 25°37'08" south, longitude 153°05'29" east

- to latitude 25°37'55" south, longitude 153°07'50" east
- to latitude 25°46'82" south, longitude 153°07'17" east
- to latitude 25°47'14" south, longitude 153°04'77" east.

Taleerba Creek to Indian Head, Fraser Island

159.(1) Waters within the following boundary—

- from latitude 25°37'08" south, longitude 153°05'29" east, to latitude 25°00'55" south, longitude 153°21'50" east
- to latitude 25°00'77" south, longitude 153°22'62" east
- to latitude 25°37'30" south, longitude 153°06'91" east
- to latitude 25°37'08" south, longitude 153°05'29" east.

(2) The waters are closed from midday on 1 August to midday on 1 April.

Northern Fraser Island and north of Fraser Island

160.(1) Waters within the following boundary—

- from latitude 25° south, longitude 152°45'55" east, to latitude 24°43'30" south, longitude 152°30' east
- to latitude 24°01'30" south, longitude 151°49' east
- to the light on Great Keppel Island
- to latitude 23° south, longitude 151° east
- to latitude 22° south, longitude 150°42'30" east
- to latitude 22° south, longitude 152° east
- to the western tip of Herald No. 1 in the Swains Reefs
- to the light on North Reef
- to the light on Lady Musgrave Island

SCHEDULE 2 (continued)

- to the light on Lady Elliot Island
- to Sandy Cape, Fraser Island
- westerly along Fraser Island's shore to Rooney Point
- along Fraser Island's western shore to latitude 25° south on the shore
- to latitude 25° south, longitude 152°45'55" east.

(2) The waters are closed from 8 a.m. to 6 p.m. each day.

Hayman Island to Cape Abbot

161.(1) Waters within the following boundary—

- from the western tip of Hayman Island to the south-western tip of Gumbrell Island
- along Gumbrell Island's western shore to its northern tip
- to the northern tip of Gloucester Head, Gloucester Island
- to the northern tip of Middle Island
- to Cape Edgecumbe
- to the seaward end of the jetty at Abbot Point
- to the northern tip of Camp Island
- to latitude 19°44' south, longitude 147°50'08" east
- to the light on Holbourne Island
- to western tip of Hayman Island.

(2) The waters are closed between 8 a.m. and 6 p.m. from 1 April to 31 October.

Etty Bay area

162. Foreshore waters and waters within 600 m out to sea from the shore at low water, between F↑B signs near the southern and northern ends of the town of Etty Bay.

SCHEDULE 2 (continued)

Yorkeys Knob to Simpson Point

163. Waters within the following boundary—

- from Yorkeys Knob along the shore to Simpson Point
- to the western tip of Double Island
- along a line towards Taylor Point to a line between Yorkeys Knob and Buchan Point
- along the line between Yorkeys Knob and Buchan Point to a line between Taylor Point and 2 n miles magnetic north of Cape Grafton
- along the line between Taylor Point and 2 n miles magnetic north of Cape Grafton to a line between Yorkeys Knob and the western tip of Double Island
- to Yorkeys Knob.

Cook Bay

164.(1) Cook Bay within the following boundary—

- from the western tip of Double Island along a line towards Taylor Point to a line between Buchan Point and Yorkeys Knob
- along the line between Buchan Point and Yorkeys Knob to a line between 2 n miles magnetic north of Cape Grafton and Taylor Point
- along the line between 2 n miles magnetic north of Cape Grafton and Taylor Point to a line between Yorkeys Knob and the western tip of Double Island
- to the western tip of Double Island.

(2) The waters are closed from 6 a.m. to 6 p.m. each day.

Island Point to the Daintree River

165. Waters within the following boundary—

SCHEDULE 2 (continued)

- from the light beacon at Island Point (near Port Douglas), along the shore to longitude 145°27'30" east on the shore (near the northern bank of the Daintree River)
- to the light beacon at Island Point.

North of Cape Tribulation

166.(1) Waters north of latitude 16°04'30" south, and east of longitude 142°31'49" east.

(2) The waters are closed from midday on 15 December to midday on 1 March.

North of latitude 15°30' south

167.(1) Waters north of latitude 15°30' south (which is about the latitude of Cooktown).

(2) The waters are closed from 8 a.m. to 6 p.m. each day.

Grave Point to Indian Head

168. Waters within the following boundary—

- from Grave Point (near Cooktown) along the shore to Indian Head
- to Monkhouse Point
- to Grave Point.

Cape Bedford to Murray Reefs

169. Waters within the following boundary—

- from Cape Bedford along the shore to a line running west from the northern tip of the Murray Reefs
- to the northern tip of the Murray Reefs
- to Cape Bedford.

SCHEDULE 2 (continued)

Cape Flattery to near Barrow Point

170. Waters within the following boundary—

- from the sand stockpile jetty west of Cape Flattery (near latitude 14°57'30" south, longitude 145°18'30" east) along the shore to latitude 14°26'15" south, longitude 144°37'05" east
- to the northern tip of Baron Reef
- to the northern tip of Noble Island
- to the northern tip of Morris Island
- to the navigation light on Pethebridge Islets
- to the northern tip of the northernmost island of the Turtle Island Group
- to Lookout Point
- along the shore to latitude 14°51' south
- to the sand stockpile jetty west of Cape Flattery.

Barrow Point to Bizant River

171. Waters within the following boundary—

- from Barrow Point along the shore to the western bank of the Bizant River (which flows into Princess Charlotte Bay)
- to the western tip of Bathurst Head
- to the western tip of Denham Island
- along the island's southern shore to its southern tip
- to the northern tip of the Channel Rocks
- to latitude 14°09'30" south, longitude 144°30' east
- to latitude 14°09'30" south, longitude 144°31'30" east
- to latitude 14°15' south, longitude 144°36' east

SCHEDULE 2 (continued)

- to the navigation light on Barrow Island
- to Barrow Point.

Marrett River to Rocky River

172. Waters within the following boundary—

- from the northern bank of the Marrett River along the shore to the northern bank of the Rocky River
- to the western tip of Wilkie Island
- to the easternmost point of the easternmost island of the Cliff Islands
- to the northern bank of the Marrett River.

Rocky River to latitude 13°09' south

173. Waters within the following boundary—

- from the northern bank of the Rocky River along the shore to latitude 13°09' south
- east to a line, parallel to, and 2.7 n miles from, the shore at low water (near latitude 13°09' south, longitude 143°33'30" east)
- along the line to a line between the northern bank of the Rocky River and the western tip of Wilkie Island
- to the northern bank of the Rocky River.

Latitude 13°09' south to Thorpe Point

174. Waters within the following boundary—

- from latitude 13°09' south on the mainland shore, along the shore to the eastern tip of Thorpe Point
- to 500 m north-west of the northern tip of Harvey Island
- to 500 m north of the northern tip of Nob Island

SCHEDULE 2 (continued)

- to 500 m east of the eastern tip of Clerke Island
- to 500 m south of the southern tip of Clerke Island
- to 500 m south of the southern tip of Hicks Island
- to 500 m south of the southern tip of Orton Island
- to latitude 12° south, longitude 143°13' east
- to latitude 12°05' south, longitude 143°10' east
- to latitude 12°09' south, longitude 143°07'30" east
- to 500 m east of the eastern tip of Tyrrel Reefs
- along a line parallel to, and 500 m from, Tyrrel Reefs
- along that line to the point at latitude 12°12' south that is 500 m from the mainland shore
- to the intersection between a line running east from the eastern tip of Bolt Head and a line running parallel to, and 500 m from, the mainland shore
- to 500 m north of the northern tip of Ada Reef
- to 500 m east of the eastern tip of Lion Reef
- to 500 m north of the northern tip of Daniell Reef
- to the eastern tip of Andrew Reef
- to latitude 12°25' south, longitude 143°18' east
- to latitude 12°30' south, longitude 143°18' east
- to latitude 12°33'30" south, longitude 143°21'12" east
- to the northern tip of Rocky Island
- to the northern tip of Restoration Island
- to latitude 12°38' south, longitude 143°26'48" east
- to 500 m east of the eastern tip of Lloyd Island
- to latitude 12°47'20" south, longitude 143°25'20" east
- to 500 m north of the northern tip of Waight Bank

SCHEDULE 2 (continued)

- to 500 m north-east of the north-eastern tip of Landsdown Reef
- to 500 m east of the eastern tip of Rocky Islet
- to 500 m east of the eastern tip of Ashton Rock Reef
- to 500 m east of the eastern tip of Hammond Reef
- to latitude 13°09' south, longitude 143°33'30" east
- to latitude 13°09' south on the mainland shore.

Round Point to Fly Point near Cape York

175. Waters within the following boundary—

- from the northern tip of Round Point to the eastern tip of Nigger Head Reef (about latitude 11°48'18" south, longitude 142°58'42" east)
- to the eastern tip of Pirie Islet
- to 500 m east of the eastern tip of Bushy Island Reef
- to 500 m east of the eastern tip of Tern Island Reef
- to 500 m east of the eastern tip of Turtle Island Reef (about latitude 10°53' south, longitude 142°42' east)
- to 500 m east of the eastern tip of Ariel Bank
- to the eastern tip of Fly Point
- along the shore to the northern tip of Round Point.

Tip of Cape York

176. Waters south of latitude 10°41'17" south, within the following boundary—

- from the northern tip of Cape York to the eastern tip of Eborac Island
- to the northern tip of Osnaburg Point
- along the shore to the northern tip of Cape York.

SCHEDULE 2 (continued)

*Division 3—Fishing with certain commercial fishing nets***Prohibited activities**

177. The following activities are prohibited in waters described in this division—

- (a) using commercial fishing nets mentioned in this division to take fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing commercial fishing nets mentioned in this division.

Waterways

178.(1) All waterways.

(2) This section applies only to trawl nets described in schedule 14, sections 22, 23, 27, 33 and 34.

River and creek foreshores

179.(1) All river and creek foreshores.

(2) This section applies only to tunnel nets described in schedule 13, sections 38 and 81.

Rivers and creeks east of longitude 142°09' east

180.(1) Rivers and creeks east of longitude 142°09' east.

(2) This section applies only to set mesh nets and nets that are not fixed or hauled described in schedule 13, sections 30, 36, 48, 74 and 77.

Rivers and creeks south of Burnett River

181.(1) Rivers and creeks south of the northern bank of the Burnett River.

SCHEDULE 2 (continued)

(2) This section applies only to nets described in schedule 13, section 7(1).

Rivers and creeks south of Baffle Creek

182.(1) Rivers and creeks south of the northern bank of Baffle Creek.

(2) This section applies only to mesh or seine nets described in schedule 13, sections 27 and 73.

South of North Stradbroke Island

183.(1) Waters south of the southern tip of North Stradbroke Island.

(2) This section applies only to set mesh nets and nets that are not fixed or hauled described in schedule 13, sections 30, 36, 48, 74 and 77.

Moreton Bay

184.(1) Moreton Bay.

(2) Moreton Bay north of the southern tip of North Stradbroke Island and south of a line—

- from Victoria Point to Pott's Point, Macleay Island
- to Blakesleys Camp, North Stradbroke Island.

(3) Subsection (1) applies only to applies only to nets described in schedule 13, section 7(1) and schedule 14, sections 22, 27 and 33.

(4) Subsection (2) applies only to set mesh nets and nets that are not fixed or hauled described in schedule 13, sections 30, 36, 48, 74 and 77.

Cassim and King Islands (Moreton Bay)

185.(1) The western foreshore of Cassim Island and the southern foreshore of King Island.

(2) This section applies only to tunnel nets described in schedule 13, section 38.

SCHEDULE 2 (continued)

Brisbane River mouth

186.(1) Waters within the following boundary—

- from the F[↑]B sign at Juno Point to the second green beacon marking the Koopa Channel
- to the West Coffee Pot beacon
- to the West Inner Bar beacon
- to the eastern bank of the Brisbane River
- to the F[↑]B sign at Juno Point.

(2) This section applies only to trawl nets described in schedule 14, section 47.

Comboyuro Point to Caloundra Head

187.(1) Waters within the following boundary—

- from Comboyuro Point, Moreton Island to the Racon Beacon (at the entrance to the main shipping channel at Caloundra)
- to Caloundra Head
- along the shore to the F[↑]B sign at southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra
- to the F[↑]B sign at the northern tip of Bribie Island
- along the eastern shore of Bribie Island to Skirmish Point
- to Comboyuro Point.

(2) This section applies only to trawl nets described in schedule 14, sections 22 and 33.

Moreton Island to Double Island Point

188.(1) Waters within the following boundary—

- from Double Island Point to North Point, Moreton Island
- to Skirmish Point, Bribie Island

SCHEDULE 2 (continued)

- along the island's eastern shore to the F↑B sign at its northern tip
- to the F↑B sign at the southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra
- along the shore to Double Island Point.

(2) This section applies only to set mesh nets and nets that are not fixed or hauled described in schedule 13, sections 30, 36, 48, 74 and 77.

Lakes Doonella and Weyba

189.(1) Lakes Doonella and Weyba.

(2) This section applies only to trawl nets described in schedule 14, section 48.

Laguna Bay

190.(1) Laguna Bay between the following lines—

- a line from latitude 26°16' south on the shore (near Teewah) to the eastern tip of Noosa Head
- a line from the F↑B sign on northern bank of the Noosa River to the F↑B sign at the Boiling Pot (near Noosa Head).

(2) This section applies only to trawl nets described in schedule 14, sections 22 and 33.

Noosa River and adjoining lakes

191.(1) Noosa River and lakes joining it.

(2) This section applies only to trawl nets described in schedule 14, section 50.

Mary River

192.(1) The Mary River between lines between the following places marked by F↑B signs—

SCHEDULE 2 (continued)

- longitude 152°46.67' east on the northern bank of the river and longitude 152°46.83' east on its southern bank
- longitude 152°51.74' east on the northern bank of the river (near 'Tandora') and longitude 152°51.71' east on the shore of Crab Island (Meteor Point)
- longitude 152°51.62' east on the shore of Crab Island and longitude 152°51.95' east on the southern bank of the river.

(2) This section applies only to beam trawl nets described in schedule 14, section 64.

Great Sandy Strait and Hervey Bay

193.(1) Waters of Hervey Bay, Great Sandy Strait, Wide Bay Harbour, Pelican Bay, Tin Can Bay and Tin Can Inlet between the following lines—

- a line from the southern bank of Theodolite Creek to Arch Cliff, Fraser Island
- a line from Hook Point, Fraser Island to the eastern tip of Inskip Point.

(2) This section applies only to nets described in schedule 13, section 7(1).

Hervey Bay

194.(1) Waters of Hervey Bay—

- (a) within the following boundary—
 - from the northern bank of Baffle Creek towards Rooney Point, Fraser Island, to longitude 153° east
 - along longitude 153° east to Fraser Island's western shore near Sandy Point
 - to Dayman Point
 - along the shore to the northern bank of Baffle Creek; and
- (b) within the following boundary—

 SCHEDULE 2 (continued)

- from the southern bank of Baffle Creek to longitude 153° east
 - along longitude 153° east to Fraser Island's western shore near Sandy Point
 - to Dayman Point
 - along the shore to the southern bank of Baffle Creek; and
- (c) between latitude 25°05' south and a line from the eastern tip of Point Vernon to Sandy Point, Fraser Island.

(2) Subsection (1)(a) applies only to mesh or seine nets described in schedule 13, sections 27 and 73.

(3) Subsection (1)(b) applies only to set mesh nets and nets that are not fixed or hauled described in schedule 13, sections 30, 36, 48, 74 and 77.

(4) Subsection (1)(c) applies only to trawl nets described in schedule 14, sections 22, 27 and 33.

Hervey Bay (southern part)

195.(1) The waters of Hervey Bay—

- (a) within the following boundary—
- from latitude 25°14.77' south, longitude 152°48.758' east (near Point Vernon)
 - to latitude 25°15.38' south, longitude 152°45' east
 - to latitude 25°13.44' south, longitude 152°40.13' east
 - to latitude 25°09' south, longitude 152°39' east
 - to latitude 25°07.476' south, longitude 152°35.07' east
 - to latitude 25°07.476' south, longitude 152°37' east
 - to latitude 25°05' south, longitude 152°37' east
 - to latitude 25°05' south on the mainland shore
 - along the shore to latitude 25°14.77' south, longitude 152°48.758' east; and

 SCHEDULE 2 (continued)

(b) within the following boundary—

- from latitude 25°14.77' south, longitude 152°48.758' east (near Vernon Point)
- to latitude 25°13.44' south, longitude 152°40.13' east
- to latitude 25°09' south, longitude 152°39' east
- to latitude 25°07.476' south, longitude 152°37' east
- to latitude 25°05' south, longitude 152° 37' east
- to latitude 25°05' south on the mainland shore
- along the shore to latitude 25°14.77' south, longitude 152°48.758' east.

(2) Subsection (1)(a) applies only to trawl nets described in schedule 14, section 17, and only from 1 March to 1 May from 6 a.m. to 6 p.m.

(3) Subsection (1)(b) applies only to trawl nets described in schedule 14, section 17, and only from 2 May to the end of February from 6 a.m. to 6 p.m.

Rivers and creeks on Fraser Island

196.(1) Rivers and creeks on Fraser Island and flowing into Great Sandy Strait.

(2) This section applies only to set mesh nets described in schedule 13, sections 32 and 100.

Skyringville Creek

197.(1) The following waters—

- (a) the creek commonly known as Skyringville Creek—
- (i) upstream of a line running south-east from the north-western tip of Barubbra Island; and
 - (ii) downstream of a line between F↑B signs on opposite sides of the creek about 800 m from its banks;

SCHEDULE 2 (continued)

(b) waterways joining the parts of the creek described in paragraph (a).

(2) The waters in subsection (1)(a)(i) are closed from 1 August to 30 November.

(3) This section applies only to beam trawl nets.

Burnett River

198.(1) The Burnett River and waterways joining it.

(2) The waters are closed from 1 August to 30 November.

(3) This section applies only to beam trawl nets.

Rivers and creeks between Burnett River and Baffle Creek

199.(1) River and creek foreshores between the northern bank of the Burnett River and the northern bank of Baffle Creek.

(2) This section applies only to set mesh nets described in schedule 13, sections 34 and 80.

Rivers and creeks north of Burnett River

200.(1) Rivers and creeks north of the northern bank of the Burnett River.

(2) This section applies only to nets described in schedule 13, section 7(2).

River and creek foreshores between Baffle Creek and Cape Flattery

201.(1) Foreshores of a river or creek upstream of a straight line between its banks, between the northern bank of Baffle Creek and Cape Flattery.

(2) This section applies only to set mesh nets described in schedule 13, section 99.

SCHEDULE 2 (continued)

Rivers and creeks north of Baffle Creek

202.(1) Rivers and creeks north of the northern bank of Baffle Creek.

(2) This section applies only to mesh or seine nets (other than a net which is not fixed or hauled or a ring net) described in schedule 13, sections 16 and 28.

Facing Island

203.(1) Waters south and west of Facing Island (near Gladstone) within the following boundary—

- from Tiber Point along the shore to Auckland Point
- to Tail Point, Chinaman Island
- to North Point, Facing Island
- along Facing Island's western and southern shores to Gatcombe Head
- to the Fairway Buoy (Wild Cattle Cutting)
- to Tiber Point.

(2) This section applies only to trawl nets described in schedule 14, sections 22, 27 and 33.

Keppel Bay

204.(1) Keppel Bay within the following boundary—

- from Cattle Point to an unnamed point on the shore of Curtis Island about 1.25 n miles north of Maria Inlet
- along the western shore of Curtis Island to Warner Point
- to Quartz Rock
- to the intersection with the mainland shore of a line from Quartz Rock to Red Hill
- along the shore to Cattle Point.

SCHEDULE 2 (continued)

(2) Keppel Bay west of a line from Water Park Point to Cape Capricorn.

(3) Subsection (1) applies only to trawl nets described in schedule 14, sections 22 and 33.

(4) Subsection (2) applies only to set mesh nets and nets that are not fixed or hauled described in schedule 13, sections 30, 36, 48, 74 and 77.

Shoalwater Bay

205.(1) Waters of Shoalwater Bay within the following boundary—

- from Macdonald Point to Cape Townshend, Townshend Island
- along the island's western and southern shores to the island's eastern tip
- to Reef Point
- along the shore to Macdonald Point.

(2) This section applies only to a set mesh net.

Llewellyn Bay

206.(1) Llewellyn Bay (near Sarina) west of a line from Freshwater Point to Allom Point.

(2) This section applies only to trawl nets described in schedule 14, sections 22 and 33.

Pioneer River

207.(1) The Pioneer River and waterways joining it, between F↑B signs near its banks and the western edge of the Pioneer Bridge at Mackay.

(2) This section applies to all commercial fishing nets.

(3) Despite subsection (2), a mesh or seine net described in schedule 13, sections 7(3), 16, 28 and 31 may be used.

(4) However, a net described in schedule 13, section 16 or 28 must not be used as a ring net or a net that is not fixed or hauled.

SCHEDULE 2 (continued)

O'Connell River

208.(1) The O'Connell River and waterways joining it, upstream of a line between F[↑]B signs near its banks.

(2) This section applies to all commercial fishing nets

(3) Despite subsection (2), a mesh or seine net described in schedule 13, sections 7(3), 16, 28 and 31 may be used.

(4) However, a net described in schedule 13, section 16 or 28 must not be used as a ring net or a net that is not fixed or hauled.

Repulse Bay

209.(1) Repulse Bay (near Proserpine) within the following boundary—

- from Rocky Point along the shore to the northern bank of the O'Connell River
- east for 2 n miles
- to Rocky Point.

(2) This section applies only to trawl nets described in schedule 14, sections 22 and 33.

Sinclair Bay

210.(1) Sinclair Bay (near Bowen) within the following boundary—

- from longitude 148°25.3' east on the shore
- to longitude 148°26.75' east on the shore
- along the shore to longitude 148°25.3' east.

(2) This section applies only to trawl nets described in schedule 14, sections 23 and 34.

Queens Bay

211.(1) Queens Bay west of a line from Cape Edgecumbe to the northern bank of the Don River.

SCHEDULE 2 (continued)

(2) This section applies only to set mesh nets and nets that are not fixed or hauled described in schedule 13, sections 30, 36, 48, 74 and 77.

Cleveland Bay

212. Cleveland Bay (near Townsville) south of a line from Cape Pallarenda to Cape Cleveland.

(2) This section applies only to trawl nets described in schedule 14, sections 23 and 34.

Hinchinbrook Channel

213.(1) Hinchinbrook Channel between the following lines—

- a line from Lucinda Point to George Point
- a line from Hecate Point to the northern bank of Meunga Creek.

(2) Hinchinbrook Channel and waterways joining it, within the following boundary—

- from an F[↑]B sign at the base of Round Hill to an F[↑]B sign at the southern tip of Mangrove Island
- to lead beacon No. 2 on Hinchinbrook Island
- along the shore to an F[↑]B sign at Fisherman Point
- to an F[↑]B sign at the eastern bank of Neames Creek (also known as Neames Inlet)
- along the shore to the F[↑]B sign at the base of Round Hill.

(3) Subsection (1) applies only to nets described in schedule 13, section 7(2) and schedule 14, sections 23 and 34.

(4) Subsection (2) applies only to commercial fishing nets other than a set mesh net described in schedule 13, section 101.

Trinity Bay

214.(1) Trinity Bay west of a line from False Cape to Taylor Point.

SCHEDULE 2 (continued)

(2) This section applies only to trawl nets described in schedule 14, sections 23 and 34.

Daintree River

215.(1) The Daintree River and waterways joining it, upstream of a line between F[↑]B signs near its banks.

(2) This section applies to all commercial fishing nets.

(3) Despite subsection (2), a seine net may be used in the Daintree River downstream of the place commonly called Bailey's Creek barge crossing if the net—

- (a) is not longer than 400 m; and
- (b) has a mesh size of at least 50 mm but not more than 100 mm; and
- (c) is made of not more than 210/12 ply.

River and creek foreshores north of Cape Flattery

216.(1) River and creek foreshores north of Cape Flattery.

(2) This section applies only to set mesh nets described in schedule 13, section 103.

Rivers and creeks flowing into the Gulf of Carpentaria

217.(1) Rivers and creeks flowing into the Gulf of Carpentaria.

(2) This section applies only to nets described in schedule 13, sections 58, 59, 60, 63 and 64.

SCHEDULE 2 (continued)

Division 4—Foreshore set mesh nets**Prohibited activities**

218. The following activities are prohibited in waters described in this division—

- (a) using a set mesh net that may be used on a foreshore to take fish;
- (b) using a set mesh net that may be used in offshore waters to take fish and has a monofilament diameter of more than 1.06 mm;
- (c) possessing fish taken in contravention of paragraph (a) or (b);
- (d) possessing a net described in paragraph (a) or (b).

When waters are closed

219. The waters in this division are closed during the closed season for barramundi.

Bundaberg, Gladstone and Rockhampton regions

220. The following waterways in the Bundaberg, Gladstone and Rockhampton regions—

- Deepwater Creek
- Jenny Lind Creek
- Boyne River
- Auckland Creek
- Middle Creek (The Narrows)
- Boat Creek (The Narrows)
- Montecristo Creek
- Munduran Creek
- Badger Creek
- Mosquito Creek

SCHEDULE 2 (continued)

- Barker Creek
- Maria Creek
- Seahill (Pacific) Creek
- Causeway Creek
- West Water Creek
- Island Head Creek
- East Creek
- Head Creek
- Mistake Creek
- Georges Creek
- Shoalwater Creek
- Styx River.

Mackay region

221. The following waterways in the Mackay region—

- Carmilla Creek
- Louisa Creek
- Pioneer River
- Seaforth Creek
- Victor Creek
- Blackrock Creek
- Hervey Creek
- Dempster Creek
- O'Connell River
- Repulse Creek

SCHEDULE 2 (continued)

- Dingo Creek
- Inlet Creek.

Burdekin, Townsville and Ingham regions

222. The following waterways in the Burdekin, Townsville and Ingham regions—

- Elliott River
- Rocky Pond Creek
- Groper Creek
- Yellow Gin Creek
- Haughton River
- Crocodile Creek
- Alligator Creek
- Ross Creek
- Ross River
- Bohle River
- Cattle Creek
- Palm Creek
- Damper Creek.

Innisfail region

223. The following waterways in the Innisfail region—

- Meunga Creek
- Wreck Creek
- Dallachy Creek
- Murray River
- Tully River

SCHEDULE 2 (continued)

- Hull River
- Moresby River.

Cairns and Port Douglas regions

224. The following waterways in the Cairns and Port Douglas regions—

- Mulgrave River
- Russell River
- Mutchero Inlet
- Daintree River
- Annan River.

Middle Head to Norton Point

225. Waters within 1 km out to sea from the mainland shore between F↑B signs east of Middle Head and west of Norton Point.

South Trees Inlet

226. Waters within 1 km out to sea from the mainland shore between F↑B signs east and west of South Trees Inlet.

Calliope River

227. Waters within 1 km out to sea from the mainland shore between F↑B signs east and west of the Calliope River.

Waters off Curtis Island

228. Waters within 1 km out to sea from the shore of Curtis Island between F↑B signs at the following places—

- (a) north and south of Graham Creek;

SCHEDULE 2 (continued)

- (b) east and west of the creek commonly known as First Lagoon Creek;
- (c) east and west of the creek commonly known as Second Lagoon Creek.

Cattle Point to Cardigan Point

229. Waters within a boundary from Cattle Point, along the shore to Cardigan Point, then in a straight line to Cattle Point.

South Bluff to Coconut Point

230. Waters within a boundary from South Bluff, along the shore to Coconut Point, then in a straight line to South Bluff.

Island Bluff to Charon Point

231. Waters within a boundary from Island Bluff, along the shore to Charon Point, then in a straight line to Island Bluff.

Little Cape Creek to Shag Creek

232. Waters within a boundary from the northern bank of Little Cape Creek, along the shore to the northern bank of Shag Creek, then in a straight line to the northern bank of Little Cape Creek.

Constant Creek

233. Waters within 1 km out to sea from the mainland shore between F[↑]B signs on the shore near the banks of Constant Creek.

Nobbies Inlet

234. Nobbies Inlet and waterways joining it, east of a line running north from a point 200 m north-east of the northern bank of Sandy Creek to the northern bank of Nobbies Inlet.

SCHEDULE 2 (continued)

Burdekin River Anabranch area

235. Waters within 1 km out to sea from the mainland shore between a point 1 km north along the shore from the anabranch's northern bank and a point 500 m south along the shore from the southern bank of the Burdekin River Anabranch.

Sheep Station Creek to Barratta Creek

236. Waters within a boundary from the northern bank of Sheep Station Creek, along the shore to the western bank of Barratta Creek, then in a straight line to the northern bank of Sheep Station Creek.

Victoria Creek

237. Waters within a boundary—

- from the northern tip of the sand spit at the southern bank of Victoria Creek, along the shore to a line running north from the northern tip of the sand spit at the creek's southern bank
- in a straight line to the northern tip of the sand spit at the southern bank of Victoria Creek.

Gentle Annie Creek

238. Waters within 1 km out to sea from the mainland shore between the northern bank of Gentle Annie Creek and a point 1 km south along the shore from the creek's southern bank.

Hinchinbrook Channel

239. Waters within the following boundary—

- from an F \uparrow B sign at Neames Creek's eastern bank at its eastern entrance, along the shore to the eastern bank of Seaforth Channel
- north to the shore of Hinchinbrook Island

SCHEDULE 2 (continued)

- along Hinchinbrook Island's shore to an F↑B sign at Fisherman Point
- to the F↑B sign at Neames Creek's eastern bank at its eastern entrance.

Macushla Point to Forkey's Creek on Hinchinbrook Island

240. Waters within the following boundary—

- from the point commonly known as Macushla Point, Hinchinbrook Island, along the shore to latitude 18°16'50" south, (about 1 km west of the western bank of the creek commonly known as Forkey's Creek)
- in a straight line to Macushla Point.

Thompson Point to Flying Fish Point

241. Waters within a boundary from Thompson Point, along the shore to Flying Fish Point (Johnstone River), then in a straight line to Thompson Point.

Trinity Inlet

242. Trinity Inlet and waterways flowing into it, east of a line between Stafford Point and the southern landward end of the Marlin Jetty at the entrance to the inlet.

Barron River area

243. Waters within 500 m out to sea from the shore between a point 1 km north along the shore from the northern bank of the Barron River and a point 1 km along the shore from the river's southern bank.

Port Douglas

244. Waters within the following boundary—

SCHEDULE 2 (continued)

- from the northern tip of Four Mile Beach (south of Port Douglas) along the shore to latitude 16°29' south
- to the eastern tip of Magazine Islet
- along the eastern shore of the islet to its northern tip
- to 1 km north of the islet's northern tip
- east to a line running parallel to, and 1 km from, the mainland shore
- along the line to a line running east from the northern tip of Four Mile Beach
- to the northern tip of Four Mile Beach.

Mossman River area

245. Waters within 500 m out to sea from the shore between a point 1 km north along the shore from the Mossman River's northern bank and a point 1 km south along the shore from the river's southern bank.

Endeavour River area

246. Waters within a boundary from an F↑B sign north of Point Saunders, along the shore to the northern tip of Grassy Hill, then in a straight line to the F↑B sign north of Point Saunders.

*Division 5—Shell dredges***Prohibited activities**

247. The following activities are prohibited in waters described in this part—

- (a) using a shell dredge to take fish;
- (b) possessing fish taken in contravention of paragraph (a).

SCHEDULE 2 (continued)

All waterways, lakes and lagoons

248. All waterways, lakes and lagoons.

Moreton Bay

249. Moreton Bay.

Hervey Bay and Great Sandy Strait

250. Waters between the following lines—

- (a) a line from the southern bank of Theodolite Creek to Arch Cliff, Fraser Island;
- (b) a line from an F↑B sign at Inskip point near the flashing white navigation lead on the shore to an F↑B sign at Hook Point near the south-east tip of Fraser Island.

Hinchinbrook Channel

251. Hinchinbrook Channel between the following lines—

- (a) a line from Lucinda Point to George Point, Hinchinbrook Island;
- (b) a line from the northern bank of Meunga Creek to Hecate Point, Hinchinbrook Island.

SCHEDULE 3**CLOSED WATERS—RECREATIONAL FISHING**

sections 16(1) and 17(2)

PART 1—TAKING OR POSSESSING ANY FISH**Prohibited activities**

1. Taking or possessing any fish in waters described in this part is prohibited.

Severn River at Queen Mine Waterhole

2. The part of the Severn River commonly known as Queen Mine Waterhole, about 6 km west of Ballandean.

Dumaresq River at Bonshaw Weir

3. The Dumaresq River from 400 m upstream to 400 m downstream of Bonshaw Weir.

Macintyre River at Goondiwindi Weir

4. The Macintyre River from 400 m upstream to 400 m downstream of Goondiwindi Weir.

Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs

5. Macintyre Brook from—

- (a) 200 m upstream to 100 m downstream of the Coolmunda Dam wall; and

SCHEDULE 3 (continued)

- (b) 400 m upstream to 400 m downstream of Whetstone Weir; and
- (c) 400 m upstream to 400 m downstream of Bendor Weir.

Pike Creek at Glenlyon Dam

6. Pike Creek from 200 m upstream to 400 m downstream of the Glenlyon Dam wall.

Quart Pot Creek at Storm King Dam

7. Quart Pot Creek from 200 m upstream to 400 m downstream of the Storm King Dam wall.

Barwon River at Mungindi Weir

8. The Barwon River from 400 m upstream to 400 m downstream of Mungindi Weir.

Condamine River at or near the Chinchilla, Loudon, Lemon Tree, Yarramalong, Cecil Plains and Reilly's Weirs

9. The following parts of the Condamine River—

- (a) from 400 m upstream to 400 m downstream of Chinchilla Weir;
- (b) from 400 m upstream to 200 m downstream of Loudon Weir;
- (c) from 200 m upstream to 400 m downstream of Lemon Tree Weir;
- (d) from 200 m upstream to 200 m downstream of Yarramalong Weir;
- (e) from 200 m upstream to 150 m downstream of Cecil Plains Weir;
- (f) between lines between F↑B signs on opposite sides of the river at the following places—

SCHEDULE 3 (continued)

- near the southern boundary of portion 26, county of Bulwer, parish of Arubial;
- about 150 m downstream from Reilly's Weir.

Balonne River at Beardmore Dam and Jack Taylor Weir

10. The Balonne River from—

- (a) 200 m upstream to 400 m downstream of the Beardmore Dam wall; and
- (b) 400 m upstream to 400 m downstream of Jack Taylor Weir.

Sandy Creek at Leslie Dam

11. Sandy Creek from 200 m upstream to 400 m downstream of the Leslie Dam wall.

Dogwood Creek at Miles Weir

12. Dogwood Creek from 400 m upstream to 400 m downstream of Miles Weir.

Burnett Creek at Maroon Dam

13. Burnett Creek from 200 m upstream to 400 m downstream of the Maroon Dam wall.

Reynolds Creek at Moogerah Dam

14. Reynolds Creek from 200 m upstream to 300 m downstream of the Moogerah Dam wall.

Coomabah Lake and Coombabah Creek

15. Coombabah Lake, and tidal waters of Coombabah Creek upstream from the lake.

SCHEDULE 3 (continued)

Swan Bay, North Stradbroke Island

16. Swan Bay, and tidal waters of the unnamed creek joining the Bay's northern end.

Brisbane River at Mt Crosby Weir

17. The Brisbane River from 200 m upstream to 400 m downstream of Mt Crosby Weir.

Mary River at Mary River Barrage

18. The Mary River from 400 m upstream to 400 m downstream of Mary River Barrage.

Tinana Creek at Tinana Creek Barrage

19. Tinana Creek from 400 m upstream to 400 m downstream of Tinana Creek Barrage.

Fraser Island between Indian Head and Waddy Point

20.(1) Eastern foreshore waters of Fraser Island and waters within 400 m out to sea from the eastern shore at low water, between 400 m north of Waddy Point and 400 m south of Indian Head.

(2) The waters are closed from midday on 1 September to midday on 30 September.

Burnett River at Burnett Barrage

21. The Burnett River—

- (a) from 400 m upstream to 400 m downstream of Burnett Barrage; and
- (b) from 200 m upstream to 200 m downstream of Claude Wharton Weir.

SCHEDULE 3 (continued)

Kolan River at Kolan Barrage

22. The Kolan River from 400 m upstream to 400 m downstream of Kolan Barrage.

Three Moon Creek at Cania Dam

23. Three Moon Creek from 200 m upstream to 400 m downstream of Cania Dam wall.

Nogo River at Wuruma Dam

24. The Nogo River from 200 m upstream to 400 m downstream of the Wuruma Dam wall.

Stuart River at Gordonbrook Dam

25. The Stuart River from 750 m upstream to 200 m downstream of the Gordonbrook Dam wall.

Boyne River at Boondoomba and Awoonga Dams

26. The Boyne River from—

- (a) 200 m upstream to 400 m downstream of the Boondoomba Dam wall; and
- (b) 200 m upstream to 400 m downstream of the Awoonga Dam wall.

Dawson River at Neville Hewitt Weir

27. The Dawson River from 400 m upstream of Neville Hewitt Weir to the downstream side of the bridge across the river on the road from Baralaba to Woorabinda.

SCHEDULE 3 (continued)

Fitzroy River at Fitzroy River Barrage

28. The Fitzroy River from 400 m upstream to 400 m downstream of Fitzroy River Barrage.

Keppel Bay near Middle Island Observatory

29. Keppel Bay within a 150 m radius of the Middle Island Underwater Observatory.

Nogoa River at Fairbairn Dam

30. The Nogoa River from 200 m upstream to 400 m downstream of the Fairbairn Dam wall.

Pioneer River at the Marian, Mirani and Dumbleton Weirs

31. The Pioneer River from—

- (a) 200 m upstream to 200 m downstream of Marian Weir; and
- (b) 200 m upstream to 200 m downstream of Mirani Weir; and
- (c) 400 m upstream to 250 m downstream of Dumbleton Weir.

Hook Island

32. Waters within a 100 m radius of the Hook Island Observatory.

Burdekin River at Clare Weir

33. The Burdekin River from 400 m upstream to 400 m downstream of Clare Weir.

Centenary Lakes, Cairns

34. Saltwater Creek, Lily Creek and lakes joining the creeks, between Greenslopes Street and Collins Avenue, Cairns.

SCHEDULE 3 (continued)

Barron River

35. The Barron River, at the place commonly known as Barron Waters, between F↑B signs on opposite sides of the river near its junction with Stony Creek and near its junction with Camp Oven Creek.

Mission Bay

36. Mission Bay south of a line between Cape Grafton and False Cape and waters flowing into that part of the bay.

Bizant River, Princess Charlotte Bay

37. German Bar Lagoon, and the Bizant River from the road crossing commonly known as German Bar downstream for 2 km.

South Mitchell River

38. The South Mitchell River and waterways joining it, between F↑B signs near opposite banks of the river and F↑B signs where it joins Surprise Creek.

Torres Strait near Hammond Island

39. Waters within the following boundary—

- from Turtle Head, Hammond Island, to Hammond Rock
- to 1 n mile east of Menmuir Point, Hammond Island
- to the northern tip of Kapuda Island
- to Bruce Point, Hammond Island
- along the eastern shore of Hammond Island to Turtle Head.

SCHEDULE 3 (continued)

PART 2—TAKING OR POSSESSING CERTAIN FISH**Prohibited activities**

40. The following activities are prohibited in waters described in this part—

- (a) taking a stated species of fish in waters described in this part;
- (b) possessing fish taken in contravention of paragraph (a).

Platypus Bay

41.(1) Platypus Bay, Fraser Island, and waterways joining the bay, east of a line between F[↑]B signs at Rooney Point and Coongul Point, Fraser Island.

(2) Subsection (1) applies only to narrow-barred mackerel, slender barracuda and fish with the scientific name *Agrioposphyraena barracuda*.

Eurimbula Creek (north of Round Hill Creek)

42.(1) Eurimbula Creek and waterways joining it.

(2) Subsection (1) only applies to mud crabs.

South of latitude 20° south (near Bowen) or west of longitude 143° east

43.(1) Waters south of latitude 20° south or waters west of longitude 143° east.

(2) Subsection (1) applies only to bêche-de-mer.

Fitzroy Island and High Island (near Cairns)

44.(1) The foreshore waters of Fitzroy Island and High Island and waters within 400 m out to sea from the shore of each island at low water.

(2) Subsection (1) does not apply to fin fish.

SCHEDULE 3 (continued)

Darnley Island, Torres Strait

- 45.(1)** Darnley Island foreshore waters west of longitude 143°46'4" east.
- (2)** Subsection (1) applies only to pearl oysters.

PART 3—WATERS WHERE NETS CANNOT BE USED**Prohibited activities**

46. The following activities are prohibited in waters described in this part—

- (a) using a net to take fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing a net.

Burnett River

47. The Burnett River—

- (a) upstream of a line between F[↑]B signs on opposite sides of the river at the western bank of Bundaberg Creek; and
- (b) downstream of a line between F[↑]B signs on opposite sides of the river near the western tip of Harriett Island.

Hervey Bay

48. Waters of Hervey Bay west of the following line—

- from the eastern tip of Point Vernon to the seaward end of the public jetty at Scarness
- to the seaward end of the Urangan jetty
- to the seaward end of the southern rock wall of the Urangan boat harbour.

SCHEDULE 3 (continued)

Rodds Harbour

49. Waters within the following boundary—

- from the eastern tip of Blackney Point to the eastern tip of Bird Island
- to the western bank of Mort Creek on Rodds Peninsula
- along the shore to Blackney Point.

Water Park Creek

50. Water Park Creek and waterways joining it, upstream of the shortest line across the creek at the place commonly known as Kelly's Landing (about 2.6 km from the creek's mouth).

Michaelmas Cay

51.(1) Michaelmas Cay foreshore waters, and waters within 400 m out to sea from the shore at low water.

(2) The closure does not apply to fin fish taken with a fishing rod or line.

Upolu Cay

52.(1) Upolu Cay foreshore waters, and waters within 400 m out to sea from the shore at low water.

(2) The closure does not apply to fin fish taken with a fishing rod or line.

**PART 4—WATERS WHERE NETS (OTHER THAN
SCOOP NETS) CANNOT BE USED****Prohibited activities**

53. The following activities are prohibited in waters described in this

SCHEDULE 3 (continued)

part—

- (a) using a net (other than a scoop net) to take fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing a net (other than a scoop net).

Skyringville Creek at its mouth

54. The creek commonly known as Skyringville Creek and waterways joining it, downstream of a line between F↑B signs on opposite sides of the creek about 800 m from its banks.

PART 5—WATERS WHERE SPEAR FISHING IS NOT ALLOWED**Prohibited activities**

55. The following activities are prohibited in waters described in this part—

- (a) using a spear or spear gun to take fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing a spear or spear gun.

Tallebudgera Creek

56. Tallebudgera Creek upstream of a line between SF↑B signs at the eastern tip of Burleigh Head and the seaward end of the rock groyne near its southern bank.

Southern Moreton Bay (including The Broadwater)

57. Moreton Bay south of latitude 27°42' south, other than waters

SCHEDULE 3 (continued)

between the following lines—

- (a) a line from an SF \uparrow B sign at The Bedroom, South Stradbroke Island, to an SF \uparrow B sign on the north-eastern shore of Woogoompah Island;
- (b) a line from an SF \uparrow B sign at Currigee, South Stradbroke Island, to an SF \uparrow B sign on the shore at Hollywell.

Artificial reef area off Moreton Island

58. Waters within the following boundary—

- from an SF \uparrow B sign on the western shore of Moreton Island about 200 m north of the Bulwer Wrecks
- to the lit buoy NE1 about 700 m off Bulwer
- to the lit buoy about 700 m off Cowan Cowan Point
- to the lit buoy E1 about 3 000 m off Tangalooma Jetty
- to an SF \uparrow B sign on the shore of Moreton Island about 600 m south of the Tangalooma Jetty
- along the shore to the SF \uparrow B sign about 200 m north of the Bulwer Wrecks.

Pumicestone Strait

59. Pumicestone Strait—

- (a) between the following lines—
 - (i) a line from an SF \uparrow B sign at the southern bank of Elimbah Creek to an SF \uparrow B sign at Gallagher Point, Bribie Island;
 - (ii) a line from an SF \uparrow B sign at the northern bank of Ningi Creek to an SF \uparrow B sign at the northern bank of Dux Creek, Bribie Island; and
- (b) north of a line from an SF \uparrow B sign near the southern bank of Bells Creek to an SF \uparrow B sign at the northern tip of the northernmost

SCHEDULE 3 (continued)

island of a group of islands in the strait (easterly of Bells Creek), then easterly to an SF↑B sign on Bribie Island's western shore.

Mooloolah River

60. The Mooloolah River from a line between SF↑B signs near its banks, to the bridge joining the Nicklin Way and Brisbane Road.

Maroochy River

61. The Maroochy River and waterways joining it, downstream of a line from an SF↑B sign on the southern side of the river near the Cod Hole to an SF↑B sign on the northern side of the river near the Cod Hole.

Noosa River

62. Lake Weyba, the Noosa River and waterways joining the lake and river, downstream of a line from an SF↑B sign on Parkyn's Jetty near the entrance to Doonella Lake to an SF↑B sign on the shore at the western tip of Goat Island.

Jetties in, or south of, the Noosa River

63. Waters under, or within 100 m of, any public jetty in or south of the Noosa River.

Artificial reef area off North Sandy Strait

64. Waters within the following boundary—

- from South Point on Woody Island to the flashing green beacon S11 on Middle Bank (the southernmost beacon on the bank) to the flashing green beacon S9 on the bank
- to the flashing green beacon S7 on the bank
- to the flashing green beacon S5 on the bank

SCHEDULE 3 (continued)

- to the flashing red beacon S8 on the southern tip of Moon Point Bank
- to Datum Point on Woody Island
- along the Woody Island's eastern shore to South Point.

Artificial reef area in Hervey Bay off Woodgate

65. Waters within the following boundary—

- from an SF \uparrow B sign near the public boat ramp on the Esplanade at Woodgate seaward to a navigation buoy marked SF \uparrow B sign No. 1
- south to a navigation buoy marked SF \uparrow B sign No. 2
- to the SF \uparrow B sign near Sixth Avenue, Woodgate
- along the mainland shore to an SF \uparrow B sign near the public boat ramp on the Esplanade, Woodgate.

Bargara Beach north of Bundaberg

66. Waters within 100 m out to sea from the shore between SF \uparrow B signs at Bargara Beach.

Great Keppel Island

67. Great Keppel Island's western and southern foreshore waters and waters within 400 m out to sea from the island's shore at low water, between SF \uparrow B signs at the point (commonly known as Little Peninsula) on the island's north-western foreshore and Monkey Point (commonly known as Coconut Point) at the island's south-western tip.

North Keppel Island

68. North Keppel Island's western and southern foreshore waters and waters within 400 m out to sea from the island's shore at low water, between SF \uparrow B signs at the island's northern and south-eastern tips.

SCHEDULE 3 (continued)

Brampton Island, Pelican Island and Carlisle Island

69. Waters within the following boundary—

- from an SF↑B sign at Sword Fish Point, Brampton Island to an SF↑B sign on the north-western tip of Carlisle Island
- along the western and southern shores of Carlisle Island to an SF↑B sign at its south-eastern tip
- to an SF↑B sign at the headland at the northern end of Turtle Bay, Brampton Island
- along Brampton Island's shore to the SF↑B sign at Sword Fish Point.

Lindeman Island

70. Lindeman Island's southern and western foreshore waters and waters within 400 m out to sea from the island's shore at low water, between SF↑B signs at Dalwood Point, near the island's western tip, and Boat Point (commonly known as Thumb Point).

Seaforth Island

71. Seaforth Island's foreshore waters and waters within 400 m out to sea from the island's shore at low water.

Long Island

72. Long Island's western foreshore waters and waters within 400 m out to sea from the island's western shore at low water, between SF↑B signs at Fire Point and Base Point.

Molle Island

73.(1) The following waters south of a line between Deedes Point, Molle Island (commonly known as South Molle Island) and the southern tip of Mid Molle Island—

SCHEDULE 3 (continued)

- (a) Paddle Bay (the bay just north of Ker Point on the western shore of Molle Island);
- (b) Bauer (Moonlight) Bay (the bay on the island's northern shore).

(2) Waters on the western foreshore of the Causeway between an SF \uparrow B sign at the southern tip of Molle Island and an SF \uparrow B sign at Ker Point, Molle Island, and waters within 400 m out to sea from that part of the island's shore at low water.

West Molle Island

74. Foreshore waters of West Molle Island (commonly known as Daydream Island) and waters within 400 m out to sea from the island's shore at low water.

Hook Island

75. Hook Island's eastern and southern foreshore waters and waters within 400 m out to sea from the eastern and southern shores at low water, between—

- (a) an SF \uparrow B sign about 800 m north of the headland at the northern end of Hook Passage between Hook Island and Whitsunday Island; and
- (b) an SF \uparrow B sign at the western headland of Nara Inlet.

Hayman Island

76. Hayman Island's southern and western foreshore waters and waters within 400 m out to sea from the island's southern and western shores at low water, between SF \uparrow B signs at Groper Point and the headland at the southern end of Blue Pearl Bay.

Cape Edgecumbe

77. Mainland foreshore waters and waters within 50 m out to sea from the mainland shore at low water, between the public boat ramp at the bay

SCHEDULE 3 (continued)

commonly known as Greys Bay and the headland at the eastern end of Horseshoe Bay.

Jetties at Dungeness and Lucinda Point

78. Waters under, or within 100 m of, each of the public jetties at Dungeness and Lucinda Point.

Dunk Island

79. Dunk Island's western foreshore waters, and waters within 400 m out to sea from the island's shore at low water, between SF[↑]B signs at Tappa-ana near the island's south-western tip and Kar-tee at the island's northern tip.

Richards Island

80. Richards Island's (commonly known as Bedarra Island) western and northern foreshore waters and waters within 400 m out to sea from the island's shore at low water, between an SF[↑]B sign at the point commonly known as Twin Monks Rock on the island's west coast, and an SF[↑]B sign at the area commonly known as Three Sister Rocks at the island's northern tip.

Cooktown wharf and nearby pontoons

81. Waters under, or within 100 m of, the main wharf at Cooktown and any of the pontoons located just upstream of the wharf.

SCHEDULE 3 (continued)

**PART 6—WATERS WHERE SHELL DREDGES
CANNOT BE USED****Prohibited activities**

82. The following activities are prohibited in waters described in this part—

- (a) using a shell dredge to take fish;
- (b) possessing fish taken in contravention of paragraph (a).

All waterways, lakes and lagoons

83. All waterways, lakes and lagoons.

Moreton Bay

84. Moreton Bay.

Hervey Bay and Great Sandy Strait

85. Waters between the following lines—

- (a) a line from the southern bank of Theodolite Creek to Arch Cliff, Fraser Island;
- (b) a line from an F[↑]B sign at Inskip point near the flashing white navigation lead on the shore to an F[↑]B sign at Hook Point near the south-east tip of Fraser Island.

Hinchinbrook Channel

86. Hinchinbrook Channel between the following lines—

- (a) a line from Lucinda Point to George Point, Hinchinbrook Island;
- (b) a line from the northern bank of Meunga Creek to Hecate Point, Hinchinbrook Island.

SCHEDULE 4
REGULATED FISH

sections 18(1) and 19

**PART 1—FISH TAKEN FOR TRADE OR
COMMERCE***Division 1—Fish regulated by number*

| | |
|--|----|
| albacore tuna | 10 |
| bigeye tuna | 2 |
| fanfish | 10 |
| longtail tuna | 10 |
| pomfret | 10 |
| skipjack tuna | 10 |
| yellowfin tuna | 2 |
| any combination of albacore tuna, fanfish, longtail tuna, pomfret and skipjack tuna | 10 |
| combination of bigeye and yellowfin tuna | 2 |

Division 2—Fish regulated by species

billfish
northern bluefin tuna
southern bluefin tuna

SCHEDULE 4 (continued)

**PART 2—FISH TAKEN BY RECREATIONAL
FISHERS**

Division 1—Fish regulated by number

Reef fish

| | |
|-----------------------------------|----|
| black kingfish | 10 |
| black-spot tusk-fish | 10 |
| broad-barred or grey mackerel | 10 |
| coral trout | 10 |
| estuary cod | 10 |
| jew teraglin | 10 |
| large-mouthed nannygai | 10 |
| large-scale sea perch | 10 |
| maori wrasse | 1 |
| mulloway | 10 |
| narrow-barred or spanish mackerel | 10 |
| pearl perch | 10 |
| potato cod | 1 |
| purple tusk-fish | 10 |
| Queensland groper | 1 |
| Queensland school mackerel | 30 |
| red emperor | 10 |
| red throat emperor | 10 |
| rosy job-fish | 10 |
| small-mouthed nannygai | 10 |

 SCHEDULE 4 (continued)

| | |
|---|----|
| snapper | 30 |
| spangled emperor | 10 |
| spotted mackerel | 30 |
| spotted or black jew-fish | 10 |
| venus tusk-fish | 10 |
| wahoo | 10 |
| combination of any species in this division | 30 |

Other fish

| | |
|---|----|
| barramundi | 5 |
| gastropod or bivalve mollusc (other than oysters) | 50 |
| mud crab | 10 |
| spanner crab | 20 |

*Division 2—Fish regulated by number and area***Tropical rock lobster area**

| | |
|------------------------------|---|
| tropical spiny rock lobster— | |
| each individual | 3 |
| each boat | 6 |

SCHEDULE 4 (continued)

**PART 3—FISH TAKEN FOR TRADE OR
COMMERCE OR BY RECREATIONAL FISHERS**

Division 1—Fish regulated by area

Deception Bay, Nudgee Beach or Wynnum area

gastropod or bivalve mollusc

Division 2—Fish regulated by gender

egg bearing females of the following fish—

- Balmain bug
- Moreton Bay bug
- slipper lobster
- spanner crab

female mud crab

female sand crab

Division 3—Fish regulated by number

| | |
|-----------------|----|
| australian bass | 2 |
| golden perch | 10 |
| Mary River cod | 1 |
| murray cod | 5 |
| saratoga | 1 |
| silver perch | 10 |

SCHEDULE 4 (continued)

*Division 4—Fish regulated by size***Reef fish**

black king-fish jewfish—less than 75 cm

black-spot tusk-fish—less than 30 cm

broad-barred or grey mackerel—less than 50 cm

coral trout—less than 38 cm

dolphin-fish—less than 45 cm

estuary cod—less than 35 cm or more than 120 cm

grass sweetlip—less than 30 cm

hussar—less than 25 cm

jew teraglin—less than 45 cm

large-mouthed nannygai—less than 40 cm

large-scale sea perch—less than 35 cm

mangrove jack—less than 35 cm

maori wrasse—less than 75 cm

moses perch—less than 25 cm

mulloway—less than 45 cm

narrow-barred or spanish mackerel—less than 75 cm

pearl perch—less than 30 cm

potato cod—less than 35 cm or more than 120 cm

purple tusk-fish—less than 30 cm

Queensland groper—less than 35 cm or more than 120 cm

Queensland school mackerel—less than 50 cm

red emperor—less than 45 cm

red throat emperor—less than 35 cm

SCHEDULE 4 (continued)

rosy job-fish—less than 30 cm
shark mackerel—less than 50 cm
silver jewfish—less than 45 cm
silver teraglin—less than 30 cm
small-mouthed nannygai—less than 40 cm
snapper—less than 30 cm
spangled emperor—less than 40 cm
spotted mackerel—less than 50 cm
spotted or black jewfish—less than 45 cm
stripey—less than 25 cm
venus tusk-fish—less than 30 cm
wahoo—less than 75 cm
yellowtail king-fish—less than 50 cm

Other fish

australian bass—less than 30 cm
barramundi—less than 58 cm or more than 120 cm
bar-tailed flathead—less than 30 cm
black lipped pearl oyster—less than 9 cm
burnett salmon—less than 40 cm
Cooktown salmon—less than 40 cm
freshwater cod—less than 50 cm
freshwater eel—less than 30 cm
golden lined whiting—less than 23 cm
golden perch—less than 30 cm
gold lipped pearl oyster—less than 13 cm or more than 23 cm

SCHEDULE 4 (continued)

luderick—less than 23 cm

mud crab—carapace less than 15 cm, body less than 4.6 cm

mud flathead—less than 30 cm

Moreton Bay bug—less than 6.2 cm

pikey bream—less than 23 cm

sand crab—carapace less than 15 cm, body less than 3.7 cm

sand flathead—less than 30 cm

sand whiting—less than 23 cm

saratoga—less than 35 cm

saucer scallop—

 between 8 a.m. on 1 November and 8 a.m. on 1 May—7% of scallops
 less than 9 cm

 between 8 a.m. on 1 May and 8 a.m. on 1 November—10% of scallops
 less than 9.5 cm

sea mullet—less than 30 cm

silver perch—less than 30 cm

small spotted javelin-fish—less than 30 cm

spanner crab—carapace less than 10 cm, sternite less than 3.7 cm

spotted javelin-fish—less than 30 cm

tailor—less than 30 cm

tarwhine—less than 23 cm

trochus—less than 8 cm or more than 12.5 cm

yellow-finned bream—less than 23 cm

SCHEDULE 4 (continued)

Division 5—Fish regulated by species

clam

helmet shell

lung fish (ceratodus)

trumpet shell

Division 6—Fish regulated by weight

green snail—less than 280 g

SCHEDULE 5**WATERS IN WHICH SCALLOPS MAY BE
PROCESSED ON A BOAT**

section 73(3)

1. Tin Can Inlet within a 1 n mile radius of the public wharf at Tin Can
2. Waters of Hervey Bay within the following boundary—
 - from the red beacon at the Urangan Boat Harbour entrance to the northern tip of Big Woody Island
 - along the western shore of Big Woody Island to latitude 25°18'35" south
 - to the southern bank of Pulgul Creek
 - along the shore and harbour wall to the red beacon at the Urangan Boat Harbour entrance.
3. Waters of Hervey Bay within the following boundary—
 - from the special mark known as EU1 to the south cardinal mark known as S6
 - to the special mark known as S4
 - to the special mark known as EU1.
4. The Burnett River, Bundaberg between the railway bridge and the shortest straight line across the river from the pump station at the Millaquin Sugar Mill.
5. The area near Gladstone within the following boundary—
 - from the green beacon near the northern shore at the mouth of Auckland Inlet to the rear lead at Targinie Channel, Middle Bank
 - to Permain Point on the southern tip of Picnic Island
 - along the western shore of Picnic Island to its northern tip
 - to the northern tip of Clinton Coal Wharf

SCHEDULE 5 (continued)

- to the shore on the northern side of the wharf
 - to the green beacon near the northern shore at the mouth of Auckland Inlet.
6. Waters near Double Head (near Yeppoon) within the following boundary—
- from latitude 23°10'30" south, on the mainland near Bluff Point, along the latitude to longitude 150°48'30" east
 - along longitude 150°48'30" east, to latitude 23°09'45" south
 - to Double Head
 - to Wreck Point
 - along the shore to latitude 23°10'30" south.
7. Waters west of Stone Island (near Bowen) within the following boundary—
- from Dalrymple Point to the western side of South Head, Stone Island
 - along the western shore of Stone Island to the tip of the sand spit at the island's south-western tip
 - to the lead known as M5
 - to Dalrymple Point.
8. Waters west of Cape Cleveland within the following boundary—
- from Cape Cleveland along the shore to longitude 147° east
 - along longitude 147° east, to latitude 19°12' south
 - along latitude 19°12' south, to the shore
 - along the shore to Cape Cleveland.
9. Waters west of Magnetic Island within the following boundary—
- from latitude 19°08' south, on the western shore of Magnetic Island, along the latitude to longitude 146°46' east
 - along longitude 146°46' east, to latitude 19°09' south

SCHEDULE 5 (continued)

- along latitude 19°09' south, to the shore of Magnetic Island
 - along the shore to latitude 19°08' south.
- 10.** North East Bay (Great Palm Island) within the following boundary—
- from longitude 146°41' east, on the northern shore of Great Palm Island, along the longitude to latitude 18°43' south
 - along latitude 18°43' south, to longitude 146°40' east
 - along longitude 146°40' east, to the shore of Great Palm Island
 - along the shore to longitude 146°41' east.
- 11.** Waters within a 1 km radius of the seaward end of the Lucinda Services Jetty, Lucinda Point (near Innisfail).

SCHEDULE 6**NONINDIGENOUS FISHERIES RESOURCES**

sections 80(2) and 104

african mono
angel fish
archer fish
argentine bloodfin (tetra)
armoured (cory) catfish
asoka barb
auratus
banded barb
banded leporinus
betta
big-spot rasbora
bitterling
black-banded headstander
black-banded osteochilus
black-finned rummy-nose
black ghost knife fish
black-line silver hatchet fish
black phantom tetra
black ruby barb
black shark

SCHEDULE 6 (continued)

black-spot filament barb

black-spotted upsidedown catfish

black tetra

blind cave tetra

blue acara

blue gourami

blue line rasbora

brichardi

bumblebee fish

butterfly fish

cardinal tetra

celebes rainbow

chalinochromis

checkerboard barb

cherry barb

chinese algae eater

chocolate gourami

clown barb

clown loach

Cochu's blue tetra

common brochis

congo tetra

copper striped rasbora

croaking gourami

Cumming's barb

discus

SCHEDULE 6 (continued)

duboisii
dusky krib
dwarf cichlid
dwarf flag cichlid
dwarf gourami
dwarf lattice cichlid
dwarf loach
elegant rasbora
elephantnose
elephantnose (Peter's)
emperor tetra
false magnificent rasbora
flag cichlid
flagtail porthole catfish
flying fox
freshwater flounder
Frideric's leporinus
giant danio
glass barb
glass bloodfin
glass catfish
glass fish
gold-cheek krib
golden dwarf cichlid
goldfish
gold line rasbora

SCHEDULE 6 (continued)

guppy
hard lipped barb
harlequin rasbora
hatchetfish
headstander
hi-spot rasbora
honey dwarf gourami
indian hatchetfish
javanese rice fish
julie
Kerr's danio
keyhole cichlid
killie fish
kissing gourami
kooli barb
kuhli loach
latticed cichlid
leopard danio
lipstick leporinus
little giant gourami
long-band rasbora
longfin barb
long-finned african tetra
malayan flying barb
malayan halfbeak
medaka

SCHEDULE 6 (continued)

melanochromis
microbrycon
mono
moonlight gourami
moorii
multi-banded leporinus
Myers's hillstream loach
neon tetra
orange-finned rasbora
ornate pimelodus
oscar
panchax
paradise fish (males)
pearl danio
pearl gourami
pencil fish
penguin fish
platy
platy variatus
poorman's glass catfish
pristella
pygmy gourami
rainbow fish
rainbow shark
ram
red-finned black shark

SCHEDULE 6 (continued)

red-finned shark

red line rasbora

red-striped barb

rosy barb

saddled hillstream loach

sailfin mollie

sarawak rasbora

scissortail rasbora

siamese flying fox

silver prochilodus

silver rasbora

sphenops mollie

spiny eel

spot-tailed leporinus

spot-tailed rasbora

spotted danio

spotted leporinus

spotted rasbora

striped barb

striped kribensis

striped leporinus

sucker catfish

Swegle's tetra

swordtail

tetra

thick-lipped gourami

SCHEDULE 6 (continued)

thin-banded barb

tic-tac-toe barb

tiger barb

tricolor shark

twig catfish

variegated shark

whiptail catfish

white cloud mountain minnow

yellow tail rasbora

yucatan mollie

zebra danio

SCHEDULE 7**FISH HABITAT AREAS**

section 94

PART 1—AREAS SHOWN BY HATCHED PLANS**Half Moon Creek**

1.(1) The Half Moon Creek fish habitat area (near Cairns) is shown on plan no. 033–001A.

(2) The area does not include—

- (a) the strip of land 64 m wide marked with a different hatching in the plan's inset; and
- (b) freehold tidal land, on which there is no visible vegetation, within 30 m from the shore of Half Moon Creek.

Yorkey's Creek

2. The Yorkey's Creek fish habitat area (near Cairns) is shown on plan no. 033–002A.

Barr Creek

3. The Barr Creek fish habitat area (near Cairns) is shown on plan no. 033–003A.

Bohle River

4. The Bohle River fish habitat area (near Townsville) is shown on plan no. 033–004A.

SCHEDULE 7 (continued)

Seventeen Seventy

5.(1) The Seventeen Seventy fish habitat area (at the Town of Seventeen Seventy) is shown on plan no. 033–005A.

(2) From the area's north-eastern tip, the boundary runs parallel to the eastern shore of Round Hill Creek at a distance of 200 m from the shore for 4.5 km and then runs south-east to the shore.

Turkey

6.(1) The Turkey fish habitat area (at Turkey Beach, Rodds Harbour) is shown on plan no. 033–006A.

(2) The area does not include the tidal area within 50 m of the shore between the points marked 'A' and 'B' on the plan.

Boyne Creek

7.(1) The Boyne Creek fish habitat area (at Hummock Hill Island) is shown on plan no. 033–007A.

(2) The area does not include the tidal area within 50 m of the shore between the points marked 'A' and 'B' on the plan.

Wild Cattle

8.(1) The Wild Cattle fish habitat area (near Tannum Sands) is shown on plan no. 033–008A.

(2) The area does not include the tidal area within 50 m of the shore between the points marked 'A' and 'B' on the plan.

Fraser Island

9. The Fraser Island fish habitat area is shown on plan no. 033–009A.

SCHEDULE 7 (continued)

Doonella Lake

10. The Doonella Lake fish habitat area (near Noosa) is shown on plan no. 033–010A.

Maroochy

11.(1) The Maroochy fish habitat area (at the Maroochy River near Maroochydore) is shown on plan no. 033–011A.

(2) The area does not include the area of 6.865 ha (at the eastern end) marked on the plan with different hatching.

Coomera

12. The Coomera fish habitat area (at Coomera Island near Paradise Point on the Gold Coast) is shown on plan no. 033–012A.

Coombabah

13. The Coombabah fish habitat area is shown on plan no. 033–013A.

Tallebudgera Creek

14. The Tallebudgera Creek fish habitat area is shown on plan no. 033–014A.

Currumbin Creek

15. The Currumbin Creek fish habitat area is shown on plan no. 033–015A.

Bribie Island

16.(1) The Bribie Island fish habitat area is shown on plan no. 033–016A.

SCHEDULE 7 (continued)

(2) The area does not include the tidal area within 50 m of the area's boundary along the parts of the boundary marked 'A', 'B' or 'C' on the plan.

Kolan River

17. The Kolan River fish habitat area (near Bundaberg) is shown on plan no. 033-017A.

Halifax

18.(1) The Halifax fish habitat area is shown on plan no. 033-018A.

(2) The area does not include the area of 210 ha, the southern boundary of which is the line of the existing causeway, marked on the plan with different hatching.

Palm Creek

19. The Palm Creek fish habitat area (at Halifax Bay) is shown on plan no. 033-019A.

Cattle Creek

20. The Cattle Creek fish habitat area (at Halifax Bay) is shown on plan no. 033-020A.

Pimpama

21. The Pimpama fish habitat area (at the southern end of Moreton Bay) is shown on plan no. 033-021A.

Midge

22. The Midge fish habitat area (near Midge Point, Repulse Bay) is shown on plan no. 033-022A.

SCHEDULE 7 (continued)

Rocky Dam

23. The Rocky Dam fish habitat area (near Armstrong Beach, south of Sarina) is shown on plan no. 033-023A.

Marion

24. The Marion fish habitat area (near Notch Point, south of Sarina) is shown on plan no. 033-024A.

Carmila

25. The Carmila fish habitat area (near Carmila Beach, south of Sarina) is shown on plan no. 033-025A.

Gregory

26. The Gregory fish habitat area (near the Burrum River) is shown on plan no. 033-026A.

Cherwell-Burrum

27. The Cherwell-Burrum fish habitat area is shown on plan no. 033-027A.

Burrum-Toogoom

28.(1) The Burrum-Toogoom fish habitat area (at Hervey Bay) is shown on plan no. 033-028A.

(2) Along the frontage of the town of Burrum Heads on the Burrum River, the area's boundary runs from the boundary's western tip along a line parallel to, and 100 m from, the river's shore to low water.

SCHEDULE 7 (continued)

Trinity Inlet

29.(1) The Trinity Inlet fish habitat area (at Cairns) is shown on plan no. 033–029A.

(2) This area includes the parts of R. 221 and R. 954 (reserves under the *Land Act 1994*) the plan shows is within the area.

Myora

30.(1) The Myora fish habitat area (near Dunwich, North Stradbroke Island) is shown on plan no. 015–001A.

(2) The area does not include the area 10 m either side of a centre-line running between the western shore of North Stradbroke Island and the depth contour of 2 m below low water.

(3) The centre-line has a bearing of 267°41'52" magnetic from a point 30 m along a bearing of 186°02' from station 8 on plan 32107.³⁰

Hays Inlet

31. The Hays Inlet fish habitat area (at Bramble Bay) is shown on plan no. 015–002A.³¹

Kippa-Ring

32. The Kippa-Ring fish habitat area (at Deception Bay) is shown on plan no. 015–003A.

Deception Bay

33. The Deception Bay fish habitat area is shown on plan no. 015–004A.

³⁰ The plan may be inspected at the office of the Department of Minerals and Energy, 61 Mary Street, Brisbane.

³¹ There are different hatchings on the plan, but this makes no difference.

SCHEDULE 7 (continued)

Jumpinpin-Broadwater

34. The Jumpinpin-Broadwater fish habitat area (at Moreton Bay) is shown on plan no. 015-005A.

Pumicestone Strait

35.(1) The Pumicestone Strait fish habitat area (at Bribie Island) is shown on plan no. 015-006A.

(2) The words 'Foreshore strip excluded for a distance of 1 km' on the plan mean the foreshore area, 500 m either side of the foreshore's intersection with the line drawn on the plan from the words to the high water mark, is not included in the fish habitat area.

Moreton Banks

36. The Moreton Banks fish habitat area is shown on plan no. 015-007A.

Peel Island

37. The Peel Island fish habitat area (in Moreton Bay) is shown on plan no. 015-008A.

Hinchinbrook

38. The Hinchinbrook fish habitat area (near Lucinda) is shown on plan no. 015-009A.

Corio Bay

39. The Corio Bay fish habitat area (near Yeppoon) is shown on plan no. 015-017A.

SCHEDULE 7 (continued)

Noosa River

40. The Noosa River fish habitat area is shown on plan no. 015–018A.

Weyba

41.(1) The Weyba fish habitat area (near Noosa) is shown on plan no. 015–019A.

(2) The area does not include the tidal area within 5 m of the concrete retaining wall near the western bank of Weyba Creek.

Maroochy

42. The Maroochy fish habitat area (at the Maroochy River near Bli Bli) is shown on plan no. 015–020A.

Maaroom

43.(1) The Maaroom fish habitat area (at Great Sandy Strait, Fraser Island) is shown on plan no. 015–021A.

(2) The area does not include the tidal area within 100 m of the shore for 2 km northerly along the shore from the northern bank of Maaroom Creek.

Kauri Creek

44. The Kauri Creek fish habitat area (at Tin Can Inlet) is shown on plan no. 015–022A.

Tin Can Inlet

45. The Tin Can Inlet fish habitat area is shown on plan no. 015–023A.

SCHEDULE 7 (continued)

Round Hill

46. The Round Hill fish habitat area (at Bustard Bay near the Town of Seventeen Seventy) is shown on plan no. 015–024A.

Bustard

47.(1) The Bustard fish habitat area (at Middle Island near Rodds Peninsula) is shown on plan no. 015–025A.

(2) The area does not include the tidal area within 50 m of the shore along the 700 m of the shore (near Pancake Point) shown on the plan by arrows.

Rodds Harbour

48.(1) The Rodds Harbour fish habitat area is shown on plan no. 015–026A.

(2) The area does not include the tidal area within 50 m of the shore between the points marked ‘A’ and ‘B’ or ‘C’ and ‘D’ on the plan.

Innes

49.(1) The Innes fish habitat area (at Seven Mile Creek, Rodds Peninsula) is shown on plan no. 015–027A.

(2) The area does not include the tidal area between the points marked ‘A’ and ‘B’ on the plan.

Colosseum

50.(1) The Colosseum fish habitat area (at Colosseum Inlet) is shown on plan no. 015–028A.

(2) The area does not include the area within 50 m of the shore between the points marked ‘A’ and ‘B’, ‘C’ and ‘D’ or ‘E’ and ‘F’ on the plan.

SCHEDULE 7 (continued)

Wreck Creek

51. The Wreck Creek fish habitat area (at Rockingham Bay near Cardwell) is shown on plan no. 015-029A.

Tully River

52. The Tully River fish habitat area is shown on plan no. 015-030A.

Dallachy Creek

53. The Dallachy Creek fish habitat area (at Rockingham Bay near Cardwell) is shown on plan no. 015-031A.

Meunga Creek

54. The Meunga Creek fish habitat area (at Rockingham Bay near Cardwell) is shown on plan no. 015-032A.

Hull River

55. The Hull River fish habitat area (at Rockingham Bay near Cardwell) is shown on plan no. 015-033A.

Silver Plains

56. The Silver Plains fish habitat area (near Princess Charlotte Bay) is shown on plan no. 015-034A.

Princess Charlotte Bay

57. The Princess Charlotte Bay fish habitat area is shown on plan no. 015-035A.

SCHEDULE 7 (continued)

Murray River

58. The Murray River fish habitat area (at Rockingham Bay near Cardwell) is shown on plan no. 015-036A.

Escape River

59. The Escape River fish habitat area (near Cape York) is shown on plan no. 015-037A.

Temple Bay

60. The Temple Bay fish habitat area is shown on plan no. 015-038A.

Eurimbula

61. The Eurimbula fish habitat area (at Bustard Bay near the Town of Seventeen Seventy) is shown on plan no. 015-040A.

Repulse Bay

62.(1) The Repulse Bay fish habitat area (to the north of Mackay) is shown on plan no. 015-041A.

(2) The following tidal areas are not part of the fish habitat area—

- (a) within 200 m from the shore, between 100 m north and 100 m south of the main resort building on Newry Island;
- (b) from the mainland shore to the midstream line of Victor Creek from points 200 m along the shore either side of the boat ramp (near Seaforth) at the point marked 'A' on the plan;
- (c) within 200 m of the shore at St. Helens Beach between Skull Knob and 1 km west along the shore from Carpet Snake Point.

SCHEDULE 7 (continued)

Sand Bay

63. The Sand Bay fish habitat area (near Cape Hillsborough) is shown on plan no. 015-042A.

Cape Palmerston

64. The Cape Palmerston fish habitat area (south of Sarina) is shown on plan no. 015-043A.

West Hill

65. The West Hill fish habitat area (near Carmila Beach, south of Sarina) is shown on plan no. 015-044A.

Broad Sound

66.(1) The Broad Sound fish habitat area (near St. Lawrence) is shown on plan no. 015-045A.

(2) The words 'Exclusion of access corridor 10 m wide' on the plan mean the area, within 5 m either side of the shortest line between the lots marked 13 and 15 at the ends of the corridor, is not part of the fish habitat area.

Burrum-Isis

67.(1) The Burrum-Isis fish habitat area (at the Burrum River) is shown on plan no. 015-046A.

(2) The area does not include the tidal area within 100 m of the shore of the Burrum River—

- (a)** for 500 m either side of the north-eastern corner of portion 77, county of Cook, parish of Isis; and
- (b)** between a continuation into the river of—
 - (i)** the part of the boundary of the Burrum Coast National Park between the north-eastern corner of portion 13, county of

SCHEDULE 7 (continued)

Cook, parish of Hercules and the river; and

(ii) that portion's western boundary.

(3) Along the frontage of the town of Burrum Heads on the Burrum River, the area's boundary runs—

- (a) from its south-eastern tip at low water along low water to a line running parallel to, and 100 m from, the shore; and
- (b) then along that line to a point in line with the eastern edge of Riverview Drive.

Beelbi

68. The Beelbi fish habitat area (at Toogoom, Hervey Bay) is shown on plan no. 015-047A.

Susan River

69.(1) The Susan River fish habitat area (at Great Sandy Strait) is shown on plan no. 015-048A.

(2) The area does not include the tidal area from the shore to the midstream line of the Susan River between points on the shore 100 m either side of lot 59 on RP 145808 county of March, parish of Bingham.

(3) In the Mary River, the area's boundary runs parallel to, and 100 m to the north of, the centre-line of the navigation channel.

Admiralty Island

70.(1) The Admiralty Island fish habitat area (at Cairns) is shown on plan no. 015-049A.

(2) This area includes the part of R. 954 (a reserve under the *Land Act 1994*) the plan shows is within the area.

SCHEDULE 7 (continued)

Bowling Green Bay

71. The Bowling Green Bay fish habitat area (south of Townsville) is shown on plan no. 015-050A.

Eight Mile Creek

72. The Eight Mile Creek fish habitat area (near the Northern Territory border) is shown on plan no. 015-051A.

Morning Inlet-Bynoe River

73.(1) The Morning Inlet-Bynoe River fish habitat area (at the Gulf of Carpentaria near Karumba) is shown on plan no. 015-052A.

(2) A boundary for the Bynoe or Flinders River shown on the plan as a point is the shortest line across the river at the point.

(3) A distance in metres at a point on the plan is measured for half the distance along the shore on either side of the point.

Staaten-Gilbert

74.(1) The Staaten-Gilbert fish habitat area (at the Gulf of Carpentaria) is shown on plan no. 015-053A.

(2) A boundary for the Staaten River or Vanrook Creek shown on the plan as a point is the shortest line across the river or creek at the point.

(3) A distance in metres at a point on the plan is measured for half the distance along the shore on either side of the point.

Nassau River

75. The Nassau River fish habitat area (at the Gulf of Carpentaria) is shown on plan no. 015-054A.

SCHEDULE 7 (continued)

Myora Extension

76.(1) The Myora Extension fish habitat area (near Dunwich, North Stradbroke Island) is shown on plan no. 015–055A.

(2) The area's boundary runs along the shore between the eastern ends of the lines marked 1 and 3 on the plan.

**PART 2—AREAS WITHIN OUTER BOUNDARIES
SHOWN ON PLANS****Bassett Basin**

77.(1) The Bassett Basin fish habitat area (at Mackay) is shown on plan no. 033–030.

(2) The area does not include the following—

- (a) the area of a waterway, between lines drawn parallel to, and 20 m either side of, a road across the waterway;
- (b) the area a bridge would occupy if it joined roads ending at the waterway on either side of the waterway;
- (c) 20 m either side of the area mentioned in paragraph (b);
- (d) an area within 20 m of railway land;
- (e) the following lots—
 - lots 593 and 594 on plan CI 3002
 - lot 265 on plan CI 3220
 - lots 607 and 608 on plan CI 4312
 - lot 1 on RP 736461.

SCHEDULE 7 (continued)

Cawarral Creek

78.(1) The Cawarral Creek fish habitat area (at Keppel Bay) is shown on plan no. 015–056.

(2) The area does not include the following areas—

- (a) within 30 m of the centre-line of the Keppel Sands trunk water main;
- (b) within 10 m of the centre-line of the vehicular track from Savages Road to portion 2277, county of Livingstone;
- (c) under, or within 50 m of, the boat ramp on the northern side of Cawarral Creek;
- (d) under, or within 50 m of, the boat ramp on the southern side of Cawarral Creek;
- (e) within 20 m (on the downstream side) of a road across a waterway;
- (f) within 20 m (on the downstream side) of the downstream trend line across a waterway of a road interrupted by a waterway;
- (g) portions 1548 and 2277, County of Livingstone;
- (h) the area held under miners' homestead lease no. 31.

SCHEDULE 8**RECREATIONAL FISHING**

section 96

**PART 1—USE OF FISHING APPARATUS IN TIDAL
WATERS AND ON FORESHORES***Division 1—Use of crab pots, collapsible traps, dillies and inverted dillies***Permitted area**

1. The permitted area comprises all tidal waters.

What fish may be taken

2. Only crabs may be taken.

Permitted ways of taking crabs

3.(1) Crabs may only be taken by using crab pots, collapsible traps, dillies or inverted dillies.

(2) Not more than 4 crab pots, collapsible traps, dillies or inverted dillies alone or in a combination may be used at a time.

General condition of taking crabs

4. A person under 15 must not use a crab pot, collapsible trap, dilly or inverted dilly.

SCHEDULE 8 (continued)

Marking of fishing apparatus

5.(1) A crab pot, collapsible trap, dilly or inverted dilly (“**crab apparatus**”) used to take crabs must have a tag with the owner’s surname and address written on it.

(2) Also, if the crab apparatus is not fixed to something while it is in use, the apparatus must have a light coloured float attached to it.

(3) The float must be at least 15 cm in any dimension and have the owner’s name written on it.

*Division 2—Use of fishing lines and rods***Permitted area**

6. The permitted area comprises all tidal waters.

What fish may be taken

7. Any fish may be taken.

Permitted ways of taking fish

8.(1) Fish may only be taken by using hand held fishing lines or fishing rods with hand operated reels and lines.

(2) A fishing line must not have more than 6 hooks attached to it.

General condition of taking fish

9. The person in control of a boat from which the fish are taken must ensure a person does not use more than 3 fishing apparatus from the boat at a time.

SCHEDULE 8 (continued)

*Division 3—Use of nets***Permitted area**

10. The permitted area comprises all tidal waters.

What fish may be taken

11. Any fish may be taken.

Permitted ways of taking fish

- 12.(1) Fish may only be taken by using cast, scoop or seine nets.

(2) A cast net must not be more than 6 m in diameter and must have a mesh size of not more than 28 mm.

(3) A scoop net must not be more than 2 m in any dimension and must have a mesh size of at least 25 mm and a handle or shaft not longer than 2.5 m.

(4) A seine net must not be longer than 16 m and must have a mesh size of not more than 28 mm.

(5) A seine net's drop must not be more than 3 m.

(6) A seine net must not contain a pocket or be fixed.

General condition of taking fish

13. A person under 15 may use a seine net only if the person is supervised by someone else who is at least 15 years old.

*Division 4—Use of other fishing apparatus***Permitted area**

14. The permitted area comprises all tidal waters and foreshores.

SCHEDULE 8 (continued)

What fish may be taken

- 15.** Only the following fish may be taken—
- (a) if a fork is used—worms;
 - (b) if a hand pump is used—yabbies;
 - (c) if a shell dredge is used—molluscs (other than oysters, pearl oysters, trochus, green snails or scallops);
 - (d) if a spear or spear gun is used—any fish.

Permitted ways of taking fish

16.(1) Fish may only be taken by using hand held forks, hand pumps, shell dredges, spears or spear guns.

(2) A shell dredge must not have a mouth wider than 0.6 m or teeth, prongs or tines longer than 75 mm.

General condition of taking fish

- 17.** A person under 15 must not use a shell dredge.

**PART 2—USE OF FISHING APPARATUS IN
WATERS (OTHER THAN TIDAL WATERS)***Division 1—Use of canister traps, collapsible traps, dillies and funnel traps***Permitted area**

- 18.** The permitted area comprises all waters (other than tidal waters).

SCHEDULE 8 (continued)

What fish may be taken

19. Any fish may be taken.

Permitted ways of taking fish

20.(1) Fish may only be taken by using canister traps, collapsible traps, dillies or funnel traps.

(2) A canister trap must be open at 1 end and must have—

- (a) a diameter of not more than 50 cm; and
- (b) a length of not more than 60 cm; and
- (c) a width or height of not more than 50 cm.

(3) A canister trap's diameter, width or height, measured anywhere along its length, must not be more than the diameter, width or height of its open end.

(4) A dilly must have a diameter of not more than 125 cm.

(5) A funnel trap must not have more than 4 entrances and must not be longer than 70 cm, wider than 50 cm or higher than 50 cm.

(6) A funnel trap's entrance must not be more than 10 cm in any dimension.

General conditions of taking fish

21.(1) A person under 15 must not use a canister trap, collapsible trap, dilly or funnel trap.

(2) Not more than 4 canister traps, collapsible traps, dillies or funnel traps alone or in a combination may be used at a time.

Marking of fishing apparatus

22.(1) A canister trap, collapsible trap, dilly or funnel trap (“**fishing apparatus**”) used to take fish must have a tag with the owner's surname and address written on it.

SCHEDULE 8 (continued)

(2) Also, if the fishing apparatus is not fixed to something while it is in use, the apparatus must have a light coloured float attached to it.

(3) The float must be at least 15 cm in any dimension and have the owner's name written on it.

*Division 2—Use of fishing lines and rods***Permitted area**

23. The permitted area comprises all waters (other than tidal waters).

What fish may be taken

24. Any fish may be taken.

Permitted ways of taking fish

25.(1) Fish may only be taken by using hand held fishing lines or fishing rods with hand operated reels and lines.

(2) A fishing line must not have more than 1 hook attached to it.

(3) A person must not set a fishing line as a cross-line or use more than 6 fishing lines.

(4) This section does not apply to a person who takes fish in privately owned water.

Example of privately owned water—

Water in a dam on privately owned land, if the dam is not built across a waterway.

SCHEDULE 9**NOXIOUS FISHERIES RESOURCES**

section 105

bluegill

chinese weatherfish (weatherloach)

electric eel

european carp

grass carp

largemouth bass

mosquitofish

nile perch (live)

parasitic catfish

pike cichlid

piranha

snakehead

tiger catfish

tigerfish

tilapia

walking catfish

SCHEDULE 10
FEES

section 112

**PART 1—FEES PAYABLE TO THE CHIEF
EXECUTIVE**
Division 1—Licences

\$

Aquaculture licences

1. Cultivating fisheries resources (other than pearl oysters) on tidal land—
 - (a) assessment fee 100.00
 - (b) licence fee the greater amount of—
 - (i) 247.00; or
 - (ii) 45.00 for each ha or part of a ha; or
 - (iii) 45.00 for each 200 m, or part of 200 m, of foreshore with oyster bearing rock
 - (c) transfer—
 - (i) assessment fee 100.00
 - (ii) transfer fee 50.00
2. Cultivating pearl oysters on tidal land—
 - (a) assessment fee 100.00

SCHEDULE 10 (continued)

| | |
|--|---|
| (b) licence fee | the greater amount of— (i) 970.00; or (ii) 7.00 per ha or part of a ha |
| (c) transfer— | |
| (i) assessment fee | 100.00 |
| (ii) transfer fee | 50.00 |
| 3. Cultivating fisheries resources on non-tidal land— | |
| (a) assessment fee | 50.00 |
| (b) licence fee | the greater amount (but not more than 1 000.00) of— (i) 92.00; or (ii) 5.00 per ha, or part of a ha, of ponded area |
| (c) transfer— | |
| (i) assessment fee | 50.00 |
| (ii) transfer fee | 50.00 |

*Division 2—Permits***Aquaculture permits**

| | |
|------------------------------------|--------|
| 4. (a) assessment fee | 50.00 |
| (b) permit fee | 100.00 |

Fisheries resources permits

| | |
|------------------------------------|--------|
| 5. (a) assessment fee | 50.00 |
| (b) permit fee | 100.00 |

Fish habitat area permits

| | |
|------------------------------------|--|
| 6. (a) assessment fee | at reasonable cost but not more than actual cost |
|------------------------------------|--|

 SCHEDULE 10 (continued)

| | |
|--|--|
| (b) permit fee | 141.00 |
| Fish way permits | |
| 7. (a) assessment fee | 50.00 |
| (b) permit fee | 100.00 |
| Marine plant permits | |
| 8. (a) assessment fee | at reasonable cost but not more than actual cost |
| (b) permit fee | 141.00 |
| <i>Division 3—Miscellaneous</i> | |
| Certificates about authorities | |
| 9. Certificate fee | 50.00 |
| Amending or replacing authorities | |
| 10. Amendment or replacement fee | 23.00 |
| Register fees | |
| 11. (a) for inspecting the register | 30.00 |
| (b) for a copy of details in the register | at reasonable cost but not more than actual cost |
| Survey fees | |
| 12. Survey fee for a licence or permit mentioned in this part | at reasonable cost but not more than actual cost |

SCHEDULE 10 (continued)

PART 2—FEES PAYABLE TO THE AUTHORITY*Division 1—Licences*

| | \$ |
|--|----------|
| Boat licences | |
| 13. Carrier boat— | |
| (a) assessment fee | 60.00 |
| (b) licence fee— | |
| (i) for 1st year | 1 302.00 |
| (ii) for each subsequent year | 89.00 |
| (c) transfer fee | 73.00 |
| 14. Primary boat— | |
| (a) assessment fee— | |
| (i) for licence with the pearl fishery symbol on it | 45.00 |
| (ii) for licence with a fishery symbol other than the pearl fishery symbol on it | 60.00 |
| (b) licence fee— | |
| (i) for licence with the pearl fishery symbol on it— | |
| (A) for each tonne or part of a tonne over 10 t | 5.00 |
| (B) maximum fee | 268.00 |
| (ii) for licence with the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on it— | |
| (A) for 1st year— | 178.00 |
| • under 10 m long | |
| • 10 m to under 11 m long | 248.00 |
| • 11 m to under 12 m long | 264.00 |
| • 12 m to under 13 m long | 293.00 |
| • 13 m to under 14 m long | 318.00 |
| • 14 m to under 15 m long | 451.00 |

 SCHEDULE 10 (continued)

| | |
|--|----------|
| • 15 m to under 16 m long | 535.00 |
| • 16 m to under 17 m long | 668.00 |
| • 17 m to under 18 m long | 755.00 |
| • 18 m to under 19 m long | 839.00 |
| • 19 m or more long | 1 025.00 |
| (B) for each subsequent year— | |
| • under 10 m long | 122.00 |
| • 10 m to under 11 m long | 193.00 |
| • 11 m to under 12 m long | 208.00 |
| • 12 m to under 13 m long | 238.00 |
| • 13 m to under 14 m long | 262.00 |
| • 14 m to under 15 m long | 395.00 |
| • 15 m to under 16 m long | 479.00 |
| • 16 m to under 17 m long | 613.00 |
| • 17 m to under 18 m long | 700.00 |
| • 18 m to under 19 m long | 785.00 |
| • 19 m or more long | 970.00 |
| (iii) for licence without the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on it— | |
| (A) for 1st year— | |
| • under 10 m long | 157.00 |
| • 10 m to under 14 m long | 181.00 |
| • 14 m to under 16 m long | 206.00 |
| • 16 m to under 19 m long | 257.00 |
| • 19 m or more long | 357.00 |
| (B) for each subsequent year— | |
| • under 10 m long | 101.00 |
| • 10 m to under 14 m long | 125.00 |
| • 14 m to under 16 m long | 151.00 |
| • 16 m to under 19 m long | 201.00 |
| • 19 m or more long | 302.00 |
| (c) fishery symbol fee— | |
| (i) crab fishery (spanner crab No. 1) | 560.00 |
| (ii) crab fishery (spanner crab No. 2) | 150.00 |

SCHEDULE 10 (continued)

| | |
|--|----------|
| (iii) crab fishery (spanner crab—north of Indian Head) | 560.00 |
| (iv) crab fishery (spanner crab—south Queensland) | 560.00 |
| (v) line fishery (multiple hook—east coast) | 330.00 |
| (vi) line fishery (multiple hook—Queensland Fisheries Joint Authority) | 330.00 |
| (vii) line fishery (Queensland Fisheries Joint Authority No. 1) | 200.00 |
| (viii) net fishery (Gulf of Carpentaria) | 828.00 |
| (ix) net fishery (ocean beach) | 82.00 |
| (x) net fishery (set nets—east coast) | 244.00 |
| (xi) trawl fishery (fin fish) | 5 355.00 |
| (xii) other fishery (first symbol) | 75.00 |
| (xiii) other fishery (other than first symbol) . | 59.00 |
| (d) transfer fee— | |
| (i) for licence with the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on it—for each hull unit | 34.00 |
| (ii) for licence without the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on it | 244.00 |
| 15. Tender boat— | |
| (a) assessment fee | 60.00 |
| (b) licence fee | 20.00 |
| (c) fishery symbol fee— | |
| (i) line fishery (other than Great Barrier Reef region) | 18.00 |
| (ii) line fishery (Queensland Fisheries Joint Authority No. 1) | 18.00 |
| (iii) line fishery (Queensland Fisheries Joint Authority No. 2) | 18.00 |
| (iv) line fishery (reef) | 18.00 |
| (v) line fishery (south Queensland) | 18.00 |
| (d) transfer fee— | |

 SCHEDULE 10 (continued)

| | |
|--|--------|
| (i) licence with fishery symbol mentioned in paragraph (c) on it | 109.00 |
| (ii) licence without fishery symbol on it | 76.00 |

Buyer licences**16. Class A—**

| | |
|---|----------|
| (a) assessment fee | 60.00 |
| (b) licence fee (for 1st year) if operating from own premises | 2 733.00 |
| (c) licence fee (for each subsequent year) if operating from own premises | 472.00 |
| (d) licence fee (for 1st year) if not operating from own premises | 2 015.00 |
| (e) licence fee (for each subsequent year) if not operating from own premises | 279.00 |
| (f) transfer fee | 73.00 |

17. Class B—

| | |
|---|--------|
| (a) assessment fee | 60.00 |
| (b) licence fee (for 1st year) if operating from own premises | 828.00 |
| (c) licence fee (for each subsequent year) if operating from own premises | 303.00 |
| (d) licence fee if not operating from own premises | 110.00 |
| (e) transfer fee | 73.00 |

Crew licences

| | |
|---|-------|
| 18. (a) assessment fee | 60.00 |
| (b) licence fee for 1st crew member | 13.00 |
| (c) licence fee for each additional crew member | 73.00 |

Fisher licences**19. Assistant fisher—**

| | |
|---|-------|
| (a) assessment fee | 60.00 |
| (b) licence fee— | |
| (i) trainee commercial fisher | 58.00 |

SCHEDULE 10 (continued)

| | |
|--|--------------|
| (ii) other than trainee commercial fisher . . . | 13.00 |
| 20. Commercial fisher— | |
| (a) assessment fee | 60.00 |
| (b) licence fee for 1st year | 375.00 |
| (c) licence fee for each subsequent year | 72.00 |
| Storage licences | |
| 21. (a) assessment fee | 60.00 |
| (b) licence fee for first year | 658.00 |
| (c) licence fee for each subsequent year | 133.00 |
| (d) transfer fee | 73.00 |
| <i>Division 2—Permits</i> | |
| General fisheries permits | |
| 22. Conducting research about fish, fishing apparatus or boats— | |
| (a) assessment fee | 60.00 |
| (b) permit fee for 1st year | — |
| (c) permit fee for each subsequent year | 60.00 |
| 23. Conducting developmental or exploratory fishing— | |
| (a) for Queensland Fisheries Joint Authority— | |
| (i) assessment fee | 100.00 |
| (ii) permit fee | 1 500.00 |
| (b) other than for Queensland Fisheries Joint Authority— | |
| (i) assessment fee | 1 000.00 |
| (ii) permit fee for 1st year | — |
| (iii) permit fee for each subsequent year | 1 000.00 |
| 24. Conducting commercial fishing tours— | |
| (a) assessment fee | 60.00 |
| (b) permit fee for 1st year | 140.00 |

SCHEDULE 10 (continued)

| | | |
|------------|---|--------|
| (c) | permit fee for each subsequent year | 200.00 |
| (d) | fee for— | |
| | (i) offshore or reef waters tour | 50.00 |
| | (ii) inshore tidal waters tour | 50.00 |
| | (iii) non-tidal waters tour | 50.00 |
| 25. | Other general fisheries permits— | |
| | (a) assessment fee | 60.00 |
| | (b) permit fee for 1st year | 50.00 |
| | (c) permit fee for each subsequent year | 110.00 |

*Division 3—Other authorities***Authority with coral, shell grit or star sand fishery symbol on it**

| | | |
|------------|---|--------|
| 26. | (a) assessment fee | 60.00 |
| | (b) exclusive authority fee | 220.00 |
| | (c) non-exclusive authority fee | 87.00 |
| | (d) boat fee for a boat longer than 4 m— | |
| | (i) unpowered | 32.00 |
| | (ii) powered and not over 10 m long | 124.00 |
| | (iii) powered and over 10 m but not over 15 m long | 130.00 |
| | (iv) powered and over 15 m but not over 20 m long | 154.00 |
| | (v) powered and over 20 m long | 269.00 |
| | (e) transfer fee | 26.00 |

Authority with fishery symbol for a trochus fishery on it

| | | |
|------------|------------------------------|--------|
| 27. | (a) assessment fee | 60.00 |
| | (b) authority fee | 440.00 |

 SCHEDULE 10 (continued)
Authority with fishery symbol for a fishery other than a trochus fishery on it

| | |
|---|-------|
| 28. (a) assessment fee | 60.00 |
| (b) authority fee | 50.00 |

*Division 4—Miscellaneous***Certificates about authorities**

| | |
|--------------------------------------|-------|
| 29. Certificate fee | 50.00 |
|--------------------------------------|-------|

Amending or replacing authorities

| | |
|---|-------|
| 30. Amendment or replacement fee | 23.00 |
|---|-------|

Register fees

| | |
|--|--|
| 31. (a) for inspecting the register | 30.00 |
| (b) for a copy of details in the register | at reasonable cost but not more than actual cost |

Fee for appeal to Tribunal

| | |
|---|-------|
| 32. Fee for appeal to Tribunal | 55.00 |
|---|-------|

SCHEDULE 11**CRAB FISHERIES (COMMERCIAL)**

section 2 and schedule 17

PART 1—CRAB FISHERY (OTHER THAN SPANNER CRAB)**Fishery symbol**

1. The fishery symbol is 'C1'.

Fishery area

2. The fishery area comprises all tidal waters in the following areas—
 - (a) east of longitude 142°31'49" east;
 - (b) north of latitude 10°48' south and between longitude 141°20' east and longitude 142°31'49" east;
 - (c) in the Gulf of Carpentaria between the 25 n mile line and the shore, south of latitude 10°48' south.

What fish may be taken

3. Only crabs (other than spanner crabs) may be taken.

Permitted ways of taking crabs

4.(1) Crabs may only be taken by using crab pots, dillies or inverted dillies.

(2) Not more than 50 crab pots, dillies or inverted dillies alone or in a combination may be used at a time.

SCHEDULE 11 (continued)

Use of primary commercial fishing boats

5. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

6. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

7. The permitted distance for an assistant fisher to be under direction is 800 m.

Marking of fishing apparatus

8.(1) A crab pot, dilly or inverted dilly (“**crab apparatus**”) used to take crabs must have a tag with the owner’s name written on it or be marked with the owner’s primary commercial fishing boat marking.

(2) Also, if the crab apparatus is not fixed to something while it is in use, the apparatus must have a light coloured float attached to it.

(3) The float must be at least 15 cm in any dimension and have the owner’s primary commercial fishing boat marking on it.

PART 2—CRAB FISHERY (SPANNER CRAB No. 1)**Fishery symbol**

9. The fishery symbol is ‘C2’.

Fishery area

10. The fishery area comprises managed area A and managed area B.

SCHEDULE 11 (continued)

What fish may be taken

11. Only spanner crabs may be taken.

Permitted ways of taking spanner crabs

- 12.(1) Spanner crabs may only be taken by using dillies.

- (2) A dilly must have an area within its frame of not more than 1 m² and a net drop below its frame of not more than 10 cm.

- (3) A dilly's net must have square or rectangular meshes and a mesh size of at least—

- (a) for a single mesh net—25 mm; and

- (b) for a double mesh net—51 mm.

- (4) Not more than 30 dillies may be used at a time.

- (5) Not more than 10 dillies may be set on a line.

Use of primary commercial fishing boats

13. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

14. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

15. The permitted distance for an assistant fisher to be under direction is 800 m.

Marking of dillies

- 16.(1) A dilly used to take spanner crabs must have a tag with the owner's name written on it or be marked with the owner's primary

SCHEDULE 11 (continued)

commercial fishing boat marking.

(2) A dilly must have a float attached to it or, if dillies are set along a line, the line must have floats attached to each end.

(3) A float must be at least 15 cm in any dimension and have the owner's primary commercial fishing boat marking on it.

Annual quota

17. The combined annual quota for spanner crabs taken in managed area A in this fishery and the following fisheries is 2 000 t—

- (a) crab fishery (spanner crab—south Queensland);
- (b) crab fishery (spanner crab—north of Indian Head).

Daily quota

18. The daily quota of spanner crabs that may be taken or possessed in the fishery under each authority is 300 kg.

PART 3—CRAB FISHERY (SPANNER CRAB No. 2)**Fishery symbol**

19. The fishery symbol is 'C3'.

Fishery area

20. The fishery area comprises managed area B.

What fish may be taken

21. Only spanner crabs may be taken.

SCHEDULE 11 (continued)

Permitted ways of taking spanner crabs

22.(1) Spanner crabs may only be taken by using dillies.

(2) A dilly must have an area within its frame of not more than 1 m² and a net drop below its frame of not more than 10 cm.

(3) A dilly's net must have square or rectangular meshes and a mesh size of at least—

(a) for a single mesh net—25 mm; and

(b) for a double mesh net—51 mm.

(4) Not more than 30 dillies may be used at a time.

(5) Not more than 10 dillies may be set on a line.

Use of primary commercial fishing boats

23. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

24. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

25. The permitted distance for an assistant fisher to be under direction is 800 m.

Marking of dillies

26.(1) A dilly used to take spanner crabs must have a tag with the owner's name written on it or be marked with the owner's primary commercial fishing boat marking.

(2) A dilly must have a float attached to it or, if dillies are set along a line, the line must have floats attached to each end.

SCHEDULE 11 (continued)

(3) A float must be at least 15 cm in any dimension and have the owner's primary commercial fishing boat marking on it.

Daily quota

27. The daily quota of spanner crabs that may be taken or possessed under each authority is 300 kg.

**PART 4—CRAB FISHERY (SPANNER
CRAB—NORTH OF INDIAN HEAD)****Fishery symbol**

28. The fishery symbol is 'C6'.

Fishery area

29. The fishery area comprises managed area B and the waters of managed area A that are north of latitude 25° south.

What fish may be taken

30. Only spanner crabs may be taken.

Permitted ways of taking spanner crabs

31.(1) Spanner crabs may only be taken by using dillies.

(2) A dilly must have an area within its frame of not more than 1 m² and a net drop below its frame of not more than 10 cm.

(3) A dilly's net must have square or rectangular meshes and a mesh size of at least—

(a) for a single mesh net—25 mm; and

SCHEDULE 11 (continued)

(b) for a double mesh net—51 mm.

(4) Not more than 30 dillies may be used at a time.

(5) Not more than 10 dillies may be set on a line.

Use of primary commercial fishing boats

32. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

33. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

34. The permitted distance for an assistant fisher to be under direction is 800 m.

Marking of dillies

35.(1) A dilly used to take spanner crabs must have a tag with the owner's name written on it or be marked with the owner's primary commercial fishing boat marking.

(2) A dilly must have a float attached to it or, if dillies are set along a line, the line must have floats attached to each end.

(3) A float must be at least 15 cm in any dimension and have the owner's primary commercial fishing boat marking on it.

Annual quota

36. The combined annual quota for spanner crabs taken in managed area A in this fishery and the following fisheries is 2 000 t—

(a) crab fishery (spanner crab—south Queensland);

(b) crab fishery (spanner crab No. 1).

SCHEDULE 11 (continued)

Daily quota

37. The daily quota of spanner crabs that may be taken or possessed in the fishery under each authority is 300 kg.

**PART 5—CRAB FISHERY (SPANNER
CRAB—SOUTH QUEENSLAND)****Fishery symbol**

38. The fishery symbol is 'C4' or 'C5'.

Fishery area

39.(1) The fishery area comprises the part of managed area A that is east of the territorial sea baseline and south of latitude 25° south.

What fish may be taken

40. Only spanner crabs may be taken.

Permitted ways of taking spanner crabs

41.(1) Spanner crabs may only be taken by using dillies.

(2) A dilly must have an area within its frame of not more than 1 m² and a net drop below its frame of not more than 10 cm.

(3) A dilly's net must have square or rectangular meshes and a mesh size of at least—

(a) for a single mesh net—25 mm; and

(b) for a double mesh net—51 mm.

(4) Not more than 30 dillies may be used at a time.

(5) Not more than 10 dillies may be set on a line.

SCHEDULE 11 (continued)

Use of primary commercial fishing boats

42. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

43. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

44. The permitted distance for an assistant fisher to be under direction is 800 m.

Marking of dillies

45.(1) A dilly used to take spanner crabs must have a tag with the owner's name written on it or be marked with the owner's primary commercial fishing boat marking.

(2) A dilly must have a float attached to it or, if dillies are set along a line, the line must have floats attached to each end.

(3) A float must be at least 15 cm in any dimension and have the owner's primary commercial fishing boat marking on it.

Annual quota

46. The combined annual quota for spanner crabs taken in managed area A in this fishery and the following fisheries is 2 000 t—

- (a) crab fishery (spanner crab—north of Indian Head);
- (b) crab fishery (spanner crab No. 1).

Daily quota

47. The daily quota of spanner crabs that may be taken or possessed in the fishery under each authority is 300 kg.

SCHEDULE 12**LINE FISHERIES (COMMERCIAL)**

section 2 and schedule 17

PART 1—LINE FISHERY (MULTIPLE HOOK—EAST COAST)**Fishery symbol**

1. The fishery symbol is 'L8'.

Fishery area

2. The fishery area comprises all tidal waters deeper than 200 m that are east of longitude 142°31'49" east and the 200 m bathometric line.

What fish may be taken

3. Any fin fish (other than barramundi, coral trout, red emperor and snapper) may be taken.

Permitted ways of taking fin fish

- 4.(1) Fin fish may only be taken by using bottom set lines or drop lines.
- (2) A person must be within 100 m of a line or group of lines while they are in use.
- (3) A bottom set line and a drop line must not be used at the same time.

Use of drop lines

- 5.(1) A drop line must not have more than 50 hooks attached to it.
- (2) Not more than 6 drop lines may be used at a time.

SCHEDULE 12 (continued)

(3) Each drop line must have a light coloured float, at least 30 cm in any dimension, attached to it.

Use of bottom set lines

6.(1) A bottom set line must not have more than 300 hooks attached to it.

(2) Not more than 3 bottom set lines may be used at a time.

(3) However, if more than 1 bottom set line is used, the combined number of hooks on the lines must not be more than 300.

(4) Each end of a bottom set line must have a light coloured float, at least 30 cm in any dimension, attached to it.

Use of primary commercial fishing boats

7. A primary commercial fishing boat must not be longer than 20 m.

Use of tender commercial fishing boats

8. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

9. If a commercial and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is 800 m.

SCHEDULE 12 (continued)

**PART 2—LINE FISHERY (MULTIPLE
HOOK—QUEENSLAND FISHERIES JOINT
AUTHORITY)****Fishery symbol**

10. The fishery symbol is 'L9'.

Fishery area

11. The fishery area comprises all tidal waters deeper than 20 m in the Gulf of Carpentaria between the 25 n mile line and the shore, south of latitude 10°48' south.

What fish may be taken

12. Any fin fish (other than the following fish) may be taken—

- (a) barramundi;
- (b) black or spotted jewfish;
- (c) blue salmon;
- (d) coral trout;
- (e) grey mackerel;
- (f) jewel fish;
- (g) king salmon;
- (h) queenfish;
- (i) red emperor;
- (j) snapper;
- (k) spotted grunter bream.

SCHEDULE 12 (continued)

Permitted ways of taking fin fish

13.(1) Fin fish may only be taken by using bottom set lines or drop lines.

(2) A person must be within 100 m of a line or group of lines while they are in use.

(3) A bottom set line must not be used at the same time as a drop line.

Use of drop lines

14.(1) A drop line must not have more than 50 hooks attached to it.

(2) Not more than 6 drop lines may be used at a time.

(3) Each drop line must have a light coloured float, at least 30 cm in any dimension, attached to it.

Use of bottom set lines

15.(1) A bottom set line must not have more than 300 hooks attached to it.

(2) Not more than 3 bottom set lines may be used at a time.

(3) However, if more than 1 bottom set line is used, the combined number of hooks on the lines must not be more than 300.

(4) Each end of a bottom set line must have a light coloured float, at least 30 cm in any dimension, attached to it.

Use of primary commercial fishing boats

16. A primary commercial fishing boat must not be longer than 20 m.

Use of tender commercial fishing boats

17. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

SCHEDULE 12 (continued)

Permitted distance for an assistant fisher to be under direction

18. If a commercial and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is 800 m.

PART 3—LINE FISHERY (OTHER THAN GREAT BARRIER REEF REGION)**Fishery symbol**

19. The fishery symbol is 'L1'.

Fishery area

20. The fishery area comprises the following tidal waters—

- (a) waters north of latitude $10^{\circ}41'$ south, and east of longitude $142^{\circ}31'49''$ east;
- (b) waters north of latitude $10^{\circ}48'$ south and between longitude $141^{\circ}20'$ east and longitude $142^{\circ}31'49''$ east;
- (c) waters within the following boundary—
 - from latitude $24^{\circ}30'$ south on the east coast shore, along the latitude to longitude $154^{\circ}20'$ east
 - to latitude $27^{\circ}15'$ south, longitude $154^{\circ}20'$ east
 - to latitude $27^{\circ}30'$ south, longitude $154^{\circ}40'$ east
 - along longitude $154^{\circ}40'$ east to latitude $27^{\circ}47'25.29''$ south
 - to latitude $27^{\circ}48'$ south, longitude $154^{\circ}22'$ east
 - to latitude $27^{\circ}58'$ south, longitude 154° east
 - to the shore at the State's border with New South Wales
 - along the shore to latitude $24^{\circ}30'$ south.

SCHEDULE 12 (continued)

What fish may be taken

21. The following fish may be taken—

- (a) in waters east of longitude 142°31'49" east—any fin fish;
- (b) in waters west of longitude 142°31'49" east—
 - (i) black or spotted jewfish;
 - (ii) blue salmon;
 - (iii) grey mackerel;
 - (iv) jewel fish;
 - (v) king salmon;
 - (vi) queenfish;
 - (vii) spotted grunter bream;
 - (viii) other fin fish (other than barramundi) taken while taking fish mentioned in paragraphs (i) to (vii).

Permitted ways of taking fin fish

22.(1) Fin fish may only be taken by using hand held fishing lines or fishing rods with hand or mechanically operated reels and lines.

(2) Each fishing line must have not more than 6 hooks attached to it.

(3) A fishing line may have lures attached to it.

(4) The person in control of a boat must ensure that a person does not use more than 3 fishing apparatus from the boat at a time.

Use of primary commercial fishing boats

23. A primary commercial fishing boat must not be longer than 20 m.

Use of tender commercial fishing boats

24.(1) A tender commercial fishing boat must not be used in waters mentioned in section 20(a) further than 5 n miles from its primary

SCHEDULE 12 (continued)

commercial fishing boat or the reef where the primary commercial fishing boat is located.

(2) A tender commercial fishing boat must not be used in the waters mentioned in section 20(b) further than 5 n miles from its primary commercial fishing boat.

(3) The tender commercial fishing boat licence must have the fishery symbol on it.

(4) However, subsection (3) does not apply if—

- (a) the tender commercial fishing boat is only used to carry fish taken by its primary commercial fishing boat or fishing apparatus used from its primary commercial fishing boat; and
- (b) the tender commercial fishing boat and its primary commercial fishing boat are both within 2 km of the mainland shore.

Permitted distance for an assistant fisher to be under direction

25. If a commercial and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is—

- (a) in waters mentioned in section 20(a)—5 n miles, or if the commercial fisher is fishing on a reef, 5 n miles from the reef; or
- (b) in waters mentioned in section 20(b)—5 n miles.

**PART 4—LINE FISHERY (QUEENSLAND FISHERIES
JOINT AUTHORITY No. 1)****Fishery symbol**

26. The fishery symbol is 'L4'.

SCHEDULE 12 (continued)

Fishery area

27. The fishery area comprises all tidal waters in the Gulf of Carpentaria and adjoining waterways, between the 25 n mile line and the shore, south of latitude 10°48' south.

What fish may be taken

28. Any fin fish (other than the following fish) may be taken—

- (a) barramundi;
- (b) black or spotted jewfish;
- (c) blue salmon;
- (d) grey mackerel;
- (e) jewel fish;
- (f) king salmon;
- (g) queenfish;
- (h) spotted grunter bream.

Permitted ways of taking fin fish

29.(1) Fish may only be taken by using hand held fishing lines and fishing rods with hand or mechanically operated reels and lines.

(2) Each fishing line must have not more than 6 hooks attached to it.

(3) A fishing line may have lures attached to it.

(4) The person in control of a boat must ensure that a person does not use more than 3 fishing apparatus from the boat at a time.

Use of primary commercial fishing boats

30. A primary commercial fishing boat must not be longer than 20 m.

SCHEDULE 12 (continued)

Use of tender commercial fishing boats

31.(1) A tender commercial fishing boat must not be used more than 10 n miles from its primary commercial fishing boat.

(2) The tender commercial fishing boat licence must have the fishery symbol on it.

(3) However, subsection (2) does not apply if—

- (a)** the tender commercial fishing boat is only used to carry fish taken by its primary commercial fishing boat or fishing apparatus used from its primary commercial fishing boat; and
- (b)** the tender commercial fishing boat and its primary commercial fishing boat are both within 2 km of the mainland shore.

Permitted distance for an assistant fisher to be under direction

32. If a commercial and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is 10 n miles.

**PART 5—LINE FISHERY (QUEENSLAND FISHERIES
JOINT AUTHORITY No. 2)****Fishery symbol**

33. The fishery symbol is 'L5'.

Fishery area

34. The fishery area comprises all tidal waters in the Gulf of Carpentaria and adjoining waterways, between the 25 n mile line and the shore, south of latitude 10°48' south.

SCHEDULE 12 (continued)

What fish may be taken

35. Any fin fish (other than the following fish) may be taken—

- (a) barramundi;
- (b) black or spotted jewfish;
- (c) blue salmon;
- (d) grey mackerel;
- (e) jewel fish;
- (f) king salmon;
- (g) queenfish;
- (h) spotted grunter bream.

Permitted ways of taking fin fish

36.(1) Fish may only be taken by using hand held fishing lines and fishing rods with hand or mechanically operated reels and lines.

(2) Each fishing line must have not more than 6 hooks attached to it.

(3) A fishing line may have lures attached to it.

(4) The person in control of a boat must ensure that a person does not use more than 3 fishing apparatus from the boat at a time.

Use of primary commercial fishing boats

37. A primary commercial fishing boat must not be longer than 20 m.

Use of tender commercial fishing boats

38.(1) A tender commercial fishing boat must not be used more than 10 n miles from its primary commercial fishing boat.

(2) The tender commercial fishing boat licence must have the fishery symbol on it.

(3) However, subsection (2) does not apply if—

SCHEDULE 12 (continued)

- (a) the tender commercial fishing boat is only used to carry fish taken by its primary commercial fishing boat or fishing apparatus used from its primary commercial fishing boat; and
- (b) the tender commercial fishing boat and its primary commercial fishing boat are both within 2 km of the mainland shore.

Permitted distance for an assistant fisher to be under direction

39. If a commercial and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is 10 n miles.

PART 6—LINE FISHERY (REEF)**Fishery symbol**

40. The fishery symbol is 'L2' or 'L3'.

Fishery area

41. The fishery area comprises all tidal waters within the following boundary—

- from the northern tip of Cape York along latitude 10°41' south, to longitude 145° east
- to latitude 13° south, longitude 145° east
- to latitude 15° south, longitude 146° east
- to latitude 17°30' south, longitude 147° east
- to latitude 21° south, longitude 152°55' east
- to latitude 24°30' south, longitude 154° east
- along latitude 24°30' south to the mainland shore

SCHEDULE 12 (continued)

- along the shore to the northern tip of Cape York at latitude 10°41' south.

What fish may be taken

42. Any fin fish (other than barramundi) may be taken.

Permitted ways of taking fin fish

43.(1) Fin fish may only be taken by using hand held fishing lines and fishing rods with hand or mechanically operated reels and lines.

(2) Each fishing line must not have more than 6 hooks attached to it.

(3) A fishing line may have lures attached to it.

(4) The person in control of a boat must ensure that a person does not use more than 3 fishing apparatus from the boat at a time.

Use of primary commercial fishing boats

44. A primary commercial fishing boat must not be longer than 20 m.

Use of tender commercial fishing boats

45.(1) A tender commercial fishing boat must not be used further than 5 n miles from its primary commercial fishing boat or the reef where the primary commercial fishing boat is located.

(2) The tender commercial fishing boat licence must have the fishery symbol on it.

(3) However, subsection (2) does not apply if—

- (a) the tender commercial fishing boat is only used to carry fish taken by its primary commercial fishing boat or fishing apparatus used from its primary commercial fishing boat; and
- (b) the tender commercial fishing boat and its primary commercial fishing boat are both within 2 km of the mainland shore.

SCHEDULE 12 (continued)

(4) For tender commercial fishing boats identified in licences with the fishery symbol on it, not more than the number of tender commercial fishing boats authorised by the Authority for the fishery may be used at a time.

Permitted distance for an assistant fisher to be under direction

46. If a commercial and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is 5 n miles, or if the commercial fisher is fishing on a reef, 5 n miles from the reef.

PART 7—LINE FISHERY (SOUTH QUEENSLAND)**Fishery symbol**

47. The fishery symbol is 'L6' or 'L7'.

Fishery area

48. The fishery area comprises all tidal waters east of the territorial sea baseline and south of latitude 25° south.

What fish may be taken

49. Any fin fish (other than barramundi) may be taken.

Permitted ways of taking fin fish

50.(1) Fin fish may only be taken by using hand held fishing lines or fishing rods with hand or mechanically operated reels and lines.

(2) Each fishing line must have not more than 6 hooks attached to it.

(3) A fishing line may have lures attached to it.

SCHEDULE 12 (continued)

(4) The person in control of a boat must ensure that a person does not use more than 3 fishing apparatus from the boat at a time.

Use of primary commercial fishing boats

51. A primary commercial fishing boat must not be longer than 20 m.

Use of tender commercial fishing boats

52.(1) A tender commercial fishing boat must not be used more than 5 n miles from its primary commercial fishing boat.

(2) The tender commercial fishing boat licence must have the fishery symbol on it.

(3) However, subsection (2) does not apply if—

- (a) the tender commercial fishing boat is only used to carry fish taken by its primary commercial fishing boat or fishing apparatus used from its primary commercial fishing boat; and
- (b) the tender commercial fishing boat and its primary commercial fishing boat are both within 2 km of the mainland shore.

Permitted distance for an assistant fisher to be under direction

53. If a commercial and an assistant fisher are on separate commercial fishing boats, the permitted distance for the assistant fisher to be under direction is 5 n miles.

SCHEDULE 13**NET FISHERIES (COMMERCIAL)**

section 2 and schedule 17

PART 1—NET FISHERY (BAIT No. 1)**Fishery symbol**

1. The fishery symbol is 'N6'.

Fishery area

2. The fishery area comprises the following tidal waters—
 - (a) waters east of longitude 142°31'49" east;
 - (b) waters north of latitude 10°48' south and between longitude 141°20' east and longitude 142°31'49" east;
 - (c) waters in the Gulf of Carpentaria and adjoining waterways, between the 25 n mile line and the shore, south of latitude 10°48' south.

What fish may be taken

- 3.(1) If a cast net is used, the following fish may be taken—
 - (a) in waters mentioned in section 2(a)—any fish (other than barramundi);
 - (b) in waters mentioned in section 2(b) or (c)—any finfish (other than barramundi).
- (2) If a mesh or seine net is used, the following fish may be taken—
 - (a) in waters mentioned in section 2(a)—any fish (other than barramundi);

SCHEDULE 13 (continued)

- (b) in waters mentioned in section 2(b) or (c)—only the following species of fish—
- (i) black or spotted jewfish;
 - (ii) blue salmon;
 - (iii) grey mackerel;
 - (iv) jewel fish;
 - (v) king salmon;
 - (vi) queenfish;
 - (vii) spotted grunter bream;
 - (viii) other fish (other than barramundi) taken while taking fish mentioned in subparagraphs (i) to (vii).

Permitted ways of taking fish

- 4.(1) Fish may only be taken by using cast, mesh or seine nets.
- (2) A person using the net must be within 100 m of it.
- (3) Only 1 end of a net may be fixed while it is in use.
- (4) However, both ends of a net that may be used from the northern bank of St Lawrence Creek to Cape Gloucester may be fixed for not more than 1 hour.

Use of primary commercial fishing boats

5. A primary commercial fishing boat must not be longer than 20 m.

Use of cast nets

6. A cast net may be used in the fishery area only if it is not more than 6 m in diameter and has a mesh size of not more than 28 mm.

SCHEDULE 13 (continued)

Use of mesh or seine nets

7.(1) A mesh or seine net may be used in waters south of the following lines only if it is not longer than 600 m and has a mesh size of at least 12 mm but not more than 45 mm—

- (a) a line from the northern bank of the Burnett River to Sandy Cape, Fraser Island;
- (b) a line from Sandy Cape, Fraser Island to the limit of Queensland waters east of Sandy Cape.

(2) A mesh or seine net may be used in the following waters only if it is not longer than 400 m and has a mesh size of at least 12 mm but not more than 45 mm—

- (a) Moreton Bay;
- (b) waters of Hervey Bay, Great Sandy Strait, Wide Bay Harbour, Pelican Bay, Tin Can Bay and Tin Can Inlet between the following lines—
 - a line from the southern bank of Theodolite Creek to Arch Cliff, Fraser Island
 - a line from the eastern tip of Inskip Point to Hook Point, Fraser Island;
- (c) waters that are east of longitude 142°31'49" east and north of the northern bank of the Burnett River.

(3) A mesh or seine net may be used in rivers and creeks only if it is not longer than 200 m and has a mesh size of at least 25 mm but not more than 45 mm.

(4) If a back net is used with a net that may be used in waters mentioned in subsection (2) south of the northern bank of Baffle Creek, its length must not be more than one-quarter of the total length of net in use.

Use of tender commercial fishing boats

8. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

SCHEDULE 13 (continued)

Permitted distance for an assistant fisher to be under direction

9. The permitted distance for an assistant fisher to be under direction is 800 m.

PART 2—NET FISHERY (BAIT No. 2)**Fishery symbol**

10. The fishery symbol is 'N7'.

Fishery area

11. The fishery area comprises the following tidal waters—

- (a) waters east of longitude 142°31'49" east;
- (b) waters north of latitude 10°48' south and between longitude 141°20' east and longitude 142°31'49" east;
- (c) waters in the Gulf of Carpentaria and adjoining waterways, between the 25 n mile line and the shore, south of latitude 10°48' south.

What fish may be taken

12.(1) In waters east of longitude 142°31'49" east, any fish (other than barramundi) may be taken.

(2) In the Gulf of Carpentaria and adjoining waterways, only the following species of fish may be taken—

- (a) black or spotted jewfish;
- (b) blue salmon;
- (c) grey mackerel;
- (d) jewel fish;

SCHEDULE 13 (continued)

- (e) king salmon;
- (f) queenfish;
- (g) spotted grunter bream;
- (h) other fish (other than barramundi) taken while taking fish mentioned in paragraphs (a) to (g).

Permitted ways of taking fish

13.(1) Fish may only be taken by using mesh or seine nets.

(2) Only 1 end of a net may be fixed while it is in use.

(3) However, both ends of a net may be fixed for not more than 1 hour if it is used between Cape Manifold and Cape Gloucester and its mesh size is not more than 88 mm.

(4) A net must not be used in the Gulf of Carpentaria, or a waterway flowing into the Gulf, during the closed season for barramundi.

(5) A person using a net must be within 100 m of it.

(6) A net that is not fixed or hauled may only be used in water deeper than its drop.

Use of primary commercial fishing boats

14. A primary commercial fishing boat must not be longer than 14 m.

Use of nets south of Baffle Creek

15. A net may be used in waters south of the northern bank of Baffle Creek only if the net is not longer than 800 m and has a mesh size of at least 50 mm.

Use of nets north of Baffle Creek

16.(1) A net may be used in waters north of the northern bank of Baffle Creek only if the net is not longer than 400 m and has a mesh size of at least

SCHEDULE 13 (continued)

50 mm.

(2) A ring net must not be used.

(3) During the closed season for barramundi, a net may be used in a river or creek (other than a waterway flowing into the Gulf of Carpentaria) downstream of the shortest line across its banks.

(4) A net may be used during the closed season for barramundi only if it has a mesh size of at least 50 mm but not more than 115 mm.

Use of tender commercial fishing boats

17. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

18. The permitted distance for an assistant fisher to be under direction is 800 m.

PART 3—NET FISHERY (EAST COAST No. 1)*Division 1—Preliminary***Fishery symbol**

19. The fishery symbol is 'N1'.

Fishery area

20. The fishery area comprises all tidal waters east of longitude 142°09' east, but does not include waterways flowing into the Gulf of Carpentaria west of longitude 142°09' east.

SCHEDULE 13 (continued)

What fish may be taken

21. Unless otherwise stated, the following fish may be taken—

- (a) in waters east of longitude 142°31'49" east—any fish; and
- (b) in waters west of longitude 142°31'49" east—
 - (i) black or spotted jewfish;
 - (ii) blue salmon;
 - (iii) grey mackerel;
 - (iv) jewel fish;
 - (v) king salmon;
 - (vi) queenfish;
 - (vii) spotted grunter bream;
 - (viii) other fish (other than barramundi) taken while taking fish mentioned in paragraphs (i) to (vii).

Permitted ways of taking fish

22.(1) Fish may only be taken by using mesh, seine, set mesh, set pocket or tunnel nets.

(2) Unless otherwise stated, a net that is not fixed or hauled and is used in offshore waters must not be used, and a set mesh net must not be set—

- (a) in a marked navigation channel; or
- (b) within—
 - (i) 400 m of a jetty or wharf; or
 - (ii) 100 m of another net that is in use.

(3) Despite subsection (2)(b)(ii), a person using more than 1 set mesh net (other than in a river or creek) may set the nets within 100 m of each other.

(4) Unless otherwise stated—

- (a) only 1 end of a mesh or seine net may be fixed while it is being used; and

SCHEDULE 13 (continued)

- (b) a person using a net must be within 100 m of it.

*Division 2—Use of mesh or seine nets***Use of seine nets in Lake Weyba**

23.(1) A seine net may be used in Lake Weyba only if it is not longer than 25 m and has a mesh size of at least 25 mm.

- (2) The net may only be used to take prawns.

Use of mesh nets in Lakes Cootharaba, Cooroibah and Weyba

24. A ring net may be used in Lake Cootharaba, Cooroibah or Weyba only if it is not longer than 1 500 m and has a mesh size of at least 50 mm.

Use of seine nets north of the Mary River

25.(1) A seine net may be used in waters north of the northern bank of the Mary River only if it is not longer than 100 m and has—

- (a) a pocket extending over not more than one-quarter of the length of the net; and
- (b) a mesh size of at least 31 mm in the pocket and at least 45 mm in the rest of the net.

- (2) The net may only be used to take prawns.

Use of mesh nets in and near Hervey Bay

26.(1) A net that is not fixed or hauled may be used in waters of Hervey Bay within the following boundary only if the waters are at least 2 m deep—

- from the southern bank of Baffle Creek east to longitude 153° east
- along longitude 153° east to Fraser Island near Sandy Point

SCHEDULE 13 (continued)

- to Dayman Point
- along the shore to the southern bank of Baffle Creek.

(2) The net must not be longer than 600 m and must have a mesh size of at least 88 mm.

(3) If the net is used south of a line from the southern bank of the Elliott River east to longitude 153° east, it must be made of monofilament not more than 0.65 mm in diameter and must not be more than 33 meshes deep.

(4) The net must not be used in waters of Hervey Bay within the following boundary between 4.00 p.m. and 4.00 a.m. from 1 July to 31 October—

- from the southern bank of Theodolite Creek east to longitude 152°40' east
- to the southern bank of O'Regan Creek
- along the shore to the southern bank of Theodolite Creek.

(5) A person using a net north of a line from the southern bank of the Elliott River east to longitude 153° east need not be within 100 m of the net.

Use of mesh or seine nets south of Baffle Creek

27.(1) A mesh or seine net may be used in waters south of the northern bank of Baffle Creek only if it is not longer than 800 m and has a mesh size of at least 50 mm.

(2) A net that is not fixed or hauled may only be used in water deeper than its drop.

(3) If a back net is used below low water, its length must not be more than one-quarter of the total length of net in use.

Use of mesh or seine nets north of Baffle Creek

28.(1) A mesh or seine net may be used north of the northern bank of Baffle Creek only if it is not longer than 400 m and has a mesh size of at least 50 mm.

SCHEDULE 13 (continued)

(2) A ring net must not be used.

(3) During the closed season for barramundi, a net must not be used in the Gulf of Carpentaria or waterways flowing into the Gulf, but may be used in another waterway downstream of the shortest line across its banks.

(4) A net may be used during the closed season for barramundi only if it has a mesh size of at least 50 mm but not more than 115 mm.

(5) A net that is not fixed or hauled may only be used in water deeper than its drop.

(6) Both ends of a net may be fixed for up to 1 hour if it is used between Cape Manifold and Cape Gloucester and has a mesh size is not more than 88 mm.

Use of mesh nets in offshore waters of Keppel Bay

29. A net that is not fixed or hauled may be used in waters of Keppel Bay west of a line from Cape Capricorn to Water Park Point only if the waters are at least 2 m deep and the net is not longer than 200 m and has a mesh size of at least 150 mm but not more than 245 mm.

Use of mesh nets in offshore waters

30.(1) A net that is not fixed or hauled may be used in offshore waters only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m north of Cape Moreton if the combined length of the nets is not more than 1 200 m.

(3) The net must not be used in waters north of Cape Flattery during the closed season for barramundi.

(4) A person using the net does not need to be within 100 m of it unless it is used in Shoalwater Bay within the following boundary—

- from Macdonald Point to Cape Townshend, Townshend Island
- along the island's western and southern shores to the island's

SCHEDULE 13 (continued)

- eastern tip
- to Reef Point
- along the shore to Macdonald Point.

Use of mesh or seine nets in rivers and creeks

31.(1) A ring or seine net, or a net that is not fixed or hauled, may be used in rivers and creeks only if the net has a mesh size of at least 50 mm and is not longer than—

- (a) for a ring net or a net that is not fixed or hauled—400 m; and
- (b) for a seine net—200 m.

(2) During the closed season for barramundi, a net must not be used in the Gulf of Carpentaria or waterways flowing into the Gulf, but may be used in another waterway downstream of the shortest line across its banks.

(3) A net used during the closed season for barramundi must have a mesh size of at least 50 mm but not more than 115 mm.

(4) A net that is not fixed or hauled may only be used in water deeper than its drop.

(5) A ring net must not be used north of the southern bank of the Endeavour River or in the Gulf of Carpentaria and adjoining waterways.

(6) Both ends of a net may be fixed for up to 1 hour if it is used in rivers or creeks between Cape Gloucester and the northern bank of St Lawrence Creek and its mesh size is not more than 75 mm.

*Division 3—Use of set mesh nets***Use of set mesh nets in rivers and creeks between Kauri and Baffle Creeks**

32.(1) A set mesh net may be used in a river or creek between Kauri and Baffle Creeks, upstream of the shortest line across its banks, only if the net is not longer than 120 m and has—

SCHEDULE 13 (continued)

- (a) a mesh size of at least 150 mm but not more than 215 mm; and
- (b) a drop of not more than 50 meshes.

(2) Not more than 3 nets may be set if their combined length is not more than 360 m and the distance between the first and last net is not more than 1 n mile.

(3) A person using a net must not be more than 800 m from it, or if more than 1 net is set, the first or last net.

Use of set mesh nets in and near Hervey Bay

33.(1) A set mesh net may be used in waters of Hervey Bay within the following boundary only if the waters are at least 2 m deep—

- from the southern bank of Baffle Creek east to longitude 153° east
- along longitude 153° east to Fraser Island near Sandy Point
- to Dayman Point
- along the shore to the southern bank of Baffle Creek.

(2) The net must not be longer than 600 m and must have a mesh size of at least 88 mm.

(3) A net used south of a line from the southern bank of the Elliott River east to longitude 153° east, must be made of monofilament not more than 0.65 mm in diameter and must not be more than 33 meshes deep.

(4) A net must not be used in waters of Hervey Bay within the following boundary between 4.00 p.m. and 4.00 a.m. from 1 July to 31 October—

- from the southern bank of Theodolite Creek east to longitude 152°40' east
- to the southern bank of O'Regan Creek
- along the shore to the southern bank of Theodolite Creek.

(5) A person using a net must be within 100 m of it, unless it is used north of a line from the southern bank of the Elliott River east to longitude 153° east.

SCHEDULE 13 (continued)

Use of set mesh nets on foreshores between the Burnett River and Baffle Creek

34.(1) A set mesh net may be used on foreshores between the northern bank of the Burnett River and the northern bank of Baffle Creek.

(2) The net must be not longer than 120 m and must have—

- (a)** a mesh size of at least 100 mm but not more than 245 mm; and
- (b)** a drop of not more than 50 meshes.

(3) The net must not be used between midday on 1 September and midday on 1 February.

(4) The net must not be set within 200 m of a jetty or wharf.

(5) Despite subsection (1), not more than one-third of the net's length may extend out to sea beyond low water.

Use of set mesh nets in Keppel Bay

35. An offshore set mesh net may be used in waters of Keppel Bay west of a line from Water Park Point to Cape Capricorn only if the waters are at least 2 m deep and the net is not longer than 200 m and has a mesh size of at least 150 mm but not more than 245 mm.

Use of set mesh nets in offshore waters

36.(1) A set mesh net may be used in offshore waters only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m north of Cape Moreton if the combined length of the nets is not more than 1 200 m.

(3) The net must not be used in waters north of Cape Flattery during the closed season for barramundi.

(4) A person using the net does not need to be within 100 m of it.

SCHEDULE 13 (continued)

Division 4—Use of set pocket nets**Use of set pocket nets in rivers**

37.(1) A set pocket net may be used in the following rivers only if it is not longer than 10 m and has a mesh size of at least 25 mm—

- (a) the Fitzroy, Kolan, Burnett, Albert and Logan Rivers;
- (b) the Mary River between lines between the following places marked by F↑B signs—
 - longitude 152°46.67' east on the northern bank and longitude 152°46.83' east on the southern bank
 - longitude 152°51.74' east on the northern bank (near 'Tandora') and longitude 152°51.71' east on the shore of Crab Island (Meteor Point)
 - longitude 152°51.62' east on the shore of Crab Island and longitude 152°51.95' east on the southern bank.

(2) The net may only be used to take prawns.

(3) The net must not be set within 20 m of a jetty or wharf or 100 m of another net that is in use.

(4) Only 1 head rope may be used.

(5) More than 1 net may be attached to the head rope if the combined length of the nets is not more than 10 m.

(6) The closed end of the pocket must be marked on the surface of the water by a yellow float at least 8 cm in any dimension.

(7) A person using the net does not need to be within 100 m of it.

(8) Anything used to set the net must be removed from the water after the net is taken from the water.

(9) Subsection (8) does not apply to fishing apparatus for which an authority is held under the *Transport Operations (Marine Safety) Act 1994*.

Division 5—Use of tunnel nets

SCHEDULE 13 (continued)

Use of tunnel nets

38.(1) A tunnel net may be used in the following waters—

- (a) Moreton Bay mainland foreshores between F[↑]B signs at the following places—
- Little Rocky Point, and about 800 m south of Point Talburpin
 - about 800 m either side of Moogurrapum Creek, Redland Bay
 - Point Halloran and about 700 m south of Oyster Point
 - about 800 m south of the southern bank of Hilliards Creek, and about 1 km south of Wellington Point
 - the eastern shore of Fisherman Islands, and about 800 m north of Wynnum Creek (including the Boat Passage foreshore but not the Brisbane River foreshore)
 - Juno Point, and the northern bank of Serpentine Creek
 - the western end of Sunnyside Road, Scarborough, and about 100 m south of the seaward end of Seaview Parade, Deception Bay
 - the boat ramp at the department's Fisheries Research Laboratory at Deception Bay, and the southern bank of the Caboolture River
 - about 1 600 m north of Beachmere, and the south-eastern tip of Toorbul Point;
- (b) Moreton Bay island foreshores north of a line—
- from Little Rocky Point to the southern tip of Russell Island
 - to the nearest point on the western shore of North Stradbroke Island;
- (c) Tin Can Inlet, Pelican Bay and Tin Can Bay between the following lines—
- a line from the northern bank of Snapper Creek to the

SCHEDULE 13 (continued)

southern bank of Carlo Creek

- a line from the southern bank of Kauri Creek to Inskip Point;
- (d) Great Sandy Strait and Wide Bay Harbour between the following lines—
- a line from the northern bank of Kauri Creek to Hook Point
 - a line from the northern bank of Pulgul Creek (also known as Arangarandin Creek) to the southern tip of Big Woody Island, to McKenzie's Jetty, Fraser Island.

(2) The net must not be longer than 1 700 m (excluding its tunnel length).

(3) The net must have—

- (a) a tunnel length of not more than 200 m; and
- (b) a tunnel entrance width of between 1.5 m and 4 m; and
- (c) a mesh size—
 - (i) for the tunnel—of not more than 50 mm; and
 - (ii) for not more than 400 m adjacent to each side of the tunnel—of at least 25 mm; and
 - (iii) for the rest of the net—at least 44 mm.

(4) The tunnel must extend out to sea beyond low water for at least 30 m in water at least 30 cm deep.

(5) A commercial fisher and at least 1 other fisher must be within 100 m of the net while it is in use.

Use of primary commercial fishing boats

39. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

40.(1) A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

SCHEDULE 13 (continued)

(2) However, if more than 1 net is used, a tender commercial fishing boat may be used within 800 m of the first or last net or between the nets.

(3) Subsection (2) only applies if the primary commercial fishing boat is also within 800 m of the first or last net or between the nets.

(4) If a primary commercial fishing boat and its tender commercial fishing boat are used to set a tunnel net, the tender commercial fishing boat may be used within 1 700 m of its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

41.(1) The permitted distance for an assistant fisher to be under direction is 800 m or, if the fishers are setting a tunnel net, 1 700 m.

(2) However, if more than 1 net is used, the assistant fisher is taken to be within the permitted distance if the assistant fisher is within 800 m of the first or last net or between the nets.

(3) Subsection (2) only applies if the commercial fisher is also within 800 m of the first or last net or between the nets.

Marking nets

42.(1) A set mesh net used during the day must be marked by—

- (a) light coloured floats not more than 20 m apart along its length; and
- (b) a white float, at least 15 cm in any dimension, with the person's name written on it at its end farthest from the shore.

(2) A set mesh net used at night must also be marked by—

- (a) if the combined length of the net and equipment used in setting it is not more than 50 m—
 - (i) a white light, visible at least 400 m in all directions from the light, at its end farthest from the shore; and
 - (ii) a reflectorised float, at least 15 cm in any dimension, at its end nearest the shore; and

SCHEDULE 13 (continued)

- (b) if the combined length of the net and equipment used to set it is more than 50 m—a white light, visible at least 400 m in any direction from the light, at both ends of the net.
- (3) In addition, a set mesh net used in offshore waters must be marked by—
- (a) 6 floats along its length, each not less than 15 cm in any dimension; and
- (b) a pole with an orange flag on it at least 2 m above the water attached to its end farthest from the shore.
- (4) A net that is not fixed or hauled and is used in offshore waters must be marked in the way stated in subsection (3).

PART 4—NET FISHERY (EAST COAST No. 2)*Division 1—Preliminary***Fishery symbol**

43. The fishery symbol is 'N8'.

Fishery area

44.(1) The fishery area comprises all tidal waters that are east of longitude 142°09' east and out to sea from the 3 n mile line.

(2) The area does not include waters within 3 n miles of low water on an island.

What fish may be taken

45. Unless otherwise stated, the following fish may be taken—

- (a) in waters east of longitude 142°31'49" east—any fish;

SCHEDULE 13 (continued)

- (b) in waters west of longitude 142°31'49" east—
- (i) black or spotted jewfish;
 - (ii) blue salmon;
 - (iii) grey mackerel;
 - (iv) jewel fish;
 - (v) king salmon;
 - (vi) queenfish;
 - (vii) spotted grunter bream;
 - (viii) other fish (other than barramundi) taken while taking fish mentioned in paragraphs (i) to (vii).

Permitted ways of taking fish

46.(1) A person may only take fish by using mesh or set mesh nets.

(2) Unless otherwise stated, a net that is not fixed or hauled and is used in offshore waters must not be used, and a set mesh net must not be set—

- (a) in a marked navigation channel; or
- (b) within—
 - (i) 400 m of a jetty or wharf; or
 - (ii) 100 m of another net that is in use.

(3) Despite subsection (2)(b)(ii), a person using more than 1 set mesh net may set the nets within 100 m of each other.

Division 2—Use of nets**Use of nets in offshore waters north of Hervey Bay**

47.(1) A net may be used in waters north of Hervey Bay at least 2 m deep and—

- (a) south of a line from the southern bank of Baffle Creek east to

SCHEDULE 13 (continued)

longitude 153° east; and

(b) west of longitude 153° east; and

(c) north of the Burnett River.

(2) The net must not be longer than 600 m and must have a mesh size of at least 88 mm.

(3) A net used south of a line from the southern bank of the Elliott River east to longitude 153° east must be made of monofilament not more than 0.65 mm in diameter and must not be more than 33 meshes deep.

(4) A net must not be used in waters of Hervey Bay within the following boundary between 4.00 p.m. and 4.00 a.m. from 1 July to 31 October—

- from the southern bank of Theodolite Creek east to longitude 152°40' east
- to the southern bank of O'Regan Creek
- along the shore to the southern bank of Theodolite Creek.

(5) A person using a net north of a line from the southern bank of the Elliott River east to longitude 153° east need not be within 100 m of the net.

Use of nets in other offshore waters

48.(1) A net that is not fixed or hauled may be used in offshore waters only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m north of Cape Moreton if the combined length of the nets is not more than 1 200 m.

(3) The net must not be used in waters north of Cape Flattery during the closed season for barramundi.

Use of primary commercial fishing boats

49. A primary commercial fishing boat must not be longer than 14 m.

SCHEDULE 13 (continued)

Use of tender commercial fishing boats

50. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

51. The permitted distance for an assistant fisher to be under direction is 800 m.

Marking nets

52.(1) A set mesh net used during the day must be marked by—

- (a) light coloured floats not more than 20 m apart along its length; and
- (b) a white float, at least 15 cm in any dimension, with the person's name written on it at its end farthest from the shore.

(2) A set mesh net used at night must also be marked by—

- (a) if the combined length of the net and equipment used in setting it is not more than 50 m—
 - (i) a white light, visible at least 400 m in all directions from the light, at its end farthest from the shore; and
 - (ii) a reflectorised float, at least 15 cm in any dimension, at its end nearest the shore; and
- (b) if the combined length of the net and equipment used to set it is more than 50 m—a white light, visible at least 400 m in any direction from the light, at both ends of the net.

(3) In addition, a set mesh net used in offshore waters must be marked by—

- (a) 6 floats along its length, each not less than 15 cm in any dimension; and
- (b) a pole with an orange flag on it at least 2 m above the water

SCHEDULE 13 (continued)

attached to its end farthest from the shore.

(4) A net that is not fixed or hauled and is used in offshore waters must be marked in the way stated in subsection (3).

PART 5—NET FISHERY (GULF OF CARPENTARIA)*Division 1—Preliminary***Fishery symbol**

53. The fishery symbol is 'N3'.

Fishery area

54. The fishery area comprises tidal waters in the Gulf of Carpentaria and adjoining waterways, between the 25 n mile line and the shore, south of the intersection of longitude 142°09' east with the shore.

What fish may be taken

55. Only following species of fish may be taken—

- (a) barramundi;
- (b) black or spotted jewfish;
- (c) blue salmon;
- (d) grey mackerel;
- (e) jewel fish;
- (f) king salmon;
- (g) queenfish;
- (h) spotted grunter bream;

SCHEDULE 13 (continued)

- (i) other fish taken while taking fish mentioned in paragraphs (a) to (h).

Permitted ways of taking fish

56.(1) Fish may only be taken by using mesh, seine or set mesh nets.

(2) A net that is not fixed or hauled and is used in offshore waters must not be used, and a set mesh net must not be set—

- (a) in a marked navigation channel; or

- (b) within—

- (i) 400 m of a jetty or wharf; or

- (ii) 100 m of another net that is in use.

(3) Despite subsection (2)(b)(ii), a person using more than 1 set mesh net (other than in a river or creek) may set the nets within 100 m of each other.

(4) Only 1 end of a mesh or seine net may be fixed while it is in use.

Time quota

57. A net may only be used other than during the closed season for barramundi.

Division 2—Use of mesh and seine nets**Use of mesh nets in the fishery area**

58.(1) A mesh net may be used in the fishery area only if it is not longer than 400 m and has a mesh size of at least 50 mm.

(2) A ring net must not be used.

(3) A net that is not fixed or hauled may only be used in water deeper than its drop.

SCHEDULE 13 (continued)

- (4) A person using a net must be within 100 m of it.

Use of mesh nets in offshore waters

59.(1) A net that is not fixed or hauled may be used in offshore waters only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m if the combined length of the nets is not more than 1 200 m.

Use of seine nets in the fishery area

60.(1) A seine net may be used in the fishery area only if it is not longer than 400 m and has a mesh size of at least 50 mm.

- (2) A person using the net must be within 100 m of it.

Use of seine nets in rivers and creeks

61.(1) A seine net may be used in rivers and creeks only if it is not longer than 200 m and has a mesh size of at least 50 mm.

- (2) A person using the net must be within 100 m of it.

*Division 3—Use of set mesh nets***Use of set mesh nets in rivers and creeks**

62.(1) A set mesh net may be used in rivers and creeks only if it is not longer than 120 m and has a mesh size of at least 150 mm but not more than 245 mm.

- (2) The net's drop must not be more than 50 meshes.

(3) Not more than 6 nets may be set if their combined length is not more than 360 m and the distance between the first and last net is not more than 5 n miles.

SCHEDULE 13 (continued)

(4) A person using a net must not be more than 800 m from it, or if more than 1 net is set, the first or last net.

Use of set mesh nets on foreshores

63.(1) A set mesh net may be used on a foreshore only if it is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Despite subsection (1), not more than one-third of the net's length may extend out to sea beyond low water.

(3) Not more than 6 nets may be set if their combined length is not more than 600 m and the distance between the first and last net is not more than 5 n miles.

Use of set mesh nets in offshore waters

64.(1) A set mesh net may be used in offshore waters only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m if the combined length of the nets is not more than 1 200 m.

Division 4—Miscellaneous**Use of primary commercial fishing boats**

65. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

66.(1) A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

(2) However, if more than 1 net is used, a tender commercial fishing boat may be used within 800 m of the first or last net or between the nets.

SCHEDULE 13 (continued)

(3) Subsection (2) only applies if the primary commercial fishing boat is also within 800 m of the first or last net or between the nets.

Permitted distance for an assistant fisher to be under direction

67.(1) The permitted distance for an assistant fisher to be under direction is 800 m.

(2) However, if more than 1 net is used, the assistant fisher is taken to be within the permitted distance if the assistant fisher is within 800 m of the first or last net or between the nets.

(3) Subsection (2) only applies if the commercial fisher is also within 800 m of the first or last net or between the nets.

Marking nets

68.(1) A set mesh net used during the day must be marked by—

- (a) light coloured floats not more than 20 m apart along its length; and
- (b) a white float, at least 15 cm in any dimension, with the person's name written on it at its end farthest from the shore.

(2) A set mesh net used at night must also be marked by—

- (a) if the combined length of the net and equipment used in setting it is not more than 50 m—
 - (i) a white light, visible at least 400 m in all directions from the light, at its end farthest from the shore; and
 - (ii) a reflectorised float, at least 15 cm in any dimension, at its end nearest the shore; and
- (b) if the combined length of the net and equipment used to set it is more than 50 m—a white light, visible at least 400 m in any direction from the light, at both ends of the net.

(3) In addition, a set mesh net used in offshore waters must be marked by—

SCHEDULE 13 (continued)

- (a) 6 floats along its length, each not less than 15 cm in any dimension; and
 - (b) a pole with an orange flag on it at least 2 m above the water attached to its end farthest from the shore.
- (4) A net that is not fixed or hauled and is used in offshore waters must be marked in the way stated in subsection (3).

PART 6—NET FISHERY (BAFFLE CREEK TO KAURI CREEK)*Division 1—Preliminary***Fishery symbol**

69. The fishery symbol is 'N5'.

Fishery area

70. The fishery area comprises all tidal waters between the northern bank of Baffle Creek and the southern bank of Kauri Creek.

What fish may be taken

71. Any fish may be taken.

Permitted ways of taking fish

72.(1) Fish may only be taken by using mesh, seine, set mesh or tunnel nets.

(2) Unless otherwise stated, a net that is not fixed or hauled and is used in offshore waters must not be used, and a net used as a set mesh net must not be set—

SCHEDULE 13 (continued)

(a) in a marked navigation channel; or

(b) within—

(i) 400 m of a jetty or wharf; or

(ii) 100 m of another net that is in use.

(3) Despite subsection (2)(b)(ii), a person using more than 1 set mesh net (other than in a river or creek) may set the nets within 100 m of each other.

(4) Unless otherwise stated—

(a) only 1 end of a mesh or seine net may be fixed while it is being used; and

(b) a person using a net must be within 100 m of it.

Division 2—Use of mesh or seine nets

Use of mesh or seine nets in the fishery area

73.(1) A mesh or seine net may be used in the fishery area only if it is not longer than 800 m and has a mesh size of at least 50 mm.

(2) A net that is not fixed or hauled may only be used in water deeper than its drop.

(3) If a back net is used below low water its length must not be more than one-quarter of the total length of net in use.

Use of mesh nets in offshore waters

74.(1) A net that is not fixed or hauled may be used in offshore waters only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m north of Cape Moreton if the combined length of the nets is not more than 1 200 m.

(3) A person using the net does not need to be within 100 m of it.

SCHEDULE 13 (continued)

Use of mesh or seine nets in rivers and creeks

75.(1) A ring or seine net, or a net that is not fixed or hauled, may be used in rivers and creeks only if the net has a mesh size of at least 50 mm and is not longer than—

- (a) for a ring net or a net that is not fixed or hauled—400 m; and
- (b) for a seine net—200 m.

(2) A net that is not fixed or hauled may only be used in water deeper than its drop.

(3) A net used during the closed season for barramundi must have a mesh size of at least 50 mm but not more than 115 mm.

Use of mesh nets in and near Hervey Bay

76.(1) A net that is not fixed or hauled may be used in waters of Hervey Bay within the following boundary only if the waters are at least 2 m deep—

- from the southern bank of Baffle Creek east to longitude 153° east
- along longitude 153° east to Fraser Island near Sandy Point
- to Dayman Point
- along the shore to the southern bank of Baffle Creek.

(2) The net must not be longer than 600 m and must have a mesh size of at least 88 mm.

(3) A net used south of a line from the southern bank of the Elliott River east to longitude 153° east must be made of monofilament not more than 0.65 mm in diameter and must not be more than 33 meshes deep.

(4) The net must not be used in waters of Hervey Bay within the following boundary between 4.00 p.m. and 4.00 a.m. from 1 July to 31 October—

- from the southern bank of Theodolite Creek east to longitude 152°40' east

SCHEDULE 13 (continued)

- to the southern bank of O'Regan Creek
- along the shore to the southern bank of Theodolite Creek.

(5) A person using a net north of a line from the southern bank of the Elliott River east to longitude 153° east need not be within 100 m of the net.

*Division 3—Use of set mesh nets***Use of set mesh nets in offshore waters**

77.(1) A set mesh net may be used in waters in the fishery area only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m north of Cape Moreton if the combined length of the nets is not more than 1 200 m.

(3) A person using the net does not need to be within 100 m of it.

Use of set mesh nets in rivers and creeks

78.(1) A set mesh net may be used in a river or creek, upstream of the shortest line across its banks, only if the net is not longer than 120 m and has—

- (a) a mesh size of at least 150 mm but not more than 215 mm; and
- (b) a drop of not more than 50 meshes.

(2) Not more than 3 nets may be set if their combined length is not more than 360 m and the distance between the first and last net is not more than 1 n mile.

(3) A person using a net must not be more than 800 m from it, or if more than 1 net is set, the first or last net.

(4) A net may be set in a marked navigation channel or within 400 m of a jetty or wharf or 100 m of another net that is in use.

SCHEDULE 13 (continued)

Use of set mesh nets in and near Hervey Bay

79.(1) A set mesh net may be used in waters of Hervey Bay at least 2 m deep within the following boundary—

- from the southern bank of Baffle Creek east to longitude 153° east
- along longitude 153° east to Fraser Island near Sandy Point
- to Dayman Point
- along the shore to the southern bank of Baffle Creek.

(2) The net must not be longer than 600 m and must have a mesh size of at least 88 mm.

(3) A net used south of a line from the southern bank of the Elliott River east to longitude 153° east must be made of monofilament not more than 0.65 mm in diameter and must not be more than 33 meshes deep.

(4) The net must not be used in waters of Hervey Bay within the following boundary between 4.00 p.m. and 4.00 a.m. from 1 July to 31 October—

- from the southern bank of Theodolite Creek east to longitude 152°40' east
- to the southern bank of O'Regan Creek
- along the shore to the southern bank of Theodolite Creek.

(5) A person using a net north of a line from the southern bank of the Elliott River east to longitude 153° east need not be within 100 m of the net.

Use of set mesh nets on foreshores between the Burnett River and Baffle Creek

80.(1) A set mesh net may be used on foreshores between the northern bank of the Burnett River and the northern bank of Baffle Creek.

(2) The net must be not longer than 120 m and must have—

- (a) a mesh size of at least 100 mm but not more than 215 mm; and
- (b) a drop of not more than 50 meshes.

SCHEDULE 13 (continued)

(3) The net must not be used between midday on 1 September and midday on 1 February.

(4) The net must not be set within 200 m of a jetty or wharf.

(5) Despite subsection (1), not more than one-third of the net's length may extend out to sea beyond low water.

*Division 4—Use of tunnel nets***Use of tunnel nets**

81.(1) A tunnel net may be used on foreshores of Great Sandy Strait and Wide Bay Harbour between the following lines—

- a line from the northern bank of Kauri Creek to Hook Point
- a line from the northern bank of Pulgul Creek (also known as Arangarandin Creek) to the southern tip of Big Woody Island, and then to McKenzie's Jetty, Fraser Island.

(2) The net must not be longer than 1 700 m (excluding its tunnel length) and must have—

- (a) a tunnel length of not more than 200 m; and
- (b) a tunnel entrance width of between 1.5 m and 4 m; and
- (c) a mesh size of—
 - (i) for the tunnel—not more than 50 mm; and
 - (ii) for not more than 400 m adjacent to each side of the tunnel—at least 25 mm; and
 - (iii) for the rest of the net—at least 44 mm.

(3) The tunnel must extend out to sea beyond low water for 30 m in water at least 30 cm deep.

(4) A commercial fisher and at least 1 other fisher must be within 100 m of the net while it is in use.

SCHEDULE 13 (continued)

*Division 5—Miscellaneous***Use of primary commercial fishing boats**

82. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

83.(1) A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

(2) However, if more than 1 net is used, a tender commercial fishing boat may be used within 800 m of the first or last net or between the nets.

(3) Subsection (2) only applies if the primary commercial fishing boat is also within 800 m of the first or last net or between the nets.

(4) If a primary commercial fishing boat and its tender commercial fishing boat are used to set a tunnel net, the tender commercial fishing boat may be used within 1 700 m of its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

84.(1) The permitted distance for an assistant fisher to be under direction is 800 m or, if the fishers are setting a tunnel net, 1 700 m.

(2) However, if more than 1 net is used, the assistant fisher is taken to be within the permitted distance if the assistant fisher is within 800 m of the first or last net or between the nets.

(3) Subsection (2) only applies if the commercial fisher is also within 800 m of the first or last net or between the nets.

Marking nets

85.(1) A set mesh net used during the day must be marked by—

- (a) light coloured floats not more than 20 m apart along its length;
and

SCHEDULE 13 (continued)

- (b) a white float, at least 15 cm in any dimension, with the person's name written on it at its end farthest from the shore.
- (2) A set mesh net used at night must also be marked by—
- (a) if the combined length of the net and equipment used in setting it is not more than 50 m—
 - (i) a white light, visible at least 400 m in all directions from the light, at its end farthest from the shore; and
 - (ii) a reflectorised float, at least 15 cm in any dimension, at its end nearest the shore; and
 - (b) if the combined length of the net and equipment used to set it is more than 50 m—a white light, visible at least 400 m in any direction from the light, at both ends of the net.
- (3) In addition, a set mesh net used in offshore waters must be marked by—
- (a) 6 floats along its length, each not less than 15 cm in any dimension; and
 - (b) a pole with an orange flag on it at least 2 m above the water attached to its end farthest from the shore.
- (4) A net that is not fixed or hauled and is used in offshore waters must be marked in the way stated in subsection (3).

PART 7—NET FISHERY (OCEAN BEACH)**Fishery symbol**

86. The fishery symbol is 'N4'.

Fishery area

87. The fishery area comprises all tidal waters within 400 m of—

SCHEDULE 13 (continued)

- (a) the shore of Breaksea Spit; and
- (b) a line—
- from the northern tip of Fraser Island, along the island's eastern shore, to its southern tip
 - to the eastern tip of Inskip Point
 - along the shore to F↑B sign at the southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra
 - to the northern tip of Bribie Island
 - along the eastern, southern and western shores of Bribie Island to the F↑B sign at the southern end of South Esplanade, Bongaree; and
- (c) a line—
- from Comboyuro Point, along the northern and eastern shores of Moreton Island, to the island's southern tip
 - to the north-western tip of North Stradbroke Island
 - along the northern and eastern shores to the south-eastern tip of North Stradbroke Island
 - to the north-eastern tip of South Stradbroke Island
 - along South Stradbroke Island's eastern shore to the seaward tip of the northern breakwater wall of the Gold Coast Seaway
 - to the seaward tip of the southern breakwater wall of the Gold Coast Seaway
 - along the breakwater and the shore to the State's border with New South Wales.

What fish may be taken

- 88.** Any fish (other than barramundi) may be taken.

SCHEDULE 13 (continued)

Permitted ways of taking fish

89.(1) Fish may only be taken by using seine nets.

(2) Fish may only be taken with the use of a crew (including the commercial fisher) of at least 3, but not more than 5, fishers.

Use of seine nets

90.(1) A seine net may be used—

- (a) north of the south-eastern tip of North Stradbroke Island only if it is at least 200 m long but not longer than 500 m; and
- (b) south of the south-eastern tip of North Stradbroke Island only if it is at least 150 m long but not longer than 500 m.

(2) A net must have a mesh size of at least 50 mm but not more than 70 mm and a drop of at least 150 meshes for at least one-half of its length.

Time quota

91. Fish may only be taken from 1 April to 31 August.

Use of primary commercial fishing boats

92. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

93. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

94. The permitted distance for an assistant fisher to be under direction is 800 m.

SCHEDULE 13 (continued)

PART 8—NET FISHERY (SET NETS—EAST COAST)**Fishery symbol**

95. The fishery symbol is 'N2'.

Fishery area

96. The fishery area comprises all tidal waters east of longitude 142°09' east, but does not include waterways flowing into the Gulf of Carpentaria west of longitude 142°09' east.

What fish may be taken

97. The following fish may be taken—

- (a) in waters east of longitude 142°31'49" east—any fish;
- (b) in waters west of longitude 142°31'49" east—
 - (i) barramundi;
 - (ii) black or spotted jewfish;
 - (iii) blue salmon;
 - (iv) grey mackerel;
 - (v) jewel fish;
 - (vi) king salmon;
 - (vii) queenfish;
 - (viii) spotted grunter bream;
 - (ix) other fish taken while taking fish mentioned in paragraphs (i) to (viii).

Permitted ways of taking fish

98.(1) Fish may only be taken by using set mesh nets.

SCHEDULE 13 (continued)

(2) Unless otherwise stated, a set mesh net must not be set within—

- (a) 400 m of a jetty or wharf; or
- (b) 100 m of another net that is in use.

(3) Despite subsection (2)(b), a person using more than 1 set mesh net (other than in a river or creek) may set the nets within 100 m of each other.

(4) Unless otherwise stated, a person using the net must not be more than 800 m from it or, if more than 1 net is set, the first or last net.

Use of set mesh nets on foreshores between Baffle Creek and Cape Flattery

99.(1) A set mesh net may be used on foreshores between the northern bank of Baffle Creek and Cape Flattery.

(2) A set mesh net may also be used not more than 1 km from the shore of Girt Island at low water.

(3) The net must be not longer than 600 m and must have a mesh size of at least 100 mm but not more than 215 mm.

(4) However, during the closed season for barramundi, on foreshores north of the northern bank of St Lawrence Creek, the net's mesh size must not be more than 115 mm.

(5) Not more than one-third of the net's length may extend out to sea beyond low water if it is used in an area other than the area mentioned in subsection (2).

(6) Not more than 3 nets may be set if their combined length is not more than 600 m and the distance between the first and last net is not more than 1 n mile.

(7) A net must not be set within 200 m of a jetty, wharf or another net that is in use.

SCHEDULE 13 (continued)

Use of set mesh nets in rivers and creeks between Kauri Creek and Cape Flattery

100.(1) A set mesh net may be used in rivers and creeks between the southern bank of Kauri Creek and Cape Flattery only if it is not longer than 120 m and has a mesh size of at least 150 mm but not more than 215 mm and a drop of not more than 50 meshes.

(2) Not more than 3 nets may be set if their combined length is not more than 360 m and the distance between the first and last net is not more than 1 n mile.

(3) A net must not be used in the closed season for barramundi in waters north of the northern bank of Baffle Creek.

Use of set mesh nets in Hinchinbrook Channel

101.(1) A set mesh net may be used in Hinchinbrook Channel and waters flowing into the channel within the following boundary—

- from an F[↑]B sign at the base of Round Hill to an F[↑]B sign at the southern tip of Mangrove Island
- to lead beacon No. 2 on Hinchinbrook Island
- along the shore to an F[↑]B sign at Fisherman Point
- across Hinchinbrook Channel to an F[↑]B sign at the eastern bank of Neames Creek (also known as Neames Inlet)
- along the shore to the F[↑]B sign at the base of Round Hill.

(2) A net must be not longer than 120 m and must have a mesh size of at least 150 mm but not more than 215 mm and a drop of not more than 50 meshes.

(3) Not more than 3 nets may be set if their combined length is not more than 360 m and the distance between the first and last net is not more than 1 n mile.

(4) Two nets may be joined and used as a single net if only 1 other net is used and the combined length of all the nets is not more than 360 m.

(5) A net must not be used in the closed season for barramundi.

SCHEDULE 13 (continued)

Use of set mesh nets in rivers and creeks north of Cape Flattery

102.(1) A set mesh net may be used in rivers and creeks north of Cape Flattery only if it is not longer than 120 m and has a mesh size of at least 150 mm but not more than 215 mm and a drop of not more than 50 meshes.

(2) Not more than 6 nets may be set if their combined length is not more than 360 m and the distance between the first and last net is not more than 1 n mile.

(3) A net must not be used in the closed season for barramundi.

Use of set mesh nets on foreshores north of Cape Flattery

103.(1) A set mesh net may be used on foreshores north of Cape Flattery only if it is not longer than 600 m and has a mesh size of at least 150 mm but not more than 215 mm.

(2) Despite subsection (1), not more than one-third of the net's length may extend out to sea beyond low water.

(3) Not more than 6 nets may be set if their combined length is not more than 600 m and the distance between the first and last net is not more than 1 n mile.

(4) A net must not be used during the closed season for barramundi.

Use of primary commercial fishing boats

104. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

105.(1) A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

(2) However, if more than 1 net is used, a tender commercial fishing boat may be used within 800 m of the first or last net or between the nets.

SCHEDULE 13 (continued)

(3) Subsection (2) only applies if the primary commercial fishing boat is also within 800 m of the first or last net or between the nets.

Permitted distance for an assistant fisher to be under direction

106.(1) The permitted distance for an assistant fisher to be under direction is 800 m.

(2) However, if more than 1 net is used, the assistant fisher is taken to be within the permitted distance if the assistant fisher is within 800 m of the first or last net or between the nets.

(3) Subsection (2) only applies if the commercial fisher is also within 800 m of the first or last net or between the nets.

Marking nets

107.(1) A set mesh net used during the day must be marked by—

- (a) light coloured floats not more than 20 m apart along its length; and
- (b) a white float, at least 15 cm in any dimension, with the person's name written on it at its end farthest from the shore.

(2) A set mesh net used at night must also be marked by—

- (a) if the combined length of the net and equipment used in setting it is not more than 50 m—
 - (i) a white light, visible at least 400 m in all directions from the light, at its end farthest from the shore; and
 - (ii) a reflectorised float, at least 15 cm in any dimension, at its end nearest the shore; and
- (b) if the combined length of the net and equipment used to set it is more than 50 m—a white light, visible at least 400 m in any direction from the light, at both ends of the net.

SCHEDULE 14**TRAWL FISHERIES (COMMERCIAL)**

section 2 and schedule 17

PART 1—TRAWL FISHERY (CONCESSIONAL ZONE)**Fishery symbol**

1. The fishery symbol is 'T2'.

Fishery area

2. The fishery area comprises all tidal waters east of the territorial sea baseline and south of latitude 24°21'24" south.

What fish may be taken

3. Only prawns and saucer scallops may be taken.

Permitted way of taking prawns and saucer scallops

4.(1) Prawns and saucer scallops may only be taken by using otter trawl nets.

(2) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.

(3) A sweep on a net must not be longer than 10 m.

(4) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.

SCHEDULE 14 (continued)

(5) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.

Use of primary commercial fishing boats

5. A primary commercial fishing boat must not be longer than 20 m.

Use of otter trawl nets for taking prawns

6.(1) An otter trawl net may be used to take prawns only if it is not longer than 88 m and has a mesh size of at least 38 mm but not more than 60 mm.

(2) Despite subsection (1), an otter trawl net not longer than 184 m may be used to take prawns but only if its mesh size is at least 38 mm but not more than 60 mm and it is used in waters east of the following line—

- from latitude 27°58' south, longitude 154° east, to latitude 28°03'35" south, longitude 153°47' east
- to latitude 27°26' south, longitude 153°42' east
- to latitude 27°02' south, longitude 153°33'30" east
- to latitude 26°30' south, longitude 153°32'30" east
- to latitude 26°15' south, longitude 153°50' east
- to latitude 25° south, longitude 153°35' east
- to latitude 24°30' south, longitude 153°20' east
- to latitude 24°21'24" south, longitude 153°08'48" east near Breaksea Spit light.

Use of otter trawl nets for taking saucer scallops

7. An otter trawl net may be used to take saucer scallops only if it is not longer than 109 m and has a mesh size of at least 75 mm.

SCHEDULE 14 (continued)

PART 2—TRAWL FISHERY (EAST COAST No. 1)*Division 1—Preliminary***Fishery symbol**

8. The fishery symbol is 'T1'.

Fishery area

9. The fishery area comprises all tidal waters east of longitude 142°31'49" east.

What fish may be taken

10. Only prawns and saucer scallops may be taken.

Permitted ways of taking prawns and saucer scallops

- 11.(1) Prawns may only be taken by using beam or otter trawl nets.
- (2) Saucer scallops may only be taken by using otter trawl nets.
- (3) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.
- (4) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.
- (5) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.
- (6) A beam trawl net (other than a net that may be used north of Cape Gloucester) on board a boat north of Cape Gloucester must be removed from the gallows or booms and secured.

SCHEDULE 14 (continued)

(7) An otter trawl net (other than a net that may be used north of Cape Gloucester) on board a boat north of Cape Gloucester must be removed from the gallows or booms, detached from the otter boards and secured.

Use of primary commercial fishing boats

12. A primary commercial fishing boat must not be longer than—

- (a) in waters other than Moreton Bay—20 m; or
- (b) in Moreton Bay—14 m.

*Division 2—Use of nets to take prawns***General conditions**

13.(1) A net used under this division may only be used to take prawns.

(2) A net used in an area other than the Laguna Bay area mentioned in section 16 must have sweeps not longer than 10 m each.

Use of nets in Moreton Bay

14. A beam or otter trawl net may be used in Moreton Bay only if it has a mesh size of at least 38 mm but not more than 60 mm and is not longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

Use of nets between Comboyuro Point and Caloundra Head

15.(1) A beam or otter trawl net may be used in waters within the following boundary—

- from Comboyuro Point, Moreton Island to the Racon Beacon (at the entrance to the main shipping channel at Caloundra)
- to Caloundra Head

SCHEDULE 14 (continued)

- along the shore to the F↑B sign at southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra
- to the F↑B sign at the northern tip of Bribie Island
- along the eastern shore of Bribie Island to Skirmish Point
- to Comboyuro Point.

(2) The net must have a mesh size of at least 38 mm but not more than 60 mm and must not be longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

Use of nets in Laguna Bay

16.(1) An otter trawl net may be used in Laguna Bay between the following lines only if it is not longer than 18.6 m and has a mesh size of at least 28 mm—

- a line from latitude 26°16' south on the shore (near Teewah) to the eastern tip of Noosa Head
- a line from the F↑B sign on northern bank of the Noosa River to the F↑B sign at the Boiling Pot (near Noosa Head).

(2) The net's head rope must not be longer than 8 m.

Use of nets in Hervey Bay

17.(1) A beam or otter trawl net may be used in waters of Hervey Bay between latitude 25°05' south and a line from the eastern tip of Point Vernon to Sandy Point, Fraser Island.

(2) The net must have a mesh size of at least 38 mm but not more than 60 mm and must not be longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

SCHEDULE 14 (continued)

Use of nets near Facing Island

18.(1) A beam or otter trawl net may be used in waters south and west of Facing Island (near Gladstone) within the following boundary—

- from Tiber Point along the shore to Auckland Point
- to Tail Point, Chinaman Island
- to North Point, Facing Island
- along Facing Island's western and southern shores to Gatcombe Head
- to the Fairway Buoy (Wild Cattle Cutting)
- to Tiber Point.

(2) The net must have a mesh size of at least 38 mm but not more than 60 mm and must not be longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

Use of nets in Keppel Bay

19.(1) A beam or otter trawl net may be used in Keppel Bay within the following boundary—

- from Cattle Point to an unnamed point on the shore of Curtis Island about 1.25 n miles north of Maria Inlet
- along the western shore of Curtis Island to Warner Point
- to Quartz Rock
- to the intersection with the mainland shore of a line from Quartz Rock to Red Hill
- along the shore to Cattle Point.

(2) The net must have a mesh size of at least 38 mm but not more than 60 mm and must not be longer than—

SCHEDULE 14 (continued)

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

Use of nets in Llewellyn Bay

20. A beam or otter trawl net may be used in waters of Llewellyn Bay (near Sarina) west of a line from Freshwater Point to Allom Point only if it has a mesh size of at least 38 mm but not more than 60 mm and is not longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

Use of nets in Repulse Bay

21.(1) A beam or otter trawl net may be used in waters of Repulse Bay (near Proserpine) within the following boundary—

- from Rocky Point along the shore to the northern bank of the O'Connell River
- east for 2 n miles
- to Rocky Point.

(2) The net must have a mesh size of at least 38 mm but not more than 60 mm and must not be longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

Use of nets south of Cape Gloucester

22. A beam or otter trawl net may be used in waters south of Cape Gloucester (near Bowen) only if it has a mesh size of at least 38 mm but not more than 60 mm and is not longer than—

- (a) for a beam trawl net—40 m; or
- (b) for an otter trawl net—88 m.

SCHEDULE 14 (continued)

Use of nets north of Cape Gloucester

23.(1) A beam or otter trawl net may be used in waters north of Cape Gloucester (near Bowen) only if it has a mesh size of at least 45 mm but not more than 60 mm and is not longer than—

- (a) for a beam trawl net—40 m; or
- (b) for an otter trawl net—88 m.

(2) An otter trawl net must have a cod end with a mesh size of at least 38 mm and not more than 100 rows of mesh from the drawstring.

Use of nets in Sinclair Bay

24.(1) A beam or otter trawl net may be used in waters of Sinclair Bay (near Bowen) within the following boundary—

- from longitude 148°25.3' east on the shore to longitude 148°26.75' east on the shore
- along the shore to longitude 148°25.3' east.

(2) The net must have a mesh size of at least 38 mm but not more than 60 mm and must not be longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

Use of nets in Cleveland Bay

25. A beam or otter trawl net may be used in Cleveland Bay (near Townsville) south of a line from Cape Pallarenda to Cape Cleveland only if it has a mesh size of at least 38 mm but not more than 60 mm and is not longer than—

- (a) for a beam trawl net—10 m; or
- (b) for an otter trawl net—32.5 m.

SCHEDULE 14 (continued)

Use of nets in offshore waters

26.(1) An otter trawl net may be used in waters within the following boundary—

- from latitude 28°03'35" south, longitude 153°47' east
- to latitude 27°26' south, longitude 153°42' east
- to latitude 27°02' south, longitude 153°33'30" east
- to latitude 26°30' south, longitude 153°32'30" east
- to latitude 26°15' south, longitude 153°50' east
- to latitude 25° south, longitude 153°35' east
- to latitude 24°30' south, longitude 153°20' east
- to the Breaksea Spit light (off the northern tip of Fraser Island)
- to the light on Lady Elliot Island
- to the light on Lady Musgrave Island
- to the light on North Reef
- to the western tip of Herald No. 1 in the Swain Reefs
- to the western tip of Hixson Cay at the southern end of Swain Reefs
- to latitude 21° south, longitude 152°55' east
- to latitude 21° south, longitude 151°30' east
- to latitude 20°10' south, longitude 150°20' east
- to latitude 19°39'38.26" south, longitude 150°35' east
- to latitude 17°30' south, longitude 147° east
- to latitude 15° south, longitude 146° east
- to latitude 13° south, longitude 145° east
- to latitude 13° south, longitude 144° east
- to latitude 10°41'17" south, longitude 144° east
- to latitude 10°41'17" south, longitude 145° east

SCHEDULE 14 (continued)

- to latitude 13° south, longitude 145° east
- to latitude 15° south, longitude 146° east
- to latitude 18°20' south, longitude 148°20' east
- to latitude 18°45' south, longitude 152°35' east
- to latitude 22°15' south, longitude 154°40' east
- to latitude 27°48' south, longitude 154°40' east
- to latitude 27°48' south, longitude 154°22' east
- to latitude 27°58' south, longitude 154° east
- to latitude 28°03'35" south, longitude 153°47' east.

(2) The net must not be longer than 184 m and must have a mesh size of at least 38 mm but not more than 60 mm.

*Division 3—Use of nets to take saucer scallops***Use of nets to take saucer scallops**

27. An otter trawl net may be used to take saucer scallops only if it is not longer than 109 m and has a mesh size of at least 75 mm.

PART 3—TRAWL FISHERY (EAST COAST No. 2)**Fishery symbol**

28. The fishery symbol is 'T3'.

Fishery area

29. The fishery area comprises all tidal waters east of longitude 142°31'49" east.

SCHEDULE 14 (continued)

What fish may be taken

30. Only prawns may be taken.

Permitted ways of taking prawns

31.(1) Prawns may only be taken by using beam trawl nets.

(2) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.

(3) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.

(4) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.

(5) A net (other than a net that may be used north of Cape Gloucester) on board a boat north of Cape Gloucester must be removed from the gallows or booms and secured.

Use of primary commercial fishing boats

32. A primary commercial fishing boat must not be longer than 20 m.

Use of nets south of Cape Gloucester

33. A beam trawl net may be used in waters south of Cape Gloucester (near Bowen) only if it is not longer than 40 m and has a mesh size of at least 38 mm but not more than 60 mm.

Use of nets north of Cape Gloucester

34. A beam trawl net may be used in waters north of Cape Gloucester (near Bowen) if it is not longer than 40 m and has a mesh size of at least 45 mm but not more than 60 mm.

SCHEDULE 14 (continued)

PART 4—TRAWL FISHERY (FIN FISH)**Fishery symbol**

35. The fishery symbol is 'T4'.

Fishery area

36. The fishery area comprises all tidal waters within the following boundary—

- from the 20 fathom depth contour east of Caloundra Head, east to the 50 fathom depth contour
- along the 50 fathom depth contour to east of Sandy Cape, Fraser Island
- west to the 20 fathom depth contour
- along the 20 fathom depth contour to east of Caloundra Head.

What fish may be taken

37. Only red spot or stout whiting may be taken.

Permitted ways of taking whiting

38.(1) Red spot or stout whiting may only be taken by using otter trawl nets.

(2) A net must not be longer than 88 m and must have a mesh size of at least 38 mm but not more than 60 mm.

(3) A net's sweeps must not be longer than 128 m each.

(4) A net must not be used from a boat longer than 20 m.

SCHEDULE 14 (continued)

Time quota

39. Red spot or stout whiting may only be taken between 1 April and 31 December.

PART 5—TRAWL FISHERY (RIVER AND INSHORE—AREA 1)**Fishery symbol**

40. The fishery symbol is 'T5'.

Fishery area

41. The fishery area comprises all tidal waters south of Double Island Point.

What fish may be taken

42. Only prawns may be taken.

Permitted ways of taking prawns

43.(1) Prawns may only be taken by using beam or otter trawl nets.

(2) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.

(3) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.

(4) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.

SCHEDULE 14 (continued)

Use of primary commercial fishing boats

44. A primary commercial fishing boat must not be longer than 9 m.

Use of beam trawl nets in the Brisbane River

45. A beam trawl net may be used in the Brisbane River between the Victoria Bridge and a line from the F[↑]B sign at Juno Point to the eastern bank of the Brisbane River only if the net is not longer than 5 m and has a mesh size of at least 25 mm.

Use of beam trawl nets at or near the Brisbane River mouth

46. A beam trawl net may be used in waters within the following boundary only if it is not longer than 5 m and has a mesh size of at least 25 mm—

- from the F[↑]B sign at Juno Point to the second green beacon marking the Koopa Channel
- to the West Coffee Pot beacon
- to the West Inner Bar beacon
- to the eastern bank of the Brisbane River
- to the F[↑]B sign at Juno Point.

Use of beam trawl nets in Moreton Bay

47. A beam trawl net may be used in Moreton Bay only if it is not longer than 5 m and has a mesh size of at least 38 mm but not more than 60 mm.

Use of beam trawl nets in the Noosa River and connected lakes

48.(1) A beam trawl net may be used in the Noosa River and lakes connected to the Noosa River only if it is not longer than 5 m and has a mesh size of at least 28 mm.

(2) A net must not be used between 7 p.m. and 6 a.m.

SCHEDULE 14 (continued)

Use of otter trawl nets in Laguna Bay

49. An otter trawl net may be used in Laguna Bay between the following lines only if it is not longer than 16 m and has a mesh size of at least 28 mm—

- a line from latitude 26° 16' south on the shore (near Teewah) to the eastern tip of Noosa Head
- a line from the F↑B sign on northern bank of the Noosa River to the F↑B sign at the Boiling Pot (near Noosa Head).

Use of beam trawl nets in rivers and creeks

50. A beam trawl net may be used in rivers and creeks only if it is not longer than 5 m and has a mesh size of at least 25 mm.

PART 6—TRAWL FISHERY (RIVER AND INSHORE—AREA 2)**Fishery symbol**

51. The fishery symbol is 'T6'.

Fishery area

52. The fishery area comprises all tidal waters between Double Island Point and the northern bank of the Burrum River.

What fish may be taken

53. Only prawns may be taken.

SCHEDULE 14 (continued)

Permitted ways of taking prawns

54.(1) Prawns may only be taken by using beam trawl nets.

(2) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.

(3) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.

(4) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.

Use of primary commercial fishing boats

55. A primary commercial fishing boat must not be longer than 9 m.

Use of beam trawl nets in Great Sandy Strait

56. A beam trawl net may be used in Great Sandy Strait between the following lines only if the net is not longer than 5 m and has a mesh size of at least 25 mm—

- a line from the F↑B sign at the mouth of Pulgul Creek to the F↑B sign at the southern tip of Big Woody Island, and then to the F↑B sign at Blackfellow Point, Fraser Island
- a line from the F↑B sign at North Head, Mary River to the F↑B sign at North White Cliffs, Fraser Island.

Use of beam trawl nets in Hervey Bay

57.(1) A beam trawl net may be used in the waters of Hervey Bay south of latitude 25°05' south, and north of a line from the eastern shore of Point Vernon to Sandy Point, Fraser Island.

(2) The net must not be longer than 10 m and must have a mesh size of at least 38 mm but not more than 60 mm.

SCHEDULE 14 (continued)

Use of beam trawl nets in rivers and creeks

58. A beam trawl net may be used in rivers and creeks only if it is not longer than 5 m and has a mesh size of at least 25 mm.

PART 7—TRAWL FISHERY (RIVER AND INSHORE—AREA 3)**Fishery symbol**

59. The fishery symbol is ‘T7’.

Fishery area

60. The fishery area comprises all tidal waters between the northern bank of the Burrum River and Richards Point (Rodds Peninsula).

What fish may be taken

61. Only prawns may be taken.

Permitted ways of taking prawns

62.(1) Prawns may only be taken by using beam trawl nets.

(2) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.

(3) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.

(4) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.

SCHEDULE 14 (continued)

Use of primary commercial fishing boats

63. A primary commercial fishing boat must not be longer than 9 m.

Use of beam trawl nets in rivers and creeks

64. A beam trawl net may be used in a river or creek only if the net is not longer than 5 m and has a mesh size of at least 25 mm.

**PART 8—TRAWL FISHERY (RIVER AND
INSHORE—AREA 4)****Fishery symbol**

65. The fishery symbol is ‘T8’.

Fishery area

66. The fishery area comprises all tidal waters between Richards Point (Rodds Peninsula) and Reef Point (south of Townshend Island).

What fish may be taken

67. Only prawns may be taken.

Permitted ways of taking prawns

68.(1) Prawns may only be taken by using beam trawl nets.

(2) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.

SCHEDULE 14 (continued)

(3) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.

(4) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.

Use of primary commercial fishing boats

69. A primary commercial fishing boat must not be longer than 9 m.

Use of beam trawl nets near Facing Island

70.(1) A beam trawl net may be used in waters south and west of Facing Island (near Gladstone) within the following boundary—

- from Tiber Point along the shore to Auckland Point
- to Tail Point, Chinaman Island
- to North Point, Facing Island
- along Facing Island's western and southern shores to Gatcombe Head
- to the Fairway Buoy (Wild Cattle Cutting)
- to Tiber Point.

(2) The net must be not longer than 10 m and must have a mesh size of at least 38 mm but not more than 60 mm.

Use of beam trawl nets in and near Keppel Bay

71.(1) A beam trawl net may be used in Keppel Bay within the following boundary only if it is not longer than 10 m and has a mesh size of at least 38 mm but not more than 60 mm—

- from Cattle Point to an unnamed point on the shore of Curtis Island about 1.25 n miles north of Maria Inlet
- along the western shore of Curtis Island to Warner Point

SCHEDULE 14 (continued)

- to Quartz Rock
- to the intersection of the mainland shore by a line from Quartz Rock to Red Hill
- along the shore to Cattle Point.

(2) A beam trawl net may also be used in Keppel Bay and adjoining rivers and creeks south and west of the following line only if it is not longer than 5 m and has a mesh size of at least 31 mm—

- from Cattle Point to an unnamed point on the shore of Curtis Island about 1.25 n miles north of Maria Inlet
- along the western shore of Curtis Island to the southern bank of Barker Creek
- across The Narrows to the southern bank of Deception Creek at Division Point.

Use of beam trawl nets in rivers and creeks

72. A beam trawl net may be used in rivers and creeks only if it is not longer than 5 m and has a mesh size of at least 25 mm.

PART 9—TRAWL FISHERY (RIVER AND INSHORE—AREA 5)

Fishery symbol

73. The fishery symbol is 'T9'.

Fishery area

74. The fishery area comprises all east coast tidal waters between Reef Point (south of Townshend Island) and the northern tip of Cape York Peninsula.

SCHEDULE 14 (continued)

What fish may be taken

75. Only prawns may be taken.

Permitted ways of taking prawns

76.(1) Prawns may only be taken by using beam trawl nets.

(2) More than 1 net may be used from a single boat if the combined length of the nets is not more than the maximum length of net a person may use.

(3) The part of the net within 100 rows of mesh from its drawstring may be covered with netting material with a mesh size of at least the size a person may use.

(4) The bottom half of the net within 100 rows of mesh from its drawstring may be completely covered.

Use of primary commercial fishing boats

77. A primary commercial fishing boat must not be longer than 9 m.

Use of beam trawl nets in Llewellyn Bay

78. A beam trawl net may be used in Llewellyn Bay (near Sarina) west of a line from Freshwater Point to Allom Point only if it is not longer than 10 m and has a mesh size of at least 38 mm but not more than 60 mm.

Use of beam trawl nets in Repulse Bay

79. A beam trawl net may be used in Repulse Bay (near Proserpine) within the following boundary only if the net is not longer than 10 m and has a mesh size of at least 38 mm but not more than 60 mm—

- from Rocky Point along the shore to the northern bank of the O'Connell River
- east for 2 n miles
- to Rocky Point.

SCHEDULE 14 (continued)

Use of beam trawl nets in Sinclair Bay

80. A beam trawl net may be used in Sinclair Bay (near Bowen) within the following boundary only if the net is not longer than 10 m and has a mesh size of at least 38 mm but not more than 60 mm—

- from longitude 148°25.3' east on the shore to longitude 148°26.75' east on the shore
- along the shore to longitude 148°25.3' east.

Use of beam trawl nets in Cleveland Bay

81. A beam trawl net may be used in Cleveland Bay (near Townsville) south of a line from Cape Cleveland to Cape Pallarenda only if it is not longer than 10 m and has a mesh size of at least 38 mm but not more than 60 mm.

Use of beam trawl nets in rivers and creeks

82. A beam trawl net may be used in rivers and creeks only if it is not longer than 5 m and has a mesh size of at least 25 mm.

SCHEDULE 15**OTHER FISHERIES (COMMERCIAL)**

section 2 and schedule 17

PART 1—AQUARIUM FISH FISHERY**Fishery symbol**

1. The fishery symbol is 'A'.

Fishery area

2. The fishery area comprises all tidal waters south of latitude 10°41' south and east of longitude 142°31'49" east.

What fish may be taken

3. Fish other than the following fish may be taken—
 - (a) barramundi;
 - (b) bêche-de-mer;
 - (c) shell grit;
 - (d) star sand;
 - (e) any species of coral, oyster, pearl shell or trochus.

Permitted ways of taking fish

- 4.(1) Fish may only be taken by hand or by using fishing lines or cast, scoop or seine nets.
- (2) Underwater breathing apparatus may also be used when taking fish.
- (3) A herding device (for example, a rod) may be used when taking fish.

SCHEDULE 15 (continued)

General conditions of taking fish

- 5.(1) The authority holder must be present when the fish are taken.
- (2) Fish may only be taken in the fishery area or area stated in the authority.
- (3) Only the boat identified in the authority and 1 other boat may be used to take fish at the same location.
- (4) Fish must not be taken for human consumption.
- (5) Not more than the number of persons stated on the authority may take fish at the same time.

Use of fishing lines

6. A fishing line may be used only if it has a single barbless hook.

Use of cast nets

7. A cast net may be used only if it is not more than 6 m in diameter and has a mesh size of not more than 28 mm.

Use of scoop nets

8. A scoop net may be used only if it is not more than 2 m in any dimension and has a mesh size of not more than 25 mm and a handle or shaft not longer than 2.5 m.

Use of seine nets

- 9.(1) A seine net may be used only if it is not longer than 16 m and has a mesh size must of not more than 28 mm and a drop of not more than 3 m.
- (2) A person using the net under an authority must be within 100 m of it.

SCHEDULE 15 (continued)

Selling fish

10. The authority holder may sell fish taken under the authority only for display as aquarium fish.

PART 2—BÊCHE-DE-MER FISHERY (EAST COAST)**Fishery symbol**

11. The fishery symbol is 'B1'.

Fishery area

12. The fishery area comprises all tidal waters east of longitude 142°31'49" east between latitude 10°41' south and latitude 26° south.

What fish may be taken

13. Only bêche-de-mer may be taken.

Permitted ways of taking bêche-de-mer

14.(1) Bêche-de-mer may only be taken by hand.

(2) Underwater breathing apparatus may also be used when taking bêche-de-mer.

General conditions of taking bêche-de-mer

15.(1) The authority holder must be present when bêche-de-mer are taken.

(2) Bêche-de-mer may only be taken in the fishery area or area stated in the authority.

SCHEDULE 15 (continued)

(3) The boat identified in the authority and 4 other boats may be used to take bêche-de-mer in the same location.

(4) A boat (other than the boat identified in the authority) must not be longer than 7 m.

(5) Not more than the number of persons stated on the authority may, at the same time, dive for or gather bêche-de-mer.

Annual quota

16. The annual quota of bêche-de-mer that may be taken under an authority with the fishery symbol on it is the quota stated on it.

Selling bêche-de-mer

17. The authority holder may sell bêche-de-mer taken under the authority only to a buyer or the holder of another authority allowing the holder to buy the bêche-de-mer.

PART 3—BÊCHE-DE-MER FISHERY (TORRES STRAIT)**Fishery symbol**

18. The fishery symbol is 'B2'.

Fishery area

19. The fishery area comprises tidal waters within—

- (a) the Torres Strait Protected Zone; and

SCHEDULE 15 (continued)

- (b) the area declared under the *Torres Strait Fisheries Act 1984* (Cwlth) to be outside but near the Protected Zone for commercial fishing for pearl shell.³²

What fish may be taken

- 20.** Only bêche-de-mer may be taken.

Permitted ways of taking bêche-de-mer

- 21.(1)** Bêche-de-mer may only be taken by hand.
- (2)** Underwater breathing apparatus may also be used to take bêche-de-mer.

Selling bêche-de-mer

- 22.** The authority holder may sell bêche-de-mer taken under the authority only to a buyer or the holder of another authority allowing the holder to buy the bêche-de-mer.

PART 4—CORAL FISHERY**Fishery symbol**

- 23.** The fishery symbol is 'D'.

Fishery area

- 24.** The fishery area comprises all tidal waters and foreshores south of latitude 10°41' south and east of longitude 142°31'49" east.

³² See the proclamation published in the Commonwealth of Australia Gazette No. S41 of 14 February 1985.

SCHEDULE 15 (continued)

What fish may be taken

25. Only the following fish may be taken—

- (a) coral of the class Anthozoa (including its uncompact skeletal structures);
- (b) coral sand which is comprised of finely broken up remnants of coral.

Permitted ways of taking coral

26.(1) Coral may only be taken by hand or by using hand held non-mechanical implements.

(2) Underwater breathing apparatus may also be used when taking coral.

General conditions of taking coral

27. Coral may be taken only in the area stated in the authority under which it is taken.

Annual quota

28. The annual quota of coral that may be taken under an authority with the fishery symbol on it is the quota stated on it.

Selling coral

29. The authority holder may sell coral taken under the authority.

**PART 5—CRAYFISH AND ROCK LOBSTER
FISHERY****Fishery symbol**

30. The fishery symbol is 'R'.

SCHEDULE 15 (continued)

Fishery area

31. The fishery area comprises the following tidal waters—

- (a) waters east of longitude 142°31'49" east, and north of latitude 14° south;
- (b) the Gulf of Carpentaria and adjoining waterways, between the 25 n mile line and the shore, south of latitude 10°48' south.

What fish may be taken

32. Only crayfish or rock lobsters may be taken.

Permitted ways of taking crayfish and rock lobsters

33.(1) Crayfish or rock lobsters may only be taken by using spears or spear guns.

(2) Underwater breathing apparatus may also be used when taking crayfish or rock lobsters.

Use of primary commercial fishing boats

34. A primary commercial fishing boat must not be longer than 20 m.

Use of tender commercial fishing boats

35.(1) A tender commercial fishing boat licence must have the fishery symbol on it.

(2) Not more than the number of tender commercial fishing boats authorised by the Authority for the fishery may be used at a time.

(3) A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

36. The permitted distance for an assistant fisher to be under direction is

SCHEDULE 15 (continued)

800 m.

PART 6—EEL FISHERY**Fishery symbol**

37. The fishery symbol is 'E'.

Fishery area

38. The fishery area comprises all artificially impounded fresh water.

What fish may be taken

39. Only freshwater eels may be taken.

Permitted ways of taking eels

40.(1) Freshwater eels may only be taken by using eel traps.

(2) The trap must have only 1 entrance funnel into the trap itself, but it may also have 1 other entrance funnel from the trap into its pocket.

(3) The trap must have a mesh size (including the pocket mesh) of at least 25 mm.

(4) The trap must have a metal frame that is not longer than 2 m (excluding the pocket), not wider than 0.6 m and not deeper than 0.6 m.

(5) The trap's pocket must be at least 6 m long.

(6) The end of the pocket must be attached to a float at least 150 mm in any dimension to allow trapped animals access to surface air.

(7) The trap's entrance funnel must not be extended by attaching wings.

(8) The trap and float must be marked with the authority holder's name and the authority number.

SCHEDULE 15 (continued)

(9) Not more than the number of traps stated on the authority may be used at a time at each place stated on the authority.

(10) The trap must not be used—

- (a) from 6.00 p.m. on Friday to 6.00 p.m. on Sunday from 1 April to 30 September; or
- (b) from 9.00 a.m. on Saturday to 4.00 p.m. on Sunday from 1 October to 31 March.

(11) The trap must be checked by midday on each day it is in use.

General condition of taking eels

41. The holder of an authority with the fishery symbol on it may only use an eel trap in waters stated in the authority.

Selling eels

42. The authority holder may sell eels taken under the authority.

PART 7—PEARL FISHERY**Fishery symbol**

43. The fishery symbol is 'P'.

Fishery area

44. The fishery area comprises tidal waters south of latitude 10°41' south and east of longitude 142°31'49" east.

What fish may be taken

45. Only live pearl oysters may be taken.

SCHEDULE 15 (continued)

Permitted ways of taking live pearl oysters

46.(1) Live pearl oysters may only be taken by hand or by using hand held implements.

(2) Underwater breathing apparatus may also be used when taking live pearl oysters.

Selling live pearl oysters

47. The authority holder may sell live pearl oysters taken under the authority only to an aquaculture authority holder who may buy and cultivate live pearl oysters.

PART 8—SHELL FISHERY**Fishery symbol**

48. The fishery symbol is 'F'.

Fishery area

49. The fishery area comprises all tidal waters and foreshores.

What fish may be taken

50. Only molluscs (other than oysters, pearl oysters, tridacnid clams, trochus, green snails and scallops) may be taken.

Permitted ways of taking molluscs

51. Molluscs may only be taken—

(a) for broken remnants of molluscs—

(i) by hand or hand held non-mechanical implements; or

SCHEDULE 15 (continued)

- (ii) if stated on the authority, mechanical equipment; or
- (b) for other molluscs—
 - (i) by hand, without using digging or sieving implements; or
 - (ii) if stated on the authority, shell dredges.

Use of primary commercial fishing boats

52. A primary commercial fishing boat must not be longer than 20 m.

General conditions of taking molluscs

53.(1) The authority holder must be present when the molluscs are taken.

(2) Molluscs may only be taken in the fishery area or area stated in the authority.

Annual quota

54. The annual quota of molluscs that may be taken under an authority with the fishery symbol on it is the quota stated on the authority.

Use of shell dredges

55. A shell dredge must not have a mouth wider than 1.2 m or teeth or prongs longer than 75 mm.

Selling molluscs

56.(1) The holder of a commercial fishing boat licence allowing the holder to take molluscs may sell them only to a buyer.

(2) The holder of another authority allowing the holder to take molluscs may sell them to anyone.

SCHEDULE 15 (continued)

PART 9—SHELL GRIT FISHERY**Fishery symbol**

57. The fishery symbol is 'G'.

Fishery area

58. The fishery area comprises all tidal waters and foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

59. Only shell grit may be taken.

Permitted ways of taking shell grit

60. Shell grit may be taken in any way.

General conditions of taking shell grit

61.(1) A person may only take shell grit in an area stated on the authority.

(2) The person must replace the total volume of shell grit removed from the area with an equal volume of lawfully obtained sand.

Selling shell grit

62. The authority holder may sell shell grit taken under the authority.

PART 10—STAR SAND FISHERY**Fishery symbol**

SCHEDULE 15 (continued)

63. The fishery symbol is 'H'.

Fishery area

64. The fishery area comprises all tidal waters and foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

65. Only star sand composed of the calcareous skeletons of unicellular animals known as Foraminifera may be taken.

Permitted ways of taking star sand

66. Star sand may only be taken by hand or hand-held implements.

General conditions of taking star sand

67. Star sand may only be taken in the area stated in the authority under which it is taken.

Selling star sand

68. The authority holder may sell star sand taken under the authority.

PART 11—TROCHUS FISHERY (EAST COAST)**Fishery symbol**

69. The fishery symbol is 'J1'.

Fishery area

SCHEDULE 15 (continued)

70. The fishery area comprises all tidal waters south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

71. Only trochus may be taken.

Permitted ways of taking trochus

72.(1) Trochus may only be taken by hand or by using hand held non-mechanical implements.

(2) A person may use underwater breathing apparatus when taking trochus.

General conditions of taking trochus

73.(1) The authority holder must be present when trochus are taken.

(2) Trochus may only be taken in the fishery area or area stated in the authority.

(3) The boat identified in the authority and 4 other boats may be used to take trochus in the same location.

(4) A boat (other than the boat identified in the authority) must not be longer than 7 m.

(5) Not more than the number of persons stated on the authority may, at the same time, dive for or gather trochus.

Annual quotas

74. The annual quota of trochus that may be taken under the authority is the quota stated on the authority.

Selling trochus

75. The authority holder may sell trochus taken under the authority only

SCHEDULE 15 (continued)

to a buyer or the holder of another authority allowing the holder to buy trochus.

PART 12—TROCHUS FISHERY (TORRES STRAIT)**Fishery symbol**

76. The fishery symbol is 'J2'.

Fishery area

77. The fishery area comprises tidal waters within—

- (a) the Torres Strait Protected Zone; and
- (b) the area declared under the *Torres Strait Fisheries Act 1984* (Cwlth) to be outside but near the Protected Zone for commercial fishing for pearl shell.³³

What fish may be taken

78. Only trochus may be taken.

Permitted ways of taking trochus

79.(1) Trochus may only be taken by hand or by using hand held non-mechanical implements.

(2) A person may use underwater breathing apparatus when taking trochus.

Annual quota

³³ See the proclamation published in the Commonwealth of Australia Gazette No. S41 of 14 February 1985.

SCHEDULE 15 (continued)

80. The annual quota of trochus for the fishery is the quota stated on the authority.

Selling trochus

81. The authority holder may sell trochus taken under the authority only to a buyer or the holder of another authority allowing the holder to buy trochus.

PART 13—WORM FISHERY (BEACHWORM)**Fishery symbol**

82. The fishery symbol is 'W1'.

Fishery area

83. The fishery area comprises all foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

84. Only beachworms may be taken.

Permitted ways of taking beachworms

85. Beachworms may only be taken by hand.

General conditions of taking beachworms

86. Beachworms may only be taken by the authority holder and in the area stated on the authority.

SCHEDULE 15 (continued)

Selling beachworms

87. The authority holder may sell beachworms taken under the authority only to a buyer.

PART 14—WORM FISHERY (BLOODWORM)**Fishery symbol**

88. The fishery symbol is 'W2'.

Fishery area

89. The fishery area comprises all foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

90. Only bloodworms may be taken.

Permitted ways of taking bloodworms

91. Bloodworms may only be taken by hand or by using hand held forks.

General conditions of taking bloodworms

92.(1) Bloodworms may only be taken by the authority holder and in the area stated on the authority.

(2) If the holder digs up an area to take bloodworms, the holder must put seagrass disturbed or removed by the digging back in an upright position immediately after the worms are taken.

SCHEDULE 15 (continued)

Selling bloodworms

93. The authority holder may sell bloodworms taken under the authority only to a buyer.

PART 15—YABBY FISHERY**Fishery symbol**

94. The fishery symbol is 'Y'.

Fishery area

95. The fishery area comprises all foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

96. Only yabbies may be taken.

Permitted ways of taking yabbies

97. Yabbies may only be taken by using hand pumps or, if stated on the authority, mechanical pumps.

General conditions of taking yabbies

98. Yabbies may only be taken by the authority holder and in the area stated on the authority.

Selling yabbies

99. The authority holder may sell yabbies taken under the authority only to a buyer.

SCHEDULE 16
**GLOSSARY OF SCIENTIFIC NAMES USED FOR
FISH**

section 10

| Common name | Scientific name |
|----------------------------|--------------------------------|
| african mono | <i>Monodactylus sebae</i> |
| albacore tuna | <i>Thunnus alalunga</i> |
| angel fish | <i>Pterophyllum</i> spp. |
| archer fish | <i>Toxotes jaculatrix</i> |
| argentine bloodfin (tetra) | <i>Aphyocharax anisitsi</i> |
| armoured cat (cory) | <i>Corydoras</i> spp. |
| asoka barb | <i>Puntius asoka</i> |
| auratus | <i>Melanochromis auratus</i> |
| australian bass | <i>Macquaria novemaculeata</i> |
| balmain bug | <i>Ibacus peronii</i> |
| banded barb | <i>Barbodes pentazona</i> |
| banded leporinus | <i>Leporinus fasciatus</i> |
| barracuda | <i>Sphyraena jello</i> |
| barramundi | <i>Lates calcarifer</i> |
| barred grunter bream | <i>Pomadasys kaakan</i> |
| bar-tailed flathead | <i>Platycephalus indicus</i> |
| betta | <i>Betta</i> spp. |
| bigeye tuna | <i>Thunnus obesus</i> |
| big-spot rasbora | <i>Rasbora kalochroma</i> |

SCHEDULE 16 (continued)

| | |
|----------------------------------|---|
| billfish | families Istiophoridae and Xiphiidae |
| bitterling | <i>Rhodeus amarus</i> and <i>Rhodeus sericeus</i> |
| black-banded headstander | <i>Chilodus punctatus</i> |
| black-banded osteochilus | <i>Osteochilus vittatus</i> |
| black-finned rummy-nose | <i>Petitella georgiae</i> |
| black ghost knife fish | <i>Apteronotus albifrons</i> |
| black king-fish | <i>Rachycentron canadus</i> |
| black-line silver hatchet fish | <i>Gasteropelecus</i> spp. |
| black lipped pearl oyster | <i>Pinctada margaritifera</i> |
| black phantom tetra | <i>Megalampodus megalopterus</i> |
| black ruby barb | <i>Puntius nigrofasciatus</i> |
| black shark | <i>Morulus chrysophekadion</i> |
| black-spot filament barb | <i>Puntius filamentosus</i> |
| black-spot tusk-fish | <i>Choerodon schoenleinii</i> |
| black-spotted upsidedown catfish | <i>Synodontis nigriventris</i> |
| black teatfish | <i>Holothuria nobilis</i> |
| black tetra | <i>Gymnocorymbus ternetzi</i> |
| blind cave tetra | <i>Astyanax mexicanus</i> |
| blue acara | <i>Aequidens pulcher</i> |
| bluegill | <i>Lepomis</i> spp. |
| blue gourami | <i>Trichogaster trichopterus</i> |
| blue line rasbora | <i>Rasbora taeniata</i> |
| blue salmon | <i>Eleutheronema tetradactylum</i> |
| brichardi | <i>Lamprologus brichardi</i> |
| broad-barred or grey mackerel | <i>Scomberomorus semifasciatus</i> |

SCHEDULE 16 (continued)

| | |
|------------------------------------|-------------------------------------|
| bumblebee fish | <i>Brachygobius</i> spp. |
| burnett salmon | <i>Polydactylus sheridani</i> |
| butterfly fish | <i>Pantodon buchholzi</i> |
| cardinal tetra | <i>Paracheirodon axelrodi</i> |
| celebes rainbow | <i>Telmatherina ladigesii</i> |
| chalinochromis | <i>Chalinochromis</i> spp. |
| checkerboard barb | <i>Capoeta oligolepis</i> |
| cherry barb | <i>Capoeta tittैया</i> |
| chinese algae eater | <i>Gyrinocheilus aymonieri</i> |
| chinese weatherfish (weatherloach) | <i>Misgurnus anguillicaudatus</i> |
| chocolate gourami | <i>Sphaerichthys osphromenoides</i> |
| clam | family Tridacnidae |
| clown barb | <i>Barbodes everetti</i> |
| clown loach | <i>Botia macracantha</i> |
| Cochu's blue tetra | <i>Boehlkea fredcochui</i> |
| common brochis | <i>Brochis splendens</i> |
| congo tetra | <i>Phenacogrammus interruptus</i> |
| Cooktown salmon | <i>Eleutheronema tetradactylum</i> |
| copper striped rasbora | <i>Rasbora leptosoma</i> |
| coral trout | <i>Plectropomus</i> spp. |
| croaking gourami | <i>Trichopsis vittatus</i> |
| Cumming's barb | <i>Puntius cummingi</i> |
| deepwater redfish | <i>Actinopyga echinites</i> |
| discus | <i>Symphysodon</i> spp. |
| dolphin-fish | <i>Coryphaena</i> spp. |
| duboisii | <i>Tropheus duboisi</i> |

SCHEDULE 16 (continued)

| | |
|---------------------------|-----------------------------------|
| dusky krib | <i>Pelvicachromis pulcher</i> |
| dwarf cichlid | <i>Apistogramma</i> spp. |
| dwarf flag cichlid | <i>Aequidens curviceps</i> |
| dwarf gourami | <i>Colisa lalia</i> |
| dwarf lattice cichlid | <i>Nannacara</i> sp. |
| dwarf loach | <i>Botia sidthimunki</i> |
| electric eel | family Gymnotidae |
| elegant rasbora | <i>Rasbora elegans</i> |
| elephantnose | <i>Gnathonemus macrolepidotus</i> |
| elephantnose (Peter's) | <i>Gnathonemus petersii</i> |
| emperor tetra | <i>Nematobrycon palmeri</i> |
| estuary cod | <i>Epinephelus</i> sp. |
| european carp | <i>Cyprinus carpio</i> |
| false magnificent rasbora | <i>Rasbora borapetensis</i> |
| fanfish | family Bramidae |
| flag cichlid | <i>Cichlasoma festivum</i> |
| flagtail porthole catfish | <i>Dianema urostriata</i> |
| flying fox | <i>Epalzeorhynchus kalopterus</i> |
| freshwater cod | <i>Maccullochella</i> spp. |
| freshwater eel | <i>Anguilla</i> spp. |
| freshwater flounder | <i>Trinectes maculatus</i> |
| Frideric's leporinus | <i>Leporinus friderici</i> |
| giant danio | <i>Danio aequipinnatus</i> |
| giant helmet shell | <i>Cassis cornuta</i> |
| glass barb | <i>Puntius puellus</i> |
| glass bloodfin | <i>Prionobrama filigera</i> |

SCHEDULE 16 (continued)

| | |
|-----------------------|--|
| glass catfish | <i>Kryptopterus bicirrhis</i> |
| glass fish | <i>Chanda</i> spp. |
| gold-cheek krib | <i>Pelvicachromis subocellatus</i> |
| golden dwarf cichlid | <i>Nannacara anomala</i> |
| golden gourami | <i>Trichogaster trichopterus</i> |
| golden lined whiting | <i>Sillago analis</i> |
| golden perch | <i>Macquaria ambigua</i> |
| goldfish | <i>Carassius auratus</i> |
| gold line rasbora | <i>Rasbora steineri</i> |
| gold lip pearl oyster | <i>Pinctada maxima</i> |
| grass carp | <i>Ctenopharyngodon idella</i> |
| grass sweetlip | <i>Lethrinus fletus</i> |
| green snail | <i>Turbo marmoratus</i> |
| grey mackerel | <i>Scomberomorus semifasciatus</i> |
| guppy | <i>Poecilia reticulata</i> |
| hard lipped barb | <i>Osteochilus hasseltii</i> |
| harlequin rasbora | <i>Rasbora heteromorpha</i> |
| hatchetfish | <i>Carnegiella</i> and <i>Thoracocharax</i> spp. |
| headstander | <i>Abramites hypselonotus</i> and <i>Anostomus</i> spp. |
| helmet shell | <i>Cassis cornuta</i> |
| hi-spot rasbora | <i>Rasbora dorsiocellata</i> |
| honey dwarf gourami | <i>Colisa chuna</i> |
| hussar | <i>Lutjanus amabilis</i> |
| indian hatchetfish | <i>Chela laubuca</i> |
| javanese rice fish | <i>Oryzias javanicus</i> |

SCHEDULE 16 (continued)

| | |
|---------------------------|----------------------------------|
| jew teraglin | <i>Atractoscion aequidens</i> |
| jewel fish | <i>Nibea squamosa</i> |
| julie | <i>Julidochromis</i> spp. |
| Kerr's danio | <i>Brachydanio kerri</i> |
| keyhole cichlid | <i>Aequidens maroni</i> |
| killie fish | <i>Aphyosemion</i> spp. |
| king salmon | <i>Polydactylus sheridani</i> |
| kissing gourami | <i>Helostoma temmincki</i> |
| kooli barb | <i>Puntius vittatus</i> |
| kuhli loach | <i>Acanthophtalmus kuhli</i> |
| largemouth bass | <i>Micropterus salmoides</i> |
| large-mouthed nannygai | <i>Lutjanus malabaricus</i> |
| large-scale sea perch | <i>Lutjanus johni</i> |
| latticed cichlid | <i>Limnotilapia dardennii</i> |
| leopard danio | <i>Brachydanio frankei</i> |
| lipstick leporinus | <i>Leporinus arcus</i> |
| little giant gourami | <i>Colisa fasciata</i> |
| lollyfish | <i>Holothuria atra</i> |
| long-band rasbora | <i>Rasbora einthoveni</i> |
| longfin barb | <i>Capoeta arulius</i> |
| long-finned african tetra | <i>Brycinus longipinnis</i> |
| luderick | <i>Girella tricuspidata</i> |
| lung fish (ceratodus) | <i>Neoceratodus forsteri</i> |
| malayan flying barb | <i>Esomus malayensis</i> |
| malayan halfbeak | <i>Dermogenys pusillus</i> |
| mangrove jack | <i>Lutjanus argentimaculatus</i> |

SCHEDULE 16 (continued)

| | |
|-----------------------------------|--|
| maori wrasse | <i>Cheilinus undulatus</i> |
| Mary River cod | <i>Maccullochella peeli mariensis</i> |
| medaka | <i>Oryzias latipes</i> |
| melanochromis | <i>Melanochromis similis</i> |
| microbrycon | <i>Microbrycon fredcochui</i> |
| mono | <i>Monodactylus argenteus</i> |
| moonlight gourami | <i>Trichogaster microlepis</i> |
| moorii | <i>Tropheus moorii</i> |
| Moreton Bay bug | <i>Thenus</i> spp. |
| moses perch | <i>Lutjanus russelli</i> |
| mosquitofish | <i>Gambusia</i> spp. |
| mud crab | <i>Scylla</i> spp. |
| mud flathead | <i>Platycephalus fuscus</i> |
| mulloway | <i>Argyrosomus hololepidotus</i> |
| multi-banded leporinus | <i>Leporinus multifasciatus</i> |
| murray cod | <i>Maccullochella peelii</i> |
| Myers's hillstream loach | <i>Pseudogastromyzon myersi</i> |
| narrow-barred or spanish mackerel | <i>Scomberomorus commerson</i> |
| neon tetra | <i>Paracheirodon innesi</i> |
| nile perch | <i>Lates niloticus</i> |
| northern bluefin tuna | <i>Thunnus thynnus</i> |
| opaline gourami | <i>Trichogaster trichopterus</i> |
| orange-finned rasbora | <i>Rasbora vaterifloris</i> |
| ornate pimelodus | <i>Pimelodus ornatus</i> |
| oscar | <i>Astronotus ocellatus</i> |
| panchax | <i>Aplocheilus</i> and <i>Epiplatys</i> spp. |

SCHEDULE 16 (continued)

| | |
|----------------------------|--|
| paradise fish | <i>Macropodus opercularis</i> |
| parasitic catfish | <i>Trichomyteridae</i> or <i>Vandellinae</i> |
| pearl danio | <i>Brachydanio albolineatus</i> |
| pearl gourami | <i>Trichogaster leeri</i> |
| pearl perch | <i>Glaucosoma scapulare</i> |
| pencil fish | <i>Nannostomus</i> and <i>Poecilobrycon</i> spp. |
| penguin fish | <i>Thayeria</i> spp. |
| pike cichlid | <i>Crenicichla</i> spp. |
| pikey bream | <i>Acanthopagrus berda</i> |
| piranha | family <i>Serrasalminidae</i> |
| platy | <i>Xiphophorus maculatus</i> |
| platy variatus | <i>Xiphophorus variatus</i> |
| pomfret | family <i>Bramidae</i> |
| poorman's glass catfish | <i>Kryptopterus macrocephalus</i> |
| potato cod | <i>Epinephelus tukula</i> |
| prickly redfish | <i>Thelenota ananus</i> |
| pristella | <i>Pristella maxillaris</i> |
| purple tusk-fish | <i>Choerodon cephalotes</i> |
| pygmy gourami | <i>Trichopsis pumilus</i> |
| queenfish | <i>Scomberoides lysan</i> and <i>Scomberoides commersonianus</i> |
| Queensland groper | <i>Epinephelus lanceolatus</i> |
| Queensland school mackerel | <i>Scomberomorus queenslandicus</i> |
| rainbow fish | <i>Glossolepis</i> , <i>Chilatherina</i> , <i>Melanotaenia</i> spp. |
| rainbow shark | <i>Labeo erythrurus</i> |

SCHEDULE 16 (continued)

| | |
|--------------------------|--|
| ram | <i>Microgeophagus ramirezi</i> |
| red emperor | <i>Lutjanus sebae</i> |
| red-finned black shark | <i>Labeo bicolor</i> |
| red-finned shark | <i>Labeo frenatus</i> |
| red line rasbora | <i>Rasbora pauciperforata</i> |
| red-striped barb | <i>Puntius bimaculatus</i> |
| red throat emperor | <i>Lethrinus miniatus</i> |
| rosy barb | <i>Puntius conchonioides</i> |
| rosy job-fish | <i>Etelis</i> and <i>Pristipomoides</i> spp. |
| saddled hillstream loach | <i>Homaloptera orthogoniata</i> |
| sailfin molly | <i>Poecilia latipinna</i> |
| sandfish | <i>Holothuria scabra</i> |
| sand crab | <i>Portunus pelagicus</i> |
| sand flathead | <i>Platycephalus arenarius</i> |
| sand whiting | <i>Sillago ciliata</i> |
| saratoga | <i>Scleropages</i> spp. |
| sarawak rasbora | <i>Rasbora sarawakensis</i> |
| saucer scallop | <i>Amusium japonicum balloti</i> |
| scissortail rasbora | <i>Rasbora trilineata</i> |
| sea mullet | <i>Mugil cephalus</i> |
| shark mackerel | <i>Grammatorcynus bicarinatus</i> |
| siamese flying fox | <i>Epalzeorhynchus siamensis</i> |
| silver jewfish | <i>Nibea soldado</i> |
| silver perch | <i>Bidyanus bidyanus</i> |
| silver prochilodus | <i>Prochilodus insignis</i> |
| silver rasbora | <i>Rasbora argyrotaenia</i> |

SCHEDULE 16 (continued)

| | |
|----------------------------|-----------------------------------|
| silver teraglin | <i>Otolithes ruber</i> |
| skipjack tuna | <i>Katsuwonis pelamis</i> |
| slipper lobster | family Scyllaridae |
| small-mouthed nannygai | <i>Lutjanus erythropterus</i> |
| small spotted javelin-fish | <i>Pomadasys opercularis</i> |
| snakehead | <i>Channa</i> spp. |
| snapper | <i>Pagrus auratus</i> |
| southern bluefin tuna | <i>Thunnus maccoyii</i> |
| spangled emperor | <i>Lethrinus nebulosus</i> |
| spanner crab | <i>Ranina ranina</i> |
| sphenops mollie | <i>Poecilia sphenops</i> |
| spiny eel | <i>Macrogathus aculeatus</i> |
| spot-tailed leporinus | <i>Leporinus melanopleura</i> |
| spot-tailed rasbora | <i>Rasbora caudimaculata</i> |
| spotted danio | <i>Brachydanio nigrofasciatus</i> |
| spotted grunter bream | <i>Pomadasys agenteus</i> |
| spotted javelin-fish | <i>Pomadasys hasta</i> |
| spotted leporinus | <i>Leporinus maculatus</i> |
| spotted mackerel | <i>Scomberomorus munroi</i> |
| spotted or black jew fish | <i>Protonibea diacanthus</i> |
| spotted rasbora | <i>Rasbora maculata</i> |
| striped barb | <i>Puntius lineatus</i> |
| striped kribensis | <i>Pelvicachromis taeniatus</i> |
| striped leporinus | <i>Leporinus striatus</i> |
| stripey | <i>Lutjanus carponotatus</i> |
| sucker catfish | <i>Otocinclus arnoldi</i> |

SCHEDULE 16 (continued)

| | |
|-----------------------------|---|
| Swegle's tetra | <i>Megalamphodus sweglesi</i> |
| swordtail | <i>Xiphophorus helleri</i> |
| tailor | <i>Pomatomus saltatrix</i> |
| tarwhine | <i>Rhabdosargus sarba</i> |
| tetra | <i>Hemigrammus,</i> <i>Hyphessobrycon</i> and <i>Moenkhausia</i> spp. |
| thick-lipped gourami | <i>Colisa labiosa</i> |
| thin-banded barb | <i>Capoeta semifasciolatus</i> |
| tic-tac-toe barb | <i>Puntius ticto</i> |
| tiger barb | <i>Capoeta tetrazona</i> |
| tigerfish | family Hydrocyninae or Erythrinidae |
| tiger shovelnose catfish | <i>Pseudoplatystoma fasciatum</i> |
| tilapia | <i>Tilapia, Oreochromis</i> or <i>Sarotherodon</i> spp. |
| tricolor shark | <i>Balantiocheilos melanopterus</i> |
| trochus | <i>Trochus niloticus</i> |
| tropical spiny rock lobster | <i>Panulirus</i> spp. |
| trumpet shell | <i>Charonia tritonis</i> |
| twig catfish | <i>Farlowella acus</i> |
| variegated shark | <i>Labeo variegatus</i> |
| venus tusk-fish | <i>Choerodon venustus</i> |
| wahoo | <i>Acanthocybium solandri</i> |
| walking catfish | family Claridae |
| whiptail catfish | <i>Loricaria filamentosa</i> |
| white cloud mountain minnow | <i>Tanichthys albonubes</i> |

SCHEDULE 16 (continued)

| | |
|----------------------|--------------------------------|
| white teatfish | <i>Holothuria fuscogilva</i> |
| yellow-finned bream | <i>Acanthopagrus australis</i> |
| yellowfin tuna | <i>Thunnus albacares</i> |
| yellowtail king-fish | <i>Seriola lalandi</i> |
| yellow tail rasbora | <i>Rasbora dusonensis</i> |
| yucatan mollie | <i>Poecilia velifera</i> |
| zebra danio | <i>Brachydanio rerio</i> |

SCHEDULE 17**DICTIONARY**

section 2

PART 1—WORDS

“**aid to navigation**” has the meaning given under the *Transport Operations (Marine Safety) Act 1994*.

“**assistant fisher**” means a person who holds an assistant fisher licence.

“**back net**” means a net, or part of a net, supported by not more than 12 stakes, used as an artificial shore during ring or seine net fishing.

“**beam trawl net**” means a trawl net with its mouth attached to a beam or pole to keep it open.

“**boundary sign**” means an F↑B or SF↑B sign.

“**buyer**” means a person who holds a buyer licence.

“**collapsible trap**” means a trap made of rigid material, with 1 or more collapsible sides.

“**commercial fisher**” means a person who holds a commercial fisher licence.

“**commercial fishery**” means a fishery described as a commercial fishery in schedules 11 to 15 or a management plan.

“**commercial fishing apparatus**” means fishing apparatus other than recreational fishing apparatus.

“**commercial fishing boat**” means a primary or tender commercial fishing boat.

“**commercial fishing tour**” means a tour or fishing trip, conducted in trade or commerce, for taking fish other than for a trade or commerce and carrying passengers for gain.

 SCHEDULE 17 (continued)

Examples of ‘commercial fishing tours’—

- game fishing, reef fishing, spear fishing, or tag and release fishing tours
- guided fishing tours
- inland safari tours.

“**crab pot**” means fishing apparatus comprising a cage with a round opening in the top, or an elongated opening (parallel to the base) in the side, for trapping crabs.

“**cross-line**” means a fishing line fixed at both ends and set across or in water.

“**diameter**”, of monofilament of a net, means the average diameter of the monofilament of 10 meshes of the net, each of which is at least 30 cm from the other 9.

“**dilly**” means fishing apparatus comprising a frame and a net that hangs below the frame’s horizontal plane when the apparatus is in use.

“**docket**” means a docket under section 86 of the Act.

“**extended commercial fishing tour**” means a commercial fishing tour conducted for an uninterrupted period of at least 48 hours.

“**F[↑]B sign**” means a sign with the marking F[↑]B on it, erected or displayed by a fisheries agency.

“**fisher**” means a person who holds a fisher licence.

“**fishery provision**”, for a commercial fishery, means a provision of the relevant fishery schedule.

“**fishery schedule**” means schedule 11, 12, 13, 14 or 15.

“**fishery symbol**”, for a commercial fishery, means a symbol specified in a fishery schedule or management plan as the fishery symbol for the fishery.

“**fishing line**” means fishing apparatus comprising a line used by hand, with or without a pole, reel or rod.

“**fix**”, a net, includes hold the net in a way that sets the net.

“**hand pump**” means a hand operated pump used for taking bait.

SCHEDULE 17 (continued)

“**haul seine**” means a seine net that is hauled, without the use of a boat, to complete the taking of fish.

“**hull unit**”, for a commercial fishing boat, means a hull unit worked out under the Authority’s document entitled ‘Guidelines for Queensland East Coast Otter Trawl Vessels’.³⁴

“**inverted dilly**” means fishing apparatus comprising a frame and a net with a float attached so the net is above the frame’s horizontal plane when the apparatus is in use, and includes fishing apparatus known as a suicide dilly or witch’s hat.

“**managed area A**” means all tidal waters south of latitude 23° south, and east of longitude 151°45' east.

“**managed area B**” means the following tidal waters—

- (a) waters north of managed area A and east of longitude 142°31'49" east;
- (b) waters north of latitude 10°48' south and between longitude 141°20' east and longitude 142°31'49" east;
- (c) waters in the Gulf of Carpentaria between the 25 n mile line and the shore, south of latitude 10°48' south.

“**mesh net**” means a net used as a gill net, mesh net, ring net or a net that is not fixed or hauled.

“**monofilament net**” means a net made from a continuous filament or strand of synthetic fibre, joined, knitted or woven into meshes.

“**n mile**” means nautical mile.

“**official sign**” means a sign erected by a fisheries agency, and includes a boundary sign.

“**otter trawl net**” means a trawl net with its mouth kept open by otter boards and the force of water.

³⁴ A copy of the document may be obtained, free of charge, from—
(a) the Authority’s office at 157 Ann Street, Brisbane 4000; or
(b) an office of the Department’s Queensland Boating and Fisheries Patrol.

SCHEDULE 17 (continued)

- “**pocket net**” means a bag shaped set net placed across a current or tide to trap fish.
- “**post**”, for a boundary marking an aquaculture area, includes buoy.
- “**primary commercial fishing boat**” means a commercial fishing boat identified on a primary commercial fishing boat licence.
- “**process**”, for fish, includes freeze, pack, refrigerate, sort and thaw.
- “**reasonably**” means on grounds that are reasonable in all the circumstances.
- “**recreational fisher**” means a person, including a fisher, who takes or possesses fish other than for trade or commerce.
- “**recreational fishing apparatus**” means fishing apparatus that may be used under schedule 8.
- “**ring net**” means a net shot to encircle fish by hauling 1 end around the other to make a figure ‘6’.
- “**SF↑B sign**” means a sign with the marking SF↑B on it, erected or displayed by a fisheries agency.
- “**seine net**” means a beach or haul seine net, with or without a pocket, shot in a way to partly encircle fish.
- “**set**” a net, means fix the net or part of it in a way that it can trap fish.
- “**set mesh net**” means a gill net used to take fish by anchoring or fixing it to a place.
- “**shoot**” a net, means place or spread the net, or part of it, in a way that it can trap fish.
- “**spear gun**” includes a bow for propelling a spear.
- “**tender commercial fishing boat**” means a commercial fishing boat identified in a tender commercial fishing boat licence.
- “**territorial sea baseline**” has the meaning given under the *Seas and Submerged Lands Act 1973* (Cwlth) by proclamation in Gazette No. S 29 (Cwlth) of 9 February 1983 at pages 2 to 14.

SCHEDULE 17 (continued)

“**the 3 n mile line**” means a line parallel to the territorial sea baseline and 3 n miles out to sea.

“**the 25 n mile line**” means a line parallel to the territorial sea baseline and 25 n miles out to sea.

“**Torres Strait Protected Zone**” has the meaning given by the *Torres Strait Fisheries Act 1985* (Cwlth).

“**tunnel net**” means a net, supported by stakes, in which there is an opening so fish trapped by the net can enter a net trough or tunnel.

“**unallocated State land**” has the meaning given by the *Land Act 1994*.

“**use**” a net, includes set and shoot the net.

PART 2—OTHER WORDS AND PHRASES

Meaning of “**Deception Bay area**” for fish regulated by area

1.(1) For fish regulated by area, “**Deception Bay area**” means the Deception Bay foreshore between the public boat ramp at Emerald Avenue, Deception Bay and the seaward end of Reef Point Esplanade, Castlereagh Point, Scarborough.

(2) The area does not include a waterway upstream of a line between its banks.

Meaning of “**fishing priority**” for commercial fishers

2.(1) “**Fishing priority**”, for commercial fishers, means the entitlement of the fishers to use nets in a fishery in the order in which the fishers are ready to fish in the fishery.

(2) For subsection (1), if 2 or more commercial fishers jointly use nets, they are taken to be 1 commercial fisher.

SCHEDULE 17 (continued)

(3) A commercial fisher's fishing priority—

- (a) only applies to an area with a radius equal to the length of net the commercial fisher is using or is ready to use; and
- (b) lasts for not more than 6 hours from the time the fisher is ready to fish.

(4) In this section—

“ready to fish” means the commercial fisher has enough boats, crew and fishing apparatus to start fishing immediately.

Meaning of “Lake Tinaroo area”

3. “Lake Tinaroo area” means the area of, and within, the following boundary—

- from Danbulla Forest Drive at the northern end of the Tinaroo Dam wall along the drive to Boar Pocket Road
- along Boar Pocket Road to Gillies Road (Gordonvale-Atherton Road)
- along Gillies Road to Marks Lane
- along Marks Lane to Tinaroo Falls Dam Road
- along Tinaroo Falls Dam Road to Danbulla Forest Drive.

Meaning of “length” of a commercial fishing boat

4.(1) “Length”, of a commercial fishing boat, means the distance between the front and end tips of the boat.

(2) However, the length does not include anything that does not increase the boat's effective length.

Examples of things that do not increase a boat's effective length—

- an anchor rail.
- a bowsprit.

SCHEDULE 17 (continued)

Example of things that do increase a boat's effective length—

- additions to the boat's hull (whether fixed temporarily or permanently) that increase the boat's deck area.

Meaning of “length” of a net

5.(1) “Length”, of a beam trawl net, means the distance the net is capable of extending across the beam or pole used to open it.

(2) “Length”, of an otter trawl net, means the combined length of the following ropes when taut—

- (a) the head and bottom ropes;
- (b) the rope fixing the net's opening size;
- (c) the ropes to which the net's mesh is attached;
- (d) the part of another rope (other than a lazy line or log rope) to which a wing net is attached.

(3) “Length”, of a net (other than a trawl net), means the distance between the outer ends of its mesh measured along the head or bottom rope, whichever rope is longer when taut.

(4) “Length”, of a net used with a separate back net, means the total length of the net and the back net in use.

Meaning of “mesh size” of a net

6.(1) “Mesh size”, of a knotted mesh net, is the average distance, when the net is taut, between the inner edges of 2 diagonally opposite knots of each of 10 meshes at least 30 cm from each other.

(2) “Mesh size”, of a knotless mesh net, is the average distance, when the net is taut, between the inner edges of 2 diagonally opposite corners of each of 10 meshes at least 30 cm from each other.

Meaning of “Moreton Bay”

7. “Moreton Bay” means waters within the following boundary—

SCHEDULE 17 (continued)

- from the F↑B sign at the south-eastern tip of Toorbul Point to the F↑B sign at the southern end of South Esplanade, Bongaree, Bribie Island
- along Bribie Island's western and southern shores to Skirmish Point
- to Comboyuro Point, Moreton Island
- along Moreton Island's western shore to Reeders Point
- to Amity Point, North Stradbroke Island
- along North Stradbroke Island's western and southern shores to its south-eastern tip
- to the north-eastern tip of South Stradbroke Island
- along South Stradbroke Island's northern, western and southern shores to the seaward tip of the northern breakwater wall of the Gold Coast Seaway
- to the seaward tip of the southern breakwater wall of the Gold Coast Seaway at Nerang Head on The Spit
- along the shore of The Spit to the Gold Coast Highway bridge over the Nerang River near Waterways Drive, Main Beach
- along the eastern side of the Gold Coast Highway bridge to the mainland shore
- along the shore to the F↑B sign at the south-eastern tip of Toorbul Point.

Meaning of “net that is not hauled”

8. A “net that is not hauled” means a net that is not used as a ring or seine net.

Meaning of “Nudgee Beach area” for fish regulated by area

9.(1) For fish regulated by area, “Nudgee Beach area” means the Bramble Bay foreshore at Nudgee Beach between the eastern bank of the

SCHEDULE 17 (continued)

main channel of Nudgee Creek and the western bank of the main channel of the Kedron Brook floodway.

(2) The area does not include the foreshores of Nudgee Creek upstream of a straight line between its banks or Kedron Brook floodway upstream of a straight line between its banks.

Meaning of “Pumicestone Strait”

10. “Pumicestone Strait” means waters and adjoining waterways, within the following boundary—

- from the F↑B sign at the southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra to the F↑B sign at the northern tip of Bribie Island
- along Bribie Island’s western shore to the F↑B sign at the southern end of South Esplanade, Bongaree, Bribie Island
- to the F↑B sign at the south-eastern tip of Toorbul Point
- along the shore to the F↑B sign at the southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra.

Meaning of “stowed and secured”

11.(1) Otter trawl fishing apparatus is **“stowed and secured”** on a boat during the day if—

- (a) it is drawn up to the boat and is visible from an aircraft or another boat; and
- (b) its cod ends are open; and
- (c) its lazy lines are on the blocks.

(2) Otter trawl fishing apparatus is **“stowed and secured”** on a boat at night if—

- (a) the boat carrying it is at anchor in an area marked as an anchorage or boat harbour on a navigational chart; or

SCHEDULE 17 (continued)

(b) the fishing apparatus is stored inboard the boat, or is otherwise inboard the boat and suspended from a mast or boom, with its otter boards also suspended from the boom.

(3) Fishing apparatus (other than otter trawl fishing apparatus) is **“stowed and secured”** if the apparatus is stored inboard the boat.

Meaning of “sweep” of a net

12.(1) “Sweep”, of a net, includes a chain, rope, shackle, wire or other fitting used to attach otter boards or sleds to the net.

(2) If fittings mentioned in subsection (1) are joined to make a single fitting, the single fitting is 1 sweep.

Meaning of “tropical rock lobster area”

13. In this regulation—

“tropical rock lobster area” means the area within the following boundary—

- from latitude 10°48' south, longitude 141°20' east, to latitude 10°28' south, longitude 141°20' east
- along latitude 10°28' south, to longitude 144° east
- along longitude 144° east, to latitude 10°41'17" south
- along latitude 10°41'17" south, to longitude 142°31'49" east
- along longitude 142°31'49" east, to Cape York Peninsula at low water
- along the western coast of Cape York Peninsula at low water to latitude 10°48' south
- along latitude 10°48' south, to longitude 141°20' east.

SCHEDULE 17 (continued)

Meaning of “under direction” for an assistant fisher

14.(1) In a fishery other than a trawl fishery, an assistant fisher is “**under direction**” if the assistant fisher and a commercial fisher are engaged in the same fishing operation or different fishing operations, 1 of which is in the crab fishery (other than spanner crabs), and—

- (a) the assistant fisher and commercial fisher are at the same place, in the same vehicle or on the same commercial fishing boat; or
- (b) the assistant fisher and commercial fisher are not at the same place, in the same vehicle or on the same commercial fishing boat but—
 - (i) are no further apart than the distance permitted under a fishery provision for the fishery in which the boats are operating; and
 - (ii) the assistant fisher is following the commercial fisher’s instructions.

(2) In a trawl fishery, an assistant fisher is “**under direction**” only if the assistant fisher and a commercial fisher are—

- (a) on the same boat; or
- (b) on different boats but the assistant fisher is on a tender commercial fishing boat that is not a trawler.

Meaning of “Wynnum area” for fish regulated by area

15.(1) For fish regulated by area, “**Wynnum area**” means the foreshores of Moreton Bay and the Boat Passage, between the south-eastern tip of Fisherman Islands and the northern breakwater of the Manly boat harbour.

(2) The area does not include foreshores west of the road bridge over the Boat Passage or upstream of a line between the banks of a waterway.

ENDNOTES**1 Index to endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Fisheries Regulation 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

| | | | | | |
|--------|---|------------------------------|--------|---|--------------------------------|
| AIA | = | Acts Interpretation Act 1954 | (prev) | = | previously |
| amd | = | amended | proc | = | proclamation |
| ch | = | chapter | prov | = | provision |
| def | = | definition | pt | = | part |
| div | = | division | pubd | = | published |
| exp | = | expires/expired | R[X] | = | Reprint No.[X] |
| gaz | = | gazette | RA | = | Reprints Act 1992 |
| hdg | = | heading | reloc | = | relocated |
| ins | = | inserted | renum | = | renumbered |
| lap | = | lapsed | rep | = | repealed |
| notfd | = | notified | s | = | section |
| om | = | omitted | sch | = | schedule |
| o in c | = | order in council | sdiv | = | subdivision |
| p | = | page | SIA | = | Statutory Instruments Act 1992 |
| para | = | paragraph | SL | = | subordinate legislation |
| prec | = | preceding | sub | = | substituted |
| pres | = | present | unnum | = | unnumbered |
| prev | = | previous | | | |

4 List of legislation

Fisheries Regulation 1995 SL No. 325

notfd gaz 1 December 1995 pp 1334–7
commenced on date of assent

5 List of annotations

Repeals

s 114 om R1 (see RA s 40)

Transitional provision about certain authorities

s 115 exp 1 December 1996 (see s 115(2))