

Queensland



*Fisheries Act 1994*

# **FISHERIES REGULATION 1995**

**Reprinted as in force on 20 August 1998  
(includes amendments up to SL No. 232 of 1998)**

**Warning—see last endnote for uncommenced amendments**

**Reprint No. 2A**

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The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **provisions that have not commenced and are not incorporated in the reprint**
- **editorial changes made in earlier reprints.**

Queensland



**FISHERIES REGULATION 1995**

**TABLE OF PROVISIONS**

Section	Page
<b>PART 1—PRELIMINARY</b>	
1	Short title . . . . . 43
<b>PART 2—INTERPRETATION</b>	
<i>Division 1—Words and phrases</i>	
2	Words and phrases—the dictionary . . . . . 43
<i>Division 2—Working out boundaries</i>	
3	References to boundaries, lines, shores and other points . . . . . 43
4	References to waterways . . . . . 44
5	References to banks of waterways . . . . . 44
<i>Division 3—Other provisions aiding interpretation</i>	
6	References to aids to navigation . . . . . 44
7	References to certain commercial fishing boats . . . . . 45
8	References to distances between nets . . . . . 45
9	References to drops and number of meshes . . . . . 45
10	Scientific names of fish . . . . . 45
11	Time periods . . . . . 46
<b>PART 3—MANAGEMENT PLANS</b>	
12	Information to be contained in draft management plans . . . . . 47
13	Publication of draft management plans . . . . . 47
<b>PART 4—CLOSED SEASONS AND CLOSED WATERS</b>	
14	Closed seasons . . . . . 48
15	Barramundi closed season exemption for recreational fishers . . . . . 48
16	Closed waters . . . . . 49
17	Application of schs 2 and 3 . . . . . 50

**PART 5—REGULATED FISH***Division 1—Regulated fish*

18	Regulated fish . . . . .	50
18A	Possessing certain grunter regulated . . . . .	50
19	Application of sch 4 (Regulated fish) . . . . .	50

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

20	Measurement of percentage of certain fish . . . . .	51
21	Measurement of size of fish . . . . .	51
22	Measurement of weight of green snails . . . . .	52

*Division 3—Exemptions*

23	Exemption for recreational fishers about barramundi size limit . . . . .	52
24	Exemption for recreational fishers about certain regulated reef fish . . . . .	53
24A	Exemptions for Mary River cod . . . . .	53
25	Other exemptions . . . . .	54

**PART 6—QUOTAS**

26	Quotas for commercial fisheries . . . . .	54
27	Notice of filling of certain quotas . . . . .	54
28	Daily quota . . . . .	55
29	Time quota . . . . .	55

**PART 7—AUTHORITIES***Division 1—Licences*

30	Licences chief executive may issue . . . . .	56
31	Licences Authority may issue . . . . .	56
32	Restriction on issue of crew licences . . . . .	56
32A	Restriction on issue of primary commercial fishing boat licences . . . . .	57
33	Restriction on issue of tender commercial fishing boat licences . . . . .	57

*Division 2—Permits*

34	Permits chief executive may issue . . . . .	57
35	Permits Authority may issue . . . . .	57
36	Restrictions on issue of aquaculture permits . . . . .	58
37	Restrictions on issue of fisheries resources permits . . . . .	59
38	Restrictions on issue of fish habitat area permits . . . . .	59

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39	Restriction on issue of marine plant permits . . . . .	59
	<b><i>Division 3—Other authorities</i></b>	
40	Other authorities the Authority may issue . . . . .	60
	<b><i>Division 4—Fishery symbols on authorities</i></b>	
41	Fishery symbols to be written on authorities . . . . .	60
42	Restrictions on writing fishery symbols on authorities allowing the use of boats in commercial fisheries . . . . .	61
42A	Combining spanner crab fishery symbols . . . . .	62
43	Restrictions on writing fishery symbols on authorities allowing the use of boats of certain lengths in commercial fisheries . . . . .	62
44	Things authorised by fishery symbol . . . . .	63
45	Restriction on things authorised by an authority with more than 1 fishery symbol on it . . . . .	63
46	Fishery symbol does not authorise taking fish in certain Joint Authority fisheries . . . . .	64
47	When effect of certain fishery symbols end . . . . .	64
	<b><i>Division 5—Things authorised by, and conditions of, authorities</i></b>	
48	Aquaculture licence . . . . .	65
49	Assistant fisher licence . . . . .	66
50	Buyer licence . . . . .	66
51	Carrier boat licence . . . . .	66
52	Commercial fisher licence . . . . .	67
53	Crew licence . . . . .	67
54	Primary commercial fishing boat licence . . . . .	68
55	Storage licence . . . . .	68
56	Tender commercial fishing boat licence . . . . .	68
57	Fish habitat area permit . . . . .	69
58	Authority allowing sale of fisheries resources . . . . .	69
	<b><i>Division 6—Transfer of authorities</i></b>	
59	Authorities that are not transferable . . . . .	69
60	Conditions of transfer of aquaculture licence for unallocated State land . .	70
	<b><i>Division 7—Other matters about authorities</i></b>	
61	Authority holder only needs 1 authority for an activity . . . . .	70
62	Particulars to be contained in register of authorities . . . . .	71

63	Holder to notify fisheries agency of certain changes . . . . .	71
64	Authorities inspectors may have an interest in . . . . .	72
64A	Fishing priority . . . . .	72

### **PART 7A—VMS EQUIPMENT**

#### *Division 1—Preliminary*

64B	Application of pt 7A . . . . .	73
64C	Definitions for pt 7A . . . . .	73

#### *Division 2—Registration*

64D	Application to register VMS equipment and installer . . . . .	73
64E	Consideration of application . . . . .	73
64F	Grant of application . . . . .	74
64G	Refusal of application . . . . .	74

#### *Division 3—VMS equipment conditions*

64H	Additional conditions of licence . . . . .	74
64I	Maintenance and use . . . . .	74
64J	Obligations if equipment fails . . . . .	75
64K	Exemption . . . . .	75

### **PART 8—FISHERIES OFFENCES**

#### *Division 1—Prohibited acts about fish*

65	Prohibition on taking, possessing or selling regulated fish . . . . .	76
66	Prohibited ways of taking fish . . . . .	76

#### *Division 2—Acts only an authority holder may do*

67	Purpose of division . . . . .	77
68	Using, buying or possessing commercial fishing apparatus . . . . .	77
69	Using boats . . . . .	77
70	Conducting commercial fishing tours . . . . .	78
70A	Conducting commercial fishing competitions . . . . .	78
71	Taking fish . . . . .	78
72	Carrying fish . . . . .	79
73	Processing fisheries resources . . . . .	79
74	Storing fish . . . . .	80
75	Selling fisheries resources . . . . .	80

76	Buying fisheries resources . . . . .	80
77	Aquaculture . . . . .	81
78	Fisheries resources cultivated other than for sale . . . . .	82
79	Marine plants . . . . .	82
80	Nonindigenous fisheries resources . . . . .	82
81	Noxious fisheries resources . . . . .	83

***Division 3—Miscellaneous***

82	Allowing persons on board a commercial fishing boat . . . . .	83
83	Aquaculture authority holder creating hazard on unallocated State land . .	83
84	Aquaculture area offences . . . . .	84
85	Contravening a condition of an authority . . . . .	85
86	Contravening certain fishery provisions . . . . .	85
87	Fish habitat area offences . . . . .	85
88	Interfering with official signs . . . . .	85
88A	Interfering with approved VMS seals . . . . .	86
89	Leaving fish in fishing apparatus . . . . .	86
90	Obstructing persons fishing under an authority . . . . .	86
91	Possessing certain crabs, crab meat and Moreton Bay bugs . . . . .	87
91A	Possession or sale of crab claws by fishers . . . . .	87
92	Taking and possessing oysters . . . . .	87
93	Using nets . . . . .	88

**PART 9—PROTECTION AND CONSERVATION OF FISH  
HABITATS**

94	Fish habitat areas . . . . .	89
----	------------------------------	----

**PART 10—ENFORCEMENT**

95	Persons who may be appointed inspectors . . . . .	90
----	---	----

**PART 11—RECREATIONAL FISHING**

96	Things recreational fishers may do . . . . .	90
97	Using commercial fishing boats for recreational fishing . . . . .	90
98	Identifying and counting fish—general . . . . .	91
98A	Identifying and counting grunter taken in Gulf of Carpentaria . . . . .	91

**PART 12—MISCELLANEOUS***Division 1—General*

99	Amounts payable into Fisheries Research Fund . . . . .	92
100	Declared fisheries resources . . . . .	92
101	Expenses prescribed for definition of “net proceeds of sale” in the Act . . .	92
102	Forfeiture offences . . . . .	92
103	Marking boats . . . . .	92
104	Nonindigenous fisheries resources that need not be destroyed etc. under the Act . . . . .	93
105	Noxious fisheries resources . . . . .	93
106	Particulars to be contained on dockets for wholesale sale of fisheries resources etc. . . . .	93
107	Particulars to be legible, visible and in english . . . . .	94
108	Serious fisheries offences . . . . .	94
109	Statistical records to be kept . . . . .	95
110	Threshold percentage for declared fisheries resources . . . . .	96

*Division 2—Fees*

111	Witness fees for persons appearing before the Tribunal . . . . .	96
112	Other fees . . . . .	96
113	Fishery agency may refund or waive a fee . . . . .	96

**SCHEDULE 1 . . . . . 98****CLOSED SEASONS**

1	Barramundi—Gulf of Carpentaria . . . . .	98
2	Barramundi—elsewhere . . . . .	98
3	Spanner crab . . . . .	98

**SCHEDULE 2 . . . . . 99****CLOSED WATERS—COMMERCIAL FISHING****PART 1—TAKING OR POSSESSING ANY FISH**

1	Prohibited activities . . . . .	99
2	Severn River at Queen Mine Waterhole . . . . .	99
3	Dumaresq River at Bonshaw Weir . . . . .	99
4	Macintyre River at Goondiwindi Weir . . . . .	99
5	Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs . . . .	99



---

6	Pike Creek at Glenlyon Dam . . . . .	100
7	Quart Pot Creek at Storm King Dam . . . . .	100
8	Barwon River at Mungindi Weir . . . . .	100
9	Condamine River at or near the Chinchilla, Loudon, Lemon Tree, Yarramalong, Cecil Plains and Reilly's Weirs . . . . .	100
10	Balonne River at Beardmore Dam and Jack Taylor Weir . . . . .	101
11	Sandy Creek at Leslie Dam . . . . .	101
12	Dogwood Creek at Miles Weir . . . . .	101
13	Burnett Creek at Maroon Dam . . . . .	101
14	Reynolds Creek at Moogerah Dam . . . . .	101
15	Coomabah Lake and Coombabah Creek . . . . .	101
16	Swan Bay, North Stradbroke Island . . . . .	102
17	Brisbane River at Mt Crosby Weir . . . . .	102
18	Pumicestone Strait . . . . .	102
19	Mary River at Mary River Barrage . . . . .	102
20	Tinana Creek at Tinana Creek Barrage . . . . .	102
21	Fraser Island between Indian Head and Waddy Point . . . . .	102
22	Burnett River at Burnett Barrage . . . . .	102
23	Kolan River at Kolan Barrage . . . . .	103
24	Three Moon Creek at Cania Dam . . . . .	103
25	Nogo River at Wuruma Dam . . . . .	103
26	Stuart River at Gordonbrook Dam . . . . .	103
27	Boyne River at Boondoomba and Awoonga Dams . . . . .	103
28	Dawson River at Neville Hewitt Weir . . . . .	103
29	Fitzroy River at Fitzroy River Barrage . . . . .	104
29A	Fitzroy River at Eden Bann Weir . . . . .	104
29B	Fitzroy River at Wattlebank Control Weir . . . . .	104
30	Keppel Bay near Middle Island Observatory . . . . .	104
31	Nogoa River at Fairbairn Dam . . . . .	104
32	Pioneer River at the Marian, Mirani and Dumbleton Weirs . . . . .	104
33	Hook Island . . . . .	105
33A	Yanks Jetty at Orpheus Island . . . . .	105
34	Burdekin River at Clare Weir . . . . .	105

35	Centenary Lakes, Cairns . . . . .	105
36	Barron River . . . . .	105
37	Mission Bay . . . . .	105
38	Bizant River, Princess Charlotte Bay . . . . .	105
39	South Mitchell River . . . . .	105
40	Torres Strait near Hammond Island . . . . .	106

### **PART 2—TAKING OR POSSESSING CERTAIN FISH**

#### ***Division 1—Fish other than spanner crabs in managed areas A or B***

41	Prohibited activities . . . . .	106
42	Platypus Bay . . . . .	106
42A	Hervey Bay region . . . . .	107
43	Eurimbula Creek (north of Round Hill Creek) . . . . .	107
43A	Bustard Head region . . . . .	107
43B	Yeppoon region . . . . .	107
44	South of latitude 20° south (near Bowen) or west of longitude 143° east . . . . .	108
45	Fitzroy Island and High Island (near Cairns) . . . . .	108
46	Darnley Island, Torres Strait . . . . .	108

#### ***Division 2—Spanner crabs in managed areas A or B***

46A	Prohibited activities . . . . .	108
46B	Managed area A—weekends and Mondays . . . . .	109
46C	Managed areas A and B . . . . .	109

### **PART 3—TAKING OR POSSESSING SOME FISH AND USING OR POSSESSING SOME APPARATUS**

#### ***Division 1—Fish other than fin fish***

47	Prohibited activities . . . . .	109
48	Michaelmas Cay . . . . .	109
49	Upolu Cay . . . . .	110

#### ***Division 2—Narrow-barred mackerel***

50	Prohibited activities . . . . .	110
51	Waters east of longitude 142°09' east . . . . .	110

**PART 4—TAKING OR POSSESSING ANY FISH AND USING OR  
POSSESSING CERTAIN FISHING APPARATUS**

*Division 1—Fishing with commercial fishing nets*

52	Prohibited activities . . . . .	110
53	Lakes and lagoons south of Endeavour River and east of latitude 142°31'49" east . . . . .	111
54	Currumbin Beach . . . . .	111
55	Currumbin Creek . . . . .	111
56	Tallebudgera Creek . . . . .	111
57	Tallebudgera Creek to Burleigh . . . . .	111
58	The Broadwater (southern part) and the Nerang River . . . . .	112
59	Gold Coast Seaway . . . . .	112
60	The Broadwater (central part) . . . . .	112
61	The Broadwater (western part) . . . . .	113
62	Coomabah Creek, Oyster Lake and Saltwater Creek . . . . .	114
63	Coomera River . . . . .	114
64	Dunwich . . . . .	114
65	Manly Boat Harbour . . . . .	114
66	Wynnum and Manly . . . . .	114
67	Brisbane River . . . . .	114
68	Brisbane Airport floodway channel to the Pine River . . . . .	115
69	Sandgate Pier . . . . .	115
70	South Pine River and North Pine River . . . . .	115
71	Moreton Bay (including The Broadwater) . . . . .	116
72	Bribie Island's eastern shore and the sand spit at Kings Beach . . . . .	116
73	Caloundra—Kings Beach to Shelly Beach . . . . .	116
74	Currimundi Lake and Currimundi Creek near Caloundra . . . . .	116
75	Mooloolah River . . . . .	116
76	South Maroochy River and the North Maroochy River . . . . .	117
77	Maroochy River and ocean foreshores . . . . .	117
78	Noosa River and Noosa's main beach . . . . .	117
79	Weyba Creek . . . . .	117

---

80	Lake Como, Kin Kin Creek, the upper Noosa River and Lake Cootharaba . . . . .	117
81	Noosa River—ocean foreshore north of its northern bank . . . . .	118
82	Waterways south of Double Island Point . . . . .	118
83	Rainbow Beach . . . . .	118
84	Wide Bay Bar . . . . .	118
85	Fraser Island . . . . .	119
86	Snapper Creek near Tin Can Bay . . . . .	119
87	Great Sandy Strait . . . . .	119
88	Hervey Bay . . . . .	120
89	Theodolite Creek . . . . .	120
90	Coonar Creek . . . . .	120
91	Burnett River . . . . .	120
92	Round Hill Creek . . . . .	120
93	Eurimbula Creek . . . . .	121
94	Rodds Harbour . . . . .	121
95	Wild Cattle Creek . . . . .	121
96	Boyne River and part of South Trees Inlet . . . . .	121
97	Tannum Sands . . . . .	122
98	Calliope River . . . . .	122
99	The Narrows near Curtis Island . . . . .	122
100	Fitzroy River and waters near its mouth . . . . .	122
101	Point Vernon to Cape Manifold . . . . .	123
102	Cawarral Creek . . . . .	123
103	Causeway Lake, Shoal Bay . . . . .	123
104	Water Park Creek . . . . .	123
105	St. Lawrence Creek to Endeavour River . . . . .	124
106	Rocky Dam Creek . . . . .	124
107	Louisa Creek . . . . .	124
108	Pioneer River . . . . .	124
109	Reliance Creek, west of Eimio . . . . .	124
110	Constant Creek . . . . .	125
111	Seaforth Creek . . . . .	125

---

112	Victor Creek . . . . .	125
113	Proserpine River . . . . .	125
114	Pioneer Bay . . . . .	125
115	Merinda Creek . . . . .	125
116	Bowen Harbour and Magazine Island . . . . .	126
117	Groper Creek, Yellow Gin Creek and the Burdekin River . . . . .	126
118	Burdekin River . . . . .	126
119	Plantation Creek and Seaforth Creek . . . . .	126
120	Haughton River and the Short Cut . . . . .	126
121	Barramundi Creek . . . . .	127
122	Townsville Harbour and Cleveland Bay . . . . .	127
123	Rollingstone Creek . . . . .	128
124	Herbert River . . . . .	128
125	Hinchinbrook Channel . . . . .	128
126	Meunga Creek . . . . .	128
127	Murray River . . . . .	128
128	Johnstone River . . . . .	128
129	Russell River, Mulgrave River and Mutchero Inlet . . . . .	129
130	Trinity Bay . . . . .	129
131	Bloomfield River . . . . .	129
132	Annan River . . . . .	129
133	Endeavour River . . . . .	129
134	Pine River . . . . .	129
135	Mission River, Embley River and Hey River . . . . .	130
136	Watson River . . . . .	130
137	Moonkan Creek . . . . .	130
138	Chapman River . . . . .	130
139	Chapman River to Moonkan Creek . . . . .	130
140	Mitchell River . . . . .	130
141	Staaten River . . . . .	131
142	Gilbert River . . . . .	131
143	Norman River . . . . .	131

---

144	Bynoe River . . . . .	131
145	Flinders River . . . . .	131
146	Albert River . . . . .	131
147	Nicholson River . . . . .	132
148	Gin Arm Creek . . . . .	132
149	Elizabeth River on Mornington Island . . . . .	132
150	Sandalwood Place River on Mornington Island . . . . .	132
<b><i>Division 2—Trawl nets</i></b>		
151	Prohibited activities . . . . .	132
152	Near the New South Wales border to Point Lookout on North Stradbroke Island . . . . .	132
153	Moreton Bay . . . . .	133
154	Amity Bight and the South Passage . . . . .	135
155	Boggy Creek, Pinkenba . . . . .	136
156	Caloundra Head . . . . .	136
157	Warana Beach at Kawana Waters . . . . .	136
158	Hook Point to Taleerba Creek, Fraser Island . . . . .	136
159	Taleerba Creek to Indian Head, Fraser Island . . . . .	137
160	Northern Fraser Island and north of Fraser Island . . . . .	137
161	Hayman Island to Cape Abbot . . . . .	138
162	Etty Bay area . . . . .	138
163	Yorkeys Knob to Simpson Point . . . . .	139
164	Cook Bay . . . . .	139
165	Island Point to the Daintree River . . . . .	139
166	North of Cape Tribulation . . . . .	140
167	North of latitude 15°30' south . . . . .	140
168	Grave Point to Indian Head . . . . .	140
169	Cape Bedford to Murray Reefs . . . . .	140
170	Cape Flattery to near Barrow Point . . . . .	141
171	Barrow Point to Bizant River . . . . .	141
172	Marrett River to Rocky River . . . . .	142
173	Rocky River to latitude 13°09' south . . . . .	142
174	Latitude 13°09' south to Thorpe Point . . . . .	142

---

175	Round Point to Fly Point near Cape York . . . . .	144
176	Tip of Cape York . . . . .	144
<b><i>Division 3—Fishing with certain commercial fishing nets</i></b>		
177	Prohibited activities . . . . .	145
178	Waterways . . . . .	145
179	River and creek foreshores . . . . .	145
180	Rivers and creeks east of longitude 142°09' east . . . . .	145
181	Rivers and creeks south of Burnett River . . . . .	145
182	Rivers and creeks south of Baffle Creek . . . . .	146
183	South of North Stradbroke Island . . . . .	146
184	Moreton Bay . . . . .	146
185	Cassim and King Islands (Moreton Bay) . . . . .	146
186	Brisbane River mouth . . . . .	147
187	Comboyuro Point to Caloundra Head . . . . .	147
188	Moreton Island to Double Island Point . . . . .	147
189	Lakes Doonella and Weyba . . . . .	148
190	Laguna Bay . . . . .	148
191	Noosa River and adjoining lakes . . . . .	148
192	Mary River . . . . .	148
193	Great Sandy Strait and Hervey Bay . . . . .	149
194	Hervey Bay . . . . .	149
195	Hervey Bay (southern part) . . . . .	150
196	Rivers and creeks on Fraser Island . . . . .	151
197	Skyringville Creek . . . . .	151
198	Burnett River . . . . .	152
199	Rivers and creeks between Burnett River and Baffle Creek . . . . .	152
200	Rivers and creeks north of Burnett River . . . . .	152
201	River and creek foreshores between Baffle Creek and Cape Flattery . . .	152
202	Rivers and creeks north of Baffle Creek . . . . .	153
203	Facing Island . . . . .	153
204	Keppel Bay . . . . .	153
205	Shoalwater Bay . . . . .	154

---

206	Llewellyn Bay .....	154
207	Pioneer River .....	154
208	O'Connell River .....	155
209	Repulse Bay .....	155
210	Sinclair Bay .....	155
211	Queens Bay .....	155
212	Cleveland Bay .....	156
213	Hinchinbrook Channel .....	156
214	Trinity Bay .....	156
215	Daintree River .....	157
216	River and creek foreshores north of Cape Flattery .....	157
217	Rivers and creeks flowing into the Gulf of Carpentaria .....	157
<b><i>Division 4—Foreshore set mesh nets</i></b>		
218	Prohibited activities .....	157
219	When waters are closed .....	158
220	Bundaberg, Gladstone and Rockhampton regions .....	158
221	Mackay region .....	159
222	Burdekin, Townsville and Ingham regions .....	160
223	Innisfail region .....	160
224	Cairns and Port Douglas regions .....	161
225	Middle Head to Norton Point .....	161
226	South Trees Inlet .....	161
227	Calliope River .....	161
228	Waters off Curtis Island .....	161
229	Cattle Point to Cardigan Point .....	162
230	South Bluff to Coconut Point .....	162
231	Island Bluff to Charon Point .....	162
232	Little Cape Creek to Shag Creek .....	162
233	Constant Creek .....	162
234	Nobbies Inlet .....	162
235	Burdekin River Anabranch area .....	162
236	Sheep Station Creek to Barratta Creek .....	163



---

237	Victoria Creek .....	163
238	Gentle Annie Creek .....	163
239	Hinchinbrook Channel .....	163
240	Macushla Point to Forkey's Creek on Hinchinbrook Island .....	164
241	Thompson Point to Flying Fish Point .....	164
242	Trinity Inlet .....	164
243	Barron River area .....	164
244	Port Douglas .....	164
245	Mossman River area .....	165
246	Endeavour River area .....	165

*Division 5—Shell dredges*

247	Prohibited activities .....	165
248	All waterways, lakes and lagoons .....	165
249	Moreton Bay .....	165
250	Hervey Bay and Great Sandy Strait .....	166
251	Hinchinbrook Channel .....	166

**PART 5—USING OR POSSESSING BOATS**

252	Prohibited activities .....	166
253	Hervey Bay region .....	166
254	Bustard Head region .....	167
255	Yeppoon region .....	167
256	Expiry .....	167

**PART 6—USING NETS IN DUGONG PROTECTION AREAS**

*Division 1—Zone A*

257	Hervey Bay—Tin Can Bay .....	168
258	Port Clinton (Reef Point—Cape Clinton) .....	170
259	Shoalwater Bay .....	171
260	Ince Bay (Cape Palmerston—Allom Point) .....	171
261	Stewart Peninsula—Newry Islands—Ball Bay .....	172
262	Upstart Bay .....	173
263	Cleveland Bay—Magnetic Island .....	175
264	Hinchinbrook Island area .....	176

**Division 2—Zone B****Subdivision 1—Areas in zone B**

265	Application of div 2 . . . . .	177
266	Port of Gladstone–Rodds Bay . . . . .	177
267	Clairview Bluff–Carmilla Creek . . . . .	178
268	Llewellyn Bay . . . . .	178
269	Ball Bay–Sand Bay . . . . .	179
270	Repulse Bay . . . . .	179
271	Edgumbe Bay–Bowen . . . . .	179
272	Bowling Green Bay . . . . .	180
273	Lucinda to Allingham–Halifax Bay . . . . .	180

**Subdivision 2—Restrictions on using nets**

274	Use of mesh nets in offshore waters . . . . .	181
275	Use of set mesh nets on a foreshore . . . . .	181
276	Use of set mesh nets on a headland . . . . .	182
277	Use of set mesh nets in rivers or creeks . . . . .	182
278	Using a mesh, ring or seine net . . . . .	183

**SCHEDULE 3 . . . . . 184****CLOSED WATERS—RECREATIONAL FISHING****PART 1—TAKING OR POSSESSING ANY FISH**

1	Prohibited activities . . . . .	184
2	Severn River at Queen Mine Waterhole . . . . .	184
3	Dumaresq River at Bonshaw Weir . . . . .	184
4	Macintyre River at Goondiwindi Weir . . . . .	184
5	Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs . . .	184
6	Pike Creek at Glenlyon Dam . . . . .	185
7	Quart Pot Creek at Storm King Dam . . . . .	185
8	Barwon River at Mungindi Weir . . . . .	185
9	Condamine River at or near the Chinchilla, Loudon, Lemon Tree, Yarramalong, Cecil Plains and Reilly’s Weirs . . . . .	185
10	Balonne River at Beardmore Dam and Jack Taylor Weir . . . . .	186
11	Sandy Creek at Leslie Dam . . . . .	186
12	Dogwood Creek at Miles Weir . . . . .	186

---

13	Burnett Creek at Maroon Dam . . . . .	186
14	Reynolds Creek at Moogerah Dam . . . . .	186
15	Coomabah Lake and Coomabah Creek . . . . .	186
16	Swan Bay, North Stradbroke Island . . . . .	187
17	Brisbane River at Mt Crosby Weir . . . . .	187
18	Mary River at Mary River Barrage . . . . .	187
19	Tinana Creek at Tinana Creek Barrage . . . . .	187
20	Fraser Island between Indian Head and Waddy Point . . . . .	187
21	Burnett River at Burnett Barrage . . . . .	187
22	Kolan River at Kolan Barrage . . . . .	188
23	Three Moon Creek at Cania Dam . . . . .	188
24	Nogo River at Wuruma Dam . . . . .	188
25	Stuart River at Gordonbrook Dam . . . . .	188
26	Boyne River at Boondoomba and Awoonga Dams . . . . .	188
27	Dawson River at Neville Hewitt Weir . . . . .	188
28	Fitzroy River at Fitzroy River Barrage . . . . .	189
28A	Fitzroy River at Eden Bann Weir . . . . .	189
28B	Fitzroy River at Wattlebank Control Weir . . . . .	189
29	Keppel Bay near Middle Island Observatory . . . . .	189
30	Nogoa River at Fairbairn Dam . . . . .	189
31	Pioneer River at the Marian, Mirani and Dumbleton Weirs . . . . .	189
32	Hook Island . . . . .	189
33	Burdekin River at Clare Weir . . . . .	190
33A	Yanks Jetty at Orpheus Island . . . . .	190
34	Centenary Lakes, Cairns . . . . .	190
35	Barron River . . . . .	190
36	Mission Bay . . . . .	190
37	Bizant River, Princess Charlotte Bay . . . . .	190
38	South Mitchell River . . . . .	190
39	Torres Strait near Hammond Island . . . . .	191
<b>PART 2—TAKING OR POSSESSING CERTAIN FISH</b>		
40	Prohibited activities . . . . .	191

---

41	Platypus Bay .....	191
42	Eurimbula Creek (north of Round Hill Creek) .....	191
43	South of latitude 20° south (near Bowen) or west of longitude 143° east .	192
44	Fitzroy Island and High Island (near Cairns) .....	192
45	Darnley Island, Torres Strait .....	192
<b>PART 3—WATERS WHERE NETS CANNOT BE USED</b>		
46	Prohibited activities .....	192
47	Burnett River .....	192
48	Hervey Bay .....	193
49	Rodds Harbour .....	193
50	Water Park Creek .....	193
51	Michaelmas Cay .....	193
52	Upolu Cay .....	194
<b>PART 4—WATERS WHERE NETS (OTHER THAN SCOOP NETS) CANNOT BE USED</b>		
53	Prohibited activities .....	194
54	Skyriving Creek at its mouth .....	194
<b>PART 5—WATERS WHERE SPEAR FISHING IS NOT ALLOWED</b>		
55	Prohibited activities .....	194
56	Tallebudgera Creek .....	195
57	Southern Moreton Bay (including The Broadwater) .....	195
58	Artificial reef area off Moreton Island .....	195
59	Pumicestone Strait .....	196
60	Mooloolah River .....	196
61	Maroochy River .....	196
62	Noosa River .....	196
63	Jetties in, or south of, the Noosa River .....	197
64	Artificial reef area off North Sandy Strait .....	197
65	Artificial reef area in Hervey Bay off Woodgate .....	197
66	Bargara Beach north of Bundaberg .....	197
67	Great Keppel Island .....	198
68	North Keppel Island .....	198

---

69	Brampton Island, Pelican Island and Carlisle Island . . . . .	198
70	Lindeman Island . . . . .	198
71	Seaforth Island . . . . .	199
72	Long Island . . . . .	199
73	Molle Island . . . . .	199
74	West Molle Island . . . . .	199
75	Hook Island . . . . .	199
76	Hayman Island . . . . .	200
76A	Main wharf at Port Denison, Bowen . . . . .	200
77	Cape Edgecumbe . . . . .	200
78	Jetties at Dungeness and Lucinda Point . . . . .	200
79	Dunk Island . . . . .	200
80	Richards Island . . . . .	201
81	Cooktown wharf and nearby pontoons . . . . .	201
	<b>PART 6—WATERS WHERE SHELL DREDGES CANNOT BE USED</b>	
82	Prohibited activities . . . . .	201
83	All waterways, lakes and lagoons . . . . .	201
84	Moreton Bay . . . . .	202
85	Hervey Bay and Great Sandy Strait . . . . .	202
86	Hinchinbrook Channel . . . . .	202
	<b>SCHEDULE 4 . . . . .</b>	<b>203</b>
	<b>REGULATED FISH</b>	
	<b>SCHEDULE 5 . . . . .</b>	<b>211</b>
	<b>WATERS IN WHICH SCALLOPS MAY BE PROCESSED ON A BOAT</b>	
	<b>SCHEDULE 6 . . . . .</b>	<b>214</b>
	<b>NONINDIGENOUS FISHERIES RESOURCES</b>	
	<b>SCHEDULE 7 . . . . .</b>	<b>221</b>
	<b>FISH HABITAT AREAS</b>	
	<b>PART 1—AREAS SHOWN BY HATCHED PLANS</b>	
1	Half Moon Creek . . . . .	221
2	Yorkey's Creek . . . . .	221

3	Barr Creek .....	221
4	Bohle River .....	221
5	Seventeen Seventy .....	222
6	Turkey .....	222
7	Boyne Creek .....	222
8	Wild Cattle .....	222
9	Fraser Island .....	222
10	Doonella Lake .....	223
11	Maroochy .....	223
12	Coomera .....	223
14	Tallebudgera Creek .....	223
15	Currumbin Creek .....	223
17	Kolan River .....	223
18	Halifax .....	223
19	Palm Creek .....	224
20	Cattle Creek .....	224
21	Pimpama .....	224
23	Rocky Dam .....	224
24	Marion .....	224
25	Carmila .....	224
26	Gregory .....	225
27	Cherwell-Burrum .....	225
28	Burrum-Toogoom .....	225
30	Myora .....	225
34	Jumpinpin-Broadwater .....	225
38	Hinchinbrook .....	226
39	Corio Bay .....	226
40	Noosa River .....	226
41	Weyba .....	226
42	Maroochy .....	226
43	Maaroom .....	226
44	Kauri Creek .....	227

---

45	Tin Can Inlet .....	227
46	Round Hill .....	227
47	Bustard .....	227
48	Rodds Harbour .....	227
49	Innes .....	227
50	Colosseum .....	228
51	Wreck Creek .....	228
52	Tully River .....	228
53	Dallachy Creek .....	228
54	Meunga Creek .....	228
55	Hull River .....	228
56	Silver Plains .....	228
57	Princess Charlotte Bay .....	229
58	Murray River .....	229
59	Escape River .....	229
60	Temple Bay .....	229
61	Eurimbula .....	229
64	Cape Palmerston .....	229
65	West Hill .....	229
66	Broad Sound .....	229
67	Burrum-Isis .....	230
68	Beelbi .....	230
69	Susan River .....	231
72	Eight Mile Creek .....	231
73	Morning Inlet-Bynoe River .....	231
74	Staaten-Gilbert .....	231
75	Nassau River .....	232
76	Myora Extension .....	232
<b>PART 2—AREAS WITHIN OUTER BOUNDARIES SHOWN ON PLANS</b>		
77	Bassett Basin .....	232
78	Bowling Green Bay .....	233
79	Cawarral Creek .....	233

80	Coombabah .....	234
81	Deception Bay .....	234
82	Hay's Inlet .....	234
83	Kinkuna .....	234
84	Kippa-Ring .....	234
85	Midge .....	234
86	Moreton Banks .....	235
87	Peel Island .....	235
88	Pumicestone Channel .....	235
89	Repulse .....	236
90	Sand Bay .....	236
91	Trinity Inlet .....	236
	<b>SCHEDULE 8 .....</b>	<b>238</b>

### RECREATIONAL FISHING

#### PART 1—USE OF FISHING APPARATUS IN TIDAL WATERS AND ON FORESHORES

##### *Division 1—Use of crab pots, collapsible traps, dillies and inverted dillies*

1	Permitted area .....	238
2	What fish may be taken .....	238
3	Permitted ways of taking crabs .....	238
4	General condition of taking crabs .....	238
5	Marking of fishing apparatus .....	238

##### *Division 2—Use of fishing lines and rods*

6	Permitted area .....	239
7	What fish may be taken .....	239
8	Permitted ways of taking fish .....	239
9	General condition of taking fish .....	239

##### *Division 3—Use of nets*

10	Permitted area .....	239
11	What fish may be taken .....	240
12	Permitted ways of taking fish .....	240
13	General condition of taking fish .....	240



**Division 4—Use of other fishing apparatus**

14	Permitted area .....	240
15	What fish may be taken .....	240
16	Permitted ways of taking fish .....	241
17	General condition of taking fish .....	241

**PART 2—USE OF FISHING APPARATUS IN WATERS (OTHER THAN TIDAL WATERS)****Division 1—Use of canister traps, collapsible traps, dillies and funnel traps**

18	Permitted area .....	241
19	What fish may be taken .....	241
20	Permitted ways of taking fish .....	241
21	General conditions of taking fish .....	242
22	Marking of fishing apparatus .....	242

**Division 2—Use of fishing lines and rods**

23	Permitted area .....	243
24	What fish may be taken .....	243
25	Permitted ways of taking fish .....	243

**SCHEDULE 9 .....** 244**NOXIOUS FISHERIES RESOURCES****SCHEDULE 10****FEES****SCHEDULE 11 .....** 256**CRAB FISHERIES (COMMERCIAL)****PART 1—CRAB FISHERY (OTHER THAN SPANNER CRAB)**

1	Fishery symbol .....	256
2	Fishery area .....	256
3	What fish may be taken .....	256
4	Permitted ways of taking crabs .....	256
5	Use of primary commercial fishing boats .....	257
6	Use of tender commercial fishing boats .....	257
7	Permitted distance for an assistant fisher to be under direction .....	257
8	Marking of fishing apparatus .....	257

**PART 2—CRAB FISHERY (SPANNER CRAB No. 1)**

9	Fishery symbol . . . . .	257
10	Fishery area . . . . .	257
11	What fish may be taken . . . . .	258
12	Permitted ways of taking spanner crabs . . . . .	258
13	Use of primary commercial fishing boats . . . . .	258
14	Use of tender commercial fishing boats . . . . .	258
15	Permitted distance for an assistant fisher to be under direction . . . . .	258
16	Marking of dillies . . . . .	258
17	Where spanner crabs taken in managed area B may be brought ashore . .	259
18	Notice before moving between managed areas . . . . .	259
18A	Restriction on taking spanner crabs in more than 1 managed area . . . . .	259
18B	Annual and progressive quarterly quotas . . . . .	259
18C	Daily quota . . . . .	260

**PART 3—CRAB FISHERY (SPANNER CRAB No. 2)**

19	Fishery symbol . . . . .	261
20	Fishery area . . . . .	261
21	What fish may be taken . . . . .	261
22	Permitted ways of taking spanner crabs . . . . .	261
23	Use of primary commercial fishing boats . . . . .	262
24	Use of tender commercial fishing boats . . . . .	262
25	Permitted distance for an assistant fisher to be under direction . . . . .	262
26	Marking of dillies . . . . .	262
27	Where spanner crabs may be brought ashore . . . . .	262
27A	Daily quota . . . . .	263

**PART 4—CRAB FISHERY (SPANNER CRAB—NORTH OF  
INDIAN HEAD)**

28	Fishery symbol . . . . .	263
29	Fishery area . . . . .	264
30	What fish may be taken . . . . .	264
31	Permitted ways of taking spanner crabs . . . . .	264
32	Use of primary commercial fishing boats . . . . .	264
33	Use of tender commercial fishing boats . . . . .	264

34	Permitted distance for an assistant fisher to be under direction . . . . .	264
35	Marking of dillies . . . . .	265
36	Where spanner crabs taken in managed area B may be brought ashore . .	265
37	Notice before moving between managed areas . . . . .	265
37A	Restriction on taking spanner crabs in more than 1 managed area . . . . .	265
37B	Annual and progressive quarterly quotas . . . . .	266
37C	Daily quota . . . . .	266

**PART 5—CRAB FISHERY (SPANNER CRAB—SOUTH  
QUEENSLAND)**

38	Fishery symbol . . . . .	267
39	Fishery area . . . . .	267
40	What fish may be taken . . . . .	267
41	Permitted ways of taking spanner crabs . . . . .	267
42	Use of primary commercial fishing boats . . . . .	268
43	Use of tender commercial fishing boats . . . . .	268
44	Permitted distance for an assistant fisher to be under direction . . . . .	268
45	Marking of dillies . . . . .	268
46	Annual and progressive quarterly quotas . . . . .	268
47	Daily quota . . . . .	269

**SCHEDULE 12 . . . . . 270**

**LINE FISHERIES (COMMERCIAL)**

**PART 1—LINE FISHERY (MULTIPLE HOOK—EAST COAST)**

1	Fishery symbol . . . . .	270
2	Fishery area . . . . .	270
3	What fish may be taken . . . . .	270
4	Permitted ways of taking fin fish . . . . .	270
5	Use of drop lines . . . . .	270
6	Use of bottom set lines . . . . .	271
7	Use of primary commercial fishing boats . . . . .	271
8	Use of tender commercial fishing boats . . . . .	271
9	Permitted distance for an assistant fisher to be under direction . . . . .	271

---

<b>PART 2—LINE FISHERY (MULTIPLE HOOK—QUEENSLAND FISHERIES JOINT AUTHORITY)</b>		
10	Fishery symbol . . . . .	272
11	Fishery area . . . . .	272
12	What fish may be taken . . . . .	272
13	Permitted ways of taking fin fish . . . . .	273
14	Use of drop lines . . . . .	273
15	Use of bottom set lines . . . . .	273
16	Use of primary commercial fishing boats . . . . .	273
17	Use of tender commercial fishing boats . . . . .	273
18	Permitted distance for an assistant fisher to be under direction . . . . .	274
<b>PART 3—LINE FISHERY (OTHER THAN GREAT BARRIER REEF REGION)</b>		
19	Fishery symbol . . . . .	274
20	Fishery area . . . . .	274
21	What fish may be taken . . . . .	275
22	Permitted ways of taking fin fish . . . . .	275
23	Use of primary commercial fishing boats . . . . .	275
24	Use of tender commercial fishing boats . . . . .	275
25	Permitted distance for an assistant fisher to be under direction . . . . .	276
<b>PART 4—LINE FISHERY (QUEENSLAND FISHERIES JOINT AUTHORITY No. 1)</b>		
26	Fishery symbol . . . . .	276
27	Fishery area . . . . .	277
28	What fish may be taken . . . . .	277
29	Permitted ways of taking fin fish . . . . .	277
30	Use of primary commercial fishing boats . . . . .	277
31	Use of tender commercial fishing boats . . . . .	278
32	Permitted distance for an assistant fisher to be under direction . . . . .	278
<b>PART 5—LINE FISHERY (QUEENSLAND FISHERIES JOINT AUTHORITY No. 2)</b>		
33	Fishery symbol . . . . .	278
34	Fishery area . . . . .	278
35	What fish may be taken . . . . .	279

36	Permitted ways of taking fin fish . . . . .	279
37	Use of primary commercial fishing boats . . . . .	279
38	Use of tender commercial fishing boats . . . . .	279
39	Permitted distance for an assistant fisher to be under direction . . . . .	280

**PART 6—LINE FISHERY (REEF)**

40	Fishery symbol . . . . .	280
41	Fishery area . . . . .	280
42	What fish may be taken . . . . .	281
43	Permitted ways of taking fin fish . . . . .	281
44	Use of primary commercial fishing boats . . . . .	281
45	Use of tender commercial fishing boats . . . . .	281
46	Permitted distance for an assistant fisher to be under direction . . . . .	282

**PART 7—LINE FISHERY (SOUTH QUEENSLAND)**

47	Fishery symbol . . . . .	282
48	Fishery area . . . . .	282
49	What fish may be taken . . . . .	282
50	Permitted ways of taking fin fish . . . . .	282
51	Use of primary commercial fishing boats . . . . .	283
52	Use of tender commercial fishing boats . . . . .	283
53	Permitted distance for an assistant fisher to be under direction . . . . .	283

**SCHEDULE 13 . . . . . 284**

**NET FISHERIES (COMMERCIAL)**

**PART 1—NET FISHERY (BAIT No. 1)**

1	Fishery symbol . . . . .	284
2	Fishery area . . . . .	284
3	What fish may be taken . . . . .	284
4	Permitted ways of taking fish . . . . .	285
5	Use of primary commercial fishing boats . . . . .	285
6	Use of cast nets . . . . .	285
7	Use of mesh or seine nets . . . . .	286
8	Use of tender commercial fishing boats . . . . .	287
9	Permitted distance for an assistant fisher to be under direction . . . . .	287

**PART 2—NET FISHERY (BAIT No. 2)**

10	Fishery symbol . . . . .	287
11	Fishery area . . . . .	287
12	What fish may be taken . . . . .	287
13	Permitted ways of taking fish . . . . .	288
14	Use of primary commercial fishing boats . . . . .	288
15	Use of nets south of Baffle Creek . . . . .	288
16	Use of nets north of Baffle Creek . . . . .	289
17	Use of tender commercial fishing boats . . . . .	289
18	Permitted distance for an assistant fisher to be under direction . . . . .	289

**PART 3—NET FISHERY (EAST COAST No. 1)***Division 1—Preliminary*

19	Fishery symbol . . . . .	289
20	Fishery area . . . . .	290
21	What fish may be taken . . . . .	290
22	Permitted ways of taking fish . . . . .	290

*Division 2—Use of mesh or seine nets*

23	Use of seine nets in Lake Weyba . . . . .	291
24	Use of mesh nets in Lakes Cootharaba, Cooroibah and Weyba . . . . .	291
25	Use of seine nets north of the Mary River . . . . .	291
26	Use of mesh nets in and near Hervey Bay . . . . .	292
27	Use of mesh or seine nets south of Baffle Creek . . . . .	292
28	Use of mesh or seine nets north of Baffle Creek . . . . .	293
29	Use of mesh nets in offshore waters of Keppel Bay . . . . .	293
30	Use of mesh nets in offshore waters . . . . .	293
31	Use of mesh or seine nets in rivers and creeks . . . . .	294

*Division 3—Use of set mesh nets*

32	Use of set mesh nets in rivers and creeks between Kauri and Baffle Creeks . . . . .	295
33	Use of set mesh nets in and near Hervey Bay . . . . .	295
34	Use of set mesh nets on foreshores between the Burnett River and Baffle Creek . . . . .	296
35	Use of set mesh nets in Keppel Bay . . . . .	296

---

36	Use of set mesh nets in offshore waters . . . . .	297
	<i>Division 4—Use of set pocket nets</i>	
37	Use of set pocket nets in rivers . . . . .	297
	<i>Division 5—Use of tunnel nets</i>	
38	Use of tunnel nets . . . . .	298
39	Use of primary commercial fishing boats . . . . .	300
40	Use of tender commercial fishing boats . . . . .	300
41	Permitted distance for an assistant fisher to be under direction . . . . .	301
42	Marking nets . . . . .	301
	<b>PART 4—NET FISHERY (EAST COAST No. 2)</b>	
	<i>Division 1—Preliminary</i>	
43	Fishery symbol . . . . .	302
44	Fishery area . . . . .	302
45	What fish may be taken . . . . .	302
46	Permitted ways of taking fish . . . . .	303
	<i>Division 2—Use of nets</i>	
47	Use of nets in offshore waters north of Hervey Bay . . . . .	303
48	Use of nets in other offshore waters . . . . .	304
49	Use of primary commercial fishing boats . . . . .	304
50	Use of tender commercial fishing boats . . . . .	304
51	Permitted distance for an assistant fisher to be under direction . . . . .	305
52	Marking nets . . . . .	305
	<b>PART 5—NET FISHERY (GULF OF CARPENTARIA No. 1)</b>	
	<i>Division 1—Preliminary</i>	
53	Fishery symbol . . . . .	306
54	Fishery area . . . . .	306
55	What fish may be taken . . . . .	306
56	Permitted ways of taking fish . . . . .	306
57	Time quota . . . . .	307
	<i>Division 2—Use of mesh and seine nets</i>	
58	Use of mesh nets in the fishery area . . . . .	307
59	Use of mesh nets in offshore waters . . . . .	308

---

60	Use of seine nets in the fishery area .....	308
61	Use of seine nets in rivers and creeks .....	308
<b><i>Division 3—Use of set mesh nets</i></b>		
62	Use of set mesh nets in rivers and creeks .....	308
63	Use of set mesh nets on foreshores .....	309
64	Use of set mesh nets in offshore waters .....	309
<b><i>Division 4—Miscellaneous</i></b>		
65	Use of primary commercial fishing boats .....	309
66	Use of tender commercial fishing boats .....	309
67	Permitted distance for an assistant fisher to be under direction .....	310
68	Marking nets .....	310
<b>PART 5A—NET FISHERY (GULF OF CARPENTARIA No. 2)</b>		
<b><i>Division 1—Preliminary</i></b>		
68A	Fishery symbol .....	311
68B	Fishery area .....	311
68C	What fish may be taken .....	311
68D	Permitted ways of taking fish .....	312
68E	Time quota .....	312
<b><i>Division 2—Use of nets</i></b>		
68F	Use of nets in the fishery area .....	312
<b><i>Division 3—Miscellaneous</i></b>		
68G	Use of primary commercial fishing boats .....	313
68H	Use of tender commercial fishing boats .....	313
68I	Permitted distance for an assistant fisher to be under direction .....	313
<b>PART 6—NET FISHERY (BAFFLE CREEK TO KAURI CREEK)</b>		
<b><i>Division 1—Preliminary</i></b>		
69	Fishery symbol .....	313
70	Fishery area .....	313
71	What fish may be taken .....	313
72	Permitted ways of taking fish .....	314
<b><i>Division 2—Use of mesh or seine nets</i></b>		
73	Use of mesh or seine nets in the fishery area .....	314



---

74	Use of mesh nets in offshore waters . . . . .	315
75	Use of mesh or seine nets in rivers and creeks . . . . .	315
76	Use of mesh nets in and near Hervey Bay . . . . .	315
<i>Division 3—Use of set mesh nets</i>		
77	Use of set mesh nets in offshore waters . . . . .	316
78	Use of set mesh nets in rivers and creeks . . . . .	317
79	Use of set mesh nets in and near Hervey Bay . . . . .	317
80	Use of set mesh nets on foreshores between the Burnett River and Baffle Creek . . . . .	318
<i>Division 4—Use of tunnel nets</i>		
81	Use of tunnel nets . . . . .	318
<i>Division 5—Miscellaneous</i>		
82	Use of primary commercial fishing boats . . . . .	319
83	Use of tender commercial fishing boats . . . . .	319
84	Permitted distance for an assistant fisher to be under direction . . . . .	320
85	Marking nets . . . . .	320
<b>PART 7—NET FISHERY (OCEAN BEACH—AREA 1)</b>		
86	Fishery symbol . . . . .	321
87	Fishery area . . . . .	321
88	What fish may be taken . . . . .	321
89	Permitted ways of taking fish . . . . .	322
90	Use of seine nets in the fishery area . . . . .	322
91	Time quota . . . . .	322
92	Use of primary commercial fishing boats . . . . .	322
93	Use of tender commercial fishing boats . . . . .	322
94	Permitted distance for an assistant fisher to be under direction . . . . .	322
<b>PART 7A—NET FISHERY (OCEAN BEACH—AREA 2)</b>		
94A	Fishery symbol . . . . .	323
94B	Fishery area . . . . .	323
94C	What fish may be taken . . . . .	323
94D	Permitted ways of taking fish . . . . .	323
94E	Use of seine nets in the fishery area . . . . .	323
94F	Time quota . . . . .	324

---

94G	Use of primary commercial fishing boats . . . . .	324
94H	Use of tender commercial fishing boats . . . . .	324
94I	Permitted distance for an assistant fisher to be under direction . . . . .	324
<b>PART 7B—NET FISHERY (OCEAN BEACH—AREA 3)</b>		
94J	Fishery symbol . . . . .	324
94K	Fishery area . . . . .	324
94L	What fish may be taken . . . . .	325
94M	Permitted ways of taking fish . . . . .	325
94N	Use of seine nets in the fishery area . . . . .	325
94O	Time quota . . . . .	325
94P	Use of primary commercial fishing boats . . . . .	325
94Q	Use of tender commercial fishing boats . . . . .	325
94R	Permitted distance for an assistant fisher to be under direction . . . . .	325
<b>PART 7C—NET FISHERY (OCEAN BEACH—AREA 4)</b>		
94S	Fishery symbol . . . . .	326
94T	Fishery area . . . . .	326
94U	What fish may be taken . . . . .	326
94V	Permitted ways of taking fish . . . . .	326
94W	Use of seine nets in the fishery area . . . . .	326
94X	Time quota . . . . .	326
94Y	Use of primary commercial fishing boats . . . . .	327
94Z	Use of tender commercial fishing boats . . . . .	327
94ZA	Permitted distance for an assistant fisher to be under direction . . . . .	327
<b>PART 7D—NET FISHERY (OCEAN BEACH—AREA 5)</b>		
94ZB	Fishery symbol . . . . .	327
94ZC	Fishery area . . . . .	327
94ZD	What fish may be taken . . . . .	327
94ZE	Permitted ways of taking fish . . . . .	328
94ZF	Use of seine nets in the fishery area . . . . .	328
94ZG	Time quota . . . . .	328
94ZH	Use of primary commercial fishing boats . . . . .	328
94ZI	Use of tender commercial fishing boats . . . . .	328

---

94ZJ	Permitted distance for an assistant fisher to be under direction . . . . .	328
------	--	-----

**PART 7E—NET FISHERY (OCEAN BEACH—AREA 6)**

94ZK	Fishery symbol . . . . .	329
94ZL	Fishery area . . . . .	329
94ZM	What fish may be taken . . . . .	329
94ZN	Permitted ways of taking fish . . . . .	329
94ZO	Use of seine nets in the fishery area . . . . .	329
94ZP	Time quota . . . . .	329
94ZQ	Use of primary commercial fishing boats . . . . .	330
94ZR	Use of tender commercial fishing boats . . . . .	330
94ZS	Permitted distance for an assistant fisher to be under direction . . . . .	330

**PART 7F—NET FISHERY (OCEAN BEACH—AREA 7)**

94ZT	Fishery symbol . . . . .	330
94ZU	Fishery area . . . . .	330
94ZV	What fish may be taken . . . . .	330
94ZW	Permitted ways of taking fish . . . . .	330
94ZX	Use of seine nets in the fishery area . . . . .	331
94ZY	Time quota . . . . .	331
94ZZ	Use of primary commercial fishing boats . . . . .	331
94ZAA	Use of tender commercial fishing boats . . . . .	331
94ZAB	Permitted distance for an assistant fisher to be under direction . . . . .	331

**PART 7G—NET FISHERY (OCEAN BEACH—AREA 8)**

94ZAC	Fishery symbol . . . . .	332
94ZAD	Fishery area . . . . .	332
94ZAE	What fish may be taken . . . . .	332
94ZAF	Permitted ways of taking fish . . . . .	332
94ZAG	Use of seine nets in the fishery area . . . . .	332
94ZAH	Time quota . . . . .	333
94ZAI	Use of primary commercial fishing boats . . . . .	333
94ZAJ	Use of tender commercial fishing boats . . . . .	333
94ZAK	Permitted distance for an assistant fisher to be under direction . . . . .	333

**PART 8—(EAST COAST NO. 3)**

95	Fishery symbol . . . . .	333
96	Fishery area . . . . .	333
97	What fish may be taken . . . . .	333
98	Permitted ways of taking fish . . . . .	334
99	Use of set mesh nets on foreshores between Baffle Creek and Cape Flattery . . . . .	334
100	Use of set mesh nets in rivers and creeks between Kauri Creek and Cape Flattery . . . . .	335
101	Use of mesh nets in offshore waters between Baffle Creek and Cape Flattery . . . . .	335
101A	Use of set mesh nets in offshore waters between Baffle Creek and Cape Flattery . . . . .	336
102	Use of set mesh nets in rivers and creeks north of Cape Flattery . . . . .	337
103	Use of set mesh nets on foreshores north of Cape Flattery . . . . .	337
104	Use of primary commercial fishing boats . . . . .	337
105	Use of tender commercial fishing boats . . . . .	337
106	Permitted distance for an assistant fisher to be under direction . . . . .	338
107	Marking nets . . . . .	338
	<b>SCHEDULE 14 . . . . .</b>	<b>339</b>

**TRAWL FISHERIES (COMMERCIAL)****PART 1—TRAWL FISHERY (CONCESSIONAL ZONE)**

1	Fishery symbol . . . . .	339
2	Fishery area . . . . .	339
3	What fish may be taken . . . . .	339
4	Permitted way of taking prawns and saucer scallops . . . . .	339
5	Use of primary commercial fishing boats . . . . .	340
6	Use of otter trawl nets for taking prawns . . . . .	340
7	Use of otter trawl nets for taking saucer scallops . . . . .	340

**PART 2—TRAWL FISHERY (EAST COAST No. 1)***Division 1—Preliminary*

8	Fishery symbol . . . . .	341
9	Fishery area . . . . .	341
10	What fish may be taken . . . . .	341

---

11	Permitted ways of taking prawns and saucer scallops . . . . .	341
12	Use of primary commercial fishing boats . . . . .	342
	<b><i>Division 2—Use of nets to take prawns</i></b>	
13	General conditions . . . . .	342
14	Use of nets in Moreton Bay . . . . .	342
15	Use of nets between Comboyuro Point and Caloundra Head . . . . .	342
16	Use of nets in Laguna Bay . . . . .	343
17	Use of nets in Hervey Bay . . . . .	343
18	Use of nets near Facing Island . . . . .	344
19	Use of nets in Keppel Bay . . . . .	344
20	Use of nets in Llewellyn Bay . . . . .	345
21	Use of nets in Repulse Bay . . . . .	345
22	Use of nets south of Cape Gloucester . . . . .	345
23	Use of nets north of Cape Gloucester . . . . .	346
24	Use of nets in Sinclair Bay . . . . .	346
25	Use of nets in Cleveland Bay . . . . .	346
26	Use of nets in offshore waters . . . . .	347
	<b><i>Division 3—Use of nets to take saucer scallops</i></b>	
27	Use of nets to take saucer scallops . . . . .	348
	<b>PART 3—TRAWL FISHERY (EAST COAST No. 2)</b>	
28	Fishery symbol . . . . .	348
29	Fishery area . . . . .	348
30	What fish may be taken . . . . .	349
31	Permitted ways of taking prawns . . . . .	349
32	Use of primary commercial fishing boats . . . . .	349
33	Use of nets south of Cape Gloucester . . . . .	349
34	Use of nets north of Cape Gloucester . . . . .	349
	<b>PART 4—TRAWL FISHERY (FIN FISH)</b>	
35	Fishery symbol . . . . .	350
36	Fishery area . . . . .	350
37	What fish may be taken . . . . .	350
38	Permitted ways of taking whiting . . . . .	350

---

39	Time quota .....	351
	<b>PART 5—TRAWL FISHERY (RIVER AND INSHORE—AREA 1)</b>	
40	Fishery symbol .....	351
41	Fishery area .....	351
42	What fish may be taken .....	351
43	Permitted ways of taking prawns .....	351
44	Use of primary commercial fishing boats .....	352
45	Use of beam trawl nets in the Brisbane River .....	352
46	Use of beam trawl nets at or near the Brisbane River mouth .....	352
47	Use of beam trawl nets in Moreton Bay .....	352
48	Use of beam trawl nets in the Noosa River and connected lakes .....	352
49	Use of otter trawl nets in Laguna Bay .....	353
50	Use of beam trawl nets in rivers and creeks .....	353
	<b>PART 6—TRAWL FISHERY (RIVER AND INSHORE—AREA 2)</b>	
51	Fishery symbol .....	353
52	Fishery area .....	353
53	What fish may be taken .....	353
54	Permitted ways of taking prawns .....	354
55	Use of primary commercial fishing boats .....	354
56	Use of beam trawl nets in Great Sandy Strait .....	354
57	Use of beam trawl nets in Hervey Bay .....	354
58	Use of beam trawl nets in rivers and creeks .....	355
	<b>PART 7—TRAWL FISHERY (RIVER AND INSHORE—AREA 3)</b>	
59	Fishery symbol .....	355
60	Fishery area .....	355
61	What fish may be taken .....	355
62	Permitted ways of taking prawns .....	355
63	Use of primary commercial fishing boats .....	356
64	Use of beam trawl nets in rivers and creeks .....	356
	<b>PART 8—TRAWL FISHERY (RIVER AND INSHORE—AREA 4)</b>	
65	Fishery symbol .....	356
66	Fishery area .....	356

---

67	What fish may be taken .....	356
68	Permitted ways of taking prawns .....	356
69	Use of primary commercial fishing boats .....	357
70	Use of beam trawl nets near Facing Island .....	357
71	Use of beam trawl nets in and near Keppel Bay .....	357
72	Use of beam trawl nets in rivers and creeks .....	358
<b>PART 9—TRAWL FISHERY (RIVER AND INSHORE—AREA 5)</b>		
73	Fishery symbol .....	358
74	Fishery area .....	358
75	What fish may be taken .....	359
76	Permitted ways of taking prawns .....	359
77	Use of primary commercial fishing boats .....	359
78	Use of beam trawl nets in Llewellyn Bay .....	359
79	Use of beam trawl nets in Repulse Bay .....	359
80	Use of beam trawl nets in Sinclair Bay .....	360
81	Use of beam trawl nets in Cleveland Bay .....	360
82	Use of beam trawl nets in rivers and creeks .....	360
<b>SCHEDULE 15 .....</b>		
<b>361</b>		
<b>OTHER FISHERIES (COMMERCIAL)</b>		
<b>PART 1—AQUARIUM FISH FISHERY</b>		
1	Fishery symbol .....	361
2	Fishery area .....	361
3	What fish may be taken .....	361
4	Permitted ways of taking fish .....	361
5	General conditions of taking fish .....	362
6	Use of fishing lines .....	362
7	Use of cast nets .....	362
8	Use of scoop nets .....	362
9	Use of seine nets .....	362
10	Selling fish .....	363
<b>PART 2—BÊCHE-DE-MER FISHERY (EAST COAST)</b>		
11	Fishery symbol .....	363

---

12	Fishery area .....	363
13	What fish may be taken .....	363
14	Permitted ways of taking bêche-de-mer .....	363
15	General conditions of taking bêche-de-mer .....	363
16	Annual quota .....	364
17	Selling bêche-de-mer .....	364
<b>PART 3—BÊCHE-DE-MER FISHERY (TORRES STRAIT)</b>		
18	Fishery symbol .....	364
19	Fishery area .....	364
20	What fish may be taken .....	365
21	Permitted ways of taking bêche-de-mer .....	365
22	Selling bêche-de-mer .....	365
<b>PART 4—CORAL FISHERY</b>		
23	Fishery symbol .....	365
24	Fishery area .....	365
25	What fish may be taken .....	366
26	Permitted ways of taking coral .....	366
27	General conditions of taking coral .....	366
28	Annual quota .....	366
29	Selling coral .....	366
<b>PART 5—CRAYFISH AND ROCK LOBSTER FISHERY</b>		
30	Fishery symbol .....	367
31	Fishery area .....	367
32	What fish may be taken .....	367
33	Permitted ways of taking crayfish and rock lobsters .....	367
34	Use of primary commercial fishing boats .....	367
35	Use of tender commercial fishing boats .....	367
36	Permitted distance for an assistant fisher to be under direction .....	368
<b>PART 6—EEL FISHERY</b>		
37	Fishery symbol .....	368
38	Fishery area .....	368
39	What fish may be taken .....	368



---

40	Permitted ways of taking eels . . . . .	368
41	General condition of taking eels . . . . .	369
42	Selling eels . . . . .	369
<b>PART 7—PEARL FISHERY</b>		
43	Fishery symbol . . . . .	369
44	Fishery area . . . . .	370
45	What fish may be taken . . . . .	370
46	Permitted ways of taking live pearl oysters . . . . .	370
47	Selling live pearl oysters . . . . .	370
<b>PART 8—SHELL FISHERY</b>		
48	Fishery symbol . . . . .	370
49	Fishery area . . . . .	370
50	What fish may be taken . . . . .	371
51	Permitted ways of taking molluscs . . . . .	371
52	Use of primary commercial fishing boats . . . . .	371
53	General conditions of taking molluscs . . . . .	371
54	Annual quota . . . . .	371
55	Use of shell dredges . . . . .	371
56	Selling molluscs . . . . .	372
<b>PART 9—SHELL GRIT FISHERY</b>		
57	Fishery symbol . . . . .	372
58	Fishery area . . . . .	372
59	What fish may be taken . . . . .	372
60	Permitted ways of taking shell grit . . . . .	372
61	General conditions of taking shell grit . . . . .	372
62	Selling shell grit . . . . .	373
<b>PART 10—STAR SAND FISHERY</b>		
63	Fishery symbol . . . . .	373
64	Fishery area . . . . .	373
65	What fish may be taken . . . . .	373
66	Permitted ways of taking star sand . . . . .	373
67	General conditions of taking star sand . . . . .	373

---

68	Selling star sand . . . . .	373
<b>PART 11—TROCHUS FISHERY (EAST COAST)</b>		
69	Fishery symbol . . . . .	374
70	Fishery area . . . . .	374
71	What fish may be taken . . . . .	374
72	Permitted ways of taking trochus . . . . .	374
73	General conditions of taking trochus . . . . .	374
74	Annual quota . . . . .	375
75	Selling trochus . . . . .	375
<b>PART 12—TROCHUS FISHERY (TORRES STRAIT)</b>		
76	Fishery symbol . . . . .	375
77	Fishery area . . . . .	375
78	What fish may be taken . . . . .	375
79	Permitted ways of taking trochus . . . . .	376
80	Annual quota . . . . .	376
81	Selling trochus . . . . .	376
<b>PART 13—WORM FISHERY (BEACHWORM)</b>		
82	Fishery symbol . . . . .	376
83	Fishery area . . . . .	376
84	What fish may be taken . . . . .	376
85	Permitted ways of taking beachworms . . . . .	377
86	General conditions of taking beachworms . . . . .	377
87	Selling beachworms . . . . .	377
<b>PART 14—WORM FISHERY (BLOODWORM)</b>		
88	Fishery symbol . . . . .	377
89	Fishery area . . . . .	377
90	What fish may be taken . . . . .	377
91	Permitted ways of taking bloodworms . . . . .	377
92	General conditions of taking bloodworms . . . . .	378
93	Selling bloodworms . . . . .	378
<b>PART 15—YABBY FISHERY</b>		
94	Fishery symbol . . . . .	378

95	Fishery area .....	378
96	What fish may be taken .....	378
97	Permitted ways of taking yabbies .....	378
98	General conditions of taking yabbies .....	379
99	Selling yabbies .....	379

**SCHEDULE 16** ..... 380

**GLOSSARY OF SCIENTIFIC NAMES USED FOR FISH**

**SCHEDULE 17** ..... 392

**DICTIONARY**

**PART 1—WORDS**

**PART 2—OTHER WORDS AND PHRASES**

1	Meaning of “Deception Bay area” for fish regulated by area .....	397
3	Meaning of “Lake Tinaroo area” .....	397
4	Meaning of “length” of a commercial fishing boat .....	398
5	Meaning of “length” of a net .....	398
6	Meaning of “mesh size” of a net .....	399
7	Meaning of “Moreton Bay” .....	399
8	Meaning of “net that is not hauled” .....	400
9	Meaning of “Nudgee Beach area” for fish regulated by area .....	400
10	Meaning of “Pumicestone Strait” .....	400
11	Meaning of “stowed and secured” .....	401
12	Meaning of “sweep” of a net .....	401
13	Meaning of “tropical rock lobster area” .....	401
14	Meaning of “under direction” for an assistant fisher .....	402
15	Meaning of “Wynnum area” for fish regulated by area .....	403
16	Meaning of “Gulf of Carpentaria” for ss 18A, 98A and schs 1 and 4 ....	403

**SCHEDULE 18** ..... 404

**AQUACULTURE FISHERIES RESOURCES**

**ENDNOTES**

1	Index to endnotes .....	415
2	Date to which amendments incorporated .....	415

3	Key .....	416
4	Table of earlier reprints .....	416
5	List of legislation .....	416
6	List of annotations .....	418
7	Provisions that have not commenced and are not incorporated into reprint .....	435

# FISHERIES REGULATION 1995

[as amended by all amendments that commenced on or before 20 August 1998]

## 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 dictionary<sup>1</sup> 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—
  - (a) a boundary or line along a shore follows high water mark; and

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<sup>1</sup> 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*

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- (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—

*Fisheries Regulation 1995*

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- (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 (other than great white shark, grey nurse shark, small spotted grunter bream or spotted grunter bream (grunter))—
  - (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; and
- (d) for small spotted grunter bream and spotted grunter bream (grunter)—Grant EM (1993), *Grant's Guide to Fishes*, (6th edition), EM Grant Pty Ltd, 19 Australia Court, Scarborough, Queensland; and
- (e) for great white shark or grey nurse shark—Last PR and Stevens JD (1994), *Sharks and Rays of Australia*, CSIRO Division of Fisheries, Australia.

**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.<sup>2</sup>

**(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

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<sup>2</sup> 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.

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;
- (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 in schedule 1, section 1(b) 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 in schedule 1, section 1(b) 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.<sup>3</sup>

(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.

(5) However, subsection (4)(b) does not apply to possessing fish mentioned in schedule 2, section 46A.<sup>4</sup>

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<sup>3</sup> Schedule 2 (Closed waters—commercial fishing)  
Schedule 3 (Closed waters—recreational fishing)

<sup>4</sup> Schedule 2 (Closed waters—commercial fishing)  
Section 46A (Prohibited activities)

**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.

**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.

**Possessing certain grunter regulated**

**18A.(1)** This section applies if taking a spotted grunter bream (grunter) in the Gulf of Carpentaria is regulated under this part.

**(2)** Possessing the grunter, in the Gulf of Carpentaria or elsewhere, is also regulated.

**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,<sup>5</sup> 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.

*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

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<sup>5</sup> See, for example, saucer scallops in schedule 4, part 3, division 4.

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 in schedule 1, section 1(b).<sup>6</sup>

(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
- (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.

### **Exemptions for Mary River cod**

**24A.** Despite section 18,<sup>7</sup> a person may take or possess 1 Mary River cod taken from the following dams or waterway barrier works upstream from the dams—

- Bill Gunn Dam
- Cressbrook Dam
- Hinze Dam
- Maroon Dam

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<sup>6</sup> See section 15 for tagging requirements during the closed season.

<sup>7</sup> Section 18 (Regulated fish)

- Moogerah Dam
- North Pine Dam
- Somerset Dam
- Wivenhoe Dam.

### **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)** Despite section 18,<sup>8</sup> a person may—

- (a) possess a regulated fish if the fish is an aquarium display fish bred by the person for aquarium display; or
- (b) possess or sell a regulated fish if an inspector is reasonably satisfied the person has obtained the fish from—
  - (i) the holder of an authority allowing the holder to sell the fish; or
  - (ii) another person who has obtained the fish from a holder mentioned in subparagraph (i).

## **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 certain quotas**

**27.(1)** When a fisheries agency becomes aware that a quota (other than a daily or time quota) has been, or is likely to be, filled on or by a particular

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<sup>8</sup> Section 18 (Regulated fish)



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 primary commercial fishing boat licences**

**32A.** The Authority may only issue a primary commercial fishing boat licence for a boat if a primary commercial fishing boat licence is not in force for the boat.

### **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 competitions
- 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.<sup>9</sup>

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<sup>9</sup> '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) 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—

- (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.

(4) Subject to section 42A and the provisions of a management plan, the Authority must not write more than 1 of the same fishery symbol on an authority.

(5) The Authority must not write the fishery symbol ‘N3’ and the fishery symbol ‘N9’ on the same primary commercial fishing boat licence.

### **Combining spanner crab fishery symbols**

**42A.(1)** A person who holds more than 1 primary commercial fishing boat licence with a crab fishery symbol written on each of them may apply to the Authority in writing to amend 2 or more of the licences by—

- (a) writing all of the crab fishery symbols written on the licences on 1 of the licences (the “**stated licence**”); and
- (b) writing on the stated licence 1 fishery symbol of each type that is—
  - (i) written on the licences, other than the stated licence; and
  - (ii) not already written on the stated licence; and
  - (iii) not a crab fishery symbol; and
- (c) taking all the fishery symbols off the licences, other than the stated licence.

(2) In subsection (1)—

“**crab fishery symbol**” means a fishery symbol ‘C2’, ‘C4’, ‘C5’ or ‘C6’.

### **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.<sup>10</sup>

**(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.

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<sup>10</sup> There may be other restrictions applying to the taking of fish. See, for example, the provisions about closed seasons, closed waters and regulated fish.

(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.

### **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.<sup>11</sup>

(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);

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<sup>11</sup> ‘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).

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

(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.<sup>12</sup>

### **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

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<sup>12</sup> For the meaning of “under direction”, see schedule 17 (Dictionary), part 2, section 14.

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

### **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 licence<sup>13</sup> 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.

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<sup>13</sup> For restrictions on the issue of crew licences, see section 32 (Restriction on issue of crew licences).

**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.

**(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

*Fisheries Regulation 1995*

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- (b) the primary commercial fishing boat licence is kept on board the tender boat while it is used as the primary commercial fishing boat.

(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 (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 keep<sup>14</sup> must contain the following information about each authority the fisheries agency issues—

- (a) authority type, category and number;
- (b) fishery symbols written on it;
- (c) holder's full name;
- (d) holder's locality;
- (e) if the authority is a primary commercial fishing boat licence and an application under section 64D<sup>15</sup> relating to the boat identified in the licence has been granted—
  - (i) the approved VMS equipment installed on the boat; and
  - (ii) the approved installer of the equipment;
- (f) other details, decided by the fisheries agency, about a boat identified in the authority;
- (g) 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 following<sup>16</sup>—

- (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;

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<sup>14</sup> See the Act, section 73 (Registers of authorities).

<sup>15</sup> Section 64D (Application to register VMS equipment and installer)

<sup>16</sup> 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.

- (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.

### **Fishing priority**

**64A.(1)** Commercial fishers have the right to use nets under an authority in the order in which the fishers are ready to fish with the nets.

**(2)** If 2 or more commercial fishers jointly use nets, they are taken to be 1 commercial fisher.

- (3)** A right under subsection (1)—
- (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 when the fisher is ready to fish; and
  - (c) only applies in the area of an ocean beach fishery if the fisher holds a licence with a symbol K1, K2, K3, K4, K5, K6, K7 or K8 written on it.

**(4)** In subsection (1)—

**“ready to fish”** means the commercial fisher has enough boats, crew and fishing apparatus to start fishing immediately.

## **PART 7A—VMS EQUIPMENT**

### *Division 1—Preliminary*

#### **Application of pt 7A**

**64B.** This part applies to a primary commercial fishing boat licence with a ‘T1’ or ‘T2’ fishery symbol written on it.

#### **Definitions for pt 7A**

**64C.** In this part—

“**the boat**” means the primary commercial fishing boat identified in a licence to which this part applies.

“**the holder**” means the person who holds the primary commercial fishing boat licence for the boat.

### *Division 2—Registration*

#### **Application to register VMS equipment and installer**

**64D.(1)** The holder may apply to the Authority to include in the Authority’s register—

- (a) approved VMS equipment installed on the boat; and
- (b) the approved installer of the equipment.

(2) The application must be made in the approved form.

#### **Consideration of application**

**64E.** The Authority must consider and either grant or refuse the application.

**Grant of application**

**64F.** If the Authority grants the application, it must promptly—

- (a) record details of the equipment and the installer mentioned in the application in the Authority's register; and
- (b) give the applicant notice that it has recorded the equipment and the installer in the register.

**Refusal of application**

**64G.(1)** If the Authority decides to refuse the application, it must promptly give the applicant written notice of the decision.

**(2)** The notice must state the following—

- (a) the decision;
- (b) the reasons for the decision;
- (c) that the applicant may appeal against the decision to the Tribunal within 28 days after the applicant receives the notice;
- (d) how to start an appeal.<sup>17</sup>

***Division 3—VMS equipment conditions*****Additional conditions of licence**

**64H.** This division prescribes additional conditions for a licence for the boat if VMS equipment installed on the boat is recorded in the Authority's register.

**Maintenance and use**

**64I.** The holder must ensure the equipment is—

- (a) maintained by an approved person in working condition; and
- (b) used at all times.

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<sup>17</sup> See section 197 (How to start an appeal) of the Act.

**Obligations if equipment fails**

**64J.(1)** If the equipment fails to work, the person in control of the boat must stop the use of fishing apparatus from the boat immediately after becoming aware of the failure.

**(2)** Also, the person in control must, unless the person has a reasonable excuse—

- (b) notify the Authority of the failure; and
- (c) if the boat is not in port—
  - (i) notify the Authority that the boat will return to the nearest port or to another stated port; and
  - (ii) cause the boat to travel promptly to the port.

**(3)** For subsections (1) and (2), the person in control is taken to be aware of the failure if the person receives notice from the Authority that the equipment is not working.

**(4)** A notice under this section may be given by radio, telephone or another form of instantaneous electronic communication.

**Exemption**

**64K.** Section 64I(b) and 64J do not apply during a period if—

- (a) before the period began, the holder gave written notice to the Authority that, for a stated reason, the boat would not be used for fishing during the period; and
- (b) the boat is not used for fishing during the period.

## **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.<sup>18</sup>

**(2)** However, subsection (1) does not apply to a person who takes, possesses or sells a—

- (a) regulated fish under an authority allowing the person to take, possess or sell the fish;<sup>19</sup> or
- (b) shark under a shark fishing contract.

**(3)** In this section—

“**shark**” means a great white shark or grey nurse shark.

“**shark fishing contract**” means an agreement between any person and the State for the taking, tagging, or disposal of sharks.

#### **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;

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<sup>18</sup> It is an offence to unlawfully take, possess or sell a regulated fish. See section 78 of the Act.

<sup>19</sup> Certain persons are also exempted from certain provisions about regulated fish. See part 5, division 3.

- (e) using a power assisted device to set or use a net mentioned in schedule 13, part 5 or 5A;
- (f) a way that contravenes a fishery provision.<sup>20</sup>

### *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.<sup>21</sup>

#### **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.<sup>22</sup>

#### **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.

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<sup>20</sup> It is an offence to take fish in a way prohibited under a regulation or management plan. See section 80 of the Act.

<sup>21</sup> 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.

<sup>22</sup> 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.

(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.

### **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.

### **Conducting commercial fishing competitions**

**70A.** A person may conduct a commercial fishing competition only if—

- (a) the person holds a general fisheries permit for the commercial fishing competition; and
- (b) each person fishing in the competition has paid the fee payable under schedule 10, part 2.<sup>23</sup>

### **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

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<sup>23</sup> Schedule 10, part 2 (Fees payable to the Authority)



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.<sup>24</sup>

**(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.

### **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

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<sup>24</sup> This is approximately the latitude of Clump Point (Mission Beach).

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.<sup>25</sup>

**(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.<sup>26</sup>

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

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<sup>25</sup> For other relevant provisions about selling fisheries resources, see section 86 of the Act.

<sup>26</sup> For other relevant provisions about buying fisheries resources, see section 86 of the Act.

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.

**(6)** A person may release aquaculture fisheries resources into Queensland waters only if—

- (a) the person holds an authority allowing the person to release the fisheries resources into the waters; or
- (b) the fisheries resources occur naturally in the area they are to be released in; or
- (c) the fisheries resources are mentioned in schedule 18, column 1 and are released in the river basin mentioned in schedule 18, column 3 with the reference number mentioned in schedule 18, column 2.

**(7)** Subsection (6)(b) and (c) apply only to privately owned waters.

**(8)** In this section—

**“reference number”**, of a river basin, means the reference number

identifying the river basin on the Queensland river basins map held by the department.<sup>27</sup>

### **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 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.

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<sup>27</sup> The map may be inspected at the Department of Primary Industries, Fisheries and Forestry, fisheries group, 5th floor Forestry House, 160 Mary Street, Brisbane and at the Queensland Fisheries Management Authority, level 6, 40 Tank Street, Brisbane.

**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.

*Fisheries Regulation 1995*

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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.<sup>28</sup>

### **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.

### **Interfering with official signs**

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

Maximum penalty—100 penalty units.

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<sup>28</sup> 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 approved VMS seals**

**88A.** A person, other than an approved person, must not interfere with an approved seal on installed VMS equipment unless the person has a reasonable excuse for interfering with it.

Maximum penalty—100 penalty units.

**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 under section 64A, 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.

**Possession or sale of crab claws by fishers**

**91A.(1)** A fisher who takes a crab under an authority must not possess or sell the crab’s claws unless—

- (a) the fisher possesses or sells—
  - (i) if the crab was taken with 1 claw—the claw; or
  - (ii) if the crab was taken with 2 claws—both claws; and
- (b) the fisher possesses or sells the crab’s body.

Maximum penalty—100 penalty units.

**(2)** In this section—

“**crab body**” means a crab body that has its carapace attached to it.

**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.<sup>29</sup>

### 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;
- (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.

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<sup>29</sup> Oysters grown under an authority are covered by section 87 of the Act (Interference etc. with aquaculture activity or fishing apparatus).

## **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.

**(2A)** Each fish habitat area in schedule 7, part 2 includes tidal land of lagoons, lakes and waterways that—

- (a) is unallocated State land or national park land; and
- (b) adjoins the area within the outer boundary shown on the plan.

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

- (a) an area the plan states is not included;
- (b) an area schedule 7, parts 1 or 2 state is not included; and
- (c) the area of a channel marked by aids to navigation;
- (d) for a fish habitat area in schedule 7, part 2—land that is not unallocated State land within the outer boundary shown on the plan unless schedule 7, part 2 states it is included.

**(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,<sup>30</sup> 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,

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<sup>30</sup> 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.

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,<sup>31</sup> 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.

## **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

<sup>31</sup> Section 140 (Appointment)

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—general**

**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.

### **Identifying and counting grunter taken in Gulf of Carpentaria**

**98A.(1)** This section—

- (a) applies to a recreational fisher who possesses a spotted grunter bream (grunter) taken in the Gulf of Carpentaria; and
- (b) is in addition to section 98.

**(2)** If the recreational fisher possesses a grunter on a boat, the recreational fisher must not fillet it or remove its head until it is brought ashore.

**(3)** If the recreational fisher brings a grunter ashore and fillets it or removes its head, the recreational fisher must not return it to the boat.

## **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.<sup>32</sup>

#### **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.<sup>33</sup>

#### **Marking boats**

**103.(1)** If a fisheries agency issues an authority allowing the use of a

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<sup>32</sup> Under section 154(1) of the Act (Seizure of fisheries resources in heap etc.), regulated fish are therefore “declared fisheries resources”.

<sup>33</sup> See section 78 of the Act (Prohibited acts about regulated fish) which creates the offences.

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,<sup>34</sup> nonindigenous fisheries resources are stated in schedule 6.

### **Noxious fisheries resources**

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

### **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;

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<sup>34</sup> 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.

- (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;<sup>35</sup>

- (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;
  - (v) contravening a condition of a primary commercial fishing boat licence prescribed under part 7A, division 3;<sup>36</sup>
  - (vi) contravening section 88A.<sup>37</sup>

### **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.

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<sup>35</sup> See section 154 of the Act (Seizure of fisheries resources in heap etc.).

<sup>36</sup> Part 7A, division 3 (VMS equipment conditions)  
See section 85 (Contravening a condition of an authority).

<sup>37</sup> Section 88A (Interfering with approved VMS seals)

**Threshold percentage for declared fisheries resources**

**110.** The threshold percentage for declared fisheries resources under section 154 of the Act<sup>38</sup> 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.

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<sup>38</sup> Section 154 of the Act (Seizure of fisheries resources in heap etc.)

*Fisheries Regulation 1995*

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**(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.

**SCHEDULE 1****CLOSED SEASONS**

section 14(1)

**Barramundi—Gulf of Carpentaria**

1. For barramundi in the Gulf of Carpentaria, the closed seasons are the following periods—

- (a) midday on 9 October 1997 to midday on 23 January 1998;
- (b) midday on 29 September 1998 to midday on 25 January 1999;
- (c) midday on 2 October 1999 to midday on 28 January 2000;
- (d) midday on 6 October 2000 to midday on 31 January 2001;
- (e) midday on 9 October 2001 to midday on 20 January 2002;
- (f) midday on 14 October 2002 to midday on 25 January 2003;
- (g) midday on 3 October 2003 to midday on 28 January 2004;
- (h) midday on 7 October 2004 to midday on 1 February 2005.

**Barramundi—elsewhere**

2. For barramundi, other than in the Gulf of Carpentaria, the closed season is from midday on 1 November to midday on 1 February.

**Spanner crab**

3. 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—**

- (a) upstream waters within 200 m of the Coolmunda Dam spillway wall; and
- (b) downstream waters within 100 m of the Coolmunda Dam wall; and

## SCHEDULE 2 (continued)

- (c) from 400 m upstream to 400 m downstream of Whetstone Weir or 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—
  - near the southern boundary of portion 26, county of Bulwer,

## SCHEDULE 2 (continued)

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 90 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.

**Coombabah 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.

**Dawson River at Neville Hewitt Weir**

**28.** The Dawson River from 400 m upstream of Neville Hewitt Weir to

## SCHEDULE 2 (continued)

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.

**Fitzroy River at Eden Bann Weir**

**29A.** The Fitzroy River from 200 m upstream to 400 m downstream of Eden Bann Weir.

**Fitzroy River at Wattlebank Control Weir**

**29B.** The Fitzroy River from 200 m upstream to 200 m downstream of Wattlebank Control Weir.

**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.

## SCHEDULE 2 (continued)

**Hook Island**

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

**Yanks Jetty at Orpheus Island**

33A. Waters under or within 100 m of Yanks Jetty at Orpheus Island.

**Burdekin River at Clare Weir**

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

**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

## SCHEDULE 2 (continued)

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.

**PART 2—TAKING OR POSSESSING CERTAIN FISH***Division 1—Fish other than spanner crabs in managed areas A or B***Prohibited activities**

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

- (a) taking a stated 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*.

## SCHEDULE 2 (continued)

**Hervey Bay region**

**42A.(1)** Waters within the following boundary—

- from latitude 24°30' south, longitude 152°45' east
- to latitude 24°40' south, longitude 152°45' east
- to latitude 24°40' south, longitude 152°55' east
- to latitude 24°30' south, longitude 152°55' east
- to latitude 24°30' south, longitude 152°45' east.

**(2)** Subsection (1) applies only to prawns and scallops.

**(3)** This section expires on 1 February 1999.

**Eurimbula Creek (north of Round Hill Creek)**

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

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

**Bustard Head region**

**43A.(1)** Waters within the following boundary—

- from latitude 23°45' south, longitude 151°45' east
- to latitude 23°55' south, longitude 151°45' east
- to latitude 24° south, longitude 151°55' east
- to latitude 23°45' south, longitude 151°55' east
- to latitude 23°45' south, longitude 151°45' east.

**(2)** Subsection (1) applies only to prawns and scallops.

**(3)** This section expires on 1 February 1999.

**Yeppoon region**

**43B.(1)** Waters within the following boundary—

## SCHEDULE 2 (continued)

- from latitude 22°35' south, longitude 150°55' east
- to latitude 22°45' south, longitude 151°03' east
- to latitude 22°45' south, longitude 151°13' east
- to latitude 22°35' south, longitude 151°05' east
- to latitude 22°35' south, longitude 150°55' east.

(2) Subsection (1) applies only to prawns and scallops.

(3) This section expires on 1 February 1999.

**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.

**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.

***Division 2—Spanner crabs in managed areas A or B*****Prohibited activities**

**46A.** Taking or possessing spanner crabs is prohibited in the waters described in this division during the stated periods.

## SCHEDULE 2 (continued)

**Managed area A—weekends and Mondays**

**46B.** Managed area A from midnight on Friday to midnight on Monday.

**Managed areas A and B**

**46C.** Managed area A and managed area B from midnight on 20 November to midnight on 5 January.

**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.

## SCHEDULE 2 (continued)

**Upolu Cay**

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

*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;



## SCHEDULE 2 (continued)

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

**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.

## SCHEDULE 2 (continued)

**The Broadwater (southern part) and the Nerang River**

**58.** The following waters—

- (a) the Nerang River and waterways joining it;
- (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<sup>↑</sup>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<sup>↑</sup>B sign west of the Seaway Tower on the northern shore of The Spit to an F<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>B sign on South Stradbroke Island westerly of the island's southern tip

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 SCHEDULE 2 (continued)

- 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
- 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

## SCHEDULE 2 (continued)

- to the point on the shore in line with the northern edge of Stevens Street, Southport.

**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

## SCHEDULE 2 (continued)

passing through the rear (seaward) lead of the Lytton Rocks Reach about 900 m downstream from Luggage Point;

- (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.

## SCHEDULE 2 (continued)

**Moreton Bay (including The Broadwater)**

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

**(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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>B sign on the river's southern side near Thomas Street, Noosaville and an F<sup>↑</sup>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<sup>↑</sup>B sign on Lake Cootharaba's north-western shore to an F<sup>↑</sup>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<sup>↑</sup>B sign at the southern tip of Kinaba Island
- to an F<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>B sign at Inskip Point near the flashing white navigation lead on the shore, west for about 1.3 km to an F<sup>↑</sup>B sign
- to an F<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>B sign at the creek's northern bank to the F<sup>↑</sup>B sign at the northern tip of Wild Cattle Island;
- (b) a line from an F<sup>↑</sup>B sign about 1 600 m (measured along the bank) upstream from the F<sup>↑</sup>B sign at the northern tip of Wild Cattle Island to an F<sup>↑</sup>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<sup>↑</sup>B signs near its banks.

**(2)** South Trees Inlet between the northern edge of the bridge over the

## SCHEDULE 2 (continued)

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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>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
- to Cardigan Point, Balaclava Island.

**SCHEDULE 2 (continued)**

(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 Gavial 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, Kamiesh 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.

**Water Park Creek**

**104.** Water Park Creek (which flows into Corio Bay) and waterways

## SCHEDULE 2 (continued)

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<sup>↑</sup>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<sup>↑</sup>B sign near the landward end of the oil tanker berth and an F<sup>↑</sup>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<sup>↑</sup>B sign at Andoomajettie Point to F<sup>↑</sup>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<sup>↑</sup>B sign about 1 km south of the banks of the Chapman River and an F<sup>↑</sup>B sign about 1 km north of the banks of Moonkan Creek.

**Mitchell River**

**140.** The Mitchell River and waterways joining it, upstream of a line

## SCHEDULE 2 (continued)

between F<sup>↑</sup>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—

- from latitude 28°10' south on the territorial sea baseline, along the

## SCHEDULE 2 (continued)

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 running south-west from the water tower at Bongaree to the

## SCHEDULE 2 (continued)

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



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 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<sup>↑</sup>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<sup>↑</sup>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 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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>B sign at southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra
- to the F<sup>↑</sup>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—

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 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



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

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

**218.** The following activities are prohibited in waters described in this

## SCHEDULE 2 (continued)

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
- Barker Creek
- Maria Creek
- Seahill (Pacific) Creek



## SCHEDULE 2 (continued)

- 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
- Dingo Creek
- Inlet Creek.

## SCHEDULE 2 (continued)

**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
- Hull River
- Moresby River.

## SCHEDULE 2 (continued)

**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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>B signs at the following places—

- (a) north and south of Graham Creek;
- (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.

## SCHEDULE 2 (continued)

**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.

**Burdekin River Anabranche area**

235. Waters within 1 km out to sea from the mainland shore between a point 1 km north along the shore from the anabranche's northern bank and a

## SCHEDULE 2 (continued)

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

## SCHEDULE 2 (continued)

**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—

- 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

## SCHEDULE 2 (continued)

- 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).

**All waterways, lakes and lagoons**

**248.** All waterways, lakes and lagoons.

**Moreton Bay**

**249.** Moreton Bay.

## SCHEDULE 2 (continued)

**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<sup>↑</sup>B sign at Inskip point near the flashing white navigation lead on the shore to an F<sup>↑</sup>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.

**PART 5—USING OR POSSESSING BOATS****Prohibited activities**

**252.(1)** This part applies to a boat used under an authority with the fishery symbol 'T1' on it.

**(2)** The use or possession of the boat is prohibited in waters described in this part.

**Hervey Bay region**

**253.** Waters within the following boundary—

- from latitude 24°30' south, longitude 152°45' east
- to latitude 24°40' south, longitude 152°45' east
- to latitude 24°40' south, longitude 152°55' east



## SCHEDULE 2 (continued)

- to latitude 24°30' south, longitude 152°55' east
- to latitude 24°30' south, longitude 152°45' east.

**Bustard Head region**

**254.** Waters within the following boundary—

- from latitude 23°45' south, longitude 151°45' east
- to latitude 23°55' south, longitude 151°45' east
- to latitude 24° south, longitude 151°55' east
- to latitude 23°45' south, longitude 151°55' east
- to latitude 23°45' south, longitude 151°45' east.

**Yeppoon region**

**255.** Waters within the following boundary—

- from latitude 22°35' south, longitude 150°55' east
- to latitude 22°45' south, longitude 151°03' east
- to latitude 22°45' south, longitude 151°13' east
- to latitude 22°35' south, longitude 151°05' east
- to latitude 22°35' south, longitude 150°55' east.

**Expiry**

**256.** This part expires on 1 February 1999.

## SCHEDULE 2 (continued)

**PART 6—USING NETS IN DUGONG PROTECTION AREAS***Division 1—Zone A***Hervey Bay–Tin Can Bay**

**257.(1)** This section applies to waters within the following boundary and the adjoining waterways—

- from latitude 25°01'01" south, where it intersects the mainland shore
- to latitude 25°01'01" south, longitude 153° east
- to latitude 25°12'29" south where it intersects the shore of Fraser Island
- westerly and southerly along the shore of Fraser Island to longitude 153°04' east where it intersects the shore
- to longitude 153°04' east where it intersects the mainland shore at Inskip Point
- westerly and southerly along the shore to the north bank of Myers Creek
- to the south bank of Teebar Creek
- along the mainland shore to latitude 25°01'01" south where it intersects the mainland shore.

**(2)** A set mesh net may only be used in offshore waters if—

- (a) the net is set in water at least 2 m deep; and
- (b) the net is made of monofilament no more than 0.65 mm in diameter; and
- (c) the net is no longer than 600 m; and
- (d) the net has a mesh size of at least 88 mm and is no more than 33 meshes deep; and

## SCHEDULE 2 (continued)

- (e) the net is used by at least 2 persons; and
- (f) each person using the net is within 100 m of it; and
- (g) the net is not used as a drift net; and
- (h) the net is fixed in a way that—
  - (i) prevents it from drifting; and
  - (ii) ensures it is taut when it is being used.

**(3)** Also, a set mesh net must not be used in waters—

- (a) within the following boundary and the adjoining waterways—
  - from latitude 25°10'24" south where it intersects the mainland shore near Burrum River
  - to latitude 25°10'24" south, longitude 152°39'06" east
  - to latitude 25°13'24" south, longitude 152°40'12" east
  - along latitude 25°13'24" east to where it intersects the mainland shore
  - along the mainland shore to latitude 25°10'24" south; and
- (b) of Hervey Bay within the following boundary and the adjoining waterways between 3.00 pm and 5.00 am 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 mainland shore to the southern bank of Theodolite Creek.

**(4)** A person may use up to 3 set mesh nets in a river or creek between the north bank of Kauri Creek and latitude 25°01'01" south where it intersects the mainland shore only if—

- (a) each net is no longer than 50 m; and
- (b) each net has a mesh size of at least 150 mm but no more than 215 mm; and

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 SCHEDULE 2 (continued)

- (c) each net has a drop of no more than 50 meshes; and
- (d) the nets are no more than 800 m apart; and
- (e) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets; and
- (f) the nets are not set downstream of the banks of the river or creek.<sup>39</sup>

(5) A person must not use a set mesh net in a part of the Mary River or Burrum River that is less than 3 km upstream of the river's mouth.

**Port Clinton (Reef Point–Cape Clinton)**

**258.(1)** This section applies to waters within the following boundary and the adjoining waterways—

- from Reef Point
- to the eastern tip of Townshend Island
- to latitude 22°19'41" south, longitude 150°39'32" east
- to latitude 22°21'36" south, longitude 150°41'10" east
- to latitude 22°22'26" south, longitude 150°41'28" east
- to latitude 22°24'58" south, longitude 150°43'12" east
- to latitude 22°27' south, longitude 150°45'22" east
- to latitude 22°31'59" south, longitude 150°47'17" east
- to the eastern tip of Cape Clinton
- along the mainland shore to Reef Point.

(2) Using the following is prohibited—

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<sup>39</sup> Under section 3 (References to boundaries, lines, shores and other points) of the 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.

## SCHEDULE 2 (continued)

- (a) a set mesh net on a foreshore;
- (b) a set mesh net in offshore waters;
- (c) a mesh net that is not fixed or hauled in offshore waters.

(3) However, a mesh, ring or seine net may be used if only 1 end of the net is fixed when the net is being shot.

(4) A person may use up to 3 set mesh nets in a river or creek only if—

- (a) each net is no longer than 50 m; and
- (b) each net has a mesh size of at least 150 mm but no more than 215 mm; and
- (c) each net has a drop of no more than 50 meshes; and
- (d) the nets are no more than 800 m apart; and
- (e) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets; and
- (f) the nets are not set downstream of the banks of the river or creek.

**Shoalwater Bay**

**259.** A person must not use or possess a net, other than a cast net in waters within the following boundary and the adjoining waterways—

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

**Ince Bay (Cape Palmerston–Allom Point)**

**260.(1)** This section applies to waters within the following boundary and

## SCHEDULE 2 (continued)

the adjoining waterways—

- from the north-eastern tip of Allom Point
- to latitude 21°29'13" south, longitude 149°24" east
- to latitude 21°30'40" south, longitude 149°28'55" east
- to the northern tip of Cape Palmerston
- along the mainland shore to the north-eastern tip of Allom Point.

(2) Using the following is prohibited—

- (a) a set mesh net on a foreshore;
- (b) a set mesh net in offshore waters;
- (c) a mesh net that is not fixed or is hauled in offshore waters.

(3) However, a mesh, ring or seine net may be used if only 1 end of the net is fixed when the net is being shot.

(4) A person may use up to 3 set mesh nets in a river or creek only if—

- (a) each net is no longer than 50 m; and
- (b) each net has a mesh size of at least 150 mm but no more than 215 mm; and
- (c) each net has a drop of no more than 50 meshes; and
- (d) the nets are no more than 800 m apart; and
- (e) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets; and
- (f) the nets are not set downstream of the banks of the river or creek.

**Stewart Peninsula–Newry Islands–Ball Bay**

**261.(1)** This section applies to waters within the following boundary and the adjoining waterways—

- from latitude 20°45' south where it intersects the mainland shore

## SCHEDULE 2 (continued)

- to latitude 20°45' south, longitude 148°50'42" east
- to latitude 20°52'01" south, longitude 148°59'45" east
- south along longitude 148°59'45" east where it intersects the mainland shore
- along the mainland shore to latitude 20°45' south where it intersects the mainland shore.

(2) Using the following is prohibited—

- (a) a set mesh net on a foreshore;
- (b) a set mesh net in offshore waters;
- (c) a mesh net that is not fixed or is hauled in offshore waters.

(3) However, a mesh, ring or seine net may be used if only 1 end of the net is fixed when the net is being shot.

(4) A person may use up to 3 set mesh nets in a river or creek only if—

- (a) each net is no longer than 50 m; and
- (b) each net has a mesh size of at least 150 mm but no more than 215 mm; and
- (c) each net has a drop of no more than 50 meshes; and
- (d) the nets are no more than 800 m apart; and
- (e) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets; and
- (f) the nets are not set downstream of the banks of the river or creek.

**Upstart Bay**

**262.(1)** This section applies to waters within the following boundary and the adjoining waterways—

- from latitude 19°43'37" south where it intersects the mainland shore near Beach Hill

## SCHEDULE 2 (continued)

- to the western tip of Cape Upstart
- along the mainland shore to latitude 19°43'37" south where it intersects the mainland shore near Beach Hill.

(2) Using the following is prohibited—

- (a) a set mesh net in offshore waters;
- (b) a mesh net that is not fixed or is hauled in offshore waters.

(3) However, a mesh, ring or seine net may be used if only 1 end of the net is fixed when the net is being shot.

(4) A person may use up to 3 set mesh nets in a river or creek only if—

- (a) each net is no longer than 50 m; and
- (b) each net has a mesh size of at least 150 mm but no more than 215 mm; and
- (c) each net has a drop of no more than 50 meshes; and
- (d) the nets are no more than 800 m apart; and
- (e) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets; and
- (f) the nets are not set downstream of the banks of the river or creek.

(5) A person must not use a set mesh net on a foreshore, other than in waters within the following boundary and the adjoining waterways—

- from latitude 19°43'37" south where it intersects the mainland shore
- east along latitude 19°43'37" south to 200 m seaward from high water mark
- south parallel to the mainland shore 200 m seaward from high water mark to where it intersects latitude 19°48' south
- west along latitude 19°48' south to the mainland shore at high water mark
- along the mainland shore to 19°43'37" south.



## SCHEDULE 2 (continued)

- (6) A person may use up to 3 set mesh nets on a foreshore only if—
- (a) each net is no longer than 200 m; and
  - (b) each net has a mesh size of at least 100 mm but no more than 215 mm; and
  - (c) the distance between the first and last net is no more than 1 km; and
  - (e) the nets are no more than 800 m apart; and
  - (f) any person using the nets is—
    - (i) between the first and the last net; and
    - (ii) no more than 800 m from any of the nets; and
  - (g) the nets are not joined; and
  - (h) the nets are set more than 200 m from a jetty or wharf.

(7) A set mesh net must not be set on a foreshore during the closed season for barramundi.<sup>40</sup>

**Cleveland Bay–Magnetic Island**

**263.(1)** This section applies to waters within the following boundary and the adjoining waterways—

- from longitude 146°39' east where it intersects the mainland shore
- to latitude 19°07'52" south where it intersects the coastal 500 m line around Magnetic Island
- along the coastal 500 m line around Magnetic Island to it intersects with latitude 19°06'58" south
- to the northern tip of Cape Cleveland
- along the mainland shore to longitude 146°39' east where it intersects the mainland shore.

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<sup>40</sup> For the closed season, see schedule 1, section 2 (Barramundi—elsewhere).

## SCHEDULE 2 (continued)

(2) Using the following is prohibited—

- (a) a set mesh net on a foreshore;
- (b) a set mesh net in offshore waters;
- (c) a mesh net that is not fixed or is hauled in offshore waters.

(3) However, a mesh, ring or seine net may be used if only 1 end of the net is fixed when the net is being shot.

(4) A person may use up to 3 set mesh nets in a river or creek only if—

- (a) each net is no longer than 50 m; and
- (b) each net has a mesh size of at least 150 mm but no more than 215 mm; and
- (c) each net has a drop of no more than 50 meshes; and
- (d) the nets are no more than 800 m apart; and
- (e) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets; and
- (f) the nets are not set downstream of the banks of the river or creek.

**Hinchinbrook Island area**

**264.(1)** This section applies to waters within the following boundary and the adjoining waterways—

- from latitude 18°12'54" south where it intersects the mainland shore
- to latitude 18°08'35" south, longitude 146°09'50" east
- to latitude 18°08'31" south where it intersects the coastal 500 m line around the Brook Islands
- along the coastal 500 m line around the Brook Islands to its intersection with longitude 146°18'14" east
- to longitude 146°19'05" east where it intersects the coastal 500 m

## SCHEDULE 2 (continued)

line around Eva Island

- along that coastal 500 m line around Eva Island to its intersection with longitude 146°19'37" east
- to the eastern tip of Hillock Point, Hinchinbrook Island
- south easterly to the seaward end of the jetty at Lucinda Point
- to the western end of the jetty along its northern side where it intersects the mainland shore
- along the mainland shore to latitude 18°12'54" south where it intersects the mainland shore.

(2) Using the following is prohibited—

- (a) a set mesh net in a river or creek;
- (b) a set mesh net on a foreshore;
- (c) a set mesh net in offshore waters;
- (d) a mesh net that is not fixed or is hauled in offshore waters.

(3) However, a mesh, ring or seine net may be used if only 1 end of the net is fixed when the net is being shot.

***Division 2—Zone B******Subdivision 1—Areas in zone B*****Application of div 2**

**265.** This division applies to waters described in sections 266 to 273 and the adjoining waterways.

**Port of Gladstone—Rodds Bay**

**266.** Waters within the following boundary—

- from the eastern tip of Friend Point of the Narrows

## SCHEDULE 2 (continued)

- to the western tip of Laird Point Curtis Island
- along the western and southern shores of Point Curtis Island to the eastern tip of Southend on Curtis Island
- to northern tip of North Point on Facing Island
- along the western, southern, south-eastern shore of Facing Island to the eastern tip of East Point
- to the northern tip of Flora Point Rodds Peninsula
- along the mainland shore to the eastern tip of Friend Point of the Narrows.

**Clairview Bluff–Carmilla Creek**

**267.** Waters within the following boundary—

- from latitude 21°54'25" south where it intersects the mainland shore near Carmilla Creek
- to latitude 21°54'25" south, longitude 149°33' east
- to latitude 21°57'54" south, longitude 149°35'45" east
- to latitude 22°01'45" south, longitude 149°35'45" east
- to latitude 22°10'34" south, longitude 149°36'43" east
- to the eastern tip of Clairview Bluff
- along the mainland shore to latitude 21°54'25" south where it intersects the mainland shore near Carmilla Creek.

**Llewellyn Bay**

**268.** Waters within the following boundary—

- from the northern tip of Freshwater Point
- to latitude 21°27'07" south, longitude 149°27'42" east
- to latitude 21°30'40" south, longitude 149°28'55" east
- to latitude 21°29'13" south, longitude 149°24' east

## SCHEDULE 2 (continued)

- to the north-eastern tip of Allom Point
- along the mainland shore to the northern tip of Freshwater Point.

**Ball Bay–Sand Bay**

269. Waters within the following boundary—

- from longitude 148°59'45" east where it intersects the mainland shore at Ball Bay
- to latitude 20°52'01" south, longitude 148°59'80" east
- to latitude 20°56'49" south, longitude 149°06'47" east
- to longitude 149°05'42" east where it intersects the shore of Sand Bay
- along the mainland shore to longitude 148°59'45" east where it intersects the mainland shore at Ball Bay.

**Repulse Bay**

270. Waters within the following boundary—

- from the southern tip of Rocky Point
- to latitude 20°30'14" south, longitude 148°45'47" east
- east to longitude 148°49'44" east where it intersects the mainland shore
- north along longitude 148°49'44" east where it intersects the mainland shore
- along the mainland shore to the southern tip of Rocky Point.

**Edgecumbe Bay–Bowen**

271. Waters within the following boundary—

- from longitude 148°11'10" east where it intersects the mainland shore

## SCHEDULE 2 (continued)

- to the northern tip of Gloucester Head, Gloucester Island
- along the western shore of Gloucester Island to longitude 148°27'22" east where it intersects the shore of the island
- to the northern tip of Cape Gloucester
- along the mainland shore to longitude 148°11'10" east where it intersects the mainland shore.

**Bowling Green Bay**

272. Waters within the following boundary—

- from the northern tip of Cape Cleveland
- to the northern tip of Cape Bowling Green
- along the shore to the northern tip of Cape Cleveland.

**Lucinda to Allingham–Halifax Bay**

273. Waters within the following boundary—

- from the western end of the jetty where it intersects the shore of Lucinda Point
- along the northern side of the jetty to its seaward end
- to latitude 18°33'32" south, longitude 146°23'28" east
- to latitude 18°37'41" south, longitude 146°23'02" east
- to latitude 18°42'29" south, longitude 146°21'04" east
- along latitude 18°42'29" south where it intersects the mainland shore near Allingham
- along the mainland shore to the northern side of the western end of the jetty where it intersects the mainland shore of Lucinda Point.

## SCHEDULE 2 (continued)

*Subdivision 2—Restrictions on using nets***Use of mesh nets in offshore waters**

**274.(1)** A set mesh net or a net not fixed or hauled may only be used in offshore waters if—

- (a) the net is no longer than 600 m; and
- (b) the net has a mesh size of at least 150 mm but no more than 245 mm; and
- (c) the net is in water at least 2 m deep; and
- (d) the person using the net is within 100 m of it.

**(2)** If a net is used within 2 km of the high water mark—

- (a) the meshes of the net must not touch the seabed; and
- (b) the net must have attached to it enough floats to ensure the net is able to take fish from the surface of the water.

**(3)** Two nets may only be joined and used as a single net if—

- (a) they are used in waters deeper than 20 m; and
- (b) the combined length of the nets is no more than 1200 m.

**Use of set mesh nets on a foreshore**

**275.(1)** A person may use up to 3 set mesh nets on a foreshore only if—

- (a) each net is no longer than 200 m; and
- (b) each net has a mesh size of at least 100 mm but no more than 215 mm; and
- (c) the distance between the first and last net is no more than 1 km; and
- (e) the nets are no more than 800 m apart; and
- (f) any person using the nets is—
  - (i) between the first and the last net; and

## SCHEDULE 2 (continued)

- (ii) no more than 800 m from any of the nets; and
- (g) the nets are not joined; and
- (h) the nets are set more than 200 m from a jetty or wharf.

(2) A set mesh net must not be set on a foreshore during the closed season for barramundi.

**Use of set mesh nets on a headland**

**276.(1)** A person may use up to 3 set mesh nets on a headland only if—

- (a) each net is no longer than 50 m; and
- (b) each net has a mesh size of at least 100 mm but no more than 215 mm; and
- (c) the distance between the first and last net is no more than 1 km; and
- (e) the nets are no more than 800 m apart; and
- (f) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets; and
- (g) the nets are not joined; and
- (h) the nets are set more than 200 m from a jetty or wharf; and
- (i) one end of each net is anchored above the low water mark.

(2) A set mesh net must not be set on a headland during the closed season for barramundi.

**Use of set mesh nets in rivers or creeks**

**277.(1)** A person may use up to 3 set mesh nets in a river or creek only if—

- (a) each net is no longer than 120 m; and
- (b) each net has a mesh size of at least 150 mm but no more than



## SCHEDULE 2 (continued)

215 mm; and

- (c) each net has a drop of no more than 50 meshes; and
- (d) the combined lengths of the nets is no more than 360 m; and
- (e) the nets are no more than 800 m apart; and
- (f) the distance between the first and last net is no more than 1 n mile; and
- (g) any person using the nets is—
  - (i) between the first and the last net; and
  - (ii) no more than 800 m from any of the nets.

(2) A set mesh net must not be used during the closed season for barramundi.

**Using a mesh, ring or seine net**

**278.(1)** A mesh, ring or seine net may be used if only 1 end of the net is fixed when the net is being shot.

(2) However, a ring net may only be used in a river or creek if it—

- (a) has a mesh size of at least 50 mm but no more than 115 mm; and
- (b) is no longer than 400 m.

**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—**

- (a) upstream waters within 200 m of the Coolmunda Dam spillway wall; and
- (b) downstream waters within 100 m of the Coolmunda Dam wall; and

## SCHEDULE 3 (continued)

- (c) from 400 m upstream to 400 m downstream of Whetstone Weir or 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—
  - near the southern boundary of portion 26, county of Bulwer,

## SCHEDULE 3 (continued)

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 90 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.

**Coombabah 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.

**Fitzroy River at Eden Bann Weir**

**28A.** The Fitzroy River from 200 m upstream to 400 m downstream of Eden Bann Weir.

**Fitzroy River at Wattlebank Control Weir**

**28B.** The Fitzroy River from 200 m upstream to 200 m downstream of Wattlebank Control Weir.

**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.

## SCHEDULE 3 (continued)

**Burdekin River at Clare Weir**

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

**Yanks Jetty at Orpheus Island**

33A. Waters under or within 100 m of Yanks Jetty at Orpheus Island.

**Centenary Lakes, Cairns**

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

**Barron River**

35. The Barron River, at the place commonly known as Barron Waters, between F<sup>↑</sup>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<sup>↑</sup>B signs near opposite banks of the river and F<sup>↑</sup>B signs where it joins Surprise Creek.



## SCHEDULE 3 (continued)

**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.

**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 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 *Agriposphyraena barracuda*.

**Eurimbula Creek (north of Round Hill Creek)**

**42.(1)** Eurimbula Creek and waterways joining it.

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

## SCHEDULE 3 (continued)

**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.

**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—

## SCHEDULE 3 (continued)

- (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.

**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.

## SCHEDULE 3 (continued)

**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 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—

## SCHEDULE 3 (continued)

- (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<sup>↑</sup>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 between the following lines—

- (a) a line from an SF<sup>↑</sup>B sign at The Bedroom, South Stradbroke Island, to an SF<sup>↑</sup>B sign on the north-eastern shore of Woogoompah Island;
- (b) a line from an SF<sup>↑</sup>B sign at Currigee, South Stradbroke Island, to an SF<sup>↑</sup>B sign on the shore at Hollywell.

**Artificial reef area off Moreton Island**

**58.** Waters within the following boundary—

- from an SF<sup>↑</sup>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<sup>↑</sup>B sign on the shore of Moreton Island about 600 m south of the Tangalooma Jetty
- along the shore to the SF<sup>↑</sup>B sign about 200 m north of the Bulwer Wrecks.

## SCHEDULE 3 (continued)

**Pumicestone Strait****59.** Pumicestone Strait—

- (a) between the following lines—
  - (i) a line from an SF<sup>↑</sup>B sign at the southern bank of Elimbah Creek to an SF<sup>↑</sup>B sign at Gallagher Point, Bribie Island;
  - (ii) a line from an SF<sup>↑</sup>B sign at the northern bank of Ningi Creek to an SF<sup>↑</sup>B sign at the northern bank of Dux Creek, Bribie Island; and
- (b) north of a line from an SF<sup>↑</sup>B sign near the southern bank of Bells Creek to an SF<sup>↑</sup>B sign at the northern tip of the northernmost island of a group of islands in the strait (easterly of Bells Creek), then easterly to an SF<sup>↑</sup>B sign on Bribie Island's western shore.

**Mooloolah River**

**60.** The Mooloolah River from a line between SF<sup>↑</sup>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<sup>↑</sup>B sign on the southern side of the river near the Cod Hole to an SF<sup>↑</sup>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<sup>↑</sup>B sign on Parkyn's Jetty near the entrance to Doonella Lake to an SF<sup>↑</sup>B sign on the shore at the western tip of Goat Island.

## SCHEDULE 3 (continued)

**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
- 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<sup>↑</sup>B sign near the public boat ramp on the Esplanade at Woodgate seaward to a navigation buoy marked SF<sup>↑</sup>B sign No. 1
- south to a navigation buoy marked SF<sup>↑</sup>B sign No. 2
- to the SF<sup>↑</sup>B sign near Sixth Avenue, Woodgate
- along the mainland shore to an SF<sup>↑</sup>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<sup>↑</sup>B signs at Bargara Beach.

## SCHEDULE 3 (continued)

**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↑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↑B signs at the island's northern and south-eastern tips.

**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).



## SCHEDULE 3 (continued)

**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—

- (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↑B sign at the southern tip of Molle Island and an SF↑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—

## SCHEDULE 3 (continued)

- (a) an SF↑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↑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↑B signs at Groper Point and the headland at the southern end of Blue Pearl Bay.

**Main wharf at Port Denison, Bowen**

76A. Waters under or within 100 m of—

- (a) the main wharf at Port Denison, Bowen; and
- (b) a structure attached to the wharf.

**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 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

## SCHEDULE 3 (continued)

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.

**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.

## SCHEDULE 3 (continued)

**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<sup>↑</sup>B sign at Inskip point near the flashing white navigation lead on the shore to an F<sup>↑</sup>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

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 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***Gulf of Carpentaria**

spotted grunter bream (grunter)—20 whole fish or 40 fillets

**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
murray cod	5
saratoga	1
silver perch	10



## SCHEDULE 4 (continued)

*Division 4—Fish regulated by size***Reef fish**

barramundi cod—less than 40 cm

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

## SCHEDULE 4 (continued)

red throat emperor—less than 35 cm  
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

## SCHEDULE 4 (continued)

gold lipped pearl oyster—less than 13 cm or more than 23 cm

grunter—see spotted grunter bream

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 grunter bream—less than 30 cm

spanner crab—carapace less than 10 cm, sternite less than 3.7 cm

spotted grunter bream (grunter)—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 4A—Fish regulated by size and area***Gulf of Carpentaria**

spotted grunter bream (grunter)—less than 40 cm

*Division 5—Fish regulated by species*

clam

great white shark

grey nurse shark

helmet shell

lung fish (ceratodus)

Mary River cod

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.

**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.

**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

## SCHEDULE 7 (continued)

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.

**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.

## SCHEDULE 7 (continued)

**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.

**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.<sup>41</sup>

**Jumpinpin-Broadwater**

**34.** The Jumpinpin-Broadwater fish habitat area (at Moreton Bay) is shown on plan no. 015–005A.

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<sup>41</sup> The plan may be inspected at the office of the Department of Minerals and Energy, 61 Mary Street, Brisbane.

## SCHEDULE 7 (continued)

**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.

**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.

## SCHEDULE 7 (continued)

**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.

**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.

## SCHEDULE 7 (continued)

**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.

**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.

## SCHEDULE 7 (continued)

**Princess Charlotte Bay**

57. The Princess Charlotte Bay fish habitat area is shown on plan no. 015-035A.

**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.

**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

## SCHEDULE 7 (continued)

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 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.



## SCHEDULE 7 (continued)

**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.

**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.

## SCHEDULE 7 (continued)

**Nassau River**

**75.**The Nassau River fish habitat area (at the Gulf of Carpentaria) is shown on plan no. 015–054A.

**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<sup>42</sup>****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—

- (a) the area of a waterway between lines drawn parallel to, and 20 m either side of, a road across the waterway; or
- (b) an area within 20 m of railway land; or
- (c) 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.

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<sup>42</sup> Copies of the plans are available for inspection at the department's office at 80 Ann Street, Brisbane during office hours.

## SCHEDULE 7 (continued)

**Bowling Green Bay**

**78.(1)** The Bowling Green Bay fish habitat area (south of Townsville) is shown on plan FHA-007.

**(2)** The area does not include nontidal land on the following lots—

- lot 2 on plan VCL 38596 (Bray Islet)
- lot 3 on plan VCL 38596 (Bare Islet)
- lots 4 to 7 on plan VCL 38596 (Bald Islet)
- lot 1 on plan VCL 38321 (Sand Island).

**Cawarral Creek**

**79.(1)** The Cawarral Creek fish habitat area (at Keppel Bay) is shown on plan no. 015–056.

**(2)** The area does not include—

- (a) the area within 30 m of the centre-line of the Keppel Sands trunk water main; or
- (b) the area within 10 m of the centre-line of the vehicular track from Savages Road to portion 2277, county of Livingstone; or
- (c) the area under, or within 50 m of, the boat ramp on the northern side of Cawarral Creek; or
- (d) the area under, or within 50 m of, the boat ramp on the southern side of Cawarral Creek; or
- (e) an area within 20 m, on the downstream side, of a road across a waterway; or
- (f) if a road is interrupted by a waterway—an area, on the downstream side, within 20 m of an imaginary line across the waterway connecting the downstream sides of the road; or
- (g) portions 1548 and 2277, county of Livingstone; or
- (h) the area held under miners' homestead lease no. 31.

## SCHEDULE 7 (continued)

**Coomabah**

80. The Coombabah fish habitat area is shown on plan FHA-016.

**Deception Bay**

81. The Deception Bay fish habitat area is shown on plan FHA-013.

**Hay's Inlet**

82.(1) The Hay's Inlet fish habitat area is shown on plan FHA-012.

(2) The area does not include—

- (a) the area of Hay's Inlet between the prolongation across the inlet of the northern and southern boundaries of lot 23 on RP 210075; or
- (b) the area within 20 m of the area mentioned in paragraph (a).

**Kinkuna**

83.(1) The Kinkuna fish habitat area (near Woodgate) is shown on plan FHA-002.

(2) The area includes tidal land that is—

- (a) national park land; and
- (b) within the outer boundary shown on the plan.

**Kippa-Ring**

84. The Kippa-Ring fish habitat area is shown on plan FHA-014.

**Midge**

85.(1) The Midge fish habitat area (near Midge Point, Repulse Bay) is shown on plan FHA-001.

## SCHEDULE 7 (continued)

(2) The area does not include nontidal land on Gould Island, Midge Island, Cave Island and Pigeon Island.

**Moreton Banks**

86. The Moreton Banks fish habitat area is shown on plan FHA-015.

**Peel Island**

87.(1) The Peel Island fish habitat area (in Moreton Bay) is shown on plan FHA-010.

(2) The area does not include nontidal land within lot 12 on plan VCL 32998.

**Pumicestone Channel**

88.(1) The Pumicestone Channel fish habitat area (including Bribie Island and the Pumicestone Strait) is shown on plan FHA-011.

(2) The area includes tidal land that is—

- (a) national park land; and
- (b) within the outer boundary shown on the plan.

(3) The area does not include—

- (a) the area at Ningi within 50 m of the outer boundary, between the eastern boundary of lot 9 on RP 161631 and the outer boundary shown on the plan as 208° abt880m; or
- (b) the area at Toorbul within 50 m of the outer boundary, between the northern prolongation of the western side of Freeman Road and the eastern prolongation of the southern side of Karissma Drive; or
- (c) the area at Donnybrook within 50 m of the outer boundary, between a prolongation of the eastern boundary of lot 39 on plan C 31845 and a prolongation of the northern-most boundary of lot 3 on RP 132579; or

## SCHEDULE 7 (continued)

- (d) the area at Roys within the low water mark and the outer boundary, between 2 lines drawn parallel to and 500 m either side of a prolongation of the western boundary of lot 2 on RP 98188.

**Repulse**

**89.(1)** The Repulse fish habitat area (north of Mackay) is shown on plan FHA-004.

- (2) The area includes tidal land that is—
  - (a) national park land; and
  - (b) within the outer boundary shown on the plan.
- (3) The area does not include tidal land—
  - (a) within 200 m of the outer boundary, between 200 m north and 200 m south of the main building of the Newry Island Resort on Newry Island; or
  - (b) within the area between—
    - (i) the outer boundary and the midstream line of Victor Creek; and
    - (ii) points 200 m either side of the boat ramp (near Seaforth) marked “A” on the plan; or
  - (c) within 200 m of an imaginary line that runs north-west from the northernmost point of Skull Knob to the nearest point of the outer boundary then along the outer boundary at St Helens Beach to a point 1 km west of Carpet Snake Point.

**Sand Bay**

**90.** The Sand Bay fish habitat area (near Cape Hillsborough) is shown on plan FHA-006.

**Trinity Inlet**

**91.(1)** The Trinity Inlet fish habitat area (near Cairns) is shown on plan

## SCHEDULE 7 (continued)

FHA-003.

(2) The area includes the following—

- lots 1 to 4 on plan C 19823
- lot 92 on plan NR 3051
- lot 146 on plan NR 7874
- lot 151 on plan NR 4172
- lot 51 on plan NR 3159
- the part of lot 40 on CP 856768 that is within the outer boundary shown on the plan
- the part of lot 1 on RP 73604 that is within the outer boundary shown on the plan.

(3) The area does not include—

- (a) the area of the sewerage reserve at Swallows Landing; or
- (b) the area within 10 m of the centre-line of the vehicular track from Swallows Road to Swallows Landing; or
- (c) the area within 10 m of the centre-line of the vehicular track from Airport Avenue to the sand stockpile area within lot 1 on RP 73604; or
- (d) the sand stockpile area within lot 1 on RP 73604; or
- (e) lot 140 on plan NR 3427.

**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.

**Marking of fishing apparatus**

- 5.(1)** A crab pot, collapsible trap, dilly or inverted dilly (“**crab**



## SCHEDULE 8 (continued)

**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.

*Division 3—Use of nets***Permitted area**

10. The permitted area comprises all tidal waters.

## SCHEDULE 8 (continued)

**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.

**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;

## SCHEDULE 8 (continued)

- (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).

**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,

## SCHEDULE 8 (continued)

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.

(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.

## SCHEDULE 8 (continued)

***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

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**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 ..... 104.00
  - (b) licence fee ..... the greater amount of—
    - (i) 259.00; or
    - (ii) 47.00 for each ha or part of a ha; or
    - (iii) 47.00 for each 200 m, or part of 200 m, of foreshore with oyster bearing rock
  - (c) transfer—
    - (i) assessment fee ..... 104.00
    - (ii) transfer fee ..... 52.00
2. Cultivating pearl oysters on tidal land—
  - (a) assessment fee ..... 104.00

## SCHEDULE 10 (continued)

(b) licence fee .....	the greater amount of— (i) 1 018.00; or (ii) 7.25 per ha or part of a ha
(c) transfer—	
(i) assessment fee .....	104.00
(ii) transfer fee .....	52.00
<b>3. Cultivating fisheries resources on non-tidal land—</b>	
(a) assessment fee .....	51.50
(b) licence fee .....	the greater amount (but not more than 1 000.00) of— (i) 96.00; or (ii) 5.20 per ha, or part of a ha, of ponded area
(c) transfer—	
(i) assessment fee .....	51.50
(ii) transfer fee .....	52.00

*Division 2—Permits***Aquaculture permits**

<b>4.</b> (a) assessment fee .....	51.50
(b) permit fee .....	104.50

**Fisheries resources permits**

<b>5.</b> (a) assessment fee .....	51.50
(b) permit fee .....	104.50



## SCHEDULE 10 (continued)

**Fish habitat area permits**

- |  |  |
|--|--|
| <b>6.</b> (a) assessment fee . . . . . | at reasonable cost<br>but not more than<br>actual cost |
| (b) permit fee . . . . .               | 147.00   |

**Fish way permits**

- |  |        |
|--|--------|
| <b>7.</b> (a) assessment fee . . . . . | 51.50  |
| (b) permit fee . . . . .               | 104.50 |

**Marine plant permits**

- |  |  |
|--|--|
| <b>8.</b> (a) assessment fee . . . . . | at reasonable cost<br>but not more than<br>actual cost |
| (b) permit fee . . . . .               | 147.00   |

*Division 3—Miscellaneous***Certificates about authorities**

- |                                     |       |
|-------------------------------------|-------|
| <b>9.</b> Certificate fee . . . . . | 51.50 |
|-------------------------------------|-------|

**Amending or replacing authorities**

- |   |       |
|---|-------|
| <b>10.</b> Amendment or replacement fee . . . . . | 23.70 |
|---|-------|

**Register fees**

- |  |  |
|--|--|
| <b>11.</b> (a) for inspecting the register . . . . . | at reasonable cost<br>but not more than<br>actual cost |
| (b) for a copy of details in the register . . . . .  | at reasonable cost<br>but not more than<br>actual cost |

**Survey fees**

- |   |  |
|---|--|
| <b>12.</b> Survey fee for a licence or permit or approval<br>mentioned in this part . . . . . | at reasonable cost<br>but not more than<br>actual cost |
|---|--|

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 SCHEDULE 10 (continued)
**Approval to build waterway barrier works**

- 13.** Assessment fee ..... at reasonable cost  
but not more than  
actual cost

**Fee for appeal to Tribunal**

- 14.** Fee for appeal to Tribunal ..... 57.00

**PART 2—FEES PAYABLE TO THE AUTHORITY***Division 1—Licences*

\$

**Boat licences**

- 15.** Carrier boat—
- (a) assessment fee ..... 62.70
  - (b) licence fee—
    - (i) for 1st year ..... 1 367.20
    - (ii) for each subsequent year ..... 93.10
  - (c) transfer fee ..... 75.90
- 16.** Primary boat—
- (a) assessment fee—
    - (i) for licence with the pearl fishery symbol  
on it ..... 46.50
    - (ii) for licence with a fishery symbol other  
than the pearl fishery symbol on it . . . . 62.70
  - (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

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 SCHEDULE 10 (continued)

	(B) maximum fee . . . . .	281.30
(ii)	for licence with the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on 361	
it—		
	(A) for 1st year—	
	• under 10 m long . . . . .	185.10
	• 10 m to under 11 m long . . . .	260.00
	• 11 m to under 12 m long . . . .	275.20
	• 12 m to under 13 m long . . . .	307.60
	• 13 m to under 14 m long . . . .	331.90
	• 14 m to under 15 m long . . . .	472.60
	• 15 m to under 16 m long . . . .	560.60
	• 16 m to under 17 m long . . . .	701.30
	• 17 m to under 18 m long . . . .	792.30
	• 18 m to under 19 m long . . . .	880.40
	• 19 m or more long . . . . .	1 075.70
	(B) for each subsequent year—	
	• under 10 m long . . . . .	127.50
	• 10 m to under 11 m long . . . .	202.40
	• 11 m to under 12 m long . . . .	217.50
	• 12 m to under 13 m long . . . .	249.90
	• 13 m to under 14 m long . . . .	274.20
	• 14 m to under 15 m long . . . .	414.90
	• 15 m to under 16 m long . . . .	502.90
	• 16 m to under 17 m long . . . .	643.60
	• 17 m to under 18 m long . . . .	734.70
	• 18 m to under 19 m long . . . .	823.70
	• 19 m or more long . . . . .	1 018.00
(iii)	for licence without the pearl fishery, the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on it—	
	(A) for 1st year—	
	• under 10 m long . . . . .	162.90
	• 10 m to under 14 m long . . . .	188.20

## SCHEDULE 10 (continued)

• 14 m to under 16 m long . . . .	215.50
• 16 m to under 19 m long . . . .	268.10
• 19 m or more long . . . . .	374.40
(B) for each subsequent year—	
• under 10 m long . . . . .	105.20
• 10 m to under 14 m long . . . .	130.50
• 14 m to under 16 m long . . . .	157.80
• 16 m to under 19 m long . . . .	210.40
• 19 m or more long . . . . .	316.70
(c) fishery symbol fee—	
(i) crab fishery (spanner crab No. 1) . . . .	587.90
(ii) crab fishery (spanner crab No. 2) . . . .	156.80
(iii) crab fishery (spanner crab—north of Indian Head) . . . . .	587.90
(iv) crab fishery (spanner crab—south Queensland) . . . . .	587.90
(v) line fishery (multiple hook—east coast)	346.10
(vi) line fishery (multiple hook— Queensland Fisheries Joint Authority)	346.10
(vii) line fishery (Queensland Fisheries Joint Authority No. 1) . . . . .	209.40
(viii) net fishery (Gulf of Carpentaria No. 1)	869.30
(ix) net fishery (Gulf of Carpentaria No. 2)	869.30
(x) net fishery (ocean beach) . . . . .	86.00
(xi) net fishery (set nets—east coast) . . . .	256.00
(xii) trawl fishery (fin fish) . . . . .	5 624.60
(xiii) other fishery excluding the pearl fishery (first symbol) . . . . .	77.90
(xiv) other fishery excluding the pearl fishery (other than first symbol) . . . . .	61.70
(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 . . . . .	35.40

## SCHEDULE 10 (continued)

(ii) for licence without the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on it . . . . .	256.00
<b>17. Tender boat—</b>	
(a) assessment fee . . . . .	62.70
(b) licence fee . . . . .	20.20
(c) fishery symbol fee—	
(i) line fishery (other than Great Barrier Reef region) . . . . .	18.20
(ii) line fishery (Queensland Fisheries Joint Authority No. 1) . . . . .	18.20
(iii) line fishery (Queensland Fisheries Joint Authority No. 2) . . . . .	18.20
(iv) line fishery (reef) . . . . .	18.20
(v) line fishery (south Queensland) . . . . .	18.20
(d) transfer fee—	
(i) licence with fishery symbol mentioned in paragraph (c) on it . . . . .	114.30
(ii) licence without fishery symbol mentioned in paragraph (c) on it . . . . .	78.90
<b>Buyer licences</b>	
<b>18. Class A—</b>	
(a) assessment fee . . . . .	62.70
(b) licence fee if operating from premises mentioned in the licence—	
(i) for first year . . . . .	2 869.80
(ii) for each subsequent year . . . . .	494.70
(c) licence fee if operating from premises not mentioned in the licence—	
(i) for first year . . . . .	2 116.00
(ii) for each subsequent year . . . . .	292.40
(d) transfer fee . . . . .	75.90
<b>19. Class B—</b>	
(a) assessment fee . . . . .	62.70

## SCHEDULE 10 (continued)

(b)	licence fee if operating from premises mentioned in the licence—	
	(i) for first year . . . . .	869.10
	(ii) for each subsequent year . . . . .	317.70
(c)	licence fee if operating from premises not mentioned in the licence . . . . .	115.30
(d)	transfer fee . . . . .	75.90
<b>Crew licences</b>		
20.	(a) assessment fee . . . . .	62.70
	(b) licence fee for 1st crew member . . . . .	13.10
	(c) licence fee for each additional crew member	75.80
<b>Fisher licences</b>		
21.	Assistant fisher—	
	(a) assessment fee . . . . .	62.70
	(b) licence fee—	
	(i) trainee commercial fisher . . . . .	60.70
	(ii) other than trainee commercial fisher . .	13.10
22.	Commercial fisher—	
	(a) assessment fee . . . . .	62.70
	(b) licence fee for 1st year . . . . .	393.60
	(c) licence fee for each subsequent year . . . . .	74.80
<b>Storage licences</b>		
23.	(a) assessment fee . . . . .	62.70
	(b) licence fee for first year . . . . .	691.10
	(c) licence fee for each subsequent year . . . . .	139.60
	(d) transfer fee . . . . .	75.90

*Division 2—Permits***General fisheries permits**

24. Conducting research about fish, fishing apparatus or boats—

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 SCHEDULE 10 (continued)

(a)	assessment fee . . . . .	62.70
(b)	permit fee for 1st year . . . . .	—
(c)	permit fee for each subsequent year . . . . .	62.70
<b>25.</b>	Conducting developmental or exploratory fishing—	
(a)	for Queensland Fisheries Joint Authority—	
(i)	assessment fee . . . . .	104.20
(ii)	permit fee . . . . .	1 575.60
(b)	other than for Queensland Fisheries Joint Authority—	
(i)	assessment fee . . . . .	1 050.40
(ii)	permit fee for 1st year . . . . .	—
(iii)	permit fee for each subsequent year . . . . .	1 050.40
<b>26.</b>	Conducting a commercial fishing competition—	
(a)	assessment fee . . . . .	at reasonable cost but not more than actual cost
(b)	permit fee for each competition . . . . .	250.00
(c)	additional fee payable by person conducting commercial fishing competition for each person fishing in the competition . . . . .	10.00
<b>27.</b>	Conducting commercial fishing tours—	
(a)	assessment fee . . . . .	62.70
(b)	permit fee for 1st year . . . . .	146.70
(c)	permit fee for each subsequent year . . . . .	209.40
(d)	fee for—	
(i)	offshore or reef waters tour . . . . .	51.60
(ii)	inshore tidal waters tour . . . . .	51.60
(iii)	non-tidal waters tour . . . . .	51.60
<b>28.</b>	Other general fisheries permits—	
(a)	assessment fee . . . . .	62.70
(b)	permit fee for 1st year . . . . .	51.60
(c)	permit fee for each subsequent year . . . . .	114.30

## SCHEDULE 10 (continued)

*Division 3—Other authorities***Authority with coral, shell grit or star sand fishery symbol on it**

<b>29.</b> (a)	assessment fee . . . . .	62.70
(b)	exclusive authority fee . . . . .	230.70
(c)	non-exclusive authority fee . . . . .	91.00
(d)	boat fee for a boat longer than 4 m—	
(i)	unpowered . . . . .	33.30
(ii)	powered and not over 10 m long . . . . .	129.50
(iii)	powered and over 10 m but not over 15 m long . . . . .	135.60
(iv)	powered and over 15 m but not over 20 m long . . . . .	160.90
(v)	powered and over 20 m long . . . . .	282.30
(e)	transfer fee . . . . .	26.30

**Authority with fishery symbol for a trochus fishery (east coast) on it**

<b>30.</b> (a)	assessment fee . . . . .	62.00
(b)	authority fee, for each tonne or part of a tonne of the stated quota . . . . .	284.00
(c)	transfer fee, for each tonne or part of a tonne of the stated quota . . . . .	10.00

**Authority with fishery symbol for a trochus fishery (Torres Strait) on it**

<b>31.</b> (a)	assessment fee . . . . .	62.70
(b)	authority fee . . . . .	461.40

**Authority with fishery symbol for a fishery other than a trochus fishery on it**

<b>32.</b> (a)	assessment fee . . . . .	62.70
(b)	authority fee . . . . .	51.60



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 SCHEDULE 10 (continued)
*Division 4—Miscellaneous***Certificates about authorities**

**33.** Certificate fee . . . . . 51.50

**Amending or replacing authorities**

**34.** Amendment or replacement fee . . . . . 23.70

**Register fees**

**35.** (a) for inspecting the register . . . . . 31.30  
 (b) for a copy of details in the register . . . . . at reasonable cost  
 but not more than  
 actual cost

**Fee for appeal to Tribunal**

**36.** Fee for appeal to Tribunal . . . . . 57.00

**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 m<sup>2</sup> 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.

**Where spanner crabs taken in managed area B may be brought ashore**

17. A spanner crab taken in managed area B may only be brought ashore on the mainland west of longitude 151°45' east.<sup>43</sup>

**Notice before moving between managed areas**

18.(1) A person in control of a primary commercial fishing boat must give notice to the Authority before the boat moves from managed area A to managed area B or from managed area B to managed area A.

Maximum penalty—20 penalty units.

(2) The notice may be given to the Authority by telephone to the Department's Queensland Boating and Fisheries Patrol.<sup>44</sup>

**Restriction on taking spanner crabs in more than 1 managed area**

18A. A person who takes a spanner crab (the "first crab") in managed area A or managed area B must not take a spanner crab in the other managed area until the first crab has been brought ashore on the mainland.

**Annual and progressive quarterly quotas**

18B.(1) The combined annual quota for spanner crabs taken in managed

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<sup>43</sup> This means that a spanner crab taken in managed area B may only be brought ashore on the mainland adjoining managed area B north of approximately Bustard Head, which is where longitude 151°45' east crosses the mainland.

<sup>44</sup> The telephone number for the patrol at the commencement is (071) 537926.

## SCHEDULE 11 (continued)

area A in this fishery and the following fisheries is 2 600 t—

- (a) crab fishery (spanner crab—south Queensland);
- (b) crab fishery (spanner crab—north of Indian Head).

(2) However, no more than the following percentages of the annual quota may be taken from 1 July up to the following days—

- (a) 35%—30 September;
- (b) 55%—20 November;
- (c) 77.5%—31 March.

**Daily quota**

**18C.(1)** The quota of spanner crabs that may be taken each day or possessed at any time under each fishery symbol is the following number of containers of spanner crabs—

- (a) for managed area A—8;
- (b) for managed area B—16.

(2) However, if less than 70% of the annual quota has been taken by 31 March the number for managed area A from 1 April to 30 June is 10.

(3) For subsections (1) and (2)—

- (a) a container must be counted as 2 containers if it—
  - (i) has a whole spanner crab protruding above its top; or
  - (ii) can not have another container stacked on top of it so that the other container's bottom touches the top of the container on all sides; and
- (b) if the spanner crabs are not held in a container—the number of containers is worked out by dividing the number of crabs by 30.

(4) In this section—

## SCHEDULE 11 (continued)

“**container**” means a container<sup>45</sup> with a capacity of no more than 66 cubic litres.<sup>46</sup>

**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.

**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 m<sup>2</sup> 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.

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<sup>45</sup> Containers used to hold spanner crabs are commonly called ‘baskets’.

<sup>46</sup> An empty container that has internal dimensions of 571 mm x 381 mm x 305 mm has a capacity of approximately 66 litres.

## SCHEDULE 11 (continued)

(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.

(3) A float must be at least 15 cm in any dimension and have the owner's primary commercial fishing boat marking on it.

**Where spanner crabs may be brought ashore**

27. A spanner crab taken in the fishery may only be brought ashore on the mainland west of longitude 151°45' east.<sup>47</sup>

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<sup>47</sup> This means that a spanner crab taken in managed area B may only be brought ashore on the mainland adjoining managed area B north of approximately Bustard Head, which is where longitude 151°45' east crosses the mainland.



## SCHEDULE 11 (continued)

**Daily quota**

**27A.(1)** The quota of spanner crabs that may be taken each day or possessed at any time under each fishery symbol in the fishery is 16 containers of spanner crabs.

**(2)** For subsection (1)—

(a) a container must be counted as 2 containers if it—

(i) has a whole spanner crab protruding above its top; or

(ii) can not have another container stacked on top of it so that the other container's bottom touches the top of the container on all sides; and

(b) if the spanner crabs are not held in a container—the number of containers is worked out by dividing the number of crabs by 30.

**(3)** In this section—

**“container”** means a container<sup>48</sup> with a capacity of no more than 66 cubic litres.<sup>49</sup>

## **PART 4—CRAB FISHERY (SPANNER CRAB—NORTH OF INDIAN HEAD)**

**Fishery symbol**

**28.** The fishery symbol is ‘C6’.

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<sup>48</sup> Containers used to hold spanner crabs are commonly called ‘baskets’.

<sup>49</sup> An empty container that has internal dimensions of 571 mm x 381 mm x 305 mm has a capacity of approximately 66 litres.

## SCHEDULE 11 (continued)

**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 m<sup>2</sup> 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**

**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.

## SCHEDULE 11 (continued)

**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.

**Where spanner crabs taken in managed area B may be brought ashore**

**36.** A spanner crab taken in managed area B may only be brought ashore on the mainland west of longitude 151°45' east.<sup>50</sup>

**Notice before moving between managed areas**

**37.(1)** A person in control of a primary commercial fishing boat must give notice to the Authority before the boat moves from managed area A to managed area B or from managed area B to managed area A.

Maximum penalty—20 penalty units.

**(2)** The notice may be given to the Authority by telephone to the Department's Queensland Boating and Fisheries Patrol.<sup>51</sup>

**Restriction on taking spanner crabs in more than 1 managed area**

**37A.** A person who takes a spanner crab (the “**first crab**”) in managed area A or managed area B must not take a spanner crab in the other managed area until the first crab has been brought ashore on the mainland.

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<sup>50</sup> This means that a spanner crab taken in managed area B may only be brought ashore on the mainland adjoining managed area B north of approximately Bustard Head, which is where longitude 151°45' east crosses the mainland.

<sup>51</sup> The telephone number for the patrol at the commencement is (071) 537926.

## SCHEDULE 11 (continued)

**Annual and progressive quarterly quotas**

**37B.(1)** The combined annual quota for spanner crabs taken in the part of the fishery that is in managed area A and the following fisheries is 2 600 t—

- (a) crab fishery (spanner crab—south Queensland);
- (b) crab fishery (spanner crab No. 1).

**(2)** However, no more than the following percentages of the annual quota may be taken from 1 July up to the following days—

- (a) 35%—30 September;
- (b) 55%—20 November;
- (c) 77.5%—31 March.

**Daily quota**

**37C.(1)** The quota of spanner crabs that may be taken each day or possessed at any time under each fishery symbol is the following number of containers of spanner crabs—

- (a) for managed area A—8;
- (b) for managed area B—16.

**(2)** However, if less than 70% of the annual quota has been taken by 31 March the number for managed area A from 1 April to 30 June is 10.

**(3)** For subsections (1) and (2)—

- (a) a container must be counted as 2 containers if it—
  - (i) has a whole spanner crab protruding above its top; or
  - (ii) can not have another container stacked on top of it so that the other container's bottom touches the top of the container on all sides; and
- (b) if the spanner crabs are not held in a container—the number of containers is worked out by dividing the number of crabs by 30.

**(4)** In this section—

## SCHEDULE 11 (continued)

“**container**” means a container<sup>52</sup> with a capacity of no more than 66 cubic litres.<sup>53</sup>

**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 m<sup>2</sup> 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.

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<sup>52</sup> Containers used to hold spanner crabs are commonly called ‘baskets’.

<sup>53</sup> An empty container that has internal dimensions of 571 mm x 381 mm x 305 mm has a capacity of approximately 66 litres.

## SCHEDULE 11 (continued)

(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**

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 and progressive quarterly quotas**

46.(1) The combined annual quota for spanner crabs taken in the fishery and the following fisheries is 2 600 t—

(a) crab fishery (spanner crab—north of Indian Head);

(b) crab fishery (spanner crab No. 1).

(2) However, no more than the following percentages of the annual quota

## SCHEDULE 11 (continued)

may be taken from 1 July up to the following days—

- (a) 35%—30 September;
- (b) 55%—20 November;
- (c) 77.5%—31 March.

**Daily quota**

**47.(1)** The quota of spanner crabs that may be taken each day or possessed at any time under each fishery symbol is 8 containers of spanner crabs.

**(2)** However, if less than 70% of the annual quota has been taken by 31 March the number from 1 April to 30 June is 10.

**(3)** For subsections (1) and (2)—

- (a) a container must be counted as 2 containers if it—
  - (i) has a whole spanner crab protruding above its top; or
  - (ii) can not have another container stacked on top of it so that the other container's bottom touches the top of the container on all sides; and
- (b) if the spanner crabs are not held in a container—the number of containers is worked out by dividing the number of crabs by 30.

**(4)** In this section—

**“container”** means a container<sup>54</sup> with a capacity of no more than 66 cubic litres.<sup>55</sup>

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<sup>54</sup> Containers used to hold spanner crabs are commonly called ‘baskets’.

<sup>55</sup> An empty container that has internal dimensions of 571 mm x 381 mm x 305 mm has a capacity of approximately 66 litres.

**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 (grunter).

## 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°41' south, 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 within the following boundary—
  - from latitude 24°30' south on the east coast shore, along the latitude to longitude 154°20' east
  - to latitude 27°15' south, longitude 154°20' east
  - to latitude 27°30' south, longitude 154°40' east
  - along longitude 154°40' east to latitude 27°47'25.29" south
  - to latitude 27°48' south, longitude 154°22' east
  - to latitude 27°58' south, longitude 154° east
  - to the shore at the State's border with New South Wales
  - along the shore to latitude 24°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 (grunter);
  - (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 (grunter).

**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 (grunter).

**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 fish—
- (i) black or spotted jewfish;
  - (ii) blue salmon;
  - (iii) grey mackerel;
  - (iv) jewel fish;
  - (v) king salmon;
  - (vi) queenfish;
  - (vii) spotted grunter bream (grunter);
  - (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.

**(5)** From 1 April to 31 August a mesh or seine net may be used in the area of an ocean beach fishery only if it is not longer than 200 m and has a mesh size of at least 12 mm but not more than 25 mm.



## SCHEDULE 13 (continued)

**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. 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 fish may be taken—

## SCHEDULE 13 (continued)

- (a) black or spotted jewfish;
- (b) blue salmon;
- (c) grey mackerel;
- (d) jewel fish;
- (e) king salmon;
- (f) queenfish;
- (g) spotted grunter bream (grunter);
- (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.(1)** 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.

**SCHEDULE 13 (continued)**

(2) A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

**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 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'.

## SCHEDULE 13 (continued)

**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.

**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 (other than barramundi); 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 (grunter);
  - (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

## SCHEDULE 13 (continued)

(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 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.

## SCHEDULE 13 (continued)

**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
- 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

## SCHEDULE 13 (continued)

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.

(4) A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

**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.

(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

## SCHEDULE 13 (continued)

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 eastern tip
- to Reef Point
- along the shore to Macdonald Point.

(5) A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

**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



## SCHEDULE 13 (continued)

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—

- (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.

## SCHEDULE 13 (continued)

(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.

**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.

(6) A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

**Use of set mesh nets in Keppel Bay**

**35.** An offshore set mesh net may be used in waters of Keppel Bay west

## SCHEDULE 13 (continued)

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.

(5) A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

***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)

## SCHEDULE 13 (continued)

- 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***Use of tunnel nets**

**38.(1)** A tunnel net may be used in the following waters—

- (a) Moreton Bay mainland foreshores between F<sup>↑</sup>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

## SCHEDULE 13 (continued)

- 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 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—

## SCHEDULE 13 (continued)

- (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; and
- (d) if the net is being used in an area described in subsection (1)(c) or (d)—the net (other than its tunnel) is made of monofilament no more than 0.65 mm in diameter.

(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.

(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.

## SCHEDULE 13 (continued)

**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
- (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 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 (other than barramundi);
- (b) in waters west of longitude 142°31'49" east—
  - (i) black or spotted jewfish;
  - (ii) blue salmon;
  - (iii) grey mackerel;
  - (iv) jewel fish;



## SCHEDULE 13 (continued)

- (v) king salmon;
- (vi) queenfish;
- (vii) spotted grunter bream (grunter);
- (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 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.

## SCHEDULE 13 (continued)

(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.

**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.

## SCHEDULE 13 (continued)

**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 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).

## SCHEDULE 13 (continued)

**PART 5—NET FISHERY (GULF OF CARPENTARIA  
No. 1)***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 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 (grunter);
- (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.

## SCHEDULE 13 (continued)

(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.

(5) If a set mesh net is used in a river or creek, no other net may be used at the same time.

(6) A power assisted device may only be used with a set mesh net or seine net.

**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 162.5 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.

(4) A person using a net must be within 100 m of it.

## SCHEDULE 13 (continued)

**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 162.5 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 162.5 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.

**(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.

## SCHEDULE 13 (continued)

**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 162.5 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 162.5 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.

**(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.

## SCHEDULE 13 (continued)

**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—

- (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 5A—NET FISHERY (GULF OF CARPENTARIA  
No. 2)**

*Division 1—Preliminary*

**Fishery symbol**

**68A.** The fishery symbol is 'N9'.

**Fishery area**

**68B.** The fishery area comprises the tidal waters in the Gulf of Carpentaria between the 25 n mile line and the 6 n mile line and south of latitude 10°48'.

**What fish may be taken**

**68C.** Only the following fish may be taken—

- (a) black or spotted jewfish;
- (b) blue salmon;
- (c) grey mackerel;
- (d) jewel fish;
- (e) king salmon;
- (f) queenfish;
- (g) spotted grunter bream (grunter);

## SCHEDULE 13 (continued)

- (h) other fish (other than barramundi) taken while taking fish mentioned in paragraphs (a) to (g).

**Permitted ways of taking fish**

- 68D.(1)** Fish may only be taken by using a mesh net.
- (2)** A power assisted device may only be used with a net if—
- (a) no more than 1200 m of the net is attached to the device; and
  - (b) all other nets on board a boat from which the net is used are stowed and secured.

**Time quota**

**68E.** A net may only be used other than during the closed season for barramundi.<sup>56</sup>

*Division 2—Use of nets***Use of nets in the fishery area**

- 68F.(1)** A net may only be used in the fishery area if the net is not longer than 600 m and has a mesh size of at least 162.5 mm but no more than 245 mm.
- (2)** The line thickness of a net must not be less than 0.9 mm.
  - (3)** A ring net must not be used.
  - (4)** Two nets may only be joined and used as a single net if—
    - (a) they are used in waters deeper than 20 m; and
    - (b) the combined length of the nets is no more than 1200 m.
  - (5)** A person using a net must be within 100 m of it.

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<sup>56</sup> For the closed season, see schedule 1, section 1 (Barramundi—Gulf of Carpentaria).

## SCHEDULE 13 (continued)

*Division 3—Miscellaneous***Use of primary commercial fishing boats**

**68G.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**68H.** 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**

**68I.** The permitted distance for an assistant fisher to be under direction is 800 m.

**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.

## SCHEDULE 13 (continued)

**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—

- (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.

**(4)** A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

## SCHEDULE 13 (continued)

**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.

**(4)** A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

**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

## SCHEDULE 13 (continued)

- 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.

*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.

(4) A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

## SCHEDULE 13 (continued)

**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.

**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—

## SCHEDULE 13 (continued)

- 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.

(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.

(6) A net must not be used in the area of an ocean beach fishery from 1 April to 31 August.

***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



## SCHEDULE 13 (continued)

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.

*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

## SCHEDULE 13 (continued)

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
- (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 7—NET FISHERY (OCEAN BEACH—AREA 1)****Fishery symbol**

86. The fishery symbol is 'K1'.

**Fishery area**

87. The fishery area comprises all tidal waters within 400 m of a line—
- from a point on the shore at the State's border with New South Wales along the shore to the seaward tip of the southern breakwater wall of the Gold Coast Seaway
  - to the seaward tip of the northern breakwater wall of the Gold Coast Seaway
  - along South Stradbroke Island's eastern shore to 1 km north of the northern breakwater wall of the Gold Coast Seaway on South Stradbroke Island.

**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 in the fishery area**

**90.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

**(2)** A net must have a mesh size of at least 12 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 7A—NET FISHERY (OCEAN BEACH—AREA 2)****Fishery symbol**

**94A.** The fishery symbol is 'K2'.

**Fishery area**

**94B.** The fishery area comprises all tidal waters within 400 m of a line—

- from a point on the shore 1 km south of the southern breakwater wall of the Gold Coast Seaway along the shore to the seaward tip of the breakwater wall
- to the seaward tip of the northern breakwater wall of the Gold Coast Seaway
- along South Stradbroke Island's eastern shore to the island's north eastern tip.

**What fish may be taken**

**94C.** Any fish (other than barramundi) may be taken.

**Permitted ways of taking fish**

**94D.(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 in the fishery area**

**94E.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

**(2)** A net must have a mesh size of at least 12 mm but not more than 70 mm and a drop of at least 150 meshes for at least one-half of its length.

## SCHEDULE 13 (continued)

**Time quota**

**94F.** Fish may only be taken from 1 April to 31 August.

**Use of primary commercial fishing boats**

**94G.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**94H.** 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**

**94I.** The permitted distance for an assistant fisher to be under direction is 800 m.

**PART 7B—NET FISHERY (OCEAN BEACH—AREA 3)****Fishery symbol**

**94J.** The fishery symbol is ‘K3’.

**Fishery area**

**94K.** The fishery area comprises all tidal waters within 400 m of a line—

- from North Stradbroke Island’s south eastern tip
- along North Stradbroke Island’s eastern and northern shores to the island’s north western tip.

## SCHEDULE 13 (continued)

**What fish may be taken**

**94L.** Any fish (other than barramundi) may be taken.

**Permitted ways of taking fish**

**94M.(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 in the fishery area**

**94N.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

**(2)** A net must have a mesh size of at least 12 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**

**94O.** Fish may only be taken from 1 April to 31 August.

**Use of primary commercial fishing boats**

**94P.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**94Q.** 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**

**94R.** The permitted distance for an assistant fisher to be under direction is 800 m.

## SCHEDULE 13 (continued)

**PART 7C—NET FISHERY (OCEAN BEACH—AREA 4)****Fishery symbol**

**94S.** The fishery symbol is 'K4'.

**Fishery area**

**94T.** The fishery area comprises all tidal waters within 400 m of a line from the southern tip of Moreton Island along the island's eastern and northern shores to Comboyuro Point.

**What fish may be taken**

**94U.** Any fish (other than barramundi) may be taken.

**Permitted ways of taking fish**

**94V.(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 in the fishery area**

**94W.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

**(2)** A net must have a mesh size of at least 12 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**

**94X.** Fish may only be taken from 1 April to 31 August.



## SCHEDULE 13 (continued)

**Use of primary commercial fishing boats**

**94Y.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**94Z.** 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**

**94ZA.** The permitted distance for an assistant fisher to be under direction is 800 m.

**PART 7D—NET FISHERY (OCEAN BEACH—AREA 5)****Fishery symbol**

**94ZB.** The fishery symbol is 'K5'.

**Fishery area**

**94ZC.** The fishery area comprises all tidal waters within 400 m of a line—

- from the F↑B sign at the southern end of South Esplanade, Bongaree, Bribie Island
- along Bribie Island's western, southern and eastern shores to the F↑B sign at the Island's northern tip.

**What fish may be taken**

**94ZD.** Any fish (other than barramundi) may be taken.

## SCHEDULE 13 (continued)

**Permitted ways of taking fish**

**94ZE.(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 in the fishery area**

**94ZF.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

**(2)** A net must have a mesh size of at least 12 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**

**94ZG.** Fish may only be taken from 1 April to 31 August.

**Use of primary commercial fishing boats**

**94ZH.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**94ZI.** 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**

**94ZJ.** The permitted distance for an assistant fisher to be under direction is 800 m.

## SCHEDULE 13 (continued)

**PART 7E—NET FISHERY (OCEAN BEACH—AREA 6)****Fishery symbol**

**94ZK.** The fishery symbol is ‘K6’.

**Fishery area**

**94ZL.** The fishery area comprises all tidal waters within 400 m of a line—

- from the F<sup>↑</sup>B sign at the southern tip of the sand spit between Kings Beach and Bullcock Beach, Caloundra
- along the shore to the eastern tip of Point Cartwright.

**What fish may be taken**

**94ZM.** Any fish (other than barramundi) may be taken.

**Permitted ways of taking fish**

**94ZN.(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 in the fishery area**

**94ZO.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

**(2)** A net must have a mesh size of at least 12 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**

**94ZP.** Fish may only be taken from 1 April to 31 August.

## SCHEDULE 13 (continued)

**Use of primary commercial fishing boats**

**94ZQ.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**94ZR.** 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**

**94ZS.** The permitted distance for an assistant fisher to be under direction is 800 m.

**PART 7F—NET FISHERY (OCEAN BEACH—AREA 7)****Fishery symbol**

**94ZT.** The fishery symbol is 'K7'.

**Fishery area**

**94ZU.** The fishery area comprises all tidal waters within 400 m of a line from the eastern tip of Point Cartwright along the shore to the eastern tip of Noosa Heads.

**What fish may be taken**

**94ZV.** Any fish (other than barramundi) may be taken.

**Permitted ways of taking fish**

**94ZW.(1)** Fish may only be taken by using seine nets.

**SCHEDULE 13 (continued)**

(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 in the fishery area**

**94ZX.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

(2) A net must have a mesh size of at least 12 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**

**94ZY.** Fish may only be taken from 1 April to 31 August.

**Use of primary commercial fishing boats**

**94ZZ.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**94ZAA.** 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**

**94ZAB.** The permitted distance for an assistant fisher to be under direction is 800 m.

## SCHEDULE 13 (continued)

**PART 7G—NET FISHERY (OCEAN BEACH—AREA 8)****Fishery symbol**

**94ZAC.** The fishery symbol is 'K8'.

**Fishery area**

**94ZAD.** The fishery area comprises all tidal waters within 400 m of—

- (a) a line from—
  - the eastern tip of Noosa Heads along the shore to the eastern tip of Inskip Point
  - to the southern tip of Fraser Island
  - along Fraser Island's eastern shore to the island's northern tip; and
- (b) the shore of Breaksea Spit.

**What fish may be taken**

**94ZAE.** Any fish (other than barramundi) may be taken.

**Permitted ways of taking fish**

**94ZAF.(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 in the fishery area**

**94ZAG.(1)** A seine net may be used in the fishery area only if it is no longer than 500 m.

**(2)** A net must have a mesh size of at least 12 mm but not more than 70 mm and a drop of at least 150 meshes for at least one-half of its length.

## SCHEDULE 13 (continued)

**Time quota**

**94ZAH.** Fish may only be taken from 1 April to 31 August.

**Use of primary commercial fishing boats**

**94ZAI.** A primary commercial fishing boat must not be longer than 14 m.

**Use of tender commercial fishing boats**

**94ZAJ.** 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**

**94ZAK.** The permitted distance for an assistant fisher to be under direction is 800 m.

**PART 8—(EAST COAST NO. 3)****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—

## SCHEDULE 13 (continued)

- (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 (grunter);
  - (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.

**(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



## SCHEDULE 13 (continued)

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.

**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 mesh nets in offshore waters between Baffle Creek and Cape Flattery**

**101.(1)** A mesh net that is not fixed or hauled may only be used in offshore waters between the northern bank of Baffle Creek and Cape Flattery if the net—

## SCHEDULE 13 (continued)

- (a) is used in waters at least 2 m deep; and
  - (b) is no longer than 600 m; and
  - (c) has a mesh size of at least 150 mm but no more than 245 mm.
- (2) Two nets may only be joined and used as a single net if—
- (a) they are used in waters deeper than 20 m; and
  - (b) the combined length of the nets is no more than 1200 m.
- (3) A net must not be allowed to drift—
- (a) into a marked navigational channel; or
  - (b) within 400 m from a jetty or wharf; or
  - (c) within 100 m from another net.
- (4) A net must not be used in the closed season for barramundi.

**Use of set mesh nets in offshore waters between Baffle Creek and Cape Flattery**

**101A.(1)** A set mesh net may only be used in offshore waters between the northern bank of Baffle Creek and Cape Flattery if the net—

- (a) is used in waters at least 2 m deep; and
  - (b) is no longer than 600 m; and
  - (c) has a mesh size of at least 150 mm but no more than 245 mm.
- (2) Two nets may only be joined and used as a single net if—
- (a) they are used in waters deeper than 20 m; and
  - (b) the combined length of the nets is no more than 1200 m.
- (3) A net must not be set—
- (a) in a marked navigational channel; or
  - (b) within 400 m from a jetty or wharf; or
  - (c) within 100 m from another net.
- (4) A net must not be set 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.
- (7) An otter trawl net (other than a net that may be used north of Cape

## SCHEDULE 14 (continued)

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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>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<sup>↑</sup>B sign at the mouth of Pulgul Creek to the F<sup>↑</sup>B sign at the southern tip of Big Woody Island, and then to the F<sup>↑</sup>B sign at Blackfellow Point, Fraser Island
- a line from the F<sup>↑</sup>B sign at North Head, Mary River to the F<sup>↑</sup>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.

**(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

## SCHEDULE 14 (continued)

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
- to Quartz Rock
- to the intersection of the mainland shore by a line from Quartz

## SCHEDULE 14 (continued)

## 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.

(3) The boat identified in the authority and 4 other boats may be used to

## SCHEDULE 15 (continued)

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
- (b) the area declared under the *Torres Strait Fisheries Act 1984*

## SCHEDULE 15 (continued)

(Cwlth) to be outside but near the Protected Zone for commercial fishing for pearl shell.<sup>57</sup>

**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.

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<sup>57</sup> 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 skeletons);
- (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.



## SCHEDULE 15 (continued)

**PART 5—CRAYFISH AND ROCK LOBSTER  
FISHERY****Fishery symbol**

**30.** The fishery symbol is 'R'.

**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.

## SCHEDULE 15 (continued)

(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 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

## SCHEDULE 15 (continued)

(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.

(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'.

## SCHEDULE 15 (continued)

**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.

**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.

## SCHEDULE 15 (continued)

**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
  - (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.

## SCHEDULE 15 (continued)

**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.

**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.

## SCHEDULE 15 (continued)

**Selling shell grit**

62. The authority holder may sell shell grit taken under the authority.

**PART 10—STAR SAND FISHERY****Fishery symbol**

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.

## SCHEDULE 15 (continued)

**PART 11—TROCHUS FISHERY (EAST COAST)****Fishery symbol**

**69.** The fishery symbol is 'J1'.

**Fishery area**

**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 or a person approved by the Authority 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.



## SCHEDULE 15 (continued)

**Annual quota**

74. The annual quota of trochus for the fishery is 300 tonnes.

**Selling trochus**

75. 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 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.<sup>58</sup>

**What fish may be taken**

78. Only trochus may be taken.

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<sup>58</sup> See the proclamation published in the Commonwealth of Australia Gazette No. S41 of 14 February 1985.

## SCHEDULE 15 (continued)

**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**

**80.** The annual quota of trochus for the fishery is 150 tonnes.

**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.

## SCHEDULE 15 (continued)

**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.

**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.

## SCHEDULE 15 (continued)

**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.

**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.

## SCHEDULE 15 (continued)

**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.

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**SCHEDULE 16**
**GLOSSARY OF SCIENTIFIC NAMES USED FOR  
FISH**

section 10

<b>Common name</b>	<b>Scientific name</b>
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>Sphyaena jello</i>
barramundi	<i>Lates calcarifer</i>
barramundi cod	<i>Cromileptes altivelis</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 titteya</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>
great white shark	<i>Carcharodon carcharias</i>
green snail	<i>Turbo marmoratus</i>
grey mackerel	<i>Scomberomorus semifasciatus</i>
grey nurse shark	<i>Carcharias taurus</i> and <i>Odontaspis ferox</i>
grunter—see spotted grunter bream (grunter)	
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>

## SCHEDULE 16 (continued)

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>
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>Acanthopthalmus 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>

## SCHEDULE 16 (continued)

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>
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>

## SCHEDULE 16 (continued)

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.
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>Poecilibrycon</i> spp.
penguin fish	<i>Thayeria</i> spp.
pike cichlid	<i>Crenicichla</i> spp.
pike 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>

## SCHEDULE 16 (continued)

Queensland school mackerel	<i>Scomberomorus queenslandicus</i>
rainbow fish	<i>Glossolepsis, Chilatherina, Melanotaenia</i> spp.
rainbow shark	<i>Labeo erythrurus</i>
ram	<i>Microgophagus 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 conchoniuis</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>

## SCHEDULE 16 (continued)

silver jewfish	<i>Nibea soldado</i>
silver perch	<i>Bidyanus bidyanus</i>
silver prochilodus	<i>Prochilodus insignis</i>
silver rasbora	<i>Rasbora argyrotaenia</i>
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 grunter bream	<i>Pomadasys agenteus</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>Macrognathus 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 (grunter)	<i>Pomadasys kaakan</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>

## SCHEDULE 16 (continued)

striped leporinus	<i>Leporinus striatus</i>
stripey	<i>Lutjanus carponotatus</i>
sucker catfish	<i>Otocinclus arnoldi</i>
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, 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



## SCHEDULE 16 (continued)

whiptail catfish	<i>Loricaria filamentosa</i>
white cloud mountain minnow	<i>Tanichthys albonubes</i>
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>

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## SCHEDULE 17

### DICTIONARY

section 2

#### PART 1—WORDS

**“aid to navigation”** has the meaning given under the *Transport Operations (Marine Safety) Act 1994*.

**“annual”**, for a quota, means the period—

- (a) for spanner crabs—1 July to 30 June; or
- (b) otherwise—1 January to 31 December.

**“approved”** means approved by the Authority.

**“assistant fisher”** means a person who holds an assistant fisher licence.

**“Authority’s register”** means the register of authorities the Authority keeps under section 73 of the Act.<sup>59</sup>

**“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

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<sup>59</sup> Section 73 (Registers of authorities) of the Act.

For the particulars that must be contained in the Authority’s register, see section 62 (Particulars to be contained in register of authorities) of the regulation.

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 SCHEDULE 17 (continued)

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 competition”** means a competition for taking fish held in trade or commerce.

**“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.

*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.

## SCHEDULE 17 (continued)

**“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.

**“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’.<sup>60</sup>

**“install”**, for VMS equipment, includes fit an approved seal on the equipment.

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

**“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"

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<sup>60</sup> 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)

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.

**“national park land”** means land dedicated as any type of national park under the *Nature Conservation Act 1992*.

**“n mile”** means nautical mile.

**“ocean beach fishery”** means a fishery described in schedule 13, parts 7 to 7G.

**“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.

**“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.

**“power assisted device”** means an electrical or mechanical device for setting or retrieving fishing apparatus.

**“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.

## SCHEDULE 17 (continued)

“**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.

“**the 3 n mile line**” means a line parallel to the territorial sea baseline and 3 n miles out to sea.

“**the 6 n mile line**” means a line parallel to the territorial sea baseline and 6 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.

“**the boat**”, for part 7A, see section 64C.

“**the coastal 500 m line**”, around the mainland or an island, means the line worked out as follows—

- (a) for any part of the mainland or island where there is a coral reef within 100 m of the mainland or island—the line every point of which is 500 m seaward from the seaward edge of the reef at low

## SCHEDULE 17 (continued)

water mark;

- (b) for any other part of the mainland or island—the line every point of which is 500 m seaward from the shore of the mainland or island at low water mark.

“**the holder**”, for part 7A, see section 64C.

“**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 “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

## SCHEDULE 17 (continued)

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.

*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



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 SCHEDULE 17 (continued)

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—

- 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

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 SCHEDULE 17 (continued)

- 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 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.

## SCHEDULE 17 (continued)

**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
- (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

## SCHEDULE 17 (continued)

- 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.

**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.

## SCHEDULE 17 (continued)

**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.

**Meaning of “Gulf of Carpentaria” for ss 18A, 98A and schs 1 and 4**

**16.** For sections 18A, 98A and schedules 1 and 4, **“Gulf of Carpentaria”** means the waters in the Gulf of Carpentaria and adjoining waterways south of the intersection of longitude 142° 09' east with the shore, other than waterways in the Lake Tinaroo area.

**SCHEDULE 18****AQUACULTURE FISHERIES RESOURCES**

section 77(6)(c)

<b>Column 1</b> <b>Type of fisheries</b> <b>resource</b>	<b>Column 2</b> <b>Reference number of</b> <b>river basin</b>	<b>Column 3</b> <b>Name of river basin</b>
<b>Sleepy cod</b> Southern stock	1300	Fitzroy
	1301	Mackenzie
	1302	Nogoa
	1303	Dawson
	1304	Isaac
	1305	Comet
Northern stock	1051	Normanby
	9101	Settlement
	9102	Hann
	9103	Eight Mile
	9104	Cliffdale
	9121	Nicholson
	9130	Leichardt
	9140	Morning
	9141	L Creek
	9150	Flinders
	9151	Saxby
	9152	Cloncurry
	9160	Norman
	9170	Gilbert
9171	Einasleigh	
9180	Staaten	
9190	Mitchell	

## SCHEDULE 18 (continued)

9191	Alice
9192	Palmer
9193	Walsh
9200	Coleman
9201	Edward
9210	Holroyd
9211	Kendall
9220	Archer
9221	Coen
9230	Watson
9240	Embley
9241	Mission
9250	Wenlock
9260	Dulhunty
9261	Skardon
9262	Jackson
9270	Jardine

**Sooty grunter**

1021	Pascoe
1080	Daintree
1100	Barron
1110	Mulgrave
1111	Russell
1120	North Johnstone
1130	Tully
1140	Murray
1160	Herbert
1200	Burdekin
1201	Clarke
1202	Bowen
1203	Belyando
9101	Settlement
9102	Hann
9103	Eight Mile

## SCHEDULE 18 (continued)

9104	Cliffdale
9121	Nicholson
9130	Leichardt
9140	Morning
9141	L Creek
9150	Flinders
9151	Saxby
9152	Cloncurry
9160	Norman
9170	Gilbert
9171	Einasleigh
9180	Staaten
9190	Mitchell
9191	Alice
9192	Palmer
9193	Walsh
9200	Coleman
9201	Edward
9210	Holroyd
9211	Kendall
9220	Archer
9221	Coen
9230	Watson
9240	Embley
9241	Mission
9250	Wenlock
9260	Dulhunty

**Southern saratoga**

1300	Fitzroy
1301	Mackenzie
1302	Nogoa
1303	Dawson
1304	Isaac
1305	Comet



## SCHEDULE 18 (continued)

	1330	Boyne
	1360	Burnett
	1361	Nogo
	1362	Barambah
	1363	Auburn
	1421	North Pine
	1430	Brisbane
	1431	Bremer
	1432	Lockyer
	1433	Stanley
	1460	Southcoast
<b>Australian bass</b>		
	1360	Burnett
	1361	Nogo
	1362	Barambah
	1363	Auburn
	1370	Eliot
	1371	Gregory
	1372	Burrum
	1380	Mary
	1400	Noosa
	1410	Maroochy
	1420	Caboolture
	1421	North Pine
	1422	South Pine
	1430	Brisbane
	1431	Bremer
	1432	Lockyer
	1433	Stanley
	1450	Logan
	1451	Albert
	1460	Southcoast
<b>Murray-Darling golden perch</b>		
	1360	Burnett

## SCHEDULE 18 (continued)

1361	Nogo
1362	Barambah
1363	Auburn
1372	Burrum
1380	Mary
1421	North Pine
1422	South Pine
1430	Brisbane
1431	Bremer
1432	Lockyer
1433	Stanley
1450	Logan
1451	Albert
1460	South Coast
4162	Border Rivers
4163	Severn
4164	Macintyre
4172	Moonie
4222	Balonne
4223	Condamine
4224	Maranoa
4225	Nebine
4232	Warrego
4242	Paroo
<b>Dawson River golden perch</b>	
1300	Fitzroy
1301	Mackenzie
1302	Nogoa
1303	Dawson
1304	Isaac
1305	Comet
<b>Lake Eyre golden perch</b>	
10011	Mulligan
10012	Gerogina

## SCHEDULE 18 (continued)

	10021	Diamantina
	10031	Cooper
	10032	Thomson
	10033	Barcoo
<b>Silver perch</b>		
	1300	Fitzroy
	1302	Nogoa
	1303	Dawson
	1330	Boyne
	1350	Kolan
	1360	Burnett
	1361	Nogo
	1362	Barambah
	1363	Auburn
	1370	Eliot
	1372	Burrum
	1380	Mary
	1421	North Pine
	1422	South Pine
	1430	Brisbane
	1431	Bremer
	1432	Lockyer
	1433	Stanley
	1450	Logan
	1460	Southcoast
	4162	Border Rivers
	4163	Severn
	4164	Macintyre
	4172	Moonie
	4222	Balonne
	4223	Condamine
	4224	Maranoa
	4225	Nebine
	4232	Warrego

## SCHEDULE 18 (continued)

	4242	Paroo
<b>Murray cod</b>		
	4162	Border Rivers
	4163	Severn
	4164	Macintyre
	4172	Moonie
	4222	Balonne
	4223	Condamine
	4224	Maranoa
	4225	Nebine
	4232	Warrego
	4242	Paroo
<b>Mary River cod</b>		
	1380	Mary
	1421	North Pine
	1430	Brisbane
	1431	Bremer
	1433	Stanley
	1450	Logan
	1451	Albert
	1460	Southcoast
<b>Eel tail catfish</b>		
Northern stock	1080	Daintree
	1090	Mossman
	1100	Barron
	1110	Mulgrave
	1111	Russell
	1120	North Johnstone
	1121	South Johnstone
	1130	Tully
	1140	Murray
Eastern stock	1280	Shoalwater
	1290	Waterpark

## SCHEDULE 18 (continued)

	1300	Fitzroy
	1302	Nogoa
	1303	Dawson
	1304	Isaac
	1320	Calliope
Murray-Darling stock	1362	Barambah
	1363	Auburn
	1420	Caboolture
	1421	North Pine
	1422	South Pine
	1430	Brisbane
	1431	Bremer
	1432	Lockyer
	1433	Stanley
	1450	Logan
	1451	Albert
	1460	Southcoast
	4163	Severn
	4222	Balonne
	4223	Condamine
	4224	Maranoa
	4232	Warrego
	4242	Paroo
<b>Barramundi</b>		
South east Gulf of Carpentaria stock (Leichardt River to Wassar River)	9121	Nicholson
	9130	Leichardt
	9140	Morning
	9141	L Creek
	9150	Flinders
	9151	Saxby
	9152	Cloncurry

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 SCHEDULE 18 (continued)

	9160	Norman
	9170	Gilbert
	9171	Einasleigh
	9180	Staaten
	9190	Mitchell
	9200	Coleman
	9210	Holroyd
North west Cape York stock (Archer River to Escape River)	1010	Escape
	9220	Archer
	9221	Coan
	9230	Watson
	9240	Embley
	9241	Mission
	9250	Wenlock
	9260	Dulhunty
	9261	Skardon
	9262	Jackson
	9270	Jardine
East Coast Cape York stock (Oxford Bay to Bathurst Heads)	1010	Oxford Bay
	1020	Olive
	1021	Pascoe
	1030	Lockhardt
	1040	Stewart
	1050	Hann
	1051	Normanby
Mid north east Coast stock (Cooktown to Burdekin River)		

## SCHEDULE 18 (continued)

1070		
	Endeavour	
1080	Daintree	
1090	Mossman	
1100	Barron	
1110	Mulgrave	
1111	Russell	
1120	North Johnstone	
1121	South Johnstone	
1130	Tully	
1140	Murray	
1150	Hinchinbrook Island	
1160	Herbert	
1170	Black	
1180	Ross	
1190	Houghton	
1200	Burdekin	Central east Coast stock (Repulse Bay to Shoalwater Bay)
1240	O'Connell	
1250	Pioneer	
1260	Plane	
1270	Styx	
1280	Shoalwater	South east Coast stock (Fitzroy River to Mary River)
1300	Fitzroy	
1301	Mackenzie	
1302	Nogoa	
1303	Dawson	

## SCHEDULE 18 (continued)

1304	Isaac
1305	Comet
1310	Curtis Island
1320	Calliope
1330	Boyne
1340	Baffle
1350	Kolan
1360	Burnett
1361	Nogo
1362	Barambah
1363	Auburn
1370	Eliot
1371	Gregory
1372	Burrum
1380	Mary



**ENDNOTES****1 Index to endnotes**

	Page
2 Date to which amendments incorporated . . . . .	415
3 Key . . . . .	416
4 Table of earlier reprints . . . . .	416
5 List of legislation . . . . .	416
6 List of annotations . . . . .	418
7 Provisions that have not commenced and are not incorporated into reprint .	435

**2 Date to which amendments incorporated**

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 20 August 1998. 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	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	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
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

### 4 Table of earlier reprints

#### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	22 December 1995
1A	to SL No. 16 of 1997	5 February 1997
1B	to SL No. 48 of 1997	21 March 1997
1C	to SL No. 222 of 1997	15 August 1997
1D	to SL No. 387 of 1997	21 November 1997
2	to SL No. 7 of 1998	6 March 1998

### 5 List of legislation

#### **Fisheries Regulation 1995 SL No. 325**

made by the Governor in Council on 30 November 1995

notfd gaz 1 December 1995 pp 1334–7

commenced on date of assent

exp 30 November 2005 (see SIA s 54)

as amended by—

**Fisheries Amendment Regulation (No. 1) 1996 SL No. 233**

notfd gaz 6 September 1996 pp 81–2  
ss 1–2 commenced on date of notification  
s 6 commenced 1 January 1997 (see s 2(1))  
remaining provisions commenced 7 September 1996 (see s 2(2))

**Fisheries Amendment Regulation (No. 2) 1996 SL No. 266**

notfd gaz 4 October 1996 pp 450–1  
ss 1–2 commenced on date of notification  
s 11 commenced 1 February 1997 (see s 2(1))  
remaining provisions commenced on date of notification (see s 2(2))

**Fisheries Amendment Regulation (No. 3) 1996 SL No. 422**

notfd gaz 20 December 1996 pp 1588–98  
commenced on date of notification

**Fisheries Amendment Regulation (No. 4) 1996 SL No. 423**

notfd gaz 20 December 1996 pp 1588–98  
commenced on date of notification

**Fisheries Amendment Regulation (No. 5) 1996 SL No. 449**

notfd gaz 20 December 1996 pp 1588–98  
ss 1–2 commenced on date of notification  
s 4 commenced 31 December 1996 (see s 2(1))  
remaining provisions commenced 1 January 1997 (see s 2(2))

**Fisheries Amendment Regulation (No. 1) 1997 SL No. 16**

notfd gaz 31 January 1996 pp 376–8  
commenced on date of notification

**Fisheries Amendment Regulation (No. 2) 1997 SL No. 47**

notfd gaz 7 March 1997 pp 909–10  
commenced on date of notification

**Fisheries Amendment Regulation (No. 3) 1997 SL No. 48**

notfd gaz 7 March 1997 pp 909–10  
ss 1–2 commenced on date of notification  
remaining provisions commenced 11 March 1997 (see s 2)

**Fisheries Amendment Regulation (No. 4) 1997 SL No. 94**

notfd gaz 18 April 1997 pp 1621–2  
commenced on date of notification

**Fisheries Amendment Regulation (No. 5) 1997 SL No. 118**

notfd gaz 16 May 1997 pp 242–4  
commenced on date of notification

**Fisheries Amendment Regulation (No. 6) 1997 SL No. 222**

notfd gaz 18 July 1997 pp 1351–2  
commenced on date of notification

**Fisheries Amendment Regulation (No. 7) 1997 SL No. 260**

notfd gaz 22 August 1997 pp 1910–11  
commenced on date of notification

**Fisheries Amendment Regulation (No. 8) 1997 SL No. 328**

notfd gaz 3 October 1997 pp 481–2  
commenced on date of notification

**Fisheries Amendment Regulation (No. 9) 1997 SL No. 387**

notfd gaz 14 November 1997 pp 1164–5  
commenced on date of notification

**Fisheries Amendment Regulation (No. 10) 1997 SL No. 476**

notfd gaz 19 December 1997 pp 1770–77  
commenced on date of notification

**Fisheries Amendment Regulation (No. 11) 1997 SL No. 477**

notfd gaz 19 December 1997 pp 1770–77  
ss 1–2 commenced on date of notification  
remaining provisions commenced 12 January 1998 (see s 2)

**Fisheries Amendment Regulation (No. 1) 1998 SL No. 7**

notfd gaz 30 January 1998 p 378  
ss 1–2 commenced on date of notification  
remaining provisions commenced 2 February 1998 (see s 2)

**Fisheries Amendment Regulation (No. 2) 1998 SL No. 213**

notfd gaz 24 July 1998 p 1491–2  
commenced on date of notification

**Fisheries Amendment Regulation (No. 3) 1998 SL No. 232**

notfd gaz 14 August 1998 pp 1835–6  
ss 9–10 commence 1 September 1998 (see s 3)  
remaining provisions commenced on date of notification

## 6 List of annotations

**Scientific names of fish**

s 10 amd 1996 SL No. 266 s 4; 1997 SL No. 222 s 3

**Barramundi closed season exemption for recreational fishers**

s 15 amd 1996 SL No. 266 s 3 sch

**Closed waters**

s 16 amd 1996 SL No. 266 s 5

**Possessing certain grunter regulated**

s 18A ins 1996 SL No. 266 s 6

**Exemption for recreational fishery about barramundi size limit**

s 23 amd 1996 SL No. 266 s 3 sch

**Exemptions for Mary River cod**

s 24A ins 1996 SL No. 422 s 3

**Other exemptions**

s 25 amd 1996 SL No. 422 s 4

**Notice of filling of certain quotas**

prov hdg amd 1996 SL No. 233 s 4(1)

s 27 amd 1996 SL No. 233 s 4(2)

**Restriction on issue of primary commercial fishing boat licences**

s 32A ins 1997 SL No. 260 s 3

**Permits Authority may issue**

s 35 amd 1996 SL No. 422 s 5

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

s 42 amd 1997 SL No. 260 s 4; 1997 SL No. 476 s 3

**Combining spanner crab fishery symbols**

s 42A ins 1997 SL No. 260 s 5

**Authorities that are not transferable**

s 59 amd 1996 SL No. 449 s 4

**Particulars to be contained in register of authorities**

s 62 amd 1998 SL No. 232 s 4

**Fishing priority**

s 64A ins 1997 SL No. 260 s 6

**PART 7A—VMS EQUIPMENT**

pt hdg ins 1998 SL No. 232 s 5

**Division 1—Preliminary**

div hdg ins 1998 SL No. 232 s 5

**Application of pt 7A**

s 64B ins 1998 SL No. 232 s 5

**Definitions for pt 7A**

s 64C ins 1998 SL No. 232 s 5

**Division 2—Registration**

div hdg ins 1998 SL No. 232 s 5

**Application to register VMS equipment and installer**

s 64D ins 1998 SL No. 232 s 5

**Consideration of application**

s 64E ins 1998 SL No. 232 s 5

**Grant of application**

s 64F ins 1998 SL No. 232 s 5

**Refusal of application**

s 64G ins 1998 SL No. 232 s 5

**Division 3—VMS equipment conditions**

**div hdg** ins 1998 SL No. 232 s 5

**Additional conditions of licence**

**s 64H** ins 1998 SL No. 232 s 5

**Maintenance and use**

**s 64I** ins 1998 SL No. 232 s 5

**Obligations if equipment fails**

**s 64J** ins 1998 SL No. 232 s 5

**Exemption**

**s 64K** ins 1998 SL No. 232 s 5

**Prohibition on taking, possessing or selling regulated fish**

**s 65** amd 1997 SL No. 222 s 4

**Prohibited ways of taking fish**

**s 66** amd 1997 SL No. 476 s 4

**Conducting commercial fishing competitions**

**s 70A** ins 1996 SL No. 422 s 6

**Aquaculture**

**s 77** amd 1996 SL No. 423 s 3

**Marine plants**

**s 79** amd 1996 SL No. 422 s 7

**Interfering with official signs**

**s 88** amd 1998 SL No. 232 s 6

**Interfering with approved VMS seals**

**s 88A** ins 1998 SL No. 232 s 7

**Obstructing persons fishing under an authority**

**s 90** amd 1997 SL No. 260 s 7

**Possession or sale of crab claws by fishers**

**s 91A** ins 1996 SL No. 422 s 8

**Fish habitat areas**

**s 94** amd 1998 SL No. 213 s 3(1)–(3)

**Identifying and counting fish—general**

**s 98 prov hdg** sub 1996 SL No. 266 s 7

**Identifying and counting grunter taken in Gulf of Carpentaria**

**s 98A** ins 1996 SL No. 266 s 8

**Serious fisheries offences**

**s 108** amd 1998 SL No. 232 s 8

**Repeals**

**s 114** om R1 (see RA s 40)

**Transitional provision about certain authorities**

**s 115** exp 1 December 1996 (see s 115(2))

**SCHEDULE 1—CLOSED SEASONS****Barramundi—Gulf of Carpentaria**

**s 1** sub 1996 SL No. 266 s 9; 1997 SL No. 328 s 3

**Barramundi—elsewhere**

**s 2** sub 1997 SL No. 328 s 3

**Spanner crab**

**s 3** ins 1997 SL No. 328 s 3  
amd 1997 SL No. 476 s 5

**SCHEDULE 2—CLOSED WATERS—COMMERCIAL FISHING****PART 1—TAKING OR POSSESSING ANY FISH****Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs**

**s 5** sub 1997 SL No. 118 s 3(1)

**Dogwood Creek at Miles Weir**

**s 12** amd 1997 SL No. 118 s 3(2)

**Fitzroy River at Eden Bann Weir**

**s 29A** ins 1997 SL No. 118 s 3(3)

**Fitzroy River at Wattlebank Control Weir**

**s 29B** ins 1997 SL No. 118 s 3(3)

**Yanks Jetty at Orpheus Island**

**s 33A** ins 1997 SL No. 118 s 3(4)

**PART 2—TAKING OR POSSESSING CERTAIN FISH****Division 1—Fish other than spanner crabs in managed areas A or B**

**div hdg** ins 1996 SL No. 233 s 5(1)  
amd 1997 SL No. 94 s 2 sch

**Prohibited activities**

**s 41** amd 1996 SL No. 233 s 5(2); 1997 SL No. 476 s 6

**Hervey Bay region**

**s 42A** ins 1998 SL No. 7 s 4(1)  
exp 1 February 1999 (see s 42A(3))

**Bustard Head region**

**s 43A** ins 1998 SL No. 7 s 4(2)  
exp 1 February 1999 (see s 43A(3))

**Yeppoon region**

**s 43B** ins 1998 SL No. 7 s 4(2)  
exp 1 February 1999 (see s 43B(3))

**Division 2—Spanner crabs in managed areas A or B**

**div hdg** ins 1996 SL No. 233 s 5(3)  
amd 1996 SL No. 94 s 2 sch

**Prohibited activities**

- s 46A** ins 1996 SL No. 233 s 5(3)  
amd 1997 SL No. 94 s 2 sch; 1997 SL No. 260 s 8  
sub 1997 SL No. 328 s 4

**Managed area A—weekends and Mondays**

- s 46B** ins 1997 SL No. 328 s 4

**Managed areas A and B**

- s 46C** ins 1997 SL No. 328 s 4

**Division 3—‘T1’ waters**

- div hdg** ins 1998 SL No. 232 s 9

**Closed waters**

- s 51A** ins 1998 SL No. 232 s 9

**Prohibited activities**

- s 51B** ins 1998 SL No. 232 s 9

**Division 4—‘T2’ waters**

- div hdg** ins 1998 SL No. 232 s 9

**Closed waters**

- 51C** ins 1998 SL No. 232 s 9

**Prohibited activities**

- 51D** ins 1998 SL No. 232 s 9

**PART 5—USING OR POSSESSING BOATS****Prohibited activities**

- s 252** ins 1997 SL No. 48 s 4  
exp 1 February 1999 (see s 256)

**Hervey Bay region**

- s 253** ins 1997 SL No. 48 s 4  
exp 1 February 1999 (see s 256)

**Bustard Head region**

- s 254** ins 1997 SL No. 48 s 4  
exp 1 February 1999 (see s 256)

**Yeppoon region**

- s 255** ins 1997 SL No. 48 s 4  
sub 1998 SL No. 7 s 5(1)  
exp 1 February 1999 (see s 256)

**Expiry**

- s 256** ins 1997 SL No. 48 s 4  
exp 1 February 1998 (see s 256)  
amd 1998 SL No. 7 s 5(2)  
exp 1 February 1999 (see s 256)

**PART 6—USING NETS IN DUGONG PROTECTION AREA**

- pt hdg** ins 1997 SL No. 477 s 4



**Division 1—Zone A**

**div hdg** ins 1997 SL No. 477 s 4

**Hervey Bay—Tin Can Bay**

**s 257** ins 1997 SL No. 477 s 4

**Port Clinton (Reef Point—Cape Clinton)**

**s 258** ins 1997 SL No. 477 s 4

**Shoalwater Bay**

**s 259** ins 1997 SL No. 477 s 4

**Ince Bay (Cape Palmerston—Allom Point)**

**s 260** ins 1997 SL No. 477 s 4

**Stewart Peninsula—Newry Islands—Ball Bay**

**s 261** ins 1997 SL No. 477 s 4

**Upstart Bay**

**s 262** ins 1997 SL No. 477 s 4

**Cleveland Bay—Magnetic Island**

**s 263** ins 1997 SL No. 477 s 4

**Hinchinbrook Island area**

**s 264** ins 1997 SL No. 477 s 4

**Division 2—Zone B**

**div hdg** ins 1997 SL No. 477 s 4

**Subdivision 1—Areas in zone B**

**sdiv hdg** ins 1997 SL No. 477 s 4

**Application of div 2**

**s 265** ins 1997 SL No. 477 s 4

**Port of Gladstone—Rodds Bay**

**s 266** ins 1997 SL No. 477 s 4

**Clairview Bluff—Carmilla Creek**

**s 267** ins 1997 SL No. 477 s 4

**Llewellyn Bay**

**s 268** ins 1997 SL No. 477 s 4

**Ball Bay—Sand Bay**

**s 269** ins 1997 SL No. 477 s 4

**Repulse Bay**

**s 270** ins 1997 SL No. 477 s 4

**Edgumbe Bay—Bowen**

**s 271** ins 1997 SL No. 477 s 4

**Bowling Green Bay**

**s 272** ins 1997 SL No. 477 s 4

**Lucinda to Allingham–Halifax Bay**

s 273 ins 1997 SL No. 477 s 4

**Subdivision 2—Restrictions on using nets**

sdiv hdg ins 1997 SL No. 477 s 4

**Use of mesh nets in offshore waters**

s 274 ins 1997 SL No. 477 s 4

**Use of set mesh nets on a foreshore**

s 275 ins 1997 SL No. 477 s 4

**Use of set mesh nets on a headland**

s 276 ins 1997 SL No. 477 s 4

**Use of set mesh nets in rivers or creeks**

s 277 ins 1997 SL No. 477 s 4

**Using a mesh, ring or seine net**

s 278 ins 1997 SL No. 477 s 4

**SCHEDULE 3—CLOSED WATERS—RECREATIONAL FISHING****PART 1—TAKING OR POSSESSING ANY FISH****Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs**

s 5 sub 1997 SL No. 118 s 4(1)

**Dogwood Creek at Miles Weir**

s 12 amd 1997 SL No. 118 s 4(2)

**Fitzroy River at Eden Bann Weir**

s 28A ins 1997 SL No. 118 s 4(3)

**Fitzroy River at Wattlebank Control Weir**

s 28B ins 1997 SL No. 118 s 4(3)

**Yanks Jetty at Orpheus Island**

s 33A ins 1997 SL No. 118 s 4(4)

**Prohibited activities**

s 40 amd 1997 SL No. 476 s 7

**Main wharf at Port Denison, Bowen**

s 76A ins 1997 SL No. 118 s 4(5)

**SCHEDULE 4—REGULATED FISH**amd 1996 SL No. 266 s 10; 1996 SL No. 422 s 9; 1997 SL No. 222 s 5;  
1998 SL No. 323 s 10**SCHEDULE 7—FISH HABITAT AREAS****PART 1—AREAS SHOWN BY HATCHED PLANS****Coomabah**

s 13 om 1998 SL No. 213 s 4

**Bribie Island**

s 16 om 1998 SL No. 213 s 4

**Midge**

s 22 om 1998 SL No. 213 s 4

**Trinity Inlet**

s 29 om 1998 SL No. 213 s 4

**Hays Inlet**

s 31 om 1998 SL No. 213 s 4

**Kippa-Ring**

s 32 om 1998 SL No. 213 s 4

**Deception Bay**

s 33 om 1998 SL No. 213 s 4

**Pumicestone Strait**

s 35 om 1998 SL No. 213 s 4

**Moreton Banks**

s 36 om 1998 SL No. 213 s 4

**Peel Island**

s 37 om 1998 SL No. 213 s 4

**Repulse Bay**

s 62 om 1998 SL No. 213 s 4

**Sand Bay**

s 63 om 1998 SL No. 213 s 4

**Admiralty Island**

s 70 om 1998 SL No. 213 s 4

**Bowling Green Bay**

s 71 om 1998 SL No. 213 s 4

**PART 2—AREAS WITHIN OUTER BOUNDARIES SHOWN ON PLANS**

pt hdg sub 1998 SL No. 213 s 5

**Bassett Basin**

s 77 sub 1998 SL No. 213 s 5

**Bowling Green Bay**

s 78 sub 1998 SL No. 213 s 5

**Cawarral Creek**

s 79 ins 1998 SL No. 213 s 5

**Coombabah**

s 80 ins 1998 SL No. 213 s 5

**Deception Bay**

s 81 ins 1998 SL No. 213 s 5

**Hay's Inlet**

s 82 ins 1998 SL No. 213 s 5

**Kinkuna**

s 83 ins 1998 SL No. 213 s 5

**Kippa-Ring**

s 84 ins 1998 SL No. 213 s 5

**Midge**

s 85 ins 1998 SL No. 213 s 5

**Moreton Banks**

s 86 ins 1998 SL No. 213 s 5

**Peel Island**

s 87 ins 1998 SL No. 213 s 5

**Pumicestone Channel**

s 88 ins 1998 SL No. 213 s 5

**Repulse**

s 89 ins 1998 SL No. 213 s 5

**Sand Bay**

s 90 ins 1998 SL No. 213 s 5

**Trinity Inlet**

s 91 ins 1998 SL No. 213 s 5

**SCHEDULE 10—FEES**sub 1996 SL No. 422 s 10; 1997 SL No. 387 s 3  
amd 1997 SL No. 476 s 8**Authority with fishery symbol for a trochus fishery (east coast) on it**

s 29 sub 1996 SL No. 449 s 5

**Authority with fishery symbol for a trochus fishery (Torres Strait) on it**

s 29A ins 1996 SL No. 449 s 5

**SCHEDULE 11—CRAB FISHERIES (COMMERCIAL)****PART 2—CRAB FISHERY (SPANNER CRAB No. 1)****Spanner crabs may only be brought ashore at Bundaberg**s 16A ins 1997 SL No. 94 s 3(1)  
om 1997 SL No. 118 s 5(1)**Where spanner crabs taken in managed area B may be brought ashore**s 17 amd 1996 SL No. 233 s 6; 1997 SL No. 94 s 2 sch  
sub 1997 SL No. 260 s 9(1)**Notice before moving between managed areas**s 18 amd 1997 SL No. 94 s 2 sch; 1997 SL No. 118 s 5(2)  
sub 1997 SL No. 260 s 9(1)**Restriction on taking spanner crabs in more than 1 managed area**s 18A ins 1997 SL No. 94 s 3(2)  
sub 1997 SL No. 260 s 9(1)**Annual and progressive quarterly quotas**s 18B ins 1997 SL No. 94 s 3(2)  
amd 1997 SL No. 118 s 5(3)  
sub 1997 SL No. 260 s 9(1)

**Daily quota**

- s 18C ins 1997 SL No. 118 s 5(4)  
sub 1997 SL No. 260 s 9(1)

**PART 3—CRAB FISHERY (SPANNER CRAB No. 2)****Where spanner crabs may be brought ashore**

- s 27 amd 1997 SL No. 94 s 2 sch  
sub 1997 SL No. 260 s 9(2)

**Daily quota**

- s 27A ins 1997 SL No. 260 s 9(2)

**PART 4—CRAB FISHERY (SPANNER CRAB—NORTH OF INDIAN HEAD)****Spanner crabs may only be brought ashore at Bundaberg**

- s 35A ins 1997 SL No. 94 s 3(3)  
om 1997 SL No. 118 s 5(1)

**Where spanner crabs taken in managed area B may be brought ashore**

- s 36 amd 1996 SL No. 233 s 6; 1997 SL No. 94 s 2 sch  
sub 1997 SL No. 260 s 9(3)

**Notice before moving between managed areas**

- s 37 amd 1997 SL No. 94 s 2 sch; 1997 SL No. 118 s 5(5)  
sub 1997 SL No. 260 s 9(3)

**Restriction on taking spanner crabs in more than 1 managed area**

- s 37A ins 1997 SL No. 94 s 3(4)  
sub 1997 SL No. 260 s 9(3)

**Annual and progressive quarterly quotas**

- s 37B ins 1997 SL No. 94 s 3(4)  
amd 1997 SL No. 118 s 5(6)  
sub 1997 SL No. 260 s 9(3)

**Daily quota**

- s 37C ins 1997 SL No. 118 s 5(7)  
sub 1997 SL No. 260 s 9(3)

**PART 5—CRAB FISHERY (SPANNER CRAB—SOUTH QUEENSLAND)****Spanner crabs may only be brought ashore at Bundaberg**

- s 45A ins 1997 SL No. 94 s 3(5)  
om 1997 SL No. 118 s 5(1)

**Annual and progressive quarterly quotas**

- s 46 amd 1996 SL No. 233 s 6; 1997 SL No. 94 s 2 sch  
sub 1997 SL No. 260 s 9(4)

**Daily quota**

- s 47 amd 1997 SL No. 94 s 2 sch  
sub 1997 SL No. 260 s 9(4)

**Authority holder must carry evidence of notice**

- s 47A ins 1997 SL No. 94 s 3(6)  
om 1997 SL No. 260 s 9(4)

**Authority holder may only fish on quota days**

s 47B ins 1997 SL No. 94 s 3(6)  
om 1997 SL No. 260 s 9(4)

**Bringing ashore only at Bundaberg for 400 kg daily quota**

s 47C ins 1997 SL No. 118 s 5(8)  
om 1997 SL No. 260 s 9(4)

**SCHEDULE 12—LINE FISHERIES (COMMERCIAL)****What fish may be taken**

s 12 amd 1996 SL No. 266 s 3 sch

**What fish may be taken**

s 21 amd 1996 SL No. 266 s 3 sch

**What fish may be taken**

s 28 amd 1996 SL No. 266 s 3 sch

**What fish may be taken**

s 35 amd 1996 SL No. 266 s 3 sch

**SCHEDULE 13—NET FISHERIES (COMMERCIAL)****PART 1—NET FISHERY (BAIT No. 1)****What fish may be taken**

s 3 amd 1996 SL No. 266 s 3 sch; 1997 SL No. 476 s 9(1)

**Use of mesh or seine nets**

s 7 amd 1997 SL No. 260 s 10(1)

**PART 2—NET FISHERY (BAIT No. 2)****What fish may be taken**

s 12 amd 1996 SL No. 266 s 3 sch; 1997 SL No. 476 s 9(1)

**Use of nets south of Baffle Creek**

s 15 amd 1997 SL No. 260 s 10(2)

**PART 3—NET FISHERY (EAST COAST No. 1)****What fish may be taken**

s 21 amd 1996 SL No. 266 s 3 sch; 1997 SL No. 16 s 3(1)

**Use of mesh or seine nets south of Baffle Creek**

s 27 amd 1997 SL No. 260 s 10(3)

**Use of mesh nets in offshore waters**

s 30 amd 1997 SL No. 260 s 10(4)

**Use of set mesh nets on foreshores between the Burnett River and Baffle Creek**

s 34 amd 1997 SL No. 260 s 10(5)

**Use of set mesh nets in offshore waters**

s 36 amd 1997 SL No. 260 s 10(6)

**Use of tunnel nets**

s 38 amd 1997 SL No. 477 s 5(1)

**What fish may be taken**

s 45 amd 1996 SL No. 266 s 3 sch; 1997 SL No. 16 s 3(2)

**PART 5—NET FISHERY (GULF OF CARPENTARIA No. 1)****pt hdg** amd 1997 SL No. 476 s 9(2)**What fish may be taken****s 55** amd 1996 SL No. 266 s 3 sch; 1997 SL No. 476 s 9(1)**Permitted ways of taking fish****s 56** amd 1996 SL No. 266 s 11(1); 1997 SL No. 476 s 9(3)**Use of mesh nets in the fishery area****s 58** amd 1996 SL No. 266 s 11(2)**Use of mesh nets in offshore waters****s 59** amd 1996 SL No. 266 s 11(3); 1997 SL No. 476 s 9(4)**Use of mesh nets in rivers and creeks****s 62** amd 1996 SL No. 266 s 11(3)**Use of mesh nets on foreshores****s 63** amd 1996 SL No. 266 s 11(3)**Use of mesh nets in offshore waters****s 64** amd 1996 SL No. 266 s 11(3)**PART 5A—NET FISHERY (GULF OF CARPENTARIA No. 2)****pt hdg** ins 1997 SL No. 476 s 10**Division 1—Preliminary****div hdg** ins 1997 SL No. 476 s 10**Fishery symbol****s 68A** ins 1997 SL No. 476 s 10**Fishery area****s 68B** ins 1997 SL No. 476 s 10**What fish may be taken****s 68C** ins 1997 SL No. 476 s 10**Permitted ways of taking fish****s 68D** ins 1997 SL No. 476 s 10**Time quota****s 68E** ins 1997 SL No. 476 s 10**Division 2—Use of nets****div hdg** ins 1997 SL No. 476 s 10**Use of nets in the fishery area****s 68F** ins 1997 SL No. 476 s 10**Division 3—Miscellaneous****div hdg** ins 1997 SL No. 476 s 10**Use of primary commercial fishing boats****s 68G** ins 1997 SL No. 476 s 10

**Use of tender commercial fishing boats**

s 68H ins 1997 SL No. 476 s 10

**Permitted distance for an assistant fisher to be under direction**

s 68I ins 1997 SL No. 476 s 10

**PART 6—NET FISHERY (BAFFLE CREEK TO KAURI CREEK)****Use of mesh or seine nets in the fishery area**

s 73 amd 1997 SL No. 260 s 10(7)

**Use of mesh nets in offshore waters**

s 74 amd 1997 SL No. 260 s 10(8)

**Use of set mesh nets in offshore waters**

s 77 amd 1997 SL No. 260 s 10(9)

**Use of set mesh nets on foreshores between the Burnett River and Baffle Creek**

s 80 amd 1997 SL No. 260 s 10(10)

**PART 7—NET FISHERY (OCEAN BEACH—AREA 1)**

pt hdg sub 1997 SL No. 47 s 3

**Fishery symbol**

s 86 sub 1997 SL No. 47 s 3

**Fishery area**

s 87 sub 1997 SL No. 47 s 3

**What fish may be taken**

s 88 sub 1997 SL No. 47 s 3

**Permitted ways of taking fish**

s 89 sub 1997 SL No. 47 s 3

**Use of seine nets in the fishery area**

s 90 sub 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch

**Time quota**

s 91 sub 1997 SL No. 47 s 3

**Use of primary commercial fishing boats**

s 92 sub 1997 SL No. 47 s 3

**Use of tender commercial fishing boats**

s 93 sub 1997 SL No. 47 s 3

**Permitted distance for an assistant fisher to be under direction**

s 94 sub 1997 SL No. 47 s 3

**PART 7A—NET FISHERY (OCEAN BEACH—AREA 2)**

pt hdg ins 1997 SL No. 47 s 3

**Fishery symbol**

s 94A ins 1997 SL No. 47 s 3

**Fishery area**

s 94B ins 1997 SL No. 47 s 3



**What fish may be taken**

s 94C ins 1997 SL No. 47 s 3

**Permitted ways of taking fish**

s 94D ins 1997 SL No. 47 s 3

**Use of seine nets in the fishery area**

s 94E ins 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch

**Time quota**

s 94F ins 1997 SL No. 47 s 3

**Use of primary commercial fishing boats**

s 94G ins 1997 SL No. 47 s 3

**Use of tender commercial fishing boats**

s 94H ins 1997 SL No. 47 s 3

**Permitted distance for an assistant fisher to be under direction**

s 94I ins 1997 SL No. 47 s 3

**PART 7B—NET FISHERY (OCEAN BEACH—AREA 3)**

pt hdg ins 1997 SL No. 47 s 3

**Fishery symbol**

s 94J ins 1997 SL No. 47 s 3

**Fishery area**

s 94K ins 1997 SL No. 47 s 3

**What fish may be taken**

s 94L ins 1997 SL No. 47 s 3

**Permitted ways of taking fish**

s 94M ins 1997 SL No. 47 s 3

**Use of seine nets in the fishery area**

s 94N ins 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch

**Time quota**

s 94O ins 1997 SL No. 47 s 3

**Use of primary commercial fishing boats**

s 94P ins 1997 SL No. 47 s 3

**Use of tender commercial fishing boats**

s 94Q ins 1997 SL No. 47 s 3

**Permitted distance for an assistant fisher to be under direction**

s 94R ins 1997 SL No. 47 s 3

**PART 7C—NET FISHERY (OCEAN BEACH—AREA 4)**

pt hdg ins 1997 SL No. 47 s 3

**Fishery symbol**

s 94S ins 1997 SL No. 47 s 3

**Fishery area**

s 94T ins 1997 SL No. 47 s 3

**What fish may be taken**

s 94U ins 1997 SL No. 47 s 3

**Permitted ways of taking fish**

s 94V ins 1997 SL No. 47 s 3

**Use of seine nets in the fishery area**

s 94W ins 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch

**Time quota**

s 94X ins 1997 SL No. 47 s 3

**Use of primary commercial fishing boats**

s 94Y ins 1997 SL No. 47 s 3

**Use of tender commercial fishing boats**

s 94Z ins 1997 SL No. 47 s 3

**Permitted distance for an assistant fisher to be under direction**

s 94ZA ins 1997 SL No. 47 s 3

**PART 7D—NET FISHERY (OCEAN BEACH—AREA 5)**

pt hdg ins 1997 SL No. 47 s 3

**Fishery symbol**

s 94ZB ins 1997 SL No. 47 s 3

**Fishery area**

s 94ZC ins 1997 SL No. 47 s 3

**What fish may be taken**

s 94ZD ins 1997 SL No. 47 s 3

**Permitted ways of taking fish**

s 94ZE ins 1997 SL No. 47 s 3

**Use of seine nets in the fishery area**

s 94ZF ins 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch

**Time quota**

s 94ZG ins 1997 SL No. 47 s 3

**Use of primary commercial fishing boats**

s 94ZH ins 1997 SL No. 47 s 3

**Use of tender commercial fishing boats**

s 94ZI ins 1997 SL No. 47 s 3

**Permitted distance for an assistant fisher to be under direction**

s 94ZJ ins 1997 SL No. 47 s 3

**PART 7E—NET FISHERY (OCEAN BEACH—AREA 6)**

pt hdg ins 1997 SL No. 47 s 3

**Fishery symbol**

s 94ZK ins 1997 SL No. 47 s 3

**Fishery area**

s 94ZL ins 1997 SL No. 47 s 3

**What fish may be taken**

s 94ZM ins 1997 SL No. 47 s 3

**Permitted ways of taking fish**

s 94ZN ins 1997 SL No. 47 s 3

**Use of seine nets in the fishery area**

s 94ZO ins 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch

**Time quota**

s 94ZP ins 1997 SL No. 47 s 3

**Use of primary commercial fishing boats**

s 94ZQ ins 1997 SL No. 47 s 3

**Use of tender commercial fishing boats**

s 94ZR ins 1997 SL No. 47 s 3

**Permitted distance for an assistant fisher to be under direction**

s 94ZS ins 1997 SL No. 47 s 3

**PART 7F—NET FISHERY (OCEAN BEACH—AREA 7)**

pt hdg ins 1997 SL No. 47 s 3

**Fishery symbol**

s 94ZT ins 1997 SL No. 47 s 3

**Fishery area**

s 94ZU ins 1997 SL No. 47 s 3

**What fish may be taken**

s 94ZV ins 1997 SL No. 47 s 3

**Permitted ways of taking fish**

s 94ZW ins 1997 SL No. 47 s 3

**Use of seine nets in the fishery area**

s 94ZX ins 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch

**Time quota**

s 94ZY ins 1997 SL No. 47 s 3

**Use of primary commercial fishing boats**

s 94ZZ ins 1997 SL No. 47 s 3

**Use of tender commercial fishing boats**

s 94ZAA ins 1997 SL No. 47 s 3

**Permitted distance for an assistant fisher to be under direction**

s 94ZAB ins 1997 SL No. 47 s 3

**PART 7G—NET FISHERY (OCEAN BEACH—AREA 8)****pt hdg** ins 1997 SL No. 47 s 3**Fishery symbol****s 94ZAC** ins 1997 SL No. 47 s 3**Fishery area****s 94ZAD** ins 1997 SL No. 47 s 3**What fish may be taken****s 94ZAE** ins 1997 SL No. 47 s 3**Permitted ways of taking fish****s 94ZAF** ins 1997 SL No. 47 s 3**Use of seine nets in the fishery area****s 94ZAG** ins 1997 SL No. 47 s 3  
amd 1997 SL No. 260 s 2 sch**Time quota****s 94ZAH** ins 1997 SL No. 47 s 3**Use of primary commercial fishing boats****s 94ZAI** ins 1997 SL No. 47 s 3**Use of tender commercial fishing boats****s 94ZAJ** ins 1997 SL No. 47 s 3**Permitted distance for an assistant fisher to be under direction****s 94ZAK** ins 1997 SL No. 47 s 3**PART 8—NET FISHERY (EAST COAST NO. 3)****pt hdg** amd 1997 SL No. 477 s 5(2)**What fish may be taken****s 97** amd 1996 SL No. 266 s 3 sch**Use of mesh nets in offshore waters between Baffle Creek and Cape Flattery****s 101** sub 1997 SL No. 477 s 5(3)**Use of set mesh nets in offshore waters between Baffle Creek and Cape Flattery****s 101A** ins 1997 SL No. 477 s 5(3)**SCHEDULE 15—OTHER FISHERIES (COMMERCIAL)****PART 11—TROCHUS FISHERY (EAST COAST)****General conditions of taking trochus****s 73** amd 1996 SL No. 449 s 6(1)**Annual quota****s 74** sub 1996 SL No. 449 s 6(2)**PART 12—TROCHUS FISHERY (TORRES STRAIT)****Annual quota****s 80** sub 1996 SL No. 449 s 7**SCHEDULE 16—GLOSSARY OF SCIENTIFIC NAMES USED FOR FISH**

amd 1996 SL No. 266 s 12; 1996 SL No. 422 s 11; 1997 SL No. 222 s 6

**SCHEDULE 17—DICTIONARY****PART 1—WORDS**

- def “**annual**” ins 1996 SL No. 233 s 7
- def “**approved**” ins 1998 SL No. 232 s 11
- def “**Authority’s register**” ins 1998 SL No. 232 s 11
- def “**commercial fishing competition**” ins 1996 SL No. 422 s 12
- def “**install**” ins 1998 SL No. 232 s 11
- def “**interfere with**” ins 1998 SL No. 232 s 11
- def “**national park land**” ins 1998 SL No. 213 s 6
- def “**ocean beach fishery**” ins 1997 SL No. 260 s 11(1)
- def “**power assisted device**” ins 1997 SL No. 476 s 11
- def “**the 6 n mile line**” ins 1997 SL No. 476 s 11
- def “**the boat**” ins 1998 SL No. 232 s 11
- def “**the coastal 500 m line**” ins 1997 SL No. 477 s 6
- def “**the holder**” ins 1998 SL No. 232 s 11

**PART 2—OTHER WORDS AND PHRASES****Meaning of “fishing priority” for commercial fishers**

s 2 om 1997 SL No. 260 s 11(2)

**Meaning of “Gulf of Carpentaria” for ss 18A, 98A and schs 1 and 4**

s 16 ins 1996 SL No. 266 s 13

**SCHEDULE 18—AQUACULTURE FISHERIES RESOURCES**

ins 1996 SL No. 423 s 4

## **7 Provisions that have not commenced and are not incorporated into reprint**

The following provisions are not incorporated in this reprint because they had not commenced before the reprint date (see Reprints Act 1992, s 5(c)).

**Fisheries Amendment Regulation (No. 3) 1998 SL No. 232 ss 9 and 10 read as follows—**

### **Insertion of new sch 2, pt 3, divs 3 and 4**

**9.** Schedule 2, after section 51—

*insert—*

***‘Division 3—‘T1’ waters*****‘Closed waters**

**‘51A.** All tidal waters east of longitude 142°31'49" east are closed waters.

**‘Prohibited activities**

**‘51B.** The following activities are prohibited in the closed waters—

- (a) using or possessing any net to take saucer scallops from the waters unless—
  - (i) the person taking the saucer scallops is acting under a primary commercial fishing boat licence that has the fishery symbol ‘T1’ written on it; and
  - (ii) approved VMS equipment is installed on the boat; and
  - (iii) the installation was carried out by an approved person; and
  - (iv) the equipment and the approved person are recorded in the Authority’s register; and
  - (v) the conditions prescribed under part 7A, division 3<sup>61</sup> of the regulation have been complied with;
- (b) possessing saucer scallops in the waters taken in contravention of paragraph (a).

***‘Division 4—‘T2’ waters*****‘Closed waters**

**‘51C.** All tidal waters east of the territorial sea baseline and south of latitude 24°21'24" south following waters are closed waters.

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<sup>61</sup> Part 7A, division 3 (VMS equipment conditions)

**‘Prohibited activities**

**‘51D.** The following activities are prohibited in the closed waters—

- (a) using or possessing any net to take saucer scallops from the waters unless—
  - (i) the person taking the saucer scallops is acting under a primary commercial fishing boat licence that has the fishery symbol ‘T2’ written on it; and
  - (ii) approved VMS equipment is installed on the boat; and
  - (iii) the installation was carried out by an approved person; and
  - (iv) the equipment and the approved person are recorded in the Authority’s register; and
  - (v) the conditions prescribed under part 7A, division 3 of the regulation have been complied with;
- (b) possessing saucer scallops in the waters taken in contravention of paragraph (a).’.

**Insertion of new sch 4, pt 1, div 4**

**10.** Schedule 4, part 1—

*insert—*

***‘Division 4—Saucer scallops unlawfully taken from ‘T1’ or ‘T2’ closed waters***

Saucer scallops taken in contravention of schedule 2, section 51B or 51D.<sup>62</sup>.

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<sup>62</sup> Schedule 2, section 51B (Prohibited activities) or 51D (Prohibited activities)