

Queensland



Fisheries Act 1994

FISHERIES REGULATION 1995

**Reprinted as in force on 13 July 1999
(includes amendments up to SL No. 58 of 1999)**

Reprint No. 3A

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 13 July 1999. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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**
- **editorial changes made in earlier reprints.**

Queensland



FISHERIES REGULATION 1995

TABLE OF PROVISIONS

Section		Page
	PART 1—PRELIMINARY	
1	Short title	39
	PART 2—INTERPRETATION	
	<i>Division 1—Words and phrases</i>	
2	Words and phrases—the dictionary	39
	<i>Division 2—Working out boundaries</i>	
3	References to boundaries, lines, shores and other points	39
4	References to waterways	40
5	References to banks of waterways	40
	<i>Division 3—Other provisions aiding interpretation</i>	
6	References to aids to navigation	40
7	References to certain commercial fishing boats	40
8	References to distances between nets	41
9	References to drops and number of meshes	41
10	Scientific names of fish	41
11	Time periods	42
	PART 3—MANAGEMENT PLANS	
12	Information to be contained in draft management plans	43
13	Publication of draft management plans	43
	PART 4—CLOSED SEASONS AND CLOSED WATERS	
	<i>Division 1—Closed season</i>	
14	Closed season for barramundi	44
15	Barramundi closed season exemption for recreational fishers	44

<i>Division 2—Closed waters</i>	
16	Closed waters 45
17	Application of schs 2 and 3 45
PART 5—REGULATED FISH	
<i>Division 1—Regulated fish</i>	
18	Regulated fish 46
19	Application of sch 4 (Regulated fish) 46
<i>Division 2—Measurement of percentage, size and weight of fish to decide if they are regulated</i>	
20	Measurement of percentage of certain fish 47
21	Measurement of size of fish 47
22	Measurement of weight of green snails 48
<i>Division 3—Exemptions</i>	
23	Exemption for recreational fishers about barramundi size limit 48
24	Exemption for recreational fishers about certain regulated reef fish 48
25	Other exemptions 49
PART 6—QUOTAS	
26	Quotas for commercial fisheries 49
27	Notice of filling of certain quotas 49
28	Daily quota 50
29	Time quota 50
PART 7—AUTHORITIES	
<i>Division 1—Licences</i>	
30	Licences chief executive may issue 51
31	Licences Authority may issue 51
32	Restriction on issue of crew licences 52
32A	Restriction on issue of primary commercial fishing boat licences 52
33	Restriction on issue of tender commercial fishing boat licences 52
<i>Division 2—Permits</i>	
34	Permits chief executive may issue 52
35	Permits Authority may issue 53
36	Restrictions on issue of aquaculture permits 53
37	Restrictions on issue of fisheries resources permits 54

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

63	Holder to notify fisheries agency of certain changes	66
64	Authorities inspectors may have an interest in	67
64A	Fishing priority	67

PART 7A—VMS EQUIPMENT

Division 1—Preliminary

64B	Application of pt 7A	68
64C	Definitions for pt 7A	68

Division 2—Registration

64D	Application to register VMS equipment and installer	68
64E	Consideration of application	68
64F	Grant of application	69
64G	Refusal of application	69

Division 3—VMS equipment conditions

64H	Additional conditions of licence	69
64I	Maintenance and use	69
64J	Obligations if equipment fails	70
64K	Exemption	70

PART 8—FISHERIES OFFENCES

Division 1—Prohibited acts about fish

65	Prohibition on taking, possessing or selling regulated fish	71
66	Prohibited ways of taking fish	71

Division 2—Acts only an authority holder may do

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

Fisheries Regulation 1995

76	Buying fisheries resources	75
77	Aquaculture	76
78	Fisheries resources cultivated other than for sale	76
79	Marine plants	77
80	Nonindigenous fisheries resources	77
81	Noxious fisheries resources	77
	<i>Division 3—Miscellaneous</i>	
82	Allowing persons on board a commercial fishing boat	78
83	Aquaculture authority holder creating hazard on unallocated State land . .	78
84	Aquaculture area offences	79
85	Contravening a condition of an authority	79
86	Contravening certain fishery provisions	80
87	Fish habitat area offences	80
88	Interfering with official signs	80
88A	Interfering with approved VMS seals	80
89	Leaving fish in fishing apparatus	80
90	Obstructing persons fishing under an authority	81
91	Possessing certain crabs, crab meat and Moreton Bay bugs	81
91A	Possession or sale of crab claws by fishers	82
92	Taking and possessing oysters	82
93	Using nets	82
	PART 9—PROTECTION AND CONSERVATION OF FISH HABITATS	
94	Fish habitat areas	83
	PART 10—ENFORCEMENT	
95	Persons who may be appointed inspectors	84
	PART 11—RECREATIONAL FISHING	
96	Things recreational fishers may do—tidal waters	85
97	Using commercial fishing boats for recreational fishing	85
98	Identifying and counting fish—general	85
	PART 12—MISCELLANEOUS	
	<i>Division 1—General</i>	
99	Amounts payable into Fisheries Research Fund	86

99A	Prescribed entities for delegation or subdelegation—Act, s 28	86
100	Declared fisheries resources	87
101	Expenses prescribed for definition of “net proceeds of sale” in the Act . . .	87
102	Forfeiture offences	87
103	Marking boats	88
104	Nonindigenous fisheries resources that need not be destroyed etc. under the Act	88
106	Particulars to be contained on dockets for wholesale sale of fisheries resources etc.	88
107	Particulars to be legible, visible and in english	89
108	Serious fisheries offences	89
109	Statistical records to be kept	90
110	Threshold percentage for declared fisheries resources	91

Division 2—Fees

111	Witness fees for persons appearing before the Tribunal	91
112	Other fees	91
113	Fishery agency may refund or waive a fee	92

SCHEDULE 2 93

CLOSED WATERS—COMMERCIAL FISHING

PART 1—TAKING OR POSSESSING ANY FISH

1	Prohibited activities	93
15	Coomabah Lake and Coombabah Creek	93
16	Swan Bay, North Stradbroke Island	93
18	Pumicestone Strait	93
21	Fraser Island between Indian Head and Waddy Point	93
30	Keppel Bay near Middle Island Observatory	94
33	Hook Island	94
33A	Yanks Jetty at Orpheus Island	94
35	Centenary Lakes, Cairns	94
36	Barron River	94
37	Mission Bay	94
38	Bizant River, Princess Charlotte Bay	94
40	Torres Strait near Hammond Island	95

PART 2—TAKING OR POSSESSING CERTAIN FISH

41	Prohibited activities	95
42	Platypus Bay	95
42A	Hervey Bay region	95
43	Eurimbula Creek (north of Round Hill Creek)	96
43A	Bustard Head region	96
43B	Yeppoon region	96
44	South of latitude 20° south (near Bowen) or west of longitude 143° east	97
45	Fitzroy Island and High Island (near Cairns)	97
46	Darnley Island, Torres Strait	97

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

47	Prohibited activities	98
48	Michaelmas Cay	98
49	Upolu Cay	98

Division 2—Narrow-barred mackerel

50	Prohibited activities	98
51	Waters east of longitude 142°09' east	99

Division 3—‘T1’ waters

51A	Closed waters	99
51B	Prohibited activities	99

Division 4—‘T2’ waters

51C	Closed waters	100
51D	Prohibited activities	100

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

52	Prohibited activities	101
53	Lakes and lagoons south of Endeavour River and east of latitude 142°31'49" east	101
54	Currumbin Beach	101

55	Currumbin Creek	101
56	Tallebudgera Creek	102
57	Tallebudgera Creek to Burleigh	102
58	The Broadwater (southern part) and the Nerang River	102
59	Gold Coast Seaway	102
60	The Broadwater (central part)	103
61	The Broadwater (western part)	103
62	Coomabah Creek, Oyster Lake and Saltwater Creek	104
63	Coomera River	104
64	Dunwich	104
65	Manly Boat Harbour	104
66	Wynnum and Manly	105
67	Brisbane River	105
68	Brisbane Airport floodway channel to the Pine River	105
69	Sandgate Pier	105
70	South Pine River and North Pine River	106
71	Moreton Bay (including The Broadwater)	106
72	Bribie Island's eastern shore and the sand spit at Kings Beach	106
73	Caloundra—Kings Beach to Shelly Beach	106
74	Currimundi Lake and Currimundi Creek near Caloundra	107
75	Mooloolah River	107
76	South Maroochy River and the North Maroochy River	107
77	Maroochy River and ocean foreshores	107
78	Noosa River and Noosa's main beach	107
79	Weyba Creek	108
80	Lake Como, Kin Kin Creek, the upper Noosa River and Lake Cootharaba	108
81	Noosa River—ocean foreshore north of its northern bank	108
82	Waterways south of Double Island Point	108
83	Rainbow Beach	109
84	Wide Bay Bar	109
85	Fraser Island	109
86	Snapper Creek near Tin Can Bay	109

87	Great Sandy Strait	109
88	Hervey Bay	110
89	Theodolite Creek	110
90	Coonar Creek	110
91	Burnett River	111
92	Round Hill Creek	111
93	Eurimbula Creek	111
94	Rodds Harbour	111
95	Wild Cattle Creek	111
96	Boyne River and part of South Trees Inlet	112
97	Tannum Sands	112
98	Calliope River	112
99	The Narrows near Curtis Island	112
100	Fitzroy River and waters near its mouth	113
101	Point Vernon to Cape Manifold	113
102	Cawarral Creek	114
103	Causeway Lake, Shoal Bay	114
104	Water Park Creek	114
105	St. Lawrence Creek to Endeavour River	114
106	Rocky Dam Creek	114
107	Louisa Creek	114
108	Pioneer River	115
109	Reliance Creek, west of Eimio	115
110	Constant Creek	115
111	Seaforth Creek	115
112	Victor Creek	115
113	Proserpine River	115
114	Pioneer Bay	115
115	Merinda Creek	116
116	Bowen Harbour and Magazine Island	116
117	Groper Creek, Yellow Gin Creek and the Burdekin River	116
118	Burdekin River	116

119	Plantation Creek and Seaforth Creek	116
120	Haughton River and the Short Cut	117
121	Barramundi Creek	117
122	Townsville Harbour and Cleveland Bay	117
123	Rollingstone Creek	118
124	Herbert River	118
125	Hinchinbrook Channel	118
126	Meunga Creek	118
127	Murray River	118
128	Johnstone River	119
129	Russell River, Mulgrave River and Mutchero Inlet	119
130	Trinity Bay	119
131	Bloomfield River	119
132	Annan River	119
133	Endeavour River	119

Division 2—Trawl nets

151	Prohibited activities	120
152	Near the New South Wales border to Point Lookout on North Stradbroke Island	120
153	Moreton Bay	121
153A	Amity and Moreton Banks	123
154	Amity Bight and the South Passage	123
155	Boggy Creek, Pinkenba	124
155A	Northern section of Moreton Bay	124
156	Caloundra Head	125
157	Warana Beach at Kawana Waters	125
158	Hook Point to Taleerba Creek, Fraser Island	125
159	Taleerba Creek to Indian Head, Fraser Island	126
159A	Vernon Point to Burrum Point, Hervey Bay	126
160	Northern Fraser Island and north of Fraser Island	126
161	Hayman Island to Cape Abbot	127
162	Etty Bay area	128
163	Yorkeys Knob to Simpson Point	128

164	Cook Bay	128
165	Island Point to the Daintree River	129
166	North of Cape Tribulation	129
167	North of latitude 15°30' south	129
168	Grave Point to Indian Head	129
169	Cape Bedford to Murray Reefs	130
170	Cape Flattery to near Barrow Point	130
171	Barrow Point to Bizant River	131
172	Marrett River to Rocky River	131
173	Rocky River to latitude 13°09' south	131
174	Latitude 13°09' south to Thorpe Point	132
175	Round Point to Fly Point near Cape York	133
176	Tip of Cape York	134
<i>Division 3—Fishing with certain commercial fishing nets</i>		
177	Prohibited activities	134
178	Waterways	134
179	River and creek foreshores	135
180	Rivers and creeks east of longitude 142°09' east	135
181	Rivers and creeks south of Burnett River	135
182	Rivers and creeks south of Baffle Creek	135
183	South of North Stradbroke Island	135
184	Moreton Bay	135
185	Cassim and King Islands (Moreton Bay)	136
186	Brisbane River mouth	136
187	Comboyuro Point to Caloundra Head	136
188	Moreton Island to Double Island Point	137
189	Lakes Doonella and Weyba	137
190	Laguna Bay	137
191	Noosa River and adjoining lakes	138
192	Mary River	138
193	Great Sandy Strait and Hervey Bay	138
194	Hervey Bay	139

195	Hervey Bay (southern part)	140
196	Rivers and creeks on Fraser Island	141
197	Skyringville Creek	141
198	Burnett River	141
199	Rivers and creeks between Burnett River and Baffle Creek	142
200	Rivers and creeks north of Burnett River	142
201	River and creek foreshores between Baffle Creek and Cape Flattery . . .	142
202	Rivers and creeks north of Baffle Creek	142
203	Facing Island	142
204	Keppel Bay	143
205	Shoalwater Bay	143
206	Llewellyn Bay	144
207	Pioneer River	144
208	O'Connell River	144
209	Repulse Bay	145
210	Sinclair Bay	145
211	Queens Bay	145
212	Cleveland Bay	145
213	Hinchinbrook Channel	146
214	Trinity Bay	146
215	Daintree River	146
216	River and creek foreshores north of Cape Flattery	147

Division 4—Foreshore set mesh nets

218	Prohibited activities	147
219	When waters are closed	147
220	Bundaberg, Gladstone and Rockhampton regions	147
221	Mackay region	148
222	Burdekin, Townsville and Ingham regions	149
223	Innisfail region	150
224	Cairns and Port Douglas regions	150
225	Middle Head to Norton Point	150
226	South Trees Inlet	151

227	Calliope River	151
228	Waters off Curtis Island	151
229	Cattle Point to Cardigan Point	151
230	South Bluff to Coconut Point	151
231	Island Bluff to Charon Point	151
232	Little Cape Creek to Shag Creek	152
233	Constant Creek	152
234	Nobbies Inlet	152
235	Burdekin River Anabranh area	152
236	Sheep Station Creek to Barratta Creek	152
237	Victoria Creek	152
238	Gentle Annie Creek	153
239	Hinchinbrook Channel	153
240	Macushla Point to Forkey's Creek on Hinchinbrook Island	153
241	Thompson Point to Flying Fish Point	153
242	Trinity Inlet	154
243	Barron River area	154
244	Port Douglas	154
245	Mossman River area	154
246	Endeavour River area	155

Division 5—Shell dredges

247	Prohibited activities	155
248	All waterways, lakes and lagoons	155
249	Moreton Bay	155
250	Hervey Bay and Great Sandy Strait	155
251	Hinchinbrook Channel	156

PART 5—USING OR POSSESSING BOATS

252	Prohibited activities	156
253	Hervey Bay region	156
254	Bustard Head region	156
255	Yeppoon region	157
256	Expiry	157

PART 6—USING NETS IN DUGONG PROTECTION AREAS*Division 1—Zone A*

257	Hervey Bay–Tin Can Bay	157
258	Port Clinton (Reef Point–Cape Clinton)	160
259	Shoalwater Bay	161
260	Ince Bay (Cape Palmerston–Allom Point)	161
261	Stewart Peninsula–Newry Islands–Ball Bay	162
262	Upstart Bay	163
263	Cleveland Bay–Magnetic Island	165
264	Hinchinbrook Island area	166

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

265	Application of div 2	167
266	Port of Gladstone–Rodds Bay	167
267	Clairview Bluff–Carmilla Creek	167
268	Llewellyn Bay	168
269	Ball Bay–Sand Bay	168
270	Repulse Bay	169
271	Edgecumbe Bay–Bowen	169
272	Bowling Green Bay	169
273	Lucinda to Allingham–Halifax Bay	170

Subdivision 2—Restrictions on using nets

274	Use of mesh nets in offshore waters	170
275	Use of set mesh nets on a foreshore	171
276	Use of set mesh nets on a headland	171
277	Use of set mesh nets in rivers or creeks	172
278	Using a mesh, ring or seine net	173

SCHEDULE 3 174**CLOSED WATERS—RECREATIONAL FISHING****PART 1—TAKING OR POSSESSING ANY FISH**

1	Prohibited activities	174
15	Coomabah Lake and Coombabah Creek	174

16	Swan Bay, North Stradbroke Island	174
20	Fraser Island between Indian Head and Waddy Point	174
29	Keppel Bay near Middle Island Observatory	174
32	Hook Island	175
33A	Yanks Jetty at Orpheus Island	175
34	Centenary Lakes, Cairns	175
35	Barron River	175
36	Mission Bay	175
37	Bizant River, Princess Charlotte Bay	175
38	South Mitchell River	175
39	Torres Strait near Hammond Island	176
PART 2—TAKING OR POSSESSING CERTAIN FISH		
40	Prohibited activities	176
41	Platypus Bay	176
42	Eurimbula Creek (north of Round Hill Creek)	176
43	South of latitude 20° south (near Bowen) or west of longitude 143° east	177
44	Fitzroy Island and High Island (near Cairns)	177
45	Darnley Island, Torres Strait	177
PART 2A—WATERS WHERE FISHING LINES AND RODS CAN NOT BE USED		
45A	Prohibited activities	177
45B	Obi Obi Creek	178
PART 3—WATERS WHERE NETS CANNOT BE USED		
46	Prohibited activities	178
47	Burnett River	178
48	Hervey Bay	178
49	Rodds Harbour	179
50	Water Park Creek	179
51	Michaelmas Cay	179
52	Upolu Cay	179
PART 4—WATERS WHERE NETS (OTHER THAN SCOOP NETS) CANNOT BE USED		
53	Prohibited activities	179

54	Skyringville Creek at its mouth	180
----	---------------------------------------	-----

**PART 5—WATERS WHERE SPEAR FISHING IS NOT
ALLOWED**

55	Prohibited activities	180
56	Tallebudgera Creek	180
57	Southern Moreton Bay (including The Broadwater)	180
58	Artificial reef area off Moreton Island	181
59	Pumicestone Strait	181
60	Mooloolah River	182
61	Maroochy River	182
62	Noosa River	182
63	Jetties in, or south of, the Noosa River	182
64	Artificial reef area off North Sandy Strait	182
65	Artificial reef area in Hervey Bay off Woodgate	183
66	Bargara Beach north of Bundaberg	183
67	Great Keppel Island	183
68	North Keppel Island	183
69	Brampton Island, Pelican Island and Carlisle Island	184
70	Lindeman Island	184
71	Seaforth Island	184
72	Long Island	184
73	Molle Island	184
74	West Molle Island	185
75	Hook Island	185
76	Hayman Island	185
76A	Main wharf at Port Denison, Bowen	186
77	Cape Edgecumbe	186
78	Jetties at Dungeness and Lucinda Point	186
79	Dunk Island	186
80	Richards Island	186
81	Cooktown wharf and nearby pontoons	187

PART 6—WATERS WHERE SHELL DREDGES CANNOT BE USED

82	Prohibited activities	187
83	All waterways, lakes and lagoons	187
84	Moreton Bay	187
85	Hervey Bay and Great Sandy Strait	187
86	Hinchinbrook Channel	188

SCHEDULE 4 189

REGULATED FISH

SCHEDULE 5 199

WATERS IN WHICH SCALLOPS MAY BE PROCESSED ON A BOAT

SCHEDULE 6 202

NONINDIGENOUS FISHERIES RESOURCES

SCHEDULE 7 209

FISH HABITAT AREAS

PART 1—AREAS SHOWN BY HATCHED PLANS

1	Half Moon Creek	209
2	Yorkey's Creek	209
3	Barr Creek	209
4	Bohle River	209
5	Seventeen Seventy	210
6	Turkey	210
7	Boyne Creek	210
8	Wild Cattle	210
9	Fraser Island	210
10	Doonella Lake	211
11	Maroochy	211
12	Coomera	211
14	Tallebudgera Creek	211
15	Currumbin Creek	211
17	Kolan River	211
18	Halifax	211

19	Palm Creek	212
20	Cattle Creek	212
21	Pimpama	212
23	Rocky Dam	212
24	Marion	212
25	Carmila	212
26	Gregory	213
27	Cherwell-Burrum	213
28	Burrum-Toogoom	213
30	Myora	213
34	Jumpinpin-Broadwater	213
38	Hinchinbrook	214
39	Corio Bay	214
40	Noosa River	214
41	Weyba	214
42	Maroochy	214
43	Maaroom	214
44	Kauri Creek	215
45	Tin Can Inlet	215
46	Round Hill	215
47	Bustard	215
48	Rodds Harbour	215
49	Innes	215
50	Colosseum	216
51	Wreck Creek	216
52	Tully River	216
53	Dallachy Creek	216
54	Meunga Creek	216
55	Hull River	216
56	Silver Plains	216
57	Princess Charlotte Bay	217
58	Murray River	217

59	Escape River	217
60	Temple Bay	217
61	Eurimbula	217
64	Cape Palmerston	217
65	West Hill	217
66	Broad Sound	218
67	Burrum-Isis	218
68	Beelbi	218
69	Susan River	219
72	Eight Mile Creek	219
73	Morning Inlet-Bynoe River	219
74	Staaten-Gilbert	219
75	Nassau River	220
76	Myora Extension	220
PART 2—AREAS WITHIN OUTER BOUNDARIES SHOWN ON PLANS		
77	Bassett Basin	220
78	Bowling Green Bay	221
79	Cawarral Creek	221
80	Coombah	222
81	Deception Bay	222
82	Hay's Inlet	222
83	Kinkuna	222
84	Kippa-Ring	222
85	Midge	222
86	Moreton Banks	223
87	Peel Island	223
88	Pumicestone Channel	223
89	Repulse	224
90	Sand Bay	224
91	Trinity Inlet	224

	SCHEDULE 8	226
	RECREATIONAL FISHING—USE OF FISHING APPARATUS	
	PART 1—CRAB POTS, COLLAPSIBLE TRAPS, DILLIES AND INVERTED DILLIES	
1	Permitted area	226
2	What fish may be taken	226
3	Permitted ways of taking crabs	226
4	General condition of taking crabs	226
5	Marking of fishing apparatus	227
	PART 2—FISHING LINES AND RODS	
6	Permitted area	227
7	What fish may be taken	227
8	Permitted ways of taking fish	228
9	General condition of taking fish	228
	PART 3—NETS	
10	Permitted area	228
11	What fish may be taken	228
12	Permitted ways of taking fish	229
13	General condition of taking fish	229
	PART 4—OTHER FISHING APPARATUS	
14	Permitted area	229
15	What fish may be taken	229
16	Permitted ways of taking fish	230
17	General condition of taking fish	230
	SCHEDULE 10	231
	FEES	
	SCHEDULE 11	243
	COMMERCIAL CRAB FISHERY	
1	Fishery symbol	243
2	Fishery area	243
3	What fish may be taken	243
4	Permitted ways of taking crabs	243
5	Use of primary commercial fishing boats	244

6	Use of tender commercial fishing boats	244
7	Permitted distance for an assistant fisher to be under direction	244
8	Marking of fishing apparatus	244

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

19	Fishery symbol	244
20	Fishery area	245
21	What fish may be taken	245
22	Permitted ways of taking spanner crabs	245
23	Use of primary commercial fishing boats	245
24	Use of tender commercial fishing boats	245
25	Permitted distance for an assistant fisher to be under direction	245
26	Marking of dillies	246
27	Where spanner crabs may be brought ashore	246
27A	Daily quota	246

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

28	Fishery symbol	247
29	Fishery area	247
30	What fish may be taken	247
31	Permitted ways of taking spanner crabs	247
32	Use of primary commercial fishing boats	248
33	Use of tender commercial fishing boats	248
34	Permitted distance for an assistant fisher to be under direction	248
35	Marking of dillies	248
36	Where spanner crabs taken in managed area B may be brought ashore . .	249
37	Notice before moving between managed areas	249
37A	Restriction on taking spanner crabs in more than 1 managed area	249
37B	Annual and progressive quarterly quotas	249
37C	Daily quota	250

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

38	Fishery symbol	251
39	Fishery area	251

40	What fish may be taken	251
41	Permitted ways of taking spanner crabs	251
42	Use of primary commercial fishing boats	251
43	Use of tender commercial fishing boats	252
44	Permitted distance for an assistant fisher to be under direction	252
45	Marking of dillies	252
46	Annual and progressive quarterly quotas	252
47	Daily quota	253

SCHEDULE 12

LINE FISHERIES (COMMERCIAL)

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

1	Fishery symbol	254
2	Fishery area	254
3	What fish may be taken	254
4	Permitted ways of taking fin fish	254
5	Use of drop lines	254
6	Use of bottom set lines	255
7	Use of primary commercial fishing boats	255
8	Use of tender commercial fishing boats	255
9	Permitted distance for an assistant fisher to be under direction	255

**PART 2—LINE FISHERY (MULTIPLE HOOK—QUEENSLAND
FISHERIES JOINT AUTHORITY)**

10	Fishery symbol	256
11	Fishery area	256
12	What fish may be taken	256
13	Permitted ways of taking fin fish	257
14	Use of drop lines	257
15	Use of bottom set lines	257
16	Use of primary commercial fishing boats	257
17	Use of tender commercial fishing boats	257
18	Permitted distance for an assistant fisher to be under direction	258

PART 3—LINE FISHERY (OTHER THAN GREAT BARRIER REEF REGION)

19	Fishery symbol	258
20	Fishery area	258
21	What fish may be taken	259
22	Permitted ways of taking fin fish	259
23	Use of primary commercial fishing boats	259
24	Use of tender commercial fishing boats	259
25	Permitted distance for an assistant fisher to be under direction	260

PART 4—LINE FISHERY (QUEENSLAND FISHERIES JOINT AUTHORITY No. 1)

26	Fishery symbol	260
27	Fishery area	261
28	What fish may be taken	261
29	Permitted ways of taking fin fish	261
30	Use of primary commercial fishing boats	261
31	Use of tender commercial fishing boats	262
32	Permitted distance for an assistant fisher to be under direction	262

PART 5—LINE FISHERY (QUEENSLAND FISHERIES JOINT AUTHORITY No. 2)

33	Fishery symbol	262
34	Fishery area	262
35	What fish may be taken	263
36	Permitted ways of taking fin fish	263
37	Use of primary commercial fishing boats	263
38	Use of tender commercial fishing boats	263
39	Permitted distance for an assistant fisher to be under direction	264

PART 6—LINE FISHERY (REEF)

40	Fishery symbol	264
41	Fishery area	264
42	What fish may be taken	265
43	Permitted ways of taking fin fish	265
44	Use of primary commercial fishing boats	265

45	Use of tender commercial fishing boats	265
46	Permitted distance for an assistant fisher to be under direction	266

PART 7—LINE FISHERY (SOUTH QUEENSLAND)

47	Fishery symbol	266
48	Fishery area	266
49	What fish may be taken	266
50	Permitted ways of taking fin fish	266
51	Use of primary commercial fishing boats	267
52	Use of tender commercial fishing boats	267
53	Permitted distance for an assistant fisher to be under direction	267

SCHEDULE 13 268

NET FISHERIES (COMMERCIAL)

PART 1—NET FISHERY (BAIT No. 1)

1	Fishery symbol	268
2	Fishery area	268
3	What fish may be taken	268
4	Permitted ways of taking fish	268
5	Use of primary commercial fishing boats	268
6	Use of cast nets	269
7	Use of mesh or seine nets	269
8	Use of tender commercial fishing boats	270
9	Permitted distance for an assistant fisher to be under direction	270

PART 2—NET FISHERY (BAIT No. 2)

10	Fishery symbol	270
11	Fishery area	270
13	Permitted ways of taking fish	270
14	Use of primary commercial fishing boats	271
15	Use of nets south of Baffle Creek	271
16	Use of nets north of Baffle Creek	271
17	Use of tender commercial fishing boats	271
18	Permitted distance for an assistant fisher to be under direction	272

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

19	Fishery symbol	272
20	Fishery area	272
21	What fish may be taken	272
22	Permitted ways of taking fish	273

Division 2—Use of mesh or seine nets

23	Use of seine nets in Lake Weyba	273
24	Use of mesh nets in Lakes Cootharaba, Cooroibah and Weyba	274
25	Use of seine nets north of the Mary River	274
26	Use of mesh nets in and near Hervey Bay	274
27	Use of mesh or seine nets south of Baffle Creek	275
28	Use of mesh or seine nets north of Baffle Creek	275
29	Use of mesh nets in offshore waters of Keppel Bay	276
30	Use of mesh nets in offshore waters	276
31	Use of mesh or seine nets in rivers and creeks	277

Division 3—Use of set mesh nets

32	Use of set mesh nets in rivers and creeks between Kauri and Baffle Creeks	277
33	Use of set mesh nets in and near Hervey Bay	278
34	Use of set mesh nets on foreshores between the Burnett River and Baffle Creek	278
35	Use of set mesh nets in Keppel Bay	279
36	Use of set mesh nets in offshore waters	279

Division 4—Use of set pocket nets

37	Use of set pocket nets in rivers	280
----	--	-----

Division 5—Use of tunnel nets

38	Use of tunnel nets	281
39	Use of primary commercial fishing boats	283
40	Use of tender commercial fishing boats	283
41	Permitted distance for an assistant fisher to be under direction	283
42	Marking nets	283

PART 4—NET FISHERY (EAST COAST No. 2)*Division 1—Preliminary*

43	Fishery symbol	284
44	Fishery area	284
45	What fish may be taken	285
46	Permitted ways of taking fish	285

Division 2—Use of nets

47	Use of nets in offshore waters north of Hervey Bay	286
48	Use of nets in other offshore waters	286
49	Use of primary commercial fishing boats	287
50	Use of tender commercial fishing boats	287
51	Permitted distance for an assistant fisher to be under direction	287
52	Marking nets	287

PART 5—NET FISHERY (BAFFLE CREEK TO KAURI CREEK)*Division 1—Preliminary*

69	Fishery symbol	288
70	Fishery area	288
71	What fish may be taken	288
72	Permitted ways of taking fish	288

Division 2—Use of mesh or seine nets

73	Use of mesh or seine nets in the fishery area	289
74	Use of mesh nets in offshore waters	289
75	Use of mesh or seine nets in rivers and creeks	290
76	Use of mesh nets in and near Hervey Bay	290

Division 3—Use of set mesh nets

77	Use of set mesh nets in offshore waters	291
78	Use of set mesh nets in rivers and creeks	291
79	Use of set mesh nets in and near Hervey Bay	292
80	Use of set mesh nets on foreshores between the Burnett River and Baffle Creek	293

Division 4—Use of tunnel nets

81	Use of tunnel nets	293
----	------------------------------	-----

Division 5—Miscellaneous

82	Use of primary commercial fishing boats	294
83	Use of tender commercial fishing boats	294
84	Permitted distance for an assistant fisher to be under direction	295
85	Marking nets	295

PART 6—NET FISHERY (OCEAN BEACH—AREA 1)

86	Fishery symbol	296
87	Fishery area	296
88	What fish may be taken	296
89	Permitted ways of taking fish	296
90	Use of seine nets in the fishery area	297
91	Time quota	297
92	Use of primary commercial fishing boats	297
93	Use of tender commercial fishing boats	297
94	Permitted distance for an assistant fisher to be under direction	297

PART 7—NET FISHERY (OCEAN BEACH—AREA 2)

94A	Fishery symbol	297
94B	Fishery area	298
94C	What fish may be taken	298
94D	Permitted ways of taking fish	298
94E	Use of seine nets in the fishery area	298
94F	Time quota	298
94G	Use of primary commercial fishing boats	299
94H	Use of tender commercial fishing boats	299
94I	Permitted distance for an assistant fisher to be under direction	299

PART 8—NET FISHERY (OCEAN BEACH—AREA 3)

94J	Fishery symbol	299
94K	Fishery area	299
94L	What fish may be taken	299
94M	Permitted ways of taking fish	300
94N	Use of seine nets in the fishery area	300
94O	Time quota	300

94P	Use of primary commercial fishing boats	300
94Q	Use of tender commercial fishing boats	300
94R	Permitted distance for an assistant fisher to be under direction	300
PART 9—NET FISHERY (OCEAN BEACH—AREA 4)		
94S	Fishery symbol	301
94T	Fishery area	301
94U	What fish may be taken	301
94V	Permitted ways of taking fish	301
94W	Use of seine nets in the fishery area	301
94X	Time quota	301
94Y	Use of primary commercial fishing boats	302
94Z	Use of tender commercial fishing boats	302
94ZA	Permitted distance for an assistant fisher to be under direction	302
PART 10—NET FISHERY (OCEAN BEACH—AREA 5)		
94ZB	Fishery symbol	302
94ZC	Fishery area	302
94ZD	What fish may be taken	302
94ZE	Permitted ways of taking fish	303
94ZF	Use of seine nets in the fishery area	303
94ZG	Time quota	303
94ZH	Use of primary commercial fishing boats	303
94ZI	Use of tender commercial fishing boats	303
94ZJ	Permitted distance for an assistant fisher to be under direction	303
PART 11—NET FISHERY (OCEAN BEACH—AREA 6)		
94ZK	Fishery symbol	304
94ZL	Fishery area	304
94ZM	What fish may be taken	304
94ZN	Permitted ways of taking fish	304
94ZO	Use of seine nets in the fishery area	304
94ZP	Time quota	304
94ZQ	Use of primary commercial fishing boats	305
94ZR	Use of tender commercial fishing boats	305

94ZS	Permitted distance for an assistant fisher to be under direction	305
------	--	-----

PART 12—NET FISHERY (OCEAN BEACH—AREA 7)

94ZT	Fishery symbol	305
94ZU	Fishery area	305
94ZV	What fish may be taken	305
94ZW	Permitted ways of taking fish	305
94ZX	Use of seine nets in the fishery area	306
94ZY	Time quota	306
94ZZ	Use of primary commercial fishing boats	306
94ZAA	Use of tender commercial fishing boats	306
94ZAB	Permitted distance for an assistant fisher to be under direction . .	306

PART 13—NET FISHERY (OCEAN BEACH—AREA 8)

94ZAC	Fishery symbol	307
94ZAD	Fishery area	307
94ZAE	What fish may be taken	307
94ZAF	Permitted ways of taking fish	307
94ZAG	Use of seine nets in the fishery area	307
94ZAH	Time quota	308
94ZAI	Use of primary commercial fishing boats	308
94ZAJ	Use of tender commercial fishing boats	308
94ZAK	Permitted distance for an assistant fisher to be under direction . .	308

PART 14—(EAST COAST NO. 3)

95	Fishery symbol	308
96	Fishery area	308
97	What fish may be taken	308
98	Permitted ways of taking fish	309
99	Use of set mesh nets on foreshores between Baffle Creek and Cape Flattery	309
100	Use of set mesh nets in rivers and creeks between Kauri Creek and Cape Flattery	310
101	Use of mesh nets in offshore waters between Baffle Creek and Cape Flattery	310
101A	Use of set mesh nets in offshore waters between Baffle Creek and Cape Flattery	311

102	Use of set mesh nets in rivers and creeks north of Cape Flattery	312
103	Use of set mesh nets on foreshores north of Cape Flattery	312
104	Use of primary commercial fishing boats	312
105	Use of tender commercial fishing boats	312
106	Permitted distance for an assistant fisher to be under direction	313
107	Marking nets	313

SCHEDULE 14 314

TRAWL FISHERIES (COMMERCIAL)

PART 1—TRAWL FISHERY (CONCESSIONAL ZONE)

1	Fishery symbol	314
2	Fishery area	314
3	What fish may be taken	314
4	Permitted way of taking fish scallops	315
5	Use of primary commercial fishing boats	316
6	Use of otter trawl nets	316
7	Use of turtle excluder devices	317
7A	Use of bycatch reduction devices	317

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

Division 1—Preliminary

8	Fishery symbol	318
9	Fishery area	318
10	What fish may be taken	318
11	Permitted ways of taking fish scallops	319
12	Use of primary commercial fishing boats	320

Division 2—Use of nets to take prawns

13	General conditions	320
14	Use of nets in Moreton Bay	320
15	Use of nets between Comboyuro Point and Caloundra Head	320
16	Use of nets in Laguna Bay	321
17	Use of nets in Hervey Bay	321
18	Use of nets near Facing Island	322
19	Use of nets in Keppel Bay	322

20	Use of nets in Llewellyn Bay	323
21	Use of nets in Repulse Bay	323
22	Use of nets south of Cape Gloucester	323
23	Use of nets north of Cape Gloucester	324
24	Use of nets in Sinclair Bay	324
25	Use of nets in Cleveland Bay	324
26	Use of nets in offshore waters	325
	<i>Division 3—Use of nets to take saucer scallops</i>	
27	Use of nets to take saucer scallops	326
	<i>Division 4—Use of nets to take other fish</i>	
27A	Use of nets to take other fish	326
	<i>Division 5—Use of turtle excluder devices and bycatch reduction devices</i>	
27B	Use of turtle excluder devices	327
27C	Use of bycatch reduction devices	328
	PART 3—TRAWL FISHERY (EAST COAST No. 2)	
28	Fishery symbol	329
29	Fishery area	329
30	What fish may be taken	329
31	Permitted ways of taking fish	330
32	Use of primary commercial fishing boats	330
33	Use of nets south of Cape Gloucester	331
34	Use of nets north of Cape Gloucester	331
34A	Use of turtle excluder devices	331
34B	Use of bycatch reduction devices	331
	PART 4—TRAWL FISHERY (FIN FISH)	
35	Fishery symbol	332
36	Fishery area	332
37	What fish may be taken	333
38	Permitted ways of taking whiting	333
39	Time quota	333
	PART 5—TRAWL FISHERY (RIVER AND INSHORE—AREA 1)	
40	Fishery symbol	333

41	Fishery area	333
42	What fish may be taken	334
43	Permitted ways of taking fish	335
44	Use of primary commercial fishing boats	335
45	Use of beam trawl nets in the Brisbane River	335
46	Use of beam trawl nets at or near the Brisbane River mouth	335
47	Use of beam trawl nets in Moreton Bay	336
48	Use of beam trawl nets in the Noosa River and connected lakes	336
49	Use of otter trawl nets in Laguna Bay	336
50	Use of beam trawl nets in rivers and creeks	336
	PART 6—TRAWL FISHERY (RIVER AND INSHORE—AREA 2)	
51	Fishery symbol	337
52	Fishery area	337
53	What fish may be taken	337
54	Permitted ways of taking fish	338
55	Use of primary commercial fishing boats	338
56	Use of beam trawl nets in Great Sandy Strait	338
57	Use of beam trawl nets in Hervey Bay	339
58	Use of beam trawl nets in rivers and creeks	339
	PART 7—TRAWL FISHERY (RIVER AND INSHORE—AREA 3)	
59	Fishery symbol	339
60	Fishery area	339
61	What fish may be taken	340
62	Permitted ways of taking fish	341
63	Use of primary commercial fishing boats	341
64	Use of beam trawl nets in rivers and creeks	341
	PART 8—TRAWL FISHERY (RIVER AND INSHORE—AREA 4)	
65	Fishery symbol	341
66	Fishery area	341
67	What fish may be taken	342
68	Permitted ways of taking fish	343
69	Use of primary commercial fishing boats	343

70	Use of beam trawl nets near Facing Island	343
71	Use of beam trawl nets in and near Keppel Bay	343
72	Use of beam trawl nets in rivers and creeks	344
	PART 9—TRAWL FISHERY (RIVER AND INSHORE—AREA 5)	
73	Fishery symbol	344
74	Fishery area	345
75	What fish may be taken	345
76	Permitted ways of taking fish	346
77	Use of primary commercial fishing boats	346
78	Use of beam trawl nets in Llewellyn Bay	346
79	Use of beam trawl nets in Repulse Bay	346
80	Use of beam trawl nets in Sinclair Bay	347
81	Use of beam trawl nets in Cleveland Bay	347
82	Use of beam trawl nets in rivers and creeks	347
	SCHEDULE 15	348
	OTHER FISHERIES (COMMERCIAL)	
	PART 1—AQUARIUM FISH FISHERY	
1	Fishery symbol	348
2	Fishery area	348
3	What fish may be taken	348
4	Permitted ways of taking fish	348
5	General conditions of taking fish	349
6	Use of fishing lines	349
7	Use of cast nets	349
8	Use of scoop nets	349
9	Use of seine nets	349
10	Selling fish	350
	PART 2—BÊCHE-DE-MER FISHERY (EAST COAST)	
11	Fishery symbol	350
12	Fishery area	350
13	What fish may be taken	350
14	Permitted ways of taking bêche-de-mer	350

15	General conditions of taking bêche-de-mer	350
16	Annual quota	351
17	Selling bêche-de-mer	351
	PART 3—BÊCHE-DE-MER FISHERY (TORRES STRAIT)	
18	Fishery symbol	351
19	Fishery area	351
20	What fish may be taken	352
21	Permitted ways of taking bêche-de-mer	352
22	Selling bêche-de-mer	352
	PART 4—CORAL FISHERY	
23	Fishery symbol	352
24	Fishery area	352
25	What fish may be taken	353
26	Permitted ways of taking coral	353
27	General conditions of taking coral	353
28	Annual quota	353
29	Selling coral	353
	PART 5—CRAYFISH AND ROCK LOBSTER FISHERY	
30	Fishery symbol	354
31	Fishery area	354
32	What fish may be taken	354
33	Permitted ways of taking crayfish and rock lobsters	354
34	Use of primary commercial fishing boats	354
35	Use of tender commercial fishing boats	354
36	Permitted distance for an assistant fisher to be under direction	355
	PART 6—PEARL FISHERY	
43	Fishery symbol	355
44	Fishery area	355
45	What fish may be taken	355
46	Permitted ways of taking live pearl oysters	355
47	Selling live pearl oysters	356

PART 7—SHELL FISHERY

48	Fishery symbol	356
49	Fishery area	356
50	What fish may be taken	356
51	Permitted ways of taking molluscs	356
52	Use of primary commercial fishing boats	357
53	General conditions of taking molluscs	357
54	Annual quota	357
55	Use of shell dredges	357
56	Selling molluscs	357

PART 8—SHELL GRIT FISHERY

57	Fishery symbol	357
58	Fishery area	358
59	What fish may be taken	358
60	Permitted ways of taking shell grit	358
61	General conditions of taking shell grit	358
62	Selling shell grit	358

PART 9—STAR SAND FISHERY

63	Fishery symbol	358
64	Fishery area	358
65	What fish may be taken	359
66	Permitted ways of taking star sand	359
67	General conditions of taking star sand	359
68	Selling star sand	359

PART 10—TROCHUS FISHERY (EAST COAST)

69	Fishery symbol	359
70	Fishery area	359
71	What fish may be taken	359
72	Permitted ways of taking trochus	360
73	General conditions of taking trochus	360
74	Annual quota	360
75	Selling trochus	360

PART 11—TROCHUS FISHERY (TORRES STRAIT)

76	Fishery symbol	361
77	Fishery area	361
78	What fish may be taken	361
79	Permitted ways of taking trochus	361
80	Annual quota	361
81	Selling trochus	362

PART 12—WORM FISHERY (BEACHWORM)

82	Fishery symbol	362
83	Fishery area	362
84	What fish may be taken	362
85	Permitted ways of taking beachworms	362
86	General conditions of taking beachworms	362
87	Selling beachworms	362

PART 13—WORM FISHERY (BLOODWORM)

88	Fishery symbol	363
89	Fishery area	363
90	What fish may be taken	363
91	Permitted ways of taking bloodworms	363
92	General conditions of taking bloodworms	363
93	Selling bloodworms	363

PART 14—YABBY FISHERY

94	Fishery symbol	364
95	Fishery area	364
96	What fish may be taken	364
97	Permitted ways of taking yabbies	364
98	General conditions of taking yabbies	364
99	Selling yabbies	364

	SCHEDULE 16	365
--	------------------------------	------------

GLOSSARY OF SCIENTIFIC NAMES USED FOR FISH

SCHEDULE 17 377**DICTIONARY****PART 1—WORDS****PART 2—OTHER WORDS AND PHRASES**

1	Meaning of “Deception Bay area” for fish regulated by area	383
2	Meaning of “Lake Awoonga area”	383
3	Meaning of “Lake Tinaroo area”	383
4	Meaning of “length” of a commercial fishing boat	384
5	Meaning of “length” of a net	384
6	Meaning of “mesh size” of a net	385
7	Meaning of “Moreton Bay”	385
8	Meaning of “net that is not hauled”	386
9	Meaning of “Nudgee Beach area” for fish regulated by area	386
10	Meaning of “Pumicestone Strait”	386
11	Meaning of “stowed and secured”	386
12	Meaning of “sweep” of a net	387
13	Meaning of “tropical rock lobster area”	387
14	Meaning of “under direction” for an assistant fisher	388
15	Meaning of “Wynnum area” for fish regulated by area	388

ENDNOTES

1	Index to endnotes	390
2	Date to which amendments incorporated	390
3	Key	390
4	Table of earlier reprints	391
5	List of legislation	391
6	List of annotations	393

FISHERIES REGULATION 1995

[as amended by all amendments that commenced on or before 13 July 1999]

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 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
 - (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—

Fisheries Regulation 1995

- (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

Fisheries Regulation 1995

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

Example—

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

References to distances between nets

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

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

References to drops and number of meshes

9. A reference in this regulation to—

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

Scientific names of fish

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

(2) The scientific names follow—

- (a) for nonindigenous fish—Axelrod H R, Burgess W E, Pronek N and Walls J G (1989), *Dr Axelrod's Atlas of Freshwater Aquarium Fishes*, (3rd edition), T.F.H. (Australia) Pty Ltd, Box 149, Brookvale, New South Wales; and
- (b) for 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
- (c) 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
- (d) 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.¹

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

Publication of draft management plans

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

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

(3) The notice must state the following—

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

¹ See section 36 of the Act for examples of what the fisheries agency may consider appropriate to deal with in a management plan for a fishery.

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

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

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

PART 4—CLOSED SEASONS AND CLOSED WATERS

Division 1—Closed season

Closed season for barramundi

14.(1) The period from midday on 1 November to midday on 1 February is a closed season for Barramundi, other than in waters—

- (a) west of longitude 142°09' east; and
- (b) of waterways that flow into the Gulf of Carpentaria south of the intersection of longitude 142°09' east with the mainland shore.

(2) A person must not—

- (a) take barramundi to which the closed season applies; or
- (b) possess barramundi to which the closed season applies that were taken during the closed season.

(3) However, it is not unlawful for a person during the closed season to unintentionally take a barramundi to which the closed season relates if the barramundi is not intentionally or recklessly injured or damaged and is immediately put back.

Barramundi closed season exemption for recreational fishers

15. The closed season for barramundi does not apply to a recreational fisher who possesses barramundi outside the Lake Awoonga area or the Lake Tinaroo area if the barramundi—

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

Division 2—Closed waters

Closed waters

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

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

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

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

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

Application of schs 2 and 3

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

(2) Schedule 3 applies only to recreational fishers.

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

PART 5—REGULATED FISH

Division 1—Regulated fish

Regulated fish

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

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

(3) If a regulated fish declaration under this regulation and a management plan or a regulated fish declaration under 1 or more management plans prohibits the taking or possession of a fish in excess of the same number, the total number of fish that may be taken or possessed is that number.

Example—

Under each of the following the number of barramundi that may be taken or possessed by a recreational fisher is 5—

- (a) schedule 4, part 2, division 1 of this regulation;
- (b) the *Fisheries (Freshwater) Management Plan 1999*, section 19(1) and schedule 4, section 1;
- (c) the *Fisheries (Gulf of Carpentaria Inshore Fin Fish) Management Plan 1999*, section 17.

The effect of subsection (3) is that the total number of barramundi that may be taken or possessed in the State by a recreational fisher is 5.

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,³ 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 blue swimmer 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 saucer scallop is decided by measuring the widest part of its shell, whether or not the shell is broken or chipped.

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

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

(4) 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.

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

(6) 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. The maximum size limit for barramundi stated in schedule 4 does not apply to a recreational fisher who possesses barramundi outside the Lake Awoonga area or the Lake Tinaroo area if the barramundi—

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

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.

Other exemptions

25.(1) This section applies despite section 18⁴ or the provisions of any management plan about possessing or selling regulated fish.

(2) A person may possess regulated fish in the form of cleaned and preserved molluscs in a genuine shell collection.

(3) 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

⁴ 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.

(3) Despite subsections (1) and (2), the Authority must not issue a licence if the issuing of the licence contravenes a management plan.

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 or a management plan—

- 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 '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.⁵

(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

⁵ ‘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).

symbol on it.

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

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.⁶

(2) If a fishery provision for the commercial fishery states that only

⁶ There may be other restrictions applying to the taking of fish. See, for example, the provisions about closed seasons, closed waters and regulated fish.

particular fish may be taken, the person may take only the stated fish.

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

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

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

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

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

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

(2) However, if 1 of the fishery symbols is for the crab fishery, 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 ‘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.⁷

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

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

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

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

(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.

⁷ ‘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).

*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.⁸

Buyer licence

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

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

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

Carrier boat licence

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

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

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;

⁸ For the meaning of “under direction”, see schedule 17 (Dictionary), part 2, section 14.

- (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 licence⁹ may engage crew members to act under the licence.

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

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

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

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

Primary commercial fishing boat licence

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

(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

⁹ For restrictions on the issue of crew licences, see section 32 (Restriction on issue of crew licences).

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).

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

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

(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)
 - 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 or a management plan 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 keep¹⁰ 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 64D¹¹ relating to the boat identified in the licence has been granted—

¹⁰ See section 73 (Registers of authorities) of the Act.

¹¹ Section 64D (Application to register VMS equipment and installer)

Fisheries Regulation 1995

- (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;
- (h) if the authority is an ITQ unit under the *Fisheries (Spanner Crab) Management Plan 1999*, the following information, recorded together for all ITQ units held by the same person—
 - (i) the holder's name;
 - (ii) the primary boat identified in the holder's 'C2' licence under the management plan for which the ITQ units were issued or held;
 - (iii) how many ITQ units the person holds;
 - (iv) if the Authority has imposed conditions on any of the ITQ units—the conditions;
- (i) for a buyer licence—details of any premises used by the holder to keep spanner crabs.

Holder to notify fisheries agency of certain changes

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

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

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

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; or
- (d) taking fish from a stocked impoundment by using a fishing line or a set line under the *Fisheries (Freshwater) Management Plan 1999*.

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.¹³

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.

¹³ 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.¹⁴

(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;¹⁵ 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;

¹⁴ It is an offence to unlawfully take, possess or sell a regulated fish. See section 78 of the Act.

¹⁵ Certain persons are also exempted from certain provisions about regulated fish. See part 5, division 3.

- (d) using a crab hook;
- (e) a way that contravenes a fishery provision.¹⁶

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.¹⁷

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.¹⁸

Using boats

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

(2) A person may be in control of a boat while it is used for taking fish

¹⁶ It is an offence to take fish in a way prohibited under a regulation or management plan. See section 80 of the Act.

¹⁷ 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.

¹⁸ 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.

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 2.¹⁹

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

¹⁹ 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.²⁰

(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

²⁰ 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.²¹

(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.²²

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

²¹ For other relevant provisions about selling fisheries resources, see section 86 of the Act.

²² 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 the person—

- (a) holds an authority allowing the person to release the fisheries resources into the waters; or
- (b) may release the resources under a management plan.

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 or if the person may do the things under a management plan—

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

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

Noxious fisheries resources

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

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

Division 3—Miscellaneous**Allowing persons on board a commercial fishing boat**

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

Maximum penalty—100 penalty units.

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

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

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

- a cook
- an engineer.

Aquaculture authority holder creating hazard on unallocated State land

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

Maximum penalty—100 penalty units.

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

(3) The notice must state—

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

reasonable time.

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

Maximum penalty—100 penalty units.

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

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

Aquaculture area offences

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

(2) This section is for ensuring—

- (a) aquaculture authority holders are protected from acts that may not immediately interfere with aquaculture fisheries resources, but may interfere with them over time; and
- (b) individuals on aquaculture areas are protected from risks associated with aquaculture activities on the area.

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

Maximum penalty—100 penalty units.

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

Contravening a condition of an authority

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

Maximum penalty—100 penalty units.

Contravening certain fishery provisions

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

Maximum penalty—100 penalty units.

(2) This section does not apply to a fishery provision about a quota or a way of taking fish.²³

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.

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

²³ 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.

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 blue swimmer 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.²⁴

Using nets

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

- (a) join 2 or more nets;

²⁴ Oysters grown under an authority are covered by section 87 of the Act (Interference etc. with aquaculture activity or fishing apparatus).

- (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.

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;
 - (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,²⁵ but merely indicates—
- (a) what forms the boundary; and
 - (b) the area is on the hatched side of the boundary.
- (6) If a boundary shown on a plan of a fish habitat area has a gap in it, the boundary continues in a straight line across the gap to the nearest point of the boundary on the other side of the gap.

PART 10—ENFORCEMENT

Persons who may be appointed inspectors

95. For section 140(1)(d) of the Act,²⁶ 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

²⁵ 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.

²⁶ Section 140 (Appointment) of the Act

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—tidal waters

96.(1) This section applies only to tidal waters.²⁷

(2) A recreational fisher may use or possess only fishing apparatus permitted under schedule 8 or a management plan.

(3) A recreational fisher may use the apparatus only if the apparatus and its use complies with schedule 8 or a management plan.

Using commercial fishing boats for recreational fishing

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

Maximum penalty—100 penalty units.

Identifying and counting fish—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.

²⁷ For waters that are not tidal, see the *Fisheries (Freshwater) Management Plan 1999*.

Maximum penalty—100 penalty units.

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

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

Maximum penalty—100 penalty units.

PART 12—MISCELLANEOUS

Division 1—General

Amounts payable into Fisheries Research Fund

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

Prescribed entities for delegation or subdelegation—Act, s 28

99A.(1) For section 28(1)(a)²⁸ of the Act, the Authority may delegate its power, under the *Fisheries (Freshwater) Management Plan 1999*, section 44,²⁹ to issue a permit to fish in a stocked impoundment to—

- (a) a government entity under the *Public Service Act 1996*;³⁰ or
- (b) a ‘fish stocking group’ that is a body corporate, notified by the department to the Authority for this section; or

²⁸ Section 28 (Delegation) of the Act

²⁹ Section 44 (Permit to fish with fishing line or set line in stocked impoundment) of the *Fisheries (Freshwater) Management Plan 1999*.

³⁰ See the *Public Service Act 1996*, section 21 (What is a “government entity”) for definition.

- (c) a person who owns or manages a—
- (i) bait or tackle shop, kiosk, service station or other retail business; or
 - (ii) tourist information centre.

(2) However, the delegate must be an appropriately qualified person.

(3) The delegate may subdelegate the power to an employee, member or officer of the delegate only if the subdelegate is an appropriately qualified person.

(4) In this section—

“appropriately qualified” includes having the qualifications, experience or standing appropriate to exercise the power.

Declared fisheries resources

100. Fish of a species of regulated fish are fisheries resources to which section 154 of the Act applies.³¹

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.³²

³¹ Under section 154(1) of the Act (Seizure of fisheries resources in heap etc.), regulated fish are therefore “declared fisheries resources”.

³² See section 78 of the Act (Prohibited acts about regulated fish) which creates the offences.

Marking boats

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

Examples of ways of marking boats—

- FAAA
- FAAA—1.

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

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

Maximum penalty—100 penalty units.

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

Maximum penalty—100 penalty units.

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

104. For section 92(2) of the Act,³³ nonindigenous fisheries resources are stated in schedule 6.

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

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

- (a) the seller's name, usual address and authority number;
- (b) the buyer's name, usual address and authority number (if any);

³³ 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.

- (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;³⁴

³⁴ See section 154 of the Act (Seizure of fisheries resources in heap etc.).

- (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;³⁵
 - (vi) contravening section 88A.³⁶

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.

³⁵ Part 7A, division 3 (VMS equipment conditions)
See section 85 (Contravening a condition of an authority).

³⁶ 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 Act³⁷ 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.

(3) A fee for an ITQ unit under the *Fisheries (Spanner Crab Management Plan 1999* for a quota year is payable within 90 days after the unit holder is issued an ITQ certificate under the plan for the ITQ unit for the quota year.

³⁷ Section 154 of the Act (Seizure of fisheries resources in heap etc.)

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.

(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 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.

Coombabah Lake and Coombabah Creek

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

Swan Bay, North Stradbroke Island

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

Pumicestone Strait

18. Pumicestone Strait.

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.

SCHEDULE 2 (continued)

Keppel Bay near Middle Island Observatory

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

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.

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.

SCHEDULE 2 (continued)

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**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*.

Hervey Bay region

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

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

SCHEDULE 2 (continued)

- 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 2001.

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 2001.

Yeppoon region

43B.(1) 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

SCHEDULE 2 (continued)

- 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 2001.

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.

SCHEDULE 2 (continued)

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

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

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

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

Michaelmas Cay

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

Upolu Cay

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

*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;

SCHEDULE 2 (continued)

- (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.

*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 3³⁸ of the regulation have been complied with;
- (b) possessing saucer scallops in the waters taken in contravention of paragraph (a).

³⁸ Part 7A, division 3 (VMS equipment conditions) of the regulation

SCHEDULE 2 (continued)

*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.

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).

SCHEDULE 2 (continued)

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

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

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

**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.

SCHEDULE 2 (continued)

Tallebudgera Creek

56. Tallebudgera Creek and waterways joining it.

Tallebudgera Creek to Burleigh

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

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

The Broadwater (southern part) and the Nerang River

58. The following waters—

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

Gold Coast Seaway

59. The Gold Coast Seaway within the following boundary—

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

SCHEDULE 2 (continued)

The Broadwater (central part)

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

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

SCHEDULE 2 (continued)

tip of Ephraim Island

- to the northern tip of Ephraim Island
- to the southern tip of Ephraim Island
- to the northern tip of Crab Island
- to the southern tip of Crab Island
- to the flashing green beacon marking the eastern edge of the western navigation channel, nearest to Carters Bank
- along the channel's eastern edge to an F↑B sign in line with the northern edge of Stevens Street, Southport
- to the point on the shore in line with the northern edge of Stevens Street, Southport.

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.

SCHEDULE 2 (continued)

Wynnum and Manly

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

Brisbane River

67. The following waters—

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

SCHEDULE 2 (continued)

South Pine River and North Pine River

70. The following waters—

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

Moreton Bay (including The Broadwater)

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

(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.

SCHEDULE 2 (continued)

(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.

South Maroochy River and the North Maroochy River

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

Maroochy River and ocean foreshores

77. The following waters—

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

Noosa River and Noosa's main beach

78. The following waters—

- (a) the Noosa River downstream of a line between an F[↑]B sign on the river's southern side near Thomas Street, Noosaville and an

SCHEDULE 2 (continued)

F[↑]B sign on the opposite side of the river;

- (b) foreshore waters of Noosa's main beach between First Point and the southern bank of the Noosa River.

Weyba Creek

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

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

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

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

Noosa River—ocean foreshore north of its northern bank

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

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

Waterways south of Double Island Point

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

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

SCHEDULE 2 (continued)

Rainbow Beach

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

Wide Bay Bar

84. Waters within the following boundary—

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

SCHEDULE 2 (continued)

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.

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.

SCHEDULE 2 (continued)

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

Eurimbula Creek

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

Rodds Harbour

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

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

Wild Cattle Creek

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

- (a) a line from an F[↑]B sign at the creek's northern bank to the F[↑]B sign at the northern tip of Wild Cattle Island;

SCHEDULE 2 (continued)

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

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

Boyne River and part of South Trees Inlet

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

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

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

Tannum Sands

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

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

Calliope River

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

The Narrows near Curtis Island

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

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

SCHEDULE 2 (continued)

(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.

(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.

SCHEDULE 2 (continued)

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 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.

SCHEDULE 2 (continued)

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.

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

SCHEDULE 2 (continued)

- 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.

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.

SCHEDULE 2 (continued)

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

Barramundi Creek

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

Townsville Harbour and Cleveland Bay

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

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

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

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

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

- (a) at the harbour entrance, is taken to be a line from the seaward tip

SCHEDULE 2 (continued)

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.

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.

SCHEDULE 2 (continued)

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.

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).

SCHEDULE 2 (continued)

*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 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

SCHEDULE 2 (continued)

- 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 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 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

SCHEDULE 2 (continued)

- 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
- 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

SCHEDULE 2 (continued)

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 and Moreton Banks

153A. Waters within the following boundary—

- from latitude 27°17.70' south where it intersects Moreton Island's western shore to the sector beacon on Moreton Island's western side north of 'Little Sand Hills'
- to the northernmost red lateral beacon at the entrance to Rous Channel
- to the flashing green beacon at Chain Banks
- to the isolated danger beacon on Hope Banks
- to the flashing green beacon on the south-west side of Amity Banks
- to the flashing green beacon (every 6 seconds) south-east of Amity Banks in the Rainbow Channel
- to latitude 27°27.90' south where it intersects North Stradbroke Island's western shore
- along North Stradbroke Island's western shore to Amity Point to Reeders Point on Moreton Island
- along Moreton Island's western shore to latitude 27°17.70' south.

Amity Bight and the South Passage

154.(1) Waters within the following boundary—

- from an F[↑]B sign at Rocky Point on North Stradbroke Island's northern shore, along the shore to Amity Point
- to Reeders Point, Moreton Island
- along the island's eastern shore to latitude 27°17'30" south

SCHEDULE 2 (continued)

- 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
- 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.

Northern section of Moreton Bay

155A.(1) Waters within the following boundary—

- from Bribie Island's western shore where it intersects a line running west from the water tower at Bongaree, to Sandstone Point on the mainland
- to latitude 27°09.20' south, longitude 153°07.20' east
- to latitude 27°09.20' south, longitude 153°11.40' east
- to the flashing red beacon off South West Spit
- to the flashing red beacon off Four Fathom Bank
- to the flashing red beacon off Middle Bank
- to the east cardinal beacon west of Cowan Cowan Point on Moreton Island
- to the flashing yellow beacon west of Cowan Cowan township on Moreton Island

SCHEDULE 2 (continued)

- to the flashing red beacon (M4) off Yule Bank
- to the flashing red beacon (M2) off Salamander Bank
- to the flashing yellow beacon in Spitfire Channel
- to the west cardinal beacon in Spitfire Channel
- to the southernmost flashing red beacon in North-West Channel
- to Bribie Island's eastern shore where it intersects latitude 27°01.80'
- along Bribie Island's eastern, southern and western shores to where it intersects a line running west from the water tower at Bongaree.

(2) The waters are closed from midnight on 30 June to midnight on 30 September.

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—

SCHEDULE 2 (continued)

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

Vernon Point to Burrum Point, Hervey Bay

159A.(1) Waters within the following boundary—

- from Vernon Point
- to Burrum Point
- along the shore to Vernon Point.

(2) The waters are closed from midnight on 30 June to midnight on 30 September.

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

SCHEDULE 2 (continued)

- 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
- 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

SCHEDULE 2 (continued)

- to the light on Holbourne Island
- to western tip of Hayman Island.

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

Etty Bay area

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

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

SCHEDULE 2 (continued)

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—

- 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

SCHEDULE 2 (continued)

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.

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.

SCHEDULE 2 (continued)

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
- 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

SCHEDULE 2 (continued)

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
- 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

SCHEDULE 2 (continued)

- 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
- 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)

SCHEDULE 2 (continued)

- 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.

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.

SCHEDULE 2 (continued)

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.

(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.

SCHEDULE 2 (continued)

(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.

Brisbane River mouth

186.(1) Waters within the following boundary—

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

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

Comboyuro Point to Caloundra Head

187.(1) Waters within the following boundary—

- from Comboyuro Point, Moreton Island to the Racon Beacon (at

SCHEDULE 2 (continued)

the entrance to the main shipping channel at Caloundra)

- to Caloundra Head
- along the shore to the F[↑]B sign at southern tip of the sand spit between Kings Beach and Bulcock Beach, Caloundra
- to the F[↑]B sign at the northern tip of Bribie Island
- along the eastern shore of Bribie Island to Skirmish Point
- to Comboyuro Point.

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

Moreton Island to Double Island Point

188.(1) Waters within the following boundary—

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

SCHEDULE 2 (continued)

- 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—

- 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

SCHEDULE 2 (continued)

- 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—
- 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.

SCHEDULE 2 (continued)

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
- (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,

SCHEDULE 2 (continued)

section 17, and only from 2 May to the end of February from 6 a.m. to 6 p.m.

Rivers and creeks on Fraser Island

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

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

Skyringville Creek

197.(1) The following waters—

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

SCHEDULE 2 (continued)

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.

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

SCHEDULE 2 (continued)

- 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.

(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

SCHEDULE 2 (continued)

- 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.

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.

SCHEDULE 2 (continued)

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.

(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.

SCHEDULE 2 (continued)

Hinchinbrook Channel

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

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

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

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

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

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

Trinity Bay

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

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

Daintree River

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

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

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

SCHEDULE 2 (continued)

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.

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

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

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

When waters are closed

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

Bundaberg, Gladstone and Rockhampton regions

220. The following waterways in the Bundaberg, Gladstone and

SCHEDULE 2 (continued)

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
- 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—

SCHEDULE 2 (continued)

- 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.

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

SCHEDULE 2 (continued)

- 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.

Cairns and Port Douglas regions

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

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

Middle Head to Norton Point

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

SCHEDULE 2 (continued)

South Trees Inlet

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

Calliope River

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

Waters off Curtis Island

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

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

Cattle Point to Cardigan Point

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

South Bluff to Coconut Point

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

Island Bluff to Charon Point

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

SCHEDULE 2 (continued)

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 Anabranch area

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

Sheep Station Creek to Barratta Creek

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

Victoria Creek

237. Waters within a boundary—

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

SCHEDULE 2 (continued)

- in a straight line to the northern tip of the sand spit at the southern bank of Victoria Creek.

Gentle Annie Creek

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

Hinchinbrook Channel

239. Waters within the following boundary—

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

Macushla Point to Forkey's Creek on Hinchinbrook Island

240. Waters within the following boundary—

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

Thompson Point to Flying Fish Point

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

SCHEDULE 2 (continued)

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
- 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.

SCHEDULE 2 (continued)

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.

Hervey Bay and Great Sandy Strait

250. Waters between the following lines—

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

SCHEDULE 2 (continued)

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
- 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

SCHEDULE 2 (continued)

- 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 2001.

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

SCHEDULE 2 (continued)

- 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
 - (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

 SCHEDULE 2 (continued)

- 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
- (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.³⁹

³⁹ 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)

(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—

- (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

SCHEDULE 2 (continued)

- (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 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;

SCHEDULE 2 (continued)

(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
- 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.

SCHEDULE 2 (continued)

(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
- 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

SCHEDULE 2 (continued)

- (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.
- (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

SCHEDULE 2 (continued)

- (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.

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.

(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

SCHEDULE 2 (continued)

- (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 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;

SCHEDULE 2 (continued)

(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
- 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

SCHEDULE 2 (continued)

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
- 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.

SCHEDULE 2 (continued)

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
- 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.

SCHEDULE 2 (continued)

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.

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.

SCHEDULE 2 (continued)

- (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
 - (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

SCHEDULE 2 (continued)

- (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 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.

SCHEDULE 2 (continued)

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.

Coombabah Lake and Coombabah Creek

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

Swan Bay, North Stradbroke Island

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

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.

Keppel Bay near Middle Island Observatory

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

SCHEDULE 3 (continued)

Hook Island

32. 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.

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↑B signs on opposite sides of the river near its junction with Stony Creek and near its junction with Camp Oven Creek.

Mission Bay

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

Bizant River, Princess Charlotte Bay

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

South Mitchell River

38. The South Mitchell River and waterways joining it, between F↑B signs near opposite banks of the river and F↑B signs where it joins Surprise Creek.

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 *Agrioposphyraena barracuda*.

Eurimbula Creek (north of Round Hill Creek)

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

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

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 2A—WATERS WHERE FISHING LINES AND
RODS CAN NOT BE USED****Prohibited activities**

45A. The following activities are prohibited in waters described in this part—

- (a) using hand held fishing lines or fishing rods with hand operated reels and lines to take fish;
- (b) possessing fish taken in contravention of paragraph (a);
- (c) possessing hand held fishing lines or fishing rods with hand operated reels and lines.

SCHEDULE 3 (continued)

Obi Obi Creek

45B. Obi Obi Creek between the Baroon Pocket Dam wall and the shortest line across the creek at the southern bank of Skenes Creek.

PART 3—WATERS WHERE NETS CANNOT BE USED**Prohibited activities**

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

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

Burnett River

47. The Burnett River—

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

Hervey Bay

48. Waters of Hervey Bay west of the following line—

- from the eastern tip of Point Vernon to the seaward end of the public jetty at Scarness
- to the seaward end of the Urangan jetty
- to the seaward end of the southern rock wall of the Urangan boat harbour.

SCHEDULE 3 (continued)

Rodds Harbour

49. Waters within the following boundary—

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

Water Park Creek

50. Water Park Creek and waterways joining it, upstream of the shortest line across the creek at the place commonly known as Kelly's Landing (about 2.6 km from the creek's mouth).

Michaelmas Cay

51.(1) Michaelmas Cay foreshore waters, and waters within 400 m out to sea from the shore at low water.

(2) The closure does not apply to fin fish taken with a fishing rod or line.

Upolu Cay

52.(1) Upolu Cay foreshore waters, and waters within 400 m out to sea from the shore at low water.

(2) The closure does not apply to fin fish taken with a fishing rod or line.

**PART 4—WATERS WHERE NETS (OTHER THAN
SCOOP NETS) CANNOT BE USED****Prohibited activities**

53. The following activities are prohibited in waters described in this

SCHEDULE 3 (continued)

part—

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

Skyringville Creek at its mouth

54. The creek commonly known as Skyringville Creek and waterways joining it, downstream of a line between F↑B signs on opposite sides of the creek about 800 m from its banks.

PART 5—WATERS WHERE SPEAR FISHING IS NOT ALLOWED**Prohibited activities**

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

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

Tallebudgera Creek

56. Tallebudgera Creek upstream of a line between SF↑B signs at the eastern tip of Burleigh Head and the seaward end of the rock groyne near its southern bank.

Southern Moreton Bay (including The Broadwater)

57. Moreton Bay south of latitude 27°42' south, other than waters

SCHEDULE 3 (continued)

between the following lines—

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

Artificial reef area off Moreton Island

58. Waters within the following boundary—

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

Pumicestone Strait

59. Pumicestone Strait—

- (a) between the following lines—
 - (i) a line from an SF[↑]B sign at the southern bank of Elimbah Creek to an SF[↑]B sign at Gallagher Point, Bribie Island;
 - (ii) a line from an SF[↑]B sign at the northern bank of Ningi Creek to an SF[↑]B sign at the northern bank of Dux Creek, Bribie Island; and
- (b) north of a line from an SF[↑]B sign near the southern bank of Bells Creek to an SF[↑]B sign at the northern tip of the northernmost

SCHEDULE 3 (continued)

island of a group of islands in the strait (easterly of Bells Creek), then easterly to an SF↑B sign on Bribie Island's western shore.

Mooloolah River

60. The Mooloolah River from a line between SF↑B signs near its banks, to the bridge joining the Nicklin Way and Brisbane Road.

Maroochy River

61. The Maroochy River and waterways joining it, downstream of a line from an SF↑B sign on the southern side of the river near the Cod Hole to an SF↑B sign on the northern side of the river near the Cod Hole.

Noosa River

62. Lake Weyba, the Noosa River and waterways joining the lake and river, downstream of a line from an SF↑B sign on Parkyn's Jetty near the entrance to Doonella Lake to an SF↑B sign on the shore at the western tip of Goat Island.

Jetties in, or south of, the Noosa River

63. Waters under, or within 100 m of, any public jetty in or south of the Noosa River.

Artificial reef area off North Sandy Strait

64. Waters within the following boundary—

- from South Point on Woody Island to the flashing green beacon S11 on Middle Bank (the southernmost beacon on the bank) to the flashing green beacon S9 on the bank
- to the flashing green beacon S7 on the bank
- to the flashing green beacon S5 on the bank
- to the flashing red beacon S8 on the southern tip of Moon Point

SCHEDULE 3 (continued)

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

Great Keppel Island

67. Great Keppel Island's western and southern foreshore waters and waters within 400 m out to sea from the island's shore at low water, between SF↑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.

SCHEDULE 3 (continued)

Brampton Island, Pelican Island and Carlisle Island

69. Waters within the following boundary—

- from an SF↑B sign at Sword Fish Point, Brampton Island to an SF↑B sign on the north-western tip of Carlisle Island
- along the western and southern shores of Carlisle Island to an SF↑B sign at its south-eastern tip
- to an SF↑B sign at the headland at the northern end of Turtle Bay, Brampton Island
- along Brampton Island's shore to the SF↑B sign at Sword Fish Point.

Lindeman Island

70. Lindeman Island's southern and western foreshore waters and waters within 400 m out to sea from the island's shore at low water, between SF↑B signs at Dalwood Point, near the island's western tip, and Boat Point (commonly known as Thumb Point).

Seaforth Island

71. Seaforth Island's foreshore waters and waters within 400 m out to sea from the island's shore at low water.

Long Island

72. Long Island's western foreshore waters and waters within 400 m out to sea from the island's western shore at low water, between SF↑B signs at Fire Point and Base Point.

Molle Island

73.(1) The following waters south of a line between Deedes Point, Molle Island (commonly known as South Molle Island) and the southern tip of Mid Molle Island—

SCHEDULE 3 (continued)

- (a) Paddle Bay (the bay just north of Ker Point on the western shore of Molle Island);
- (b) Bauer (Moonlight) Bay (the bay on the island's northern shore).

(2) Waters on the western foreshore of the Causeway between an SF[↑]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—

- (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.

SCHEDULE 3 (continued)

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 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.

SCHEDULE 3 (continued)

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.

Moreton Bay

84. Moreton Bay.

Hervey Bay and Great Sandy Strait

85. Waters between the following lines—

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

SCHEDULE 3 (continued)

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**Subdivision 1—Fish taken under any fishery symbol*

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

SCHEDULE 4 (continued)

Subdivision 2—Fish taken under fishery symbol T1, T2, T3, T5, T6, T7, T8, or T9

blue swimmer crabs taken—

- in Moreton Bay or adjoining waters 100
- elsewhere 600

Division 2—Fish regulated by species***Subdivision 1—Fish taken under any fishery symbol***

billfish

northern bluefin tuna

southern bluefin tuna

Subdivision 2—Fish taken under fishery symbol T1, T2, T3, T5, T6, T7, T8, or T9

black king-fish

black-spot tusk-fish

broad-barred or grey mackerel

coral trout

estuary cod

jew teraglin

large-mouthed nannygai

large-scale sea perch

maori wrasse

SCHEDULE 4 (continued)

mulloway
narrow-barred or spanish mackerel
pearl perch
potato cod
purple tusk-fish
Queensland groper
Queensland school mackerel
red emperor
red throat emperor
rosy job fish
small-mouthed nannygai
snapper
spangled emperor
spotted mackerel
spotted or black jew fish
tropical spiny rock lobster
venus tusk-fish
wahoo

Division 4—Saucer scallops unlawfully taken from ‘T1’ or ‘T2’ closed waters

Saucer scallops taken in contravention of schedule 2, section 51B or 51D.⁴⁰

⁴⁰ Schedule 2, section 51B (Prohibited activities) or 51D (Prohibited activities)

SCHEDULE 4 (continued)

PART 2—FISH TAKEN BY RECREATIONAL FISHERS*Division 1—Fish regulated by number***Reef fish**

black kingfish	10
black-spot tusk-fish	10
broad-barred or grey mackerel	10
coral trout	10
estuary cod	10
jew teraglin	10
large-mouthed nannygai	10
large-scale sea perch	10
maori wrasse	1
mulloway	10
narrow-barred or spanish mackerel	10
pearl perch	10
potato cod	1
purple tusk-fish	10
Queensland groper	1
Queensland school mackerel	30
red emperor	10
red throat emperor	10
rosy job-fish	10
small-mouthed nannygai	10

 SCHEDULE 4 (continued)

snapper	30
spangled emperor	10
spotted mackerel	30
spotted or black jew-fish	10
venus tusk-fish	10
wahoo	10
combination of any species in this division	30

Other fish

barramundi	5
gastropod or bivalve mollusc (other than oysters)	50
mud crab	10

*Division 2—Fish regulated by number and area***Tropical rock lobster area**

tropical spiny rock lobster—	
each individual	3
each boat	6

SCHEDULE 4 (continued)

**PART 3—FISH TAKEN FOR TRADE OR
COMMERCE OR BY RECREATIONAL FISHERS***Division 1—Fish regulated by area***Deception Bay, Nudgee Beach or Wynnum area**

gastropod or bivalve mollusc

Division 2—Fish regulated by gender

egg bearing females of the following fish—

- Balmain bug
- Moreton Bay bug
- slipper lobster

female blue swimmer crab

female mud crab

Division 3—Fish regulated by number

Australian bass

2

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

barramundi cod—less than 40 cm

black jewfish—less than 75 cm

black-spot tusk-fish—less than 30 cm

SCHEDULE 4 (continued)

broad-barred or grey mackerel—less than 50 cm
coral trout—less than 38 cm
dolphin-fish—less than 45 cm
estuary cod—less than 35 cm or more than 120 cm
grass sweetlip—less than 30 cm
hussar—less than 25 cm
jew teraglin—less than 45 cm
large-mouthed nannygai—less than 40 cm
large-scale sea perch—less than 35 cm
mangrove jack—less than 35 cm
maori wrasse—less than 75 cm
moses perch—less than 25 cm
mulloway—less than 45 cm
narrow-barred or spanish mackerel—less than 75 cm
pearl perch—less than 30 cm
potato cod—less than 35 cm or more than 120 cm
purple tusk-fish—less than 30 cm
Queensland groper—less than 35 cm or more than 120 cm
Queensland school mackerel—less than 50 cm
red emperor—less than 45 cm
red throat emperor—less than 35 cm
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

SCHEDULE 4 (continued)

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
blue swimmer crab—carapace less than 15 cm, body less than 3.7 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
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

SCHEDULE 4 (continued)

pikey bream—less than 23 cm

sand flathead—less than 30 cm

sand whiting—less than 23 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

small spotted grunter bream—less than 30 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

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

SCHEDULE 4 (continued)

helmet shell

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
gold line rasbora
golden dwarf cichlid
goldfish

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 32107.⁴¹

Jumpinpin-Broadwater

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

⁴¹ The plan may be inspected at the office of the Department of Mines 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.

SCHEDULE 7 (continued)

Broad Sound

66.(1) The Broad Sound fish habitat area (near St. Lawrence) is shown on plan no. 015-045A.

(2) The words 'Exclusion of access corridor 10 m wide' on the plan mean the area, within 5 m either side of the shortest line between the lots marked 13 and 15 at the ends of the corridor, is not part of the fish habitat area.

Burrum-Isis

67.(1) The Burrum-Isis fish habitat area (at the Burrum River) is shown on plan no. 015-046A.

(2) The area does not include the tidal area within 100 m of the shore of the Burrum River—

- (a) for 500 m either side of the north-eastern corner of portion 77, county of Cook, parish of Isis; and
- (b) between a continuation into the river of—
 - (i) the part of the boundary of the Burrum Coast National Park between the north-eastern corner of portion 13, county of 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 PLANS⁴²****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.

⁴² 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

SCHEDULE 7 (continued)

plan 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—USE OF FISHING
APPARATUS**

section 96

**PART 1—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, other than spanner crabs,⁴³ 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.

⁴³ For spanner crabs, see the *Fisheries (Spanner Crab) Management Plan 1999*.

SCHEDULE 8 (continued)

Marking of fishing apparatus

5.(1) A crab pot, collapsible trap, dilly or inverted dilly (“**crab apparatus**”) used to take crabs must have a tag with the owner’s surname and address written on it.

(2) Also, if the crab apparatus is not fixed to something while it is in use, the apparatus must have a light coloured float attached to it.

(3) The float must be at least 15 cm in any dimension and have the owner’s name written on it.

PART 2—FISHING LINES AND RODS**Permitted area**

6. The permitted area comprises all tidal waters.

What fish may be taken

7.(1) Any fish may be taken.

(2) However, subsection (1) does not apply to the taking or possession of fin fish in the tidal waters—

- (a) west of longitude 142°09' east; and
- (b) of waterways that flow into the Gulf of Carpentaria south of the intersection of longitude 142°09' east with the mainland shore.⁴⁴

⁴⁴ For the taking or possession of fin fish in the waters mentioned in subsection (2), see the *Fisheries (Gulf of Carpentaria Inshore Fin Fish) Management Plan 1999*.

SCHEDULE 8 (continued)

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.

PART 3—NETS**Permitted area**

10. The permitted area comprises all tidal waters.

What fish may be taken

11.(1) Any fish may be taken.

(2) However, subsection (1) does not apply to the taking or possession of fin fish in the tidal waters—

- (a) west of longitude 142°09' east; and
- (b) of waterways that flow into the Gulf of Carpentaria south of the intersection of longitude 142°09' east with the mainland shore.⁴⁵

⁴⁵ For the taking or possession of fin fish in the waters mentioned in subsection (2), see the *Fisheries (Gulf of Carpentaria Inshore Fin Fish) Management Plan 1999*.

SCHEDULE 8 (continued)

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.

PART 4—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;
 - (c) if a shell dredge is used—molluscs (other than oysters, pearl

SCHEDULE 8 (continued)

- 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.

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

SCHEDULE 10 (continued)

2. Cultivating pearl oysters on tidal land—	
(a) assessment fee	104.00
(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
3. Cultivating fisheries resources on non-tidal land—	
(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**

4. (a) assessment fee	51.50
(b) permit fee	104.50

Fisheries resources permits

5. (a) assessment fee	51.50
(b) permit fee	104.50

SCHEDULE 10 (continued)

Fish habitat area permits

6. (a) assessment fee	at reasonable cost but not more than actual cost
(b) permit fee	147.00

Fish way permits

7. (a) assessment fee	51.50
(b) permit fee	104.50

Marine plant permits

8. (a) assessment fee	at reasonable cost but not more than actual cost
(b) permit fee	147.00

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

9. Certificate fee	51.50
-------------------------------------	-------

Amending or replacing authorities

10. Amendment or replacement fee	23.70
---	-------

Register fees

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

 SCHEDULE 10 (continued)
Survey fees

- 12.** Survey fee for a licence or permit or approval mentioned in this part at reasonable cost but not more than actual cost

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

SCHEDULE 10 (continued)

(b) licence fee—		
(i) for licence with the pearl fishery symbol on it—		
(A) for each tonne or part of a tonne over 10 t		5.00
(B) maximum fee		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

SCHEDULE 10 (continued)

(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
	• 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) for a primary commercial fishing boat licence with the fishery symbol ‘C2’ written on it	200.00
	(ii) for a primary commercial fishing boat licence with the fishery symbol ‘C3’ written on it	150.00
	(iii) line fishery (multiple hook—east coast)	346.10
	(iv) line fishery (multiple hook—Queensland Fisheries Joint Authority)	346.10
	(v) line fishery (Queensland Fisheries Joint Authority No. 1)	209.40
	(vi) net fishery (Gulf of Carpentaria No. 1) under the <i>Fisheries (Gulf of Carpentaria Inshore Fin Fish) Management Plan 1999</i> (the “ gulf plan ”)	869.30, payable on issue or renewal plus \$1 000, payable on 30 June each year

SCHEDULE 10 (continued)

(vii) net fishery (Gulf of Carpentaria No. 2) under the gulf plan	869.30 plus \$10 for each metre of authorised length of net the holder may use under part 5, division 6 of the gulf plan, payable on issue or renewal
(viii) net fishery (ocean beach)	86.00
(ix) net fishery (set nets—east coast)	256.00
(x) trawl fishery (fin fish)	5 624.60
(xi) other fishery excluding the pearl fishery (first symbol)	77.90
(xii) 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
(ii) for licence without the trawl fishery (concessional zone) or trawl fishery (east coast No. 1) fishery symbol on it	256.00
(iii) for a transfer of ITQ units under the <i>Fisheries (Spanner Crab) Management Plan 1999</i>	100.00
17. Tender boat—	
(a) assessment fee	62.70
(b) licence fee	20.20
(c) fishery symbol fee—	

SCHEDULE 10 (continued)

(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

Buyer licences**18. Class A—**

(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

19. Class B—

(a) assessment fee	62.70
(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

SCHEDULE 10 (continued)

Crew licences

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

Fisher licences

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

Storage licences

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—	
(a) assessment fee	62.70
(b) permit fee for 1st year	—
(c) permit fee for each subsequent year	62.70

SCHEDULE 10 (continued)

25.	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
26.	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
27.	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
28.	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**

29. (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

30. (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

31. (a)	assessment fee	62.70
(b)	authority fee	461.40

Authority with fishery symbol for a fishery other than a coral, shell, grit, star sand or trochus fishery on it

32. (a)	assessment fee	62.70
(b)	authority fee	51.60

 SCHEDULE 10 (continued)
Individual transferable quotas

32A. For each quota year for each ITQ unit held under the <i>Fisheries (Spanner Crab) Management Plan 1999</i>	3.70
---	------

*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**COMMERCIAL CRAB FISHERY**

schedule 17 definitions “commercial fishery” and “fishery schedule”

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,⁴⁶ 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.

⁴⁶ For spanner crabs, see the *Fisheries (Spanner Crab) Management Plan 1999*.

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 3—CRAB FISHERY (SPANNER CRAB No. 2)**Fishery symbol**

19. The fishery symbol is ‘C3’.

SCHEDULE 11 (continued)

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 m² and a net drop below its frame of not more than 10 cm.

(3) A dilly's net must have square or rectangular meshes and a mesh size of at least—

- (a) for a single mesh net—25 mm; and
- (b) for a double mesh net—51 mm.

(4) Not more than 30 dillies may be used at a time.

(5) Not more than 10 dillies may be set on a line.

Use of primary commercial fishing boats

23. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

24. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

25. The permitted distance for an assistant fisher to be under direction is 800 m.

SCHEDULE 11 (continued)

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.⁴⁷

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—

⁴⁷ 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)

“**container**” means a container⁴⁸ with a capacity of no more than 66 cubic litres.⁴⁹

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

Fishery symbol

28. The fishery symbol is ‘C6’.

Fishery area

29. The fishery area comprises managed area B and the waters of managed area A that are north of latitude 25° south.

What fish may be taken

30. Only spanner crabs may be taken.

Permitted ways of taking spanner crabs

31.(1) Spanner crabs may only be taken by using dillies.

(2) A dilly must have an area within its frame of not more than 1 m² and a net drop below its frame of not more than 10 cm.

(3) A dilly’s net must have square or rectangular meshes and a mesh size of at least—

- (a) for a single mesh net—25 mm; and
- (b) for a double mesh net—51 mm.

⁴⁸ Containers used to hold spanner crabs are commonly called ‘baskets’.

⁴⁹ 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

32. A primary commercial fishing boat must not be longer than 14 m.

Use of tender commercial fishing boats

33. A tender commercial fishing boat must not be used more than 800 m from its primary commercial fishing boat.

Permitted distance for an assistant fisher to be under direction

34. The permitted distance for an assistant fisher to be under direction is 800 m.

Marking of dillies

35.(1) A dilly used to take spanner crabs must have a tag with the owner's name written on it or be marked with the owner's primary commercial fishing boat marking.

(2) A dilly must have a float attached to it or, if dillies are set along a line, the line must have floats attached to each end.

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

SCHEDULE 11 (continued)

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.⁵⁰

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.⁵¹

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.

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—

⁵⁰ 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.

⁵¹ The telephone number for the patrol at the commencement is (071) 537926.

SCHEDULE 11 (continued)

- (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—

“**container**” means a container⁵² with a capacity of no more than 66 cubic litres.⁵³

⁵² Containers used to hold spanner crabs are commonly called ‘baskets’.

⁵³ 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)

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

38. The fishery symbol is ‘C4’ or ‘C5’.

Fishery area

39.(1) The fishery area comprises the part of managed area A that is east of the territorial sea baseline and south of latitude 25° south.

What fish may be taken

40. Only spanner crabs may be taken.

Permitted ways of taking spanner crabs

41.(1) Spanner crabs may only be taken by using dillies.

(2) A dilly must have an area within its frame of not more than 1 m² and a net drop below its frame of not more than 10 cm.

(3) A dilly’s net must have square or rectangular meshes and a mesh size of at least—

(a) for a single mesh net—25 mm; and

(b) for a double mesh net—51 mm.

(4) Not more than 30 dillies may be used at a time.

(5) Not more than 10 dillies may be set on a line.

Use of primary commercial fishing boats

42. A primary commercial fishing boat must not be longer than 14 m.

SCHEDULE 11 (continued)

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

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

SCHEDULE 11 (continued)

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 container⁵⁴ with a capacity of no more than 66 cubic litres.⁵⁵

⁵⁴ Containers used to hold spanner crabs are commonly called ‘baskets’.

⁵⁵ 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)**

schedule 17, definitions “commercial fishery” and “fishery schedule”

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)**

schedule 17, definitions “commercial fishery” and “fishery schedule”

PART 1—NET FISHERY (BAIT No. 1)**Fishery symbol**

1. The fishery symbol is ‘N6’.

Fishery area

2. The fishery area consists of tidal waters east of longitude 142°09' east.

What fish may be taken

3. Any fish, other than barramundi, may be taken.

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.

SCHEDULE 13 (continued)

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.

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.

SCHEDULE 13 (continued)

(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.

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 consists of tidal waters east of longitude 142°09' east.

What fish may be taken

12. Any fish, other than barramundi, may be taken.

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.

SCHEDULE 13 (continued)

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

(5) 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.

(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 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.

SCHEDULE 13 (continued)

Permitted distance for an assistant fisher to be under direction

18. The permitted distance for an assistant fisher to be under direction is 800 m.

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

19. The fishery symbol is 'N1'.

Fishery area

20. The fishery area comprises all tidal waters east of longitude 142°09' east, but does not include waterways flowing into the Gulf of Carpentaria west of longitude 142°09' east.

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;

SCHEDULE 13 (continued)

- (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
 - (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.

SCHEDULE 13 (continued)

Use of mesh nets in Lakes Cootharaba, Cooroibah and Weyba

24. A ring net may be used in Lake Cootharaba, Cooroibah or Weyba only if it is not longer than 1 500 m and has a mesh size of at least 50 mm.

Use of seine nets north of the Mary River

25.(1) A seine net may be used in waters north of the northern bank of the Mary River only if it is not longer than 100 m and has—

- (a) a pocket extending over not more than one-quarter of the length of the net; and
- (b) a mesh size of at least 31 mm in the pocket and at least 45 mm in the rest of the net.

(2) The net may only be used to take prawns.

Use of mesh nets in and near Hervey Bay

26.(1) A net that is not fixed or hauled may be used in waters of Hervey Bay within the following boundary only if the waters are at least 2 m deep—

- from the southern bank of Baffle Creek east to longitude 153° east
- along longitude 153° east to Fraser Island near Sandy Point
- 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

SCHEDULE 13 (continued)

to 31 October—

- from the southern bank of Theodolite Creek east to longitude 152°40' east
- to the southern bank of O'Regan Creek
- along the shore to the southern bank of Theodolite Creek.

(5) A person using a net north of a line from the southern bank of the Elliott River east to longitude 153° east need not be within 100 m of the net.

Use of mesh or seine nets south of Baffle Creek

27.(1) A mesh or seine net may be used in waters south of the northern bank of Baffle Creek only if it is not longer than 800 m and has a mesh size of at least 50 mm.

(2) A net that is not fixed or hauled may only be used in water deeper than its drop.

(3) If a back net is used below low water, its length must not be more than one-quarter of the total length of net in use.

(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

SCHEDULE 13 (continued)

than its drop.

(6) Both ends of a net may be fixed for up to 1 hour if it is used between Cape Manifold and Cape Gloucester and has a mesh size is not more than 88 mm.

Use of mesh nets in offshore waters of Keppel Bay

29. A net that is not fixed or hauled may be used in waters of Keppel Bay west of a line from Cape Capricorn to Water Park Point only if the waters are at least 2 m deep and the net is not longer than 200 m and has a mesh size of at least 150 mm but not more than 245 mm.

Use of mesh nets in offshore waters

30.(1) A net that is not fixed or hauled may be used in offshore waters only if the waters are at least 2 m deep and the net is not longer than 600 m and has a mesh size of at least 150 mm but not more than 245 mm.

(2) Two nets may be joined and used as a single net in waters deeper than 20 m north of Cape Moreton if the combined length of the nets is not more than 1 200 m.

(3) The net must not be used in waters north of Cape Flattery during the closed season for barramundi.

(4) A person using the net does not need to be within 100 m of it unless it is used in Shoalwater Bay within the following boundary—

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

SCHEDULE 13 (continued)

Use of mesh or seine nets in rivers and creeks

31.(1) A ring or seine net, or a net that is not fixed or hauled, may be used in rivers and creeks only if the net has a mesh size of at least 50 mm and is not longer than—

- (a) for a ring net or a net that is not fixed or hauled—400 m; and
- (b) for a seine net—200 m.

(2) During the closed season for barramundi, a net must not be used in the Gulf of Carpentaria or waterways flowing into the Gulf, but may be used in another waterway downstream of the shortest line across its banks.

(3) A net used during the closed season for barramundi must have a mesh size of at least 50 mm but not more than 115 mm.

(4) A net that is not fixed or hauled may only be used in water deeper than its drop.

(5) A ring net must not be used north of the southern bank of the Endeavour River or in the Gulf of Carpentaria and adjoining waterways.

(6) Both ends of a net may be fixed for up to 1 hour if it is used in rivers or creeks between Cape Gloucester and the northern bank of St Lawrence Creek and its mesh size is not more than 75 mm.

Division 3—Use of set mesh nets**Use of set mesh nets in rivers and creeks between Kauri and Baffle Creeks**

32.(1) A set mesh net may be used in a river or creek between Kauri and Baffle Creeks, upstream of the shortest line across its banks, only if the net is not longer than 120 m and has—

- (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.

SCHEDULE 13 (continued)

(3) A person using a net must not be more than 800 m from it, or if more than 1 net is set, the first or last net.

Use of set mesh nets in and near Hervey Bay

33.(1) A set mesh net may be used in waters of Hervey Bay within the following boundary only if the waters are at least 2 m deep—

- from the southern bank of Baffle Creek east to longitude 153° east
- along longitude 153° east to Fraser Island near Sandy Point
- to Dayman Point
- along the shore to the southern bank of Baffle Creek.

(2) The net must not be longer than 600 m and must have a mesh size of at least 88 mm.

(3) A net used south of a line from the southern bank of the Elliott River east to longitude 153° east, must be made of monofilament not more than 0.65 mm in diameter and must not be more than 33 meshes deep.

(4) A net must not be used in waters of Hervey Bay within the following boundary between 4.00 p.m. and 4.00 a.m. from 1 July to 31 October—

- from the southern bank of Theodolite Creek east to longitude 152°40' east
- to the southern bank of O'Regan Creek
- along the shore to the southern bank of Theodolite Creek.

(5) A person using a net must be within 100 m of it, unless it is used north of a line from the southern bank of the Elliott River east to longitude 153° east.

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.

SCHEDULE 13 (continued)

- (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 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.

SCHEDULE 13 (continued)

Division 4—Use of set pocket nets**Use of set pocket nets in rivers**

37.(1) A set pocket net may be used in the following rivers only if it is not longer than 10 m and has a mesh size of at least 25 mm—

- (a) the Fitzroy, Kolan, Burnett, Albert and Logan Rivers;
- (b) the Mary River between lines between the following places marked by F↑B signs—
 - longitude 152°46.67' east on the northern bank and longitude 152°46.83' east on the southern bank
 - longitude 152°51.74' east on the northern bank (near 'Tandora') and longitude 152°51.71' east on the shore of Crab Island (Meteor Point)
 - longitude 152°51.62' east on the shore of Crab Island and longitude 152°51.95' east on the southern bank.

(2) The net may only be used to take prawns.

(3) The net must not be set within 20 m of a jetty or wharf or 100 m of another net that is in use.

(4) Only 1 head rope may be used.

(5) More than 1 net may be attached to the head rope if the combined length of the nets is not more than 10 m.

(6) The closed end of the pocket must be marked on the surface of the water by a yellow float at least 8 cm in any dimension.

(7) A person using the net does not need to be within 100 m of it.

(8) Anything used to set the net must be removed from the water after the net is taken from the water.

(9) Subsection (8) does not apply to fishing apparatus for which an authority is held under the *Transport Operations (Marine Safety) Act 1994*.

SCHEDULE 13 (continued)

*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[↑]B signs at the following places—
- Little Rocky Point, and about 800 m south of Point Talburpin
 - about 800 m either side of Moogurrapum Creek, Redland Bay
 - Point Halloran and about 700 m south of Oyster Point
 - about 800 m south of the southern bank of Hilliards Creek, and about 1 km south of Wellington Point
 - the eastern shore of Fisherman Islands, and about 800 m north of Wynnum Creek (including the Boat Passage foreshore but not the Brisbane River foreshore)
 - Juno Point, and the northern bank of Serpentine Creek
 - the western end of Sunnyside Road, Scarborough, and about 100 m south of the seaward end of Seaview Parade, Deception Bay
 - the boat ramp at the department's Fisheries Research Laboratory at Deception Bay, and the southern bank of the Caboolture River
 - about 1 600 m north of Beachmere, and the south-eastern tip of Toorbul Point;
- (b) Moreton Bay island foreshores north of a line—
- from Little Rocky Point to the southern tip of Russell Island
 - to the nearest point on the western shore of North Stradbroke Island;
- (c) Tin Can Inlet, Pelican Bay and Tin Can Bay between the

SCHEDULE 13 (continued)

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—

- (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.

SCHEDULE 13 (continued)

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.

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—

SCHEDULE 13 (continued)

- (a) if the combined length of the net and equipment used in setting it is not more than 50 m—
 - (i) a white light, visible at least 400 m in all directions from the light, at its end farthest from the shore; and
 - (ii) a reflectorised float, at least 15 cm in any dimension, at its end nearest the shore; and
 - (b) if the combined length of the net and equipment used to set it is more than 50 m—a white light, visible at least 400 m in any direction from the light, at both ends of the net.
- (3) In addition, a set mesh net used in offshore waters must be marked by—
- (a) 6 floats along its length, each not less than 15 cm in any dimension; and
 - (b) a pole with an orange flag on it at least 2 m above the water attached to its end farthest from the shore.
- (4) A net that is not fixed or hauled and is used in offshore waters must be marked in the way stated in subsection (3).

PART 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.

SCHEDULE 13 (continued)

(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;
 - (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.

SCHEDULE 13 (continued)

*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.

(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.

SCHEDULE 13 (continued)

(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.

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.

SCHEDULE 13 (continued)

(3) In addition, a set mesh net used in offshore waters must be marked by—

- (a) 6 floats along its length, each not less than 15 cm in any dimension; and
- (b) a pole with an orange flag on it at least 2 m above the water attached to its end farthest from the shore.

(4) A net that is not fixed or hauled and is used in offshore waters must be marked in the way stated in subsection (3).

PART 5—NET FISHERY (BAFFLE CREEK TO KAURI CREEK)

Division 1—Preliminary

Fishery symbol

69. The fishery symbol is 'N5'.

Fishery area

70. The fishery area comprises all tidal waters between the northern bank of Baffle Creek and the southern bank of Kauri Creek.

What fish may be taken

71. Any fish may be taken.

Permitted ways of taking fish

72.(1) Fish may only be taken by using mesh, seine, set mesh or tunnel nets.

SCHEDULE 13 (continued)

(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.

Use of mesh nets in offshore waters

74.(1) A net that is not fixed or hauled may be used in offshore waters

SCHEDULE 13 (continued)

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
- 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

SCHEDULE 13 (continued)

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.

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

SCHEDULE 13 (continued)

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—

- from the southern bank of Theodolite Creek east to longitude 152°40' east
- to the southern bank of O'Regan Creek

SCHEDULE 13 (continued)

- 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 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)

SCHEDULE 13 (continued)

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 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

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—

- (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 6—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.

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.

SCHEDULE 13 (continued)

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.

PART 7—NET FISHERY (OCEAN BEACH—AREA 2)**Fishery symbol**

94A. The fishery symbol is 'K2'.

SCHEDULE 13 (continued)

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.

Time quota

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

SCHEDULE 13 (continued)

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 8—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.

What fish may be taken

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

SCHEDULE 13 (continued)

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 9—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 10—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 11—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[↑]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 12—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 13—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 14—(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)**

schedule 17, definitions “commercial fishery” and “fishery schedule”

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.(1) The following fish (“**target fish**”) may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) saucer scallops;
- (g) squid;
- (h) three spot crabs.

- (2) Also, for the period 1 May 1999 to 31 October 2000 the following fish (also “**target fish**”) may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

SCHEDULE 14 (continued)

- (a) blue swimmer crabs;
 - (b) winter whiting.
- (3) In addition, other fish may be taken if—
- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
 - (b) the taking of the other fish is unintentional and not unlawful under another provision of this regulation or a provision of a management plan.
- (4) However, other fish must not—
- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
 - (b) if a time quota applies to using certain commercial fishing apparatus to take the other fish—be taken with the apparatus other than during the time quota.
- (5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.
- (6) Subsection (2) and this subsection expire on 31 October 2000.

Permitted way of taking fish scallops

- 4.(1) Fish 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.
- (5) 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

5. A primary commercial fishing boat must not be longer than 20 m.

Use of otter trawl nets

6.(1) An otter trawl net may only be used for the primary purpose of taking prawns if it is—

- (a) not longer than 88 m and has a mesh size of at least 38 mm, but not more than 60 mm; or
- (b) used only in the deep water net area and it is not longer than 184 m and its mesh size is at least 38 mm, but not more than 60 mm.

(2) An otter trawl net may only be used for the primary purpose of taking saucer scallops if it is not longer than 109 m and has a mesh size of at least 75 mm.

(3) An otter trawl net may only be used for the primary purpose of taking target fish other than prawns or saucer scallops if the use complies with subsection (1) or (2).

(4) An otter trawl net must not be used for the primary purpose of taking fish that are not target fish.

(5) In this section—

“deep water net area” means 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

SCHEDULE 14 (continued)

- to latitude 24°21'24" south, longitude 153°08'48" east near Breaksea Spit light.

“target fish” see section 3.

Use of turtle excluder devices

7. A turtle excluder device must be fitted to a net used under this part if—

- (a) it is not longer than 88 m; and
- (b) it is used in waters south of a line running east and west from Point Lookout.

Use of bycatch reduction devices

7A. A bycatch reduction device must be fitted to a net used under this part if—

- (a) it has a mesh size less than 75 mm; and
- (b) for use—
 - (i) in the period 1 May 1999 to 31 December 1999—
 - (A) it is not longer than 88 m; and
 - (B) it is used between 6 a.m. and 6 p.m.; or
 - (ii) on or after 1 January 2000—
 - (A) it is used in the waters within 5 n miles out to sea from the mainland shore; or
 - (B) it is used in other waters between 6 a.m. and 6 p.m..

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.(1) The following fish ("**target fish**") may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) saucer scallops;
- (g) squid;
- (h) three spot crabs.

(2) Also, for the period 1 May 1999 to 31 October 2000 the following fish (also "**target fish**") may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

- (a) blue swimmer crabs;
- (b) winter whiting.

(3) In addition, other fish may be taken if—

SCHEDULE 14 (continued)

- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
 - (b) the taking of the other fish is unintentional and not unlawful under another provision of this regulation or a provision of a management plan.
- (4) However, other fish must not—
- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
 - (b) if a time quota applies to using certain commercial fishing apparatus to take the other fish—be taken with the apparatus other than during the time quota.
- (5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.
- (6) Subsection (2) and this subsection expire on 31 October 2000.

Permitted ways of taking fish scallops

- 11.(1) Fish may only be taken by using beam or otter trawl nets.
- (2) However, 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 may only be used under this division if its primary purpose is 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. A net may only be used for the primary purpose of taking saucer scallops if it is not longer than 109 m and has a mesh size of at least 75 mm.

*Division 4—Use of nets to take other fish***Use of nets to take other fish**

27A.(1) A net may only be used for the primary purpose of taking target fish other than prawns or saucer scallops if the use complies with division 2 or 3.

(2) A net must not be used for the primary purpose of taking fish that are not target fish.

SCHEDULE 14 (continued)

(3) In this section—
“target fish” see section 10.

*Division 5—Use of turtle excluder devices and bycatch reduction devices***Use of turtle excluder devices**

27B. A turtle excluder device must be fitted to a net used under this part if—

- (a) the net is used in any of the following waters—
 - (i) Moreton Bay north of a line running west from Point Lookout;
 - (ii) south of a line running east and west from Point Lookout;
 - (iii) between latitude 25°15' south and latitude 24°20' south, within 6 n miles out to sea from the mainland shore;
 - (iv) between latitude 21° south and latitude 20°30' south, within 6 n miles out to sea from the mainland shore;
 - (v) within a boundary from Cape Cleveland along the shore to latitude 18°52', then in a straight line to Cape Cleveland;
 - (vi) between latitude 17° south and latitude 15° south, within 6 n miles out to sea from the mainland shore;
 - (vii) between latitude 14°30' south and latitude 12°30' south, within 6 n miles out to sea from the mainland shore; and
- (b) the net is not longer than—
 - (i) for an otter trawl net having a mesh size not more than 60 mm—88 m; or
 - (ii) for an otter trawl net having a mesh size of at least 75 mm—109 m; or
 - (iii) for a beam trawl net—40 m.

SCHEDULE 14 (continued)

Use of bycatch reduction devices

27C. A bycatch reduction device must be fitted to a net used under this part (other than in Moreton Bay) if—

- (a) it has a mesh size less than 75 mm; and
- (b) it is not longer than—
 - (i) for an otter trawl net—88 m; or
 - (ii) for a beam trawl net—40 m; and
- (c) for use—
 - (i) in the period 1 May 1999 to 31 December 1999—it is used between 6 a.m. and 6 p.m.; or
 - (ii) in the period 1 January 2000 to 31 December 2000—
 - (A) it is used in the waters within 5 n miles out to sea from the mainland shore; or
 - (B) it is used in other waters between 6 a.m. and 6 p.m.; or
 - (iii) on or after 1 January 2001—
 - (A) it is used in the Great Barrier Reef Region; or
 - (B) it is used in the waters south of latitude 24°30' south⁵⁶ and within 5 n miles out to sea from the mainland shore; or
 - (C) it is used in other waters between 6 a.m. and 6 p.m..

⁵⁶ The southern boundary of the Great Barrier Reef Region runs along latitude 24°30' south.

SCHEDULE 14 (continued)

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.

What fish may be taken

30.(1) The following fish ("**target fish**") may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) squid;
- (g) three spot crabs.

(2) Also, for the period 1 May 1999 to 31 October 2000, the following fish (also "**target fish**") may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

- (a) blue swimmer crabs;
- (b) winter whiting.

(3) In addition, other fish may be taken if—

- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
- (b) the taking of the other fish is unintentional and not unlawful under another provision of this regulation or a provision of a

SCHEDULE 14 (continued)

management plan.

(4) However, other fish must not—

- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
- (b) if a time quota applies to using certain commercial fishing apparatus to take the other fish—be taken with the apparatus other than during the time quota.

(5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.

(6) Subsection (2) and this subsection expire on 31 October 2000.

Permitted ways of taking fish

31.(1) Fish 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.

SCHEDULE 14 (continued)

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.

Use of turtle excluder devices

34A. A turtle excluder device must be fitted to a net used under this part if the net is used in any of the following waters—

- (a) Moreton Bay north of a line running west from Point Lookout;
- (b) south of a line running east and west from Point Lookout;
- (c) between latitude 25°15' south and latitude 24°20' south, within 6 n miles out to sea from the mainland shore;
- (d) between latitude 21° south and latitude 20°30' south, within 6 n miles out to sea from the mainland shore;
- (e) within a boundary from Cape Cleveland along the shore to latitude 18°52', then in a straight line to Cape Cleveland;
- (f) between latitude 17° south and latitude 15° south, within 6 n miles out to sea from the mainland shore;
- (g) between latitude 14°30' south and latitude 12°30' south, within 6 n miles out to sea from the mainland shore.

Use of bycatch reduction devices

34B. A bycatch reduction device must be fitted to a net used under this part if—

- (a) for use in the period 1 May 1999 to 31 December 1999—it is

SCHEDULE 14 (continued)

- used between 6 a.m. and 6 p.m.; or
- (b) for use in the period 1 January 2000 to 31 December 2000—
- (i) it is used in the waters within 5 n miles out to sea from the mainland shore; or
 - (ii) it is used in other waters between 6 a.m. and 6 p.m.; or
- (c) for use on or after 1 January 2001—
- (i) it is used in the Great Barrier Reef Region; or
 - (ii) it is used in the waters south of latitude 24°30' south⁵⁷ and within 5 n miles out to sea from the mainland shore; or
 - (iii) it is used in other waters between 6 a.m. and 6 p.m..

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

⁵⁷ The southern boundary of the Great Barrier Reef Region runs along latitude 24°30' south.

SCHEDULE 14 (continued)

- 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.

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.

SCHEDULE 14 (continued)

What fish may be taken

42.(1) The following fish (“**target fish**”) may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) squid;
- (g) three spot crabs.

(2) Also, for the period 1 May 1999 to 31 October 2000, the following fish (also “**target fish**”) may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

- (a) blue swimmer crabs;
- (b) winter whiting.

(3) In addition, other fish may be taken if—

- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
- (b) the taking of the other fish is unintentional and not unlawful under another provision of this regulation or a provision of a management plan.

(4) However, other fish must not—

- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
- (b) if a time quota applies to using certain commercial fishing apparatus to take the other fish—be taken with the apparatus other than during the time quota.

(5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.

(6) Subsection (2) and this subsection expire on 31 October 2000.

SCHEDULE 14 (continued)

Permitted ways of taking fish

43.(1) Fish 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.

Use of primary commercial fishing boats

44. A primary commercial fishing boat must not be longer than 9 m.

Use of beam trawl nets in the Brisbane River

45. A beam trawl net may be used in the Brisbane River between the Victoria Bridge and a line from the F[↑]B sign at Juno Point to the eastern bank of the Brisbane River only if the net is not longer than 5 m and has a mesh size of at least 25 mm.

Use of beam trawl nets at or near the Brisbane River mouth

46. A beam trawl net may be used in waters within the following boundary only if it is not longer than 5 m and has a mesh size of at least 25 mm—

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

SCHEDULE 14 (continued)

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.

Use of otter trawl nets in Laguna Bay

49.(1) 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).

(2) A bycatch reduction device must be fitted to the net if—

- (a) it has a mesh size less than 75 mm; and
- (b) it is used—
 - (i) between 6 a.m. and 6 p.m. in the period 1 May 1999 to 31 December 1999; or
 - (ii) on or after 1 January 2000.

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.

SCHEDULE 14 (continued)

**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.(1) The following fish (“**target fish**”) may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) squid;
- (g) three spot crabs.

(2) Also, for the period 1 May 1999 to 31 October 2000, the following fish (also “**target fish**”) may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

- (a) blue swimmer crabs;
- (b) winter whiting.

(3) In addition, other fish may be taken if—

- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
- (b) the taking of the other fish is unintentional and not unlawful under

SCHEDULE 14 (continued)

another provision of this regulation or a provision of a management plan.

(4) However, other fish must not—

- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
- (b) if a time quota applies to using certain commercial fishing apparatus to take the other fish—be taken with the apparatus other than during the time quota.

(5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.

(6) Subsection (2) and this subsection expire on 31 October 2000.

Permitted ways of taking fish

54.(1) Fish 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—

SCHEDULE 14 (continued)

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

Use of beam trawl nets in Hervey Bay

57.(1) A beam trawl net may be used in the waters of Hervey Bay south of latitude 25°05' south, and north of a line from the eastern shore of Point Vernon to Sandy Point, Fraser Island.

(2) The net must not be longer than 10 m and must have a mesh size of at least 38 mm but not more than 60 mm.

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).

SCHEDULE 14 (continued)

What fish may be taken

61.(1) The following fish (“**target fish**”) may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) squid;
- (g) three spot crabs.

(2) Also, for the period 1 May 1999 to 31 October 2000, the following fish (also “**target fish**”) may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

- (a) blue swimmer crabs;
- (b) winter whiting.

(3) In addition, other fish may be taken if—

- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
- (b) the taking of the other fish is unintentional and not unlawful under another provision of this regulation or a provision of a management plan.

(4) However, other fish must not—

- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
- (b) if a time quota applies to using certain commercial fishing apparatus to take the other fish—be taken with the apparatus other than during the time quota.

(5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.

(6) Subsection (2) and this subsection expire on 31 October 2000.

SCHEDULE 14 (continued)

Permitted ways of taking fish

62.(1) Fish 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

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).

SCHEDULE 14 (continued)

What fish may be taken

67.(1) The following fish (“**target fish**”) may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) squid;
- (g) three spot crabs.

(2) Also, for the period 1 May 1999 to 31 October 2000, the following fish (also “**target fish**”) may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

- (a) blue swimmer crabs;
- (b) winter whiting.

(3) In addition, other fish may be taken if—

- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
- (b) the taking of the other fish is unintentional and not unlawful under another provision of this regulation or a provision of a management plan.

(4) However, other fish must not—

- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
- (b) if a time quota applies to using certain commercial fishing apparatus to take the other fish—be taken with the apparatus other than during the time quota.

(5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.

(6) Subsection (2) and this subsection expire on 31 October 2000.

SCHEDULE 14 (continued)

Permitted ways of taking fish

68.(1) Fish 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

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

 SCHEDULE 14 (continued)

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 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'.

SCHEDULE 14 (continued)

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.

What fish may be taken

75.(1) The following fish (“**target fish**”) may be taken—

- (a) barking crayfish;
- (b) cuttlefish;
- (c) Moreton Bay bugs;
- (d) octopus;
- (e) prawns;
- (f) squid;
- (g) three spot crabs.

(2) Also, for the period 1 May 1999 to 31 October 2000, the following fish (also “**target fish**”) may be taken if the taking is not unlawful under another provision of this regulation or a provision of a management plan—

- (a) blue swimmer crabs;
- (b) winter whiting.

(3) In addition, other fish may be taken if—

- (a) the primary purpose of the apparatus used to take the other fish was to take target fish; and
- (b) the taking of the other fish is unintentional and not unlawful under another provision of this regulation or a provision of a management plan.

(4) However, other fish must not—

- (a) if a time quota applies to taking the other fish—be taken other than during the time quota; or
- (b) if a time quota applies to using certain commercial fishing

SCHEDULE 14 (continued)

apparatus to take the other fish—be taken with the apparatus other than during the time quota.

(5) Also, other fish must not be taken if there is a quota, other than a time quota, for taking the other fish.

(6) Subsection (2) and this subsection expire on 31 October 2000.

Permitted ways of taking fish

76.(1) Fish 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

SCHEDULE 14 (continued)

O'Connell River

- east for 2 n miles
- to Rocky Point.

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)**

schedule 17, definitions “commercial fishery” and “fishery schedule”

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.⁵⁸

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.

⁵⁸ 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—PEARL FISHERY**Fishery symbol**

43. The fishery symbol is 'P'.

Fishery area

44. The fishery area comprises tidal waters south of latitude 10°41' south and east of longitude 142°31'49" east.

What fish may be taken

45. Only live pearl oysters may be taken.

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.

SCHEDULE 15 (continued)

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 7—SHELL FISHERY**Fishery symbol**

48. The fishery symbol is 'F'.

Fishery area

49. The fishery area comprises all tidal waters and foreshores.

What fish may be taken

50. Only molluscs (other than oysters, pearl oysters, tridacnid clams, trochus, green snails and scallops) may be taken.

Permitted ways of taking molluscs

51. Molluscs may only be taken—

- (a) for broken remnants of molluscs—
 - (i) by hand or hand held non-mechanical implements; or
 - (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.

SCHEDULE 15 (continued)

Use of primary commercial fishing boats

52. A primary commercial fishing boat must not be longer than 20 m.

General conditions of taking molluscs

53.(1) The authority holder must be present when the molluscs are taken.

(2) Molluscs may only be taken in the fishery area or area stated in the authority.

Annual quota

54. The annual quota of molluscs that may be taken under an authority with the fishery symbol on it is the quota stated on the authority.

Use of shell dredges

55. A shell dredge must not have a mouth wider than 1.2 m or teeth or prongs longer than 75 mm.

Selling molluscs

56.(1) The holder of a commercial fishing boat licence allowing the holder to take molluscs may sell them only to a buyer.

(2) The holder of another authority allowing the holder to take molluscs may sell them to anyone.

PART 8—SHELL GRIT FISHERY**Fishery symbol**

57. The fishery symbol is 'G'.

SCHEDULE 15 (continued)

Fishery area

58. The fishery area comprises all tidal waters and foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

59. Only shell grit may be taken.

Permitted ways of taking shell grit

60. Shell grit may be taken in any way.

General conditions of taking shell grit

61.(1) A person may only take shell grit in an area stated on the authority.

(2) The person must replace the total volume of shell grit removed from the area with an equal volume of lawfully obtained sand.

Selling shell grit

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

PART 9—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.

SCHEDULE 15 (continued)

What fish may be taken

65. Only star sand composed of the calcareous skeletons of unicellular animals known as Foraminifera may be taken.

Permitted ways of taking star sand

66. Star sand may only be taken by hand or hand-held implements.

General conditions of taking star sand

67. Star sand may only be taken in the area stated in the authority under which it is taken.

Selling star sand

68. The authority holder may sell star sand taken under the authority.

PART 10—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.

SCHEDULE 15 (continued)

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.

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.

SCHEDULE 15 (continued)

PART 11—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.⁵⁹

What fish may be taken

78. Only trochus may be taken.

Permitted ways of taking trochus

79.(1) Trochus may only be taken by hand or by using hand held non-mechanical implements.

(2) A person may use underwater breathing apparatus when taking trochus.

Annual quota

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

⁵⁹ See the proclamation published in the Commonwealth of Australia Gazette No. S41 of 14 February 1985.

SCHEDULE 15 (continued)

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 12—WORM FISHERY (BEACHWORM)**Fishery symbol**

82. The fishery symbol is 'W1'.

Fishery area

83. The fishery area comprises all foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

84. Only beachworms may be taken.

Permitted ways of taking beachworms

85. Beachworms may only be taken by hand.

General conditions of taking beachworms

86. Beachworms may only be taken by the authority holder and in the area stated on the authority.

Selling beachworms

87. The authority holder may sell beachworms taken under the authority only to a buyer.

SCHEDULE 15 (continued)

PART 13—WORM FISHERY (BLOODWORM)**Fishery symbol**

88. The fishery symbol is 'W2'.

Fishery area

89. The fishery area comprises all foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

90. Only bloodworms may be taken.

Permitted ways of taking bloodworms

91. Bloodworms may only be taken by hand or by using hand held forks.

General conditions of taking bloodworms

92.(1) Bloodworms may only be taken by the authority holder and in the area stated on the authority.

(2) If the holder digs up an area to take bloodworms, the holder must put seagrass disturbed or removed by the digging back in an upright position immediately after the worms are taken.

Selling bloodworms

93. The authority holder may sell bloodworms taken under the authority only to a buyer.

SCHEDULE 15 (continued)

PART 14—YABBY FISHERY**Fishery symbol**

94. The fishery symbol is 'Y'.

Fishery area

95. The fishery area comprises all foreshores south of latitude 10°41' south, and east of longitude 142°31'49" east.

What fish may be taken

96. Only yabbies may be taken.

Permitted ways of taking yabbies

97. Yabbies may only be taken by using hand pumps or, if stated on the authority, mechanical pumps.

General conditions of taking yabbies

98. Yabbies may only be taken by the authority holder and in the area stated on the authority.

Selling yabbies

99. The authority holder may sell yabbies taken under the authority only to a buyer.

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

section 10

Common name	Scientific name
african mono	<i>Monodactylus sebae</i>
albacore tuna	<i>Thunnus alalunga</i>
angel fish	<i>Pterophyllum</i> spp.
archer fish	<i>Toxotes jaculatrix</i>
argentine bloodfin (tetra)	<i>Aphyocharax anisitsi</i>
armoured cat (cory)	<i>Corydoras</i> spp.
asoka barb	<i>Puntius asoka</i>
auratus	<i>Melanochromis auratus</i>
Australian bass	<i>Macquaria novemaculeata</i>
balmain bug	<i>Ibacus peronii</i>
banded barb	<i>Barbodes pentazona</i>
banded leporinus	<i>Leporinus fasciatus</i>
barking crayfish	<i>Linuparus trigonus</i>
barracuda	<i>Sphyraena 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>

SCHEDULE 16 (continued)

big-spot rasbora	<i>Rasbora kalochroma</i>
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>Megalamphodus megalopterus</i>
black ruby barb	<i>Puntius nigrofasciatus</i>
black shark	<i>Morulius 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>

SCHEDULE 16 (continued)

blue swimmer crab ⁶⁰	<i>Portunus pelagicus</i>
brichardi	<i>Lamprologus brichardi</i>
broad-barred or grey mackerel	<i>Scomberomorus semifasciatus</i>
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>

⁶⁰ Blue swimmer crabs previously had the common name 'sand crabs'.

SCHEDULE 16 (continued)

Cumming's barb	<i>Puntius cummingi</i>
cuttlefish	<i>Metasepia</i> sp. and <i>Sepia</i> spp.
deepwater redfish	<i>Actinopyga echinites</i>
discus	<i>Symphysodon</i> spp.
dolphin-fish	<i>Coryphaena</i> spp.
duboisii	<i>Tropheus duboisi</i>
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.

SCHEDULE 16 (continued)

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>
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>
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>

SCHEDULE 16 (continued)

hatchetfish	<i>Carnegiella</i> and <i>Thoracocharax</i> spp.
headstander	<i>Abramites hypselonotus</i> and <i>Anostomus</i> spp.
helmet shell	<i>Cassis cornuta</i>
hi-spot rasbora	<i>Rasbora dorsiocellata</i>
honey dwarf gourami	<i>Colisa chuna</i>
hussar	<i>Lutjanus amabilis</i>
indian hatchetfish	<i>Chela laubuca</i>
javanese rice fish	<i>Oryzias javanicus</i>
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>

SCHEDULE 16 (continued)

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>
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>
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>
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>

SCHEDULE 16 (continued)

northern bluefin tuna	<i>Thunnus thynnus</i>
octopus	<i>Octopus</i> spp.
opaline gourami	<i>Trichogaster trichopterus</i>
orange-finned rasbora	<i>Rasbora vaterifloris</i>
ornate pimelodus	<i>Pimelodus ornatus</i>
oscar	<i>Astronotus ocellatus</i>
panchax	<i>Aplocheilus</i> and <i>Epiplatys</i> spp.
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.
pikey bream	<i>Acanthopagrus berda</i>
piranha	family <i>Serrasalminidae</i>
platy	<i>Xiphophorus maculatus</i>
platy variatus	<i>Xiphophorus variatus</i>
pomfret	family <i>Bramidae</i>
poorman's glass catfish	<i>Kryptopterus macrocephalus</i>
potato cod	<i>Epinephelus tukula</i>
prickly redfish	<i>Thelenota ananus</i>
pristella	<i>Pristella maxillaris</i>
purple tusk-fish	<i>Choerodon cephalotes</i>

SCHEDULE 16 (continued)

pygmy gourami	<i>Trichopsis pumilus</i>
queenfish	<i>Scomberoides</i> spp.
Queensland groper	<i>Epinephelus lanceolatus</i>
Queensland school mackerel	<i>Scomberomorus queenslandicus</i>
rainbow fish	<i>Glossolepsis, Chilatherina,</i> <i>Melanotaenia</i> spp.
rainbow shark	<i>Labeo erythrurus</i>
ram	<i>Microgeophagus ramirezi</i>
red emperor	<i>Lutjanus sebae</i>
red-finned black shark	<i>Labeo bicolor</i>
red-finned shark	<i>Labeo frenatus</i>
red line rasbora	<i>Rasbora pauciperforata</i>
red-striped barb	<i>Puntius bimaculatus</i>
red throat emperor	<i>Lethrinus miniatus</i>
rosy barb	<i>Puntius 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 flathead	<i>Platycephalus arenarius</i>
sand whiting	<i>Sillago ciliata</i>
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	<i>Carcharhinus</i> spp.

SCHEDULE 16 (continued)

shark mackerel	<i>Grammatorcynus bicarinatus</i>
siamese flying fox	<i>Epalzeorhynchus siamensis</i>
silver jewfish	<i>Nibea soldado</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>
snub-nosed dart	<i>Trachinotus</i> spp.
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>

SCHEDULE 16 (continued)

squid	<i>Loliolus</i> sp., and <i>Nototodarus</i> , <i>Photololigo</i> and <i>Sepioteuthis</i> spp.
striped barb	<i>Puntius lineatus</i>
striped kribensis	<i>Pelvicachromis taeniatus</i>
striped leporinus	<i>Leporinus striatus</i>
stripey	<i>Lutjanus carponotatus</i>
sucker catfish	<i>Otocinclus arnoldi</i>
Swegle's tetra	<i>Megalampodus sweglesi</i>
swordtail	<i>Xiphophorus helleri</i>
tailor	<i>Pomatomus saltatrix</i>
tarwhine	<i>Rhabdosargus sarba</i>
tetra	<i>Hemigrammus</i> , <i>Hyphessobrycon</i> and <i>Moenkhausia</i> spp.
thick-lipped gourami	<i>Colisa labiosa</i>
thin-banded barb	<i>Capoeta semifasciolatus</i>
three spot crab	<i>Portunus sanguinolentus</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</i> , <i>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>

SCHEDULE 16 (continued)

twig catfish	<i>Farlowella acus</i>
variegated shark	<i>Labeo variegatus</i>
venus tusk-fish	<i>Choerodon venustus</i>
wahoo	<i>Acanthocybium solandri</i>
walking catfish	family Claridae
whiptail catfish	<i>Loricaria filamentosa</i>
white cloud mountain minnow	<i>Tanichthys albonubes</i>
white teatfish	<i>Holothuria fuscogilva</i>
winter whiting	<i>Sillago maculata</i>
yellow-finned bream	<i>Acanthopagrus australis</i>
yellowfin tuna	<i>Thunnus albacares</i>
yellowtail king-fish	<i>Seriola lalandi</i>
yellow tail rasbora	<i>Rasbora dusonensis</i>
yucatan mollie	<i>Poecilia velifera</i>
zebra danio	<i>Brachydanio rerio</i>

SCHEDULE 17**DICTIONARY**

section 2

PART 1—WORDS

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

“annual”, for a quota, means the period from 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.⁶¹

“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.

“bycatch reduction device”, for a trawl net, means a device fitted to the net, or a modification made to the net, allowing bycatch to escape after being taken in the net.

Examples of bycatch reduction devices—

1. Square mesh cod ends.

⁶¹ 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.

SCHEDULE 17 (continued)

2. Sections of square mesh built into a net.
3. Mesh extension pieces attached to a net between the throat and the cod end.
4. Slits built into a net.
5. Metal escape windows attached to a net.

“collapsible trap” means a trap made of rigid material, with 1 or more collapsible sides.

“commercial fisher” means a person who holds a commercial fisher licence.

“commercial fishery” means a fishery described as a commercial fishery in schedules 11 to 15 or a management plan.

“commercial fishing apparatus” means fishing apparatus other than fishing apparatus that may be used or possessed by a recreational fisher under schedule 8 or a management plan.

“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 fishery” means the commercial crab fishery under schedule 11.⁶²

“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

⁶² This fishery does not include the spanner crab fishery. For the spanner crab fishery, see the *Fisheries (Spanner Crab) Management Plan 1999*

SCHEDULE 17 (continued)

side, for trapping crabs.

“**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.

“**fin fish**” means a fish that has a fin at any stage of its life cycle.

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

“**fishery provision**”, for a commercial fishery, means a provision of the relevant fishery schedule or management plan.

“**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.

“**fitted**”, to a net, includes attached to, and built into, the net.

“**fix**”, a net, includes hold the net in a way that sets the net.

“**Great Barrier Reef Region**” means the fishery area described in schedule 12, part 6, section 41.

“**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

SCHEDULE 17 (continued)

East Coast Otter Trawl Vessels'.⁶³

“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.

“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 6 to 13.

“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.

“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.

⁶³ 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)

“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.

“required way”, for tagging barramundi, means the way required by—

- (a) an F[↑]B sign or advisory sign erected by the Authority in, or at or near an entrance to, the Lake Tinaroo area or the Lake Awoonga area; or
- (b) another notice given by the Authority.

“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 25 n mile line” means a line parallel to the territorial sea baseline and 25 n miles out to sea.

SCHEDULE 17 (continued)

“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 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.

“turtle excluder device”, for a trawl net, means a device fitted to the net, or a modification made to the net, allowing turtles to escape immediately after being taken in the net.

Examples of turtle excluder devices—

1. Slits built into the belly or head panel of a net.
2. A device, made of any material and fitted to the net, directing turtles to an opening in the top or bottom of the net ahead of the cod end.

“unallocated State land” has the meaning given by the *Land Act 1994*.

“use” a net, includes set and shoot the net.

SCHEDULE 17 (continued)

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 Awoonga area”

2. “**Lake Awoonga area**” means—

- (a) Lake Awoonga; or
- (b) the area within the following boundary—
 - from the F↑B sign near the end of Scenic Drive at the Shore of Lake Awoonga, along Scenic Drive to Lookout Road
 - along Lookout Road to the shore of Lake Awoonga
 - along the shore of Lake Awoonga to the F↑B sign near the end of Scenic Drive at the Shore of Lake Awoonga, along Scenic Drive to Lookout Road.

Meaning of “Lake Tinaroo area”

3. “**Lake Tinaroo area**” means the area of, and within, the following boundary—

- from Danbulla Forest Drive at the northern end of the Tinaroo Dam wall along the drive to Boar Pocket Road
- along Boar Pocket Road to Gillies Road (Gordonvale-Atherton Road)
- along Gillies Road to Marks Lane

SCHEDULE 17 (continued)

- 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 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.

 SCHEDULE 17 (continued)
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
- 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

SCHEDULE 17 (continued)

- 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.

Meaning of “stowed and secured”

11.(1) Otter trawl fishing apparatus is “stowed and secured” on a boat

SCHEDULE 17 (continued)

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
- along longitude 144° east, to latitude 10°41'17" south

SCHEDULE 17 (continued)

- 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, and—

- (a) the assistant fisher and commercial fisher are at the same place, in the same vehicle or on the same commercial fishing boat; or
- (b) the assistant fisher and commercial fisher are not at the same place, in the same vehicle or on the same commercial fishing boat but—
 - (i) are no further apart than the distance permitted under a fishery provision for the fishery in which the boats are operating; and
 - (ii) the assistant fisher is following the commercial fisher’s instructions.

(2) In a trawl fishery, an assistant fisher is **“under direction”** only if the assistant fisher and a commercial fisher are—

- (a) on the same boat; or
- (b) on different boats but the assistant fisher is on a tender commercial fishing boat that is not a trawler.

Meaning of “Wynnum area” for fish regulated by area

15.(1) For fish regulated by area, **“Wynnum area”** means the foreshores of Moreton Bay and the Boat Passage, between the south-eastern

SCHEDULE 17 (continued)

tip of Fisherman Islands and the northern breakwater of the Manly boat harbour.

(2) The area does not include foreshores west of the road bridge over the Boat Passage or upstream of a line between the banks of a waterway.

ENDNOTES

1 Index to endnotes

		Page
2	Date to which amendments incorporated	390
3	Key	390
4	Table of earlier reprints	391
5	List of legislation	391
6	List of annotations	393

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 13 July 1999. 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
2A	to SL No. 232 of 1998	20 August 1998
2B	to SL No. 232 of 1998	16 October 1998
2C	to SL No. 295 of 1998	10 November 1998
2D	to SL No. 370 of 1998	11 January 1999
3	to SL No. 58 of 1999	5 May 1999

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 1 September 2006 (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 commenced 1 September 1998 (see s 3)

remaining provisions commenced on date of notification

Fisheries Amendment Regulation (No. 4) 1998 SL No. 295

notfd gaz 6 November 1998 pp 899–900

commenced on date of notification

Fisheries Amendment Regulation (No. 5) 1998 SL No. 370

notfd gaz 18 December 1998 pp 1551–7

commenced on date of notification

Fisheries Amendment Regulation (No. 1) 1999 SL No. 2

notfd gaz 29 January 1999 pp 323–4

commenced on date of notification

Fisheries Amendment Regulation (No. 2) 1999 SL No. 57

notfd gaz 1 April 1999 pp 1534–6

ss 6, 9, 15, 16(1), 17–20, 35(2)–(3), 37(1), 38(2), 41, 45(2), (4), (8)
commenced 1 June 1999 (see s 2)

remaining provisions commenced on date of notification

Fisheries Amendment Regulation (No. 3) 1999 SL No. 58

notfd gaz 1 April 1999 pp 1534–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 May 1999 (see s 2)

6 List of annotations

Scientific names of fish

s 10 amd 1996 SL No. 266 s 4; 1997 SL No. 222 s 3; 1999 SL No. 57 s 4

Division 1—Closed season

div hdg ins 1999 SL No. 57 s 5

Closed season for barramundi

s 14 sub 1999 SL No. 57 s 5

Barramundi closed season exemption for recreational fishers

s 15 amd 1996 SL No. 266 s 3 sch

sub 1999 SL No. 57 s 5

Division 2—Closed waters

div hdg ins 1999 SL No. 57 s 5

Closed waters

s 16 amd 1996 SL No. 266 s 5; 1999 SL No. 57 s 6

Regulated fish

s 18 amd 1999 SL No. 57 s 7

Possessing certain grunter regulated

s 18A ins 1996 SL No. 266 s 6
om 1999 SL No. 57 s 8

Measurement of size of fish

s 21 amd 1999 SL No. 57 s 9; 1999 SL No. 58 s 4

Exemption for recreational fishers about barramundi size limit

s 23 amd 1996 SL No. 266 s 3 sch
sub 1999 SL No. 57 s 10

Exemptions for Mary River cod

s 24A ins 1996 SL No. 422 s 3
om 1999 SL No. 57 s 11

Other exemptions

s 25 amd 1996 SL No. 422 s 4; 1999 SL No. 57 s 12

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)

Licences Authority may issue

s 31 amd 1999 SL No. 57 s 13

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; 1999 SL No. 57 s 14

Fishery symbols to be written on authorities

s 41 amd 1999 SL No. 57 s 15

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; 1999 SL No. 57 s 16

Combining spanner crab fishery symbols

s 42A ins 1997 SL No. 260 s 5
om 1999 SL No. 57 s 17

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

s 45 amd 1999 SL No. 57 s 18

When effect of certain fishery symbols end

s 47 amd 1999 SL No. 57 s 19

Tender commercial fishing boat licence

s 56 amd 1999 SL No. 57 s 20

Authorities that are not transferable

s 59 amd 1996 SL No. 449 s 4; 1999 SL No. 57 s 21

Authority holder only needs 1 authority for an activity

s 61 amd 1999 SL No. 57 s 22

Particulars to be contained in register of authorities

s 62 amd 1998 SL No. 232 s 4; 1999 SL No. 57 s 23

Authorities inspectors may have an interest in

s 64 amd 1999 SL No. 57 s 24

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
 amd 1999 SL No. 57 s 25

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; 1999 SL No. 57 s 26

Conducting commercial fishing competitions

s 70A ins 1996 SL No. 422 s 6

Aquaculture

s 77 amd 1996 SL No. 423 s 3; 1999 SL No. 57 s 27

Marine plants

s 79 amd 1996 SL No. 422 s 7

Nonindigenous fisheries resources

s 80 amd 1999 SL No. 57 s 28

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

Possessing certain crabs, crab meat and Moreton Bay bugs

s 91 amd 1999 SL No. 58 s 4

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)

Things recreational fishers may do—tidal waters

s 96 sub 1999 SL No. 57 s 29

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

om 1999 SL No. 57 s 30

Prescribed entities for delegation or subdelegation—Act, s 28

s 99A ins 1999 SL No. 57 s 31

Noxious fisheries resources

s 105 om 1999 SL No. 57 s 32

Serious fisheries offences

s 108 amd 1998 SL No. 232 s 8

Other fees

s 112 amd 1999 SL No. 57 s 33

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

sch hdg om 1999 SL No. 57 s 34

Barramundi—Gulf of Carpentaria

s 1 sub 1996 SL No. 266 s 9; 1997 SL No. 328 s 3
om 1999 SL No. 57 s 34

Barramundi—elsewhere

s 2 sub 1997 SL No. 328 s 3
om 1999 SL No. 57 s 34

Spanner crab

s 3 ins 1997 SL No. 328 s 3
amd 1997 SL No. 476 s 5
om 1999 SL No. 57 s 34

SCHEDULE 2—CLOSED WATERS—COMMERCIAL FISHING**PART 1—TAKING OR POSSESSING ANY FISH****Severn River at Queen Mine Waterhole**

s 2 om 1999 SL No. 57 s 35(1)

Dumaresq River at Bonshaw Weir

s 3 om 1999 SL No. 57 s 35(1)

Macintyre River at Goondiwindi Weir

s 4 om 1999 SL No. 57 s 35(1)

Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs

s 5 sub 1997 SL No. 118 s 3(1)
om 1999 SL No. 57 s 35(1)

Pike Creek at Glenlyon Dam

s 6 om 1999 SL No. 57 s 35(1)

Quart Pot Creek at Storm King Dam

s 7 om 1999 SL No. 57 s 35(1)

Barwon River at Mungindi Weir

s 8 om 1999 SL No. 57 s 35(1)

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

s 9 om 1999 SL No. 57 s 35(1)

Balonne River at Beardmore Dam and Jack Taylor Weir

s 10 om 1999 SL No. 57 s 35(1)

Sandy Creek at Leslie Dam

s 11 om 1999 SL No. 57 s 35(1)

Dogwood Creek at Miles Weir

s 12 amd 1997 SL No. 118 s 3(2)
om 1999 SL No. 57 s 35(1)

Burnett Creek at Maroon Dam

s 13 om 1999 SL No. 57 s 35(1)

Reynolds Creek at Moogerah Dam

s 14 om 1999 SL No. 57 s 35(1)

Brisbane River at Mt Crosby Weir

s 17 om 1999 SL No. 57 s 35(1)

Mary River at Mary River Barrage

s 19 om 1999 SL No. 57 s 35(1)

Tinana Creek at Tinana Creek Barrage

s 20 om 1999 SL No. 57 s 35(1)

Burnett River at Burnett Barrage

s 22 om 1999 SL No. 57 s 35(1)

Kolan River at Kolan Barrage

s 23 om 1999 SL No. 57 s 35(1)

Three Moon Creek at Cania Dam

s 24 om 1999 SL No. 57 s 35(1)

Nogo River at Wuruma Dam

s 25 om 1999 SL No. 57 s 35(1)

Stuart River at Gordonbrook Dam

s 26 om 1999 SL No. 57 s 35(1)

Boyne River at Boondoomba and Awoonga Dams

s 27 om 1999 SL No. 57 s 35(1)

Dawson River at Neville Hewitt Weir

s 28 om 1999 SL No. 57 s 35(1)

Fitzroy River at Fitzroy River Barrage

s 29 om 1999 SL No. 57 s 35(1)

Fitzroy River at Eden Bann Weir

s 29A ins 1997 SL No. 118 s 3(3)
om 1999 SL No. 57 s 35(1)

Fitzroy River at Wattlebank Control Weir

s 29B ins 1997 SL No. 118 s 3(3)
om 1999 SL No. 57 s 35(1)

Nogoa River at Fairbairn Dam

s 31 om 1999 SL No. 57 s 35(1)

Pioneer River at the Marian, Mirani and Dumbleton Weirs

s 32 om 1999 SL No. 57 s 35(1)

Yanks Jetty at Orpheus Island

s 33A ins 1997 SL No. 118 s 3(4)

Burdekin River at Clare Weir

s 34 om 1999 SL No. 57 s 35(1)

South Mitchell River

s 39 om 1999 SL No. 57 s 35(1)

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
om 1999 SL No. 57 s 35(2)**Prohibited activities**

s 41 amd 1996 SL No. 233 s 5(2); 1997 SL No. 476 s 6

Hervey Bay regions 42A ins 1998 SL No. 7 s 4(1)
amd 1999 SL No. 2 s 3(1)
exp 1 February 2001 (see s 42A(3))**Bustard Head region**s 43A ins 1998 SL No. 7 s 4(2)
amd 1999 SL No. 2 s 3(1)
exp 1 February 2001 (see s 43A(3))**Yeppoon region**s 43B ins 1998 SL No. 7 s 4(2)
amd 1999 SL No. 2 s 3(1)
exp 1 February 2001 (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
om 1999 SL No. 57 s 35(3)**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
om 1999 SL No. 57 s 35(3)**Managed area A—weekends and Mondays**s 46B ins 1997 SL No. 328 s 4
om 1999 SL No. 57 s 35(3)

Managed areas A and B

s 46C ins 1997 SL No. 328 s 4
amd 1998 SL No. 370 s 3
om 1999 SL No. 57 s 35(3)

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

Pine River

s 134 om 1999 SL No. 57 s 35(1)

Mission River, Embley River and Hey River

s 135 om 1999 SL No. 57 s 35(1)

Watson River

s 136 om 1999 SL No. 57 s 35(1)

Moonkan Creek

s 137 om 1999 SL No. 57 s 35(1)

Chapman River

s 138 om 1999 SL No. 57 s 35(1)

Chapman River to Moonkan Creek

s 139 om 1999 SL No. 57 s 35(1)

Mitchell River

s 140 om 1999 SL No. 57 s 35(1)

Staaten River

s 141 om 1999 SL No. 57 s 35(1)

Gilbert River

s 142 om 1999 SL No. 57 s 35(1)

Norman River

s 143 om 1999 SL No. 57 s 35(1)

Bynoe River

s 144 om 1999 SL No. 57 s 35(1)

Flinders River

s 145 om 1999 SL No. 57 s 35(1)

Albert River

s 146 om 1999 SL No. 57 s 35(1)

Nicholson River

s 147 om 1999 SL No. 57 s 35(1)

Gin Arm Creek

s 148 om 1999 SL No. 57 s 35(1)

Elizabeth River on Mornington Island

s 149 om 1999 SL No. 57 s 35(1)

Sandalwood Place River on Mornington Island

s 150 om 1999 SL No. 57 s 35(1)

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

s 152 amd 1999 SL No. 58 s 5(1)

Amity and Moreton Banks

s 153A ins 1999 SL No. 58 s 5(2)

Northern section of Moreton Bay

s 155A ins 1999 SL No. 58 s 5(3)

Vernon Point to Burrum Point, Hervey Bay

s 159A ins 1999 SL No. 58 s 5(4)

Rivers and creeks flowing into the Gulf of Carpentaria

s 217 om 1999 SL No. 57 s 35(1)

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

s 252 ins 1997 SL No. 48 s 4
exp 1 February 2001 (see s 256)

Hervey Bay region

s 253 ins 1997 SL No. 48 s 4
exp 1 February 2001 (see s 256)

Bustard Head region

s 254 ins 1997 SL No. 48 s 4
exp 1 February 2001 (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 2001 (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); 1999 SL No. 2 s 3(2)
exp 1 February 2001 (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****Severn River at Queen Mine Waterhole**

s 2 om 1999 SL No. 57 s 36

Dumaresq River at Bonshaw Weir

s 3 om 1999 SL No. 57 s 36

Macintyre River at Goondiwindi Weir

s 4 om 1999 SL No. 57 s 36

Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirss 5 sub 1997 SL No. 118 s 4(1)
om 1999 SL No. 57 s 36**Pike Creek at Glenlyon Dam**

s 6 om 1999 SL No. 57 s 36

Quart Pot Creek at Storm King Dam

s 7 om 1999 SL No. 57 s 36

Barwon River at Mungindi Weir

s 8 om 1999 SL No. 57 s 36

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

s 9 om 1999 SL No. 57 s 36

Balonne River at Beardmore Dam and Jack Taylor Weir

s 10 om 1999 SL No. 57 s 36

Sandy Creek at Leslie Dam

s 11 om 1999 SL No. 57 s 36

Dogwood Creek at Miles Weir

s 12 amd 1997 SL No. 118 s 4(2)
 om 1999 SL No. 57 s 36

Burnett Creek at Maroon Dam

s 13 om 1999 SL No. 57 s 36

Reynolds Creek at Moogerah Dam

s 14 om 1999 SL No. 57 s 36

Brisbane River at Mt Crosby Weir

s 17 om 1999 SL No. 57 s 36

Mary River at Mary River Barrage

s 18 om 1999 SL No. 57 s 36

Tinana Creek at Tinana Creek Barrage

s 19 om 1999 SL No. 57 s 36

Burnett River at Burnett Barrage

s 21 om 1999 SL No. 57 s 36

Kolan River at Kolan Barrage

s 22 om 1999 SL No. 57 s 36

Three Moon Creek at Cania Dam

s 23 om 1999 SL No. 57 s 36

Nogoa River at Wuruma Dam

s 24 om 1999 SL No. 57 s 36

Stuart River at Gordonbrook Dam

s 25 om 1999 SL No. 57 s 36

Stuart River at Boondoomba and Awoonga Dams

s 26 om 1999 SL No. 57 s 36

Dawson River at Neville Hewitt Weir

s 27 om 1999 SL No. 57 s 36

Fitzroy River at Fitzroy River Barrage

s 28 om 1999 SL No. 57 s 36

Fitzroy River at Eden Bann Weir

s 28A ins 1997 SL No. 118 s 4(3)
 om 1999 SL No. 57 s 36

Fitzroy River at Wattlebank Control Weir

s 28B ins 1997 SL No. 118 s 4(3)
 om 1999 SL No. 57 s 36

Nogoa River at Fairbairn Dam

s 30 om 1999 SL No. 57 s 36

Pioneer River at the Marian, Mirani and Dumbleton Weirs

s 31 om 1999 SL No. 57 s 36

Burdekin River at Clare Weir

s 33 om 1999 SL No. 57 s 36

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

PART 2A—WATERS WHERE FISHING LINES AND RODS CAN NOT BE USED

pt 2A (ss 45A–45B) ins 1998 SL No. 295 s 3

Main wharf at Port Denison, Bowen

s 76A ins 1997 SL No. 118 s 4(5)

SCHEDULE 4—REGULATED FISHamd 1996 SL No. 266 s 10; 1996 SL No. 422 s 9; 1997 SL No. 222 s 5;
1998 SL No. 232 s 10; 1999 SL No. 57 s 37; 1999 SL No. 58 ss 4, 6**SCHEDULE 7—FISH HABITAT AREAS****PART 1—AREAS SHOWN BY HATCHED PLANS****Coombah**

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 8—RECREATIONAL FISHING—USE OF FISHING APPARATUS

sch hdg sub 1999 SL No. 57 s 38(1)

PART 1—CRAB POTS, COLLAPSIBLE TRAPS, DILLIES AND INVERTED DILLIES**pt hdg** sub 1999 SL No. 57 s 38(1)**What fish may be taken****s 2** amd 1999 SL No. 57 s 38(2)**Division 2—Use of fishing lines and rods****div hdg** om 1999 SL No. 57 s 38(3)**PART 2—FISHING LINES AND RODS****pt hdg** prev pt hdg om 1999 SL No. 57 s 38(7)

pres pt hdg ins 1999 SL No. 57 s 38(3)

What fish may be taken**s 7** amd 1999 SL No. 57 s 38(6)**Division 3—Use of nets****div hdg** om 1999 SL No. 57 s 38(4)**PART 3—NETS****pt hdg** ins 1999 SL No. 57 s 38(4)**What fish may be taken****s 11** amd 1999 SL No. 57 s 38(6)**Division 4—Use of other fishing apparatus****div hdg** om 1999 SL No. 57 s 38(5)**PART 4—OTHER FISHING APPARATUS****pt hdg** ins 1999 SL No. 57 s 38(5)**Division 1—Use of canister traps, collapsible traps, dillies and funnel traps****div hdg** (prev pt 2 div 1 hdg) om 1999 SL No. 57 s 38(7)**Permitted area****s 18** om 1999 SL No. 57 s 38(7)**What fish may be taken****s 19** om 1999 SL No. 57 s 38(7)**Permitted ways of taking fish****s 20** om 1999 SL No. 57 s 38(7)**General conditions of taking fish****s 21** om 1999 SL No. 57 s 38(7)**Marketing of fish apparatus****s 22** om 1999 SL No. 57 s 38(7)**Division 2—Use of fishing lines and rods****div hdg** (prev pt 2 div 2 hdg) om 1999 SL No. 57 s 38(7)**Permitted area****s 23** om 1999 SL No. 57 s 38(7)**What fish may be taken****s 24** om 1999 SL No. 57 s 38(7)

Permitted ways of taking fish

s 25 om 1999 SL No. 57 s 38(7)

SCHEDULE 9—NOXIOUS FISHERIES RESOURCES

om 1999 SL No. 57 s 39

SCHEDULE 10—FEES

sub 1996 SL No. 422 s 10; 1997 SL No. 387 s 3

amd 1996 SL No. 449 s 5; 1997 SL No. 476 s 8; 1999 SL No. 57 s 40

SCHEDULE 11—COMMERCIAL CRAB FISHERY

sch hdg sub 1999 SL No. 57 s 41(1)

PART 1—CRAB FISHERY (OTHER THAN SPANNER CRAB)

pt hdg om 1999 SL No. 57 s 41(1)

What fish may be taken

s 3 amd 1999 SL No. 57 s 41(2)

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

pt hdg om 1999 SL No. 57 s 41(3)

Fishery symbol

s 9 om 1999 SL No. 57 s 41(3)

Fishery area

s 10 om 1999 SL No. 57 s 41(3)

What fish may be taken

s 11 om 1999 SL No. 57 s 41(3)

Permitted ways of taking spanner crabs

s 12 om 1999 SL No. 57 s 41(3)

Use of primary commercial fishing boats

s 13 om 1999 SL No. 57 s 41(3)

Use of tender commercial fishing boats

s 14 om 1999 SL No. 57 s 41(3)

Permitted distance for an assistant fisher to be under direction

s 15 om 1999 SL No. 57 s 41(3)

Marking of dillies

s 16 om 1999 SL No. 57 s 41(3)

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)
om 1999 SL No. 57 s 41(3)

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)
 om 1999 SL No. 57 s 41(3)

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)
 om 1999 SL No. 57 s 41(3)

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)
 om 1999 SL No. 57 s 41(3)

Daily quota

- s 18C** ins 1997 SL No. 118 s 5(4)
 sub 1997 SL No. 260 s 9(1)
 om 1999 SL No. 57 s 41(3)

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)

- sch hdg** amd 1999 SL No. 58 s 7

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

Fishery area

- s 41** amd 1999 SL No. 58 s 8

SCHEDULE 13—NET FISHERIES (COMMERCIAL)

- sch hdg** amd 1999 SL No. 58 s 7

PART 1—NET FISHERY (BAIT No. 1)**Fishery area**

- s 2** amd 1999 SL No. 57 s 42(1)

What fish may be taken

- s 3** amd 1996 SL No. 266 s 3 sch; 1997 SL No. 476 s 9(1)
sub 1999 SL No. 57 s 42(2)

Use of mesh or seine nets

- s 7** amd 1997 SL No. 260 s 10(1)

PART 2—NET FISHERY (BAIT No. 2)**Fishery area**

s 11 amd 1999 SL No. 57 s 42(1)

What fish may be taken

s 12 amd 1996 SL No. 266 s 3 sch; 1997 SL No. 476 s 9(1)
sub 1999 SL No. 57 s 42(3)

Permitted ways of taking fish

s 13 amd 1999 SL No. 57 s 42(4)–(5)

Use of nets south of Baffle Creek

s 15 amd 1997 SL No. 260 s 10(2)

Use of nets north of Baffle Creek

s 16 amd 1999 SL No. 57 s 42(6)

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—FISHERY (BAFFLE CREEK TO KAURI CREEK)

pt hdg prev pt 5 hdg amd 1997 SL No. 476 s 9(2)
om 1999 SL No. 57 s 42(7)
pres pt 5 hdg (prev pt 6 hdg) renum 1999 SL No. 57 s 42(8)

Division 1—Preliminary

div hdg om 1999 SL No. 57 s 42(7)

Fishery symbol

s 53 om 1999 SL No. 57 s 42(7)

Fishery area

s 54 om 1999 SL No. 57 s 42(7)

What fish may be taken

s 55 amd 1996 SL No. 266 s 3 sch; 1997 SL No. 476 s 9(1)
om 1999 SL No. 57 s 42(7)

Permitted ways of taking fish

s 56 amd 1996 SL No. 266 s 11(1); 1997 SL No. 476 s 9(3)
 om 1999 SL No. 57 s 42(7)

Time quota

s 57 om 1999 SL No. 57 s 42(7)

Division 2—Use of mesh and seine nets

div hdg om 1999 SL No. 57 s 42(7)

Use of mesh nets in the fishery area

s 58 amd 1996 SL No. 266 s 11(2)
 om 1999 SL No. 57 s 42(7)

Use of mesh nets in offshore waters

s 59 amd 1996 SL No. 266 s 11(3); 1997 SL No. 476 s 9(4)
 om 1999 SL No. 57 s 42(7)

Use of seine nets in the fishery area

s 60 om 1999 SL No. 57 s 42(7)

Use of seine nets in rivers and creeks

s 61 om 1999 SL No. 57 s 42(7)

Division 3—Use of set mesh nets

div hdg om 1999 SL No. 57 s 42(7)

Use of mesh nets in rivers and creeks

s 62 amd 1996 SL No. 266 s 11(3)
 om 1999 SL No. 57 s 42(7)

Use of mesh nets on foreshores

s 63 amd 1996 SL No. 266 s 11(3)
 om 1999 SL No. 57 s 42(7)

Use of mesh nets in offshore waters

s 64 amd 1996 SL No. 266 s 11(3)
 om 1999 SL No. 57 s 42(7)

Division 4—Miscellaneous

div hdg om 1999 SL No. 57 s 42(7)

Use of primary commercial fishing boats

s 65 om 1999 SL No. 57 s 42(7)

Use of tender commercial fishing boats

s 66 om 1999 SL No. 57 s 42(7)

Permitted distance for an assistant fisher to be under direction

s 67 om 1999 s No. 57 s 42(7)

Marking nets

s 68 om 1999 SL No. 57 s 42(7)

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

pt hdg ins 1997 SL No. 476 s 10
 om 1999 SL No. 57 s 42(7)

Division 1—Preliminary

div hdg ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Fishery symbol

s 68A ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Fishery area

s 68B ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

What fish may be taken

s 68C ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Permitted ways of taking fish

s 68D ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Time quota

s 68E ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Division 2—Use of nets

div hdg ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Use of nets in the fishery area

s 68F ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Division 3—Miscellaneous

div hdg ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Use of primary commercial fishing boats

s 68G ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Use of tender commercial fishing boats

s 68H ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

Permitted distance for an assistant fisher to be under direction

s 68I ins 1997 SL No. 476 s 10
om 1999 SL No. 57 s 42(7)

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 6—NET FISHERY (OCEAN BEACH—AREA 1)

pt hdg prev pt 6 hdg renum as pt 5 hdg 1999 SL No. 57 s 42(8)
 pres pt 6 hdg (prev pt 7 hdg) sub 1997 SL No. 47 s 3
 renum 1999 SL No. 47 s 42(8)

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 7—NET FISHERY (OCEAN BEACH—AREA 2)

pt hdg prev pt 7 hdg renum as pt 6 hdg 1999 SL No. 57 s 42(8)
 pres pt 7 hdg (prev pt 7A hdg) ins 1997 SL No. 47 s 3
 renum 1999 SL No. 47 s 42(8)

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 8—NET FISHERY (OCEAN BEACH—AREA 3)

pt hdg prev pt 8 hdg renum as pt 14 hdg 1999 SL No. 47 s 42(8)
pres pt 8 hdg (prev pt 7B hdg) ins 1997 SL No. 47 s 3
renum 1999 SL No. 47 s 42(8)

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 9—NET FISHERY (OCEAN BEACH—AREA 4)

pt hdg (prev pt 7C hdg) ins 1997 SL No. 47 s 3
renum 1999 SL No. 47 s 42(8)

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 areas 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 10—NET FISHERY (OCEAN BEACH—AREA 5)pt hdg (prev pt 7D hdg) ins 1997 SL No. 47 s 3
renum 1999 SL No. 47 s 42(8)**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 areas 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 11—NET FISHERY (OCEAN BEACH—AREA 6)pt hdg (prev pt 7E hdg) ins 1997 SL No. 47 s 3
renum 1999 SL No. 47 s 42(8)**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 12—NET FISHERY (OCEAN BEACH—AREA 7)

pt hdg (prev pt 7F hdg) ins 1997 SL No. 47 s 3
renum 1999 SL No. 47 s 42(8)

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 13—NET FISHERY (OCEAN BEACH—AREA 8)

pt hdg (prev pt 7G hdg) ins 1997 SL No. 47 s 3
renum 1999 SL No. 47 s 42(8)

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 14—NET FISHERY (EAST COAST NO. 3)

pt hdg (prev pt 8 hdg) amd 1997 SL No. 477 s 5(2)
renum 1999 SL No. 47 s 42(8)

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 14—TRAWL FISHERIES (COMMERCIAL)

sch hdg amd 1999 SL No. 58 s 7

What fish may be taken

s 3 amd 1999 SL No. 58 s 9(1)
(2), (6) exp 31 October 2000 (see s 3(6))

Permitted way of taking fish scallops

prov hdg amd 1999 SL No. 58 s 9(2)

s 4 amd 1999 SL No. 58 s 9(3)

Use of otter trawl nets

s 6 sub 1999 SL No. 58 s 9(4)

Use of turtle excluder devices

s 7 sub 1999 SL No. 58 s 9(4)

Use of bycatch reduction devices

s 7A ins 1999 SL No. 58 s 9(4)

What fish may be taken

s 10 amd 1999 SL No. 58 s 9(1)
(2), (6) exp 31 October 2000 (see s 10(6))

Permitted way of taking fish scallops

prov hdg amd 1999 SL No. 58 s 9(2)

s 11 amd 1999 SL No. 58 s 9(3), (5)

General conditions

s 13 amd 1999 SL No. 58 s 9(6)

Use of nets to take saucer scallops

s 27 sub 1999 SL No. 58 s 9(7)

Division 4—Use of nets to take other fish

div hdg ins 1999 SL No. 58 s 9(7)

Use of nets to take other fish

s 27A ins 1999 SL No. 58 s 9(7)

Division 5—Use of turtle excluder devices and bycatch reduction devices

div hdg ins 1999 SL No. 58 s 9(7)

Use of turtle excluder devices

s 27B ins 1999 SL No. 58 s 9(7)

Use of bycatch reduction devices

s 27C ins 1999 SL No. 58 s 9(7)

What fish may be taken

s 30 amd 1999 SL No. 58 s 9(8)
(2), (6) exp 31 October 2000 (see s 30(6))

Permitted ways of taking fish

prov hdg amd 1999 SL No. 58 s 9(9)

s 31 amd 1999 SL No. 58 s 9(3)

Use of turtle excluder devices

s 34A ins 1999 SL No. 58 s 9(10)

Use of bycatch reduction devices

s 34B ins 1999 SL No. 58 s 9(10)

What fish may be taken

s 42 amd 1999 SL No. 58 s 9(8)
(2), (6) exp 31 October 2000 (see s 42(6))

Permitted ways of taking fish**prov hdg** amd 1999 SL No. 58 s 9(9)**s 43** amd 1999 SL No. 58 s 9(3)**Use of otter trawl nets in Laguna Bay****s 49** amd 1999 SL No. 58 s 9(11)**What fish may be taken****s 53** amd 1999 SL No. 58 s 9(8)(2), (6) exp 31 October 2000 (see s 53(6))**Permitted ways of taking fish****prov hdg** amd 1999 SL No. 58 s 9(9)**s 54** amd 1999 SL No. 58 s 9(3)**What fish may be taken****s 61** amd 1999 SL No. 58 s 9(8)(2), (6) exp 31 October 2000 (see s 61(6))**Permitted ways of taking fish****prov hdg** amd 1999 SL No. 58 s 9(9)**s 62** amd 1999 SL No. 58 s 9(3)**What fish may be taken****s 67** amd 1999 SL No. 58 s 9(8)(2), (6) exp 31 October 2000 (see s 67(6))**Permitted ways of taking fish****prov hdg** amd 1999 SL No. 58 s 9(9)**s 68** amd 1999 SL No. 58 s 9(3)**What fish may be taken****s 75** amd 1999 SL No. 58 s 9(8)(2), (6) exp 31 October 2000 (see s 75(6))**Permitted ways of taking fish****prov hdg** amd 1999 SL No. 58 s 9(9)**s 76** amd 1999 SL No. 58 s 9(3)**SCHEDULE 15—OTHER FISHERIES (COMMERCIAL)****sch hdg** amd 1999 SL No. 58 s 7**Fishery symbol****s 37** om 1999 SL No. 57 s 43(1)**Fishery area****s 39** om 1999 SL No. 57 s 43(1)**Permitted ways of taking eels****s 40** om 1999 SL No. 57 s 43(1)**General conditions of taking eels****s 41** om 1999 SL No. 57 s 43(1)**Selling eels****s 42** om 1999 SL No. 57 s 43(1)

PART 6—PEARL FISHERY

pt hdg prev pt 6 hdg om 1999 SL No. 57 s 43(1)
pres pt 6 hdg (prev pt 7 hdg) renum 1999 SL No. 57 s 43(2)

PART 7—SHELL FISHERY

pt hdg (prev pt 8 hdg) renum 1999 SL No. 57 s 43(2)

PART 8—SHELL GRIT FISHERY

pt hdg (prev pt 9 hdg) renum 1999 SL No. 57 s 43(2)

PART 9—STAR SAND FISHERY

pt hdg (prev pt 10 hdg) renum 1999 SL No. 57 s 43(2)

PART 10—TROCHUS FISHERY (EAST COAST)

pt hdg (prev pt 11 hdg) renum 1999 SL No. 57 s 43(2)

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 11—TROCHUS FISHERY (TORRES STRAIT)

pt hdg (prev pt 12 hdg) renum 1999 SL No. 57 s 43(2)

Annual quota

s 80 sub 1996 SL No. 449 s 7

PART 12—WORM FISHERY (BEACHWORM)

pt hdg (prev pt 13 hdg) renum 1999 SL No. 57 s 43(2)

PART 13—WORM FISHERY (BLOODWORM)

pt hdg (prev pt 14 hdg) renum 1999 SL No. 57 s 43(2)

PART 14—YABBY FISHERY

pt hdg (prev pt 5 hdg) renum 1999 SL No. 57 s 43(2)

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;
1999 SL No. 57 s 44; 1999 SL No. 58 s 10

SCHEDULE 17—DICTIONARY**PART 1—WORDS**

def “**annual**” ins 1996 SL No. 233 s 7
sub 1999 SL No. 57 s 45(1), (3)
def “**approved**” ins 1998 SL No. 232 s 11
def “**Authority’s register**” ins 1998 SL No. 232 s 11
def “**bycatch reduction device**” ins 1999 SL No. 58 s 11
def “**commercial fishing apparatus**” sub 1999 SL No. 57 s 45(1), (3)
def “**commercial fishing competition**” ins 1996 SL No. 422 s 12
def “**crab fishery**” ins 1999 SL No. 57 s 45(4)
def “**cross line**” om 1999 SL No. 57 s 45(1)
def “**fin fish**” ins 1999 SL No. 57 s 45(3)
def “**fishery provision**” amd 1999 SL No. 57 s 45(5)
def “**fitted**” ins 1999 SL No. 58 s 11

- def “**install**” ins 1998 SL No. 232 s 11
- def “**interfere with**” ins 1998 SL No. 232 s 11
- def “**Great Barrier Reef Region**” ins 1999 SL No. 58 s 11
- def “**managed area A**” om 1999 SL No. 57 s 45(2)
- def “**managed area B**” om 1999 SL No. 57 s 45(2)
- def “**national park land**” ins 1998 SL No. 213 s 6
- def “**ocean beach fishery**” ins 1997 SL No. 260 s 11(1)
amd 1999 SL No. 57 s 45(6)
- def “**power assisted device**” ins 1997 SL No. 476 s 11
om 1999 SL No. 57 s 45(1)
- def “**recreational fishing apparatus**” om 1999 SL No. 57 s 45(1)
- def “**required way**” ins 1999 SL No. 57 s 45(3)
- def “**the 6 n mile line**” ins 1997 SL No. 476 s 11
om 1999 SL No. 57 s 45(1)
- 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
- def “**turtle excluder device**” ins 1999 SL No. 58 s 11

PART 2—OTHER WORDS AND PHRASES**Meaning of “Lake Awoonga area”**

- s 2** prev s 2 om 1997 SL No. 260 s 11(2)
pres s 2 ins 1999 SL No. 57 s 45(7)

Meaning of “under direction” for an assistant fisher

- s 14** amd 1999 SL No. 57 s 45(8)

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

- s 16** ins 1996 SL No. 266 s 13
om 1999 SL No. 57 s 45(9)

SCHEDULE 18—AQUACULTURE FISHERIES RESOURCES

- ins 1996 SL No. 423 s 4
om 1999 SL No. 57 s 46