



## Queensland

*Fisheries Act 1994*

# Fisheries (East Coast Trawl) Management Plan 1999

Reprinted as in force on 1 April 2008

Reprint No. 5C revised edition

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Revision notice—

1 Schedule 6—

- (1) Section 2(1), third dot point, '152°5.66'—  
*omit, insert—*  
'152°55.66'.
- (2) Section 7, third dot point, 'long latitude 19°1'—  
*omit, insert—*  
'along latitude 19°11.91'.
- (3) Section 8, fourth dot point, 'long'—  
*omit, insert—*  
'along'.
- (4) Section 9, fourth dot point, '146°1.07'—  
*omit, insert—*  
'146°41.07'.

2 Schedule 7, part 2, section 29, 14th dot point, 'latitude 25°48.68 south'—

*omit, insert—*  
'latitude 25°48.68' south'.

# Information about this reprint

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- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

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

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

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Revised edition indicates further material has affected existing material. For example—

- a correction
- a retrospective provision
- other relevant information.



Queensland

# Fisheries (East Coast Trawl) Management Plan 1999

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# **Fisheries (East Coast Trawl) Management Plan 1999**

[as amended by all amendments that commenced on or before 1 April 2008]

## **Chapter 1 Preliminary**

### **Part 1 Introduction**

#### **1 Short title**

This management plan may be cited as the *Fisheries (East Coast Trawl) Management Plan 1999*.

#### **2 What is the *east coast trawl fishery***

The *east coast trawl fishery* is fishing for trade or commerce by the use of trawl nets (*trawling*) in the tidal waters east of longitude 142°31.89' east (the *east coast trawl fishery waters*).

#### **3 Application of plan**

This plan applies in relation to the taking, possession and other uses of permitted fish taken under this plan from the east coast trawl fishery.



- 3 This plan does not apply to acts done under Aboriginal tradition or Island custom. See section 14 (Aborigines' and Torres Strait Islanders' rights to take fisheries resources etc.) of the Act.

## Part 3 Interpretation

### Division 1 Interpretation aids and dictionary

#### 6 Interpretation

- (1) Unless this plan provides otherwise, terms used in it have the meaning given under the regulation.
- (2) Subsection (1) is not limited to a term defined under the regulation but also applies to a provision of the regulation that aids the interpretation of a term used in the regulation.

*Examples of provisions for subsection (2)—*

chapter 1, part 2, divisions 3 to 7 of the regulation

- (3) Schedule 7, parts 2 and 3 and the dictionary in schedule 7, part 4 define particular words used in this plan.

### Division 2 Key definitions

#### 7 What is a *principal fish*

A *principal fish* means any of the following fish—

- (a) prawns;
- (b) scallops;
- (c) bugs;
- (d) squid.

#### 8 What is a *permitted fish*

A *permitted fish* means a principal fish or any of the following fish—

- (a) Balmain bugs;
- (b) barking crayfish;
- (c) blue swimmer crabs;
- (d) cuttlefish;
- (e) mantis shrimp;
- (f) octopuses;
- (g) pinkies;
- (h) pipefish;
- (i) red spot crabs (three spot crabs).

## **Chapter 2      Regulated waters                       declarations**

### **Part 1            Preliminary**

#### **9            Operation of ch 2**

This chapter provides for particular regulated waters declarations under section 37(5) of the Act.

*Note—*

Chapter 2, part 13 of the regulation provides generally for exceptions to regulated waters declarations under this chapter.

## **Part 2 Declaration and regulation of regulated waters**

### **10 Declaration and regulation of east coast trawl fishery waters**

- (1) The east coast trawl fishery waters are declared to be regulated waters and are regulated in the way stated in part 3.
- (2) Particular east coast trawl fishery waters that are mentioned in schedule 3 are also regulated in the way stated in parts 4 to 7.

## **Part 3 East coast trawl fishery regulated waters**

### **11 Regulated waters for pt 3**

This part applies to the east coast trawl fishery waters.

### **12 Prohibited activities**

- (1) A person must not possess or use a trawl net in the waters.
- (2) However, subsection (1) does not apply to a person if the person possesses or uses the trawl net under a licence on which is written a fishery symbol allowing the use of the net in the waters.

*Note—*

See chapter 4 (Specific licence conditions) for the conditions on licences with relevant fishery symbols for particular waters in the east coast trawl fishery.

## **Part 4                      Southern and northern regional regulated waters**

### **Division 1                Southern regional regulated waters**

#### **13        Regulated waters for div 1**

This division applies to the regulated waters mentioned in schedule 3, section 1.

#### **14        Regulated periods for div 1**

For this division, the regulated periods are—

- (a) from midday on 20 September to midday on 1 November (the *first regulated period*); and
- (b) from midday on 1 November to midday on 12 December (the *second regulated period*).

#### **15        Prohibited activities**

A person must not, in the waters, do any of the following in a regulated period—

- (a) possess or use a trawl net;
- (b) use a boat under a licence on which a fishery symbol is written.

#### **16        Exception for div 1**

- (1) This section applies despite section 15.
- (2) A person may, in the waters, during the second regulated period, use a boat under a licence that has a fishery symbol written on it, if—
  - (a) the boat is used under a licence that has the ‘T5’, ‘T6’, ‘T7’ or ‘T8’ fishery symbol written on it; or
  - (b) the boat was not, during the preceding first regulated period, used under a licence that had the ‘M1’, ‘T1’ or

‘T2’ fishery symbol written on it and either of the following apply—

- (i) a notice has been given under section 22 by or for the licence holder stating that the boat would not be used for trawling during that period;
- (ii) the chief executive has granted an application under section 23 for the boat for that period.

## **Division 2                      Northern regional regulated waters**

### **17            Regulated waters for div 2**

This division applies to the regulated waters mentioned in schedule 3, sections 2 and 3.

### **18            Regulated periods for div 2**

For this division, the regulated periods are—

- (a) from midday on 15 December to midday on 1 March (the *first regulated period*); and
- (b) from midday on 1 March to midday on 14 May (the *second regulated period*).

### **19            Prohibited activities**

A person must not, in the waters, do any of the following in the first regulated period—

- (a) possess or use a trawl net;
- (b) use a boat under a licence on which a fishery symbol is written.

### **20            Prohibited activities in waters under sch 3, s 3**

A person must not, in the waters mentioned in schedule 3, section 3, do any of the following in the second regulated period—

- (a) possess or use a trawl net;

- (b) use a boat under a licence on which a fishery symbol is written.

## 21 Exception for s 18

Despite section 20, a person may, in the waters mentioned in schedule 3, section 3, during the second regulated period, use a boat under a licence that has a fishery symbol written on it, if—

- (a) the boat is used under licence that has the ‘T8’ or ‘T9’ fishery symbol written on it; or
- (b) the boat was not, during the preceding first regulated period, used under a licence that had the ‘M1’, ‘T1’ or ‘T2’ fishery symbol written on it and either of the following apply—
  - (i) a notice has been given under section 22 by or for the licence holder stating that the boat would not be used for trawling during that period;
  - (ii) the chief executive has granted an application under section 23 for the boat for that period.

## Division 3 Sit-out notices and sit-out applications

### 22 Sit-out notices

- (1) A notice mentioned in section 16(2)(b)(i) or 21(b)(i) (a *sit-out notice*) may be given only—
  - (a) by or for the holder of a licence to which the section applies; and
  - (b) before the start of the day on which the relevant first regulated period starts.
- (2) The licence holder may give a notice to the chief executive (a *withdrawal notice*) withdrawing the sit-out notice.
- (3) A sit-out or withdrawal notice may be given by telephone to a telecommunications service provider for the chief executive appointed by gazette notice.



- (4) However, withdrawal of a sit-out notice does not take effect until the chief executive receives a withdrawal notice withdrawing the sit-out notice.

## **23 Sit-out applications**

- (1) The holder of a licence that has the fishery symbol 'M1', 'T1' or 'T2' written on it may apply for a decision by the chief executive that the boat identified in the licence was not, or was not up to the time the decision is made, used for trawling during a first regulated period under division 1 or 2.
- (2) The application must be in writing and supported by enough information to enable the chief executive to decide the application.
- (3) The chief executive may, by notice, require the applicant to give the chief executive a stated document or information that is relevant to the application.
- (4) The chief executive must consider and either grant or refuse the application within 7 days after the later of the following events happens—
  - (a) the making of the application;
  - (b) the chief executive receives all necessary information to decide the application;
  - (c) if, under subsection (3), the chief executive has required the applicant to give a document or information—the giving of the required document or information.
- (5) The chief executive may grant the application only if the chief executive is reasonably satisfied the boat was not, before the deciding of the application, used for trawling during the first regulated period.
- (6) Evidence under chapter 3, part 6, division 7 that the boat was used on a fishing or steaming day during the first regulated period is evidence that the boat was used for trawling during the period.
- (7) The chief executive must, as soon as practicable after making the decision, give the applicant—

- (a) if the decision is to grant the application—notice of the decision; or
- (b) if the decision is to refuse the application—an information notice about the decision.

## **Part 5**                      **Regulated waters for scallop replenishment**

### **24**      **Regulated waters for pt 5**

This part applies to the regulated waters mentioned in schedule 3, part 2.

### **25**      **Prohibited activities and regulated periods**

- (1) A person must not, in the waters, do any of the following in the relevant regulated period for the waters—
  - (a) possess or use a trawl net;
  - (b) possess or use a boat that is identified under a ‘T1’ licence or ‘T2’ licence (a *relevant boat*).
- (2) Section 126 of the regulation does not apply in relation to possessing a trawl net under subsection (1)(a).

*Editor’s note—*

section 126 (Possessing stowed and secured fishing apparatus) of the regulation

- (3) Despite subsection (1)(b), a person may possess or use a relevant boat in the waters in the relevant regulated period for the waters if the person ensures the conditions mentioned in section 106(2) have been complied with.
- (4) In this section—

*relevant regulated period*, for waters, means the regulated period stated for the waters in schedule 3, part 2.

## Part 6 Reef world heritage area regulated waters

### 26 Regulated waters for pt 6

This part applies to the regulated waters mentioned in schedule 3, section 16A.

### 27 Prohibited activities and regulated period

- (1) This section applies if, in the waters, on a particular day (the *base day*) in an effort year (the *base year*), all of the fishing and steaming days for a total of 2125113 notional effort units for the year are used.
- (2) A person must not in the waters, in the regulated period, possess or use a trawl net to take fish under a licence on which the fishery symbol 'T1' is written.
- (3) Also, a person must not in the waters possess fish taken in contravention of subsection (2).
- (4) For subsection (2), the regulated period starts at midday on the day that is 5 clear days after the base day and ends at midday on 1 January in the year after the base year.

*Example for subsection (4)—*

If the fishing and steaming days are used on a Monday, the waters are closed from midday on the next Sunday until midday on 1 January in the next year.

- (5) In this section—  
*notional effort units*, for an effort year, means effort units that would have been worked out under section 78 for each eligible licence had the number of allocated days for the licences been increased by 4.

### 28 Chief executive to give usage notice

- (1) Subsection (2) applies if the chief executive becomes aware that the fishing and steaming days—
  - (a) have been used under section 27(1); or

- (b) are likely to be used under section 27(1) in the next month.
- (2) The chief executive must immediately give each holder of a 'T1' licence a written notice (a **usage notice**) stating—
  - (a) if the fishing and steaming days have been used—
    - (i) the day the fishing and steaming days were used; and
    - (ii) the day the regulated period starts under section 27(4); or
  - (b) if the fishing and steaming days are likely to be used in the next month—that the fishing and steaming days are likely to be used in the next month.

## **29 Obligations of holders of 'T1' licences under usage notice**

- (1) This section applies if the holder of a 'T1' licence is given a usage notice.
- (2) The holder must ensure that every person acting under the licence is aware of the matters mentioned in the notice.
- (3) Subsection (4) applies if the usage notice states that the fishing and steaming days are likely to be used in the next month.
- (4) A person in control of a relevant boat under the licence must use the AIVR system, on each day the boat is to be used to take fish under the licence, to obtain the following information before any person starts taking fish from the boat on that day—
  - (a) whether the fishing and steaming days have been used;
  - (b) if the person finds out by using the AIVR system that the fishing and steaming days have been used on that day or an earlier day—the day the regulated period will start under section 27(4).
- (5) A person in control of a relevant boat under the licence complies with subsection (4) if another person obtains the information, in compliance with the subsection, for the person in control of the boat.

(6) In this section—

*relevant boat*, under a licence, means a boat that is to be used to take fish under the licence from regulated waters under this part.

## **Part 7                      Other particular regulated waters**

### **30      Regulated waters for pt 7**

This part applies to the regulated waters mentioned in schedule 3, part 3.

### **30A    Prohibited activities and regulated periods**

A person must not, in the waters, possess or use a trawl net—

- (a) if, under schedule 3, part 3, a regulated period is stated for the waters—in the stated regulated period; or
- (b) otherwise—at any time.

### **30B    Exception for Laguna Bay area regulated waters**

Despite section 30A, a person may possess or use an otter trawl net in the Laguna Bay area regulated waters under a licence that has the fishery symbol ‘T1’ or ‘T5’ written on it.

*Editor’s note—*

schedule 3, section 55 (Laguna Bay area)

## **Chapter 3      General provisions for licences and fishery symbols**

### **Part 1            Licences and fishery symbols**

#### **Division 1        General provisions**

##### **31      Licences and fishery symbols for the east coast trawl fishery**

- (1) The licences for the east coast trawl fishery are the ‘M1’, ‘M2’, ‘T1’, ‘T2’, ‘T5’, ‘T6’, ‘T7’, ‘T8’ and ‘T9’ licences.
- (2) The fishery symbols for the east coast trawl fishery are the ‘M1’, ‘M2’, ‘T1’, ‘T2’, ‘T5’, ‘T6’, ‘T7’, ‘T8’ and ‘T9’ fishery symbols.

##### **32      Who may fish**

- (1) A person may take fish in the east coast trawl fishery by trawling or possess fish taken from the fishery only if—
  - (a) either—
    - (i) the person holds a licence for the fishery; or
    - (ii) the holder of a licence for the fishery has allowed the person to take or possess fish under the licence; and
  - (b) the person is a commercial or assistant fisher.
- (2) Also, a person may fish under a ‘T1’ or ‘T2’ licence in an effort year only if the holder of the licence holds unused effort units for the year.<sup>1</sup>

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<sup>1</sup> See section 98 (When effort units are *used* for an effort year).

**33 Assistant fishers**

An assistant fisher may, under this plan, use or possess commercial fishing apparatus and take fish for trade or commerce (the *activities*) only if—

- (a) the assistant fisher and a commercial fisher are on the same primary boat or tender boat; or
- (b) the assistant fisher is on a tender boat for the primary boat for the commercial fishing boat licence under which the activities take place.

**Division 2 Obtaining an ‘M1’ or ‘M2’ fishery symbol****34 Applying for ‘M1’ or ‘M2’ fishery symbol**

- (1) An eligible person who holds a ‘T1’ licence may apply to the chief executive for an ‘M1’ or ‘M2’ fishery symbol to be written on the licence.
- (2) However, the application must be written and may be made only on or before 1 March 2001.

**35 Deciding application**

- (1) On or before 1 April 2001, the chief executive must consider and decide to grant or refuse an application for an ‘M1’ or ‘M2’ fishery symbol.
- (2) The chief executive must not grant the application unless the chief executive is satisfied a boat identified on any of the following was used under a ‘T1’ fishery symbol in the Moreton Bay logbook area from 1 January 1988 to 30 November 2000—
  - (a) the licence the subject of the application (the *subject licence*);
  - (b) a former licence for the subject licence;
  - (c) a surrendered former licence for the subject licence.
- (3) Also, if the application is for an ‘M2’ fishery symbol, the

chief executive—

- (a) must not grant it unless the applicant gives the chief executive notice that the applicant surrenders—
    - (i) the ‘T1’ fishery symbol written on the subject licence; and
    - (ii) all effort units for the subject licence; and
  - (b) must refuse it if—
    - (i) the applicant has ever transferred effort units for the subject licence; or
    - (ii) the boat identified in the subject licence has, since 1 January 2001, been replaced or been modified in a way mentioned in section 132(2)(a).<sup>2</sup>
- (4) In this section—

***Moreton Bay logbook area*** means waters within the following boundary—

- from latitude 27° south, longitude 153° east to latitude 28° south, longitude 153° east
- to latitude 28° south, longitude 153°30' east
- to latitude 27° south, longitude 153°30' east
- to latitude 27° south, longitude 153° east.

### **36 Steps after making decision**

- (1) If an application for an ‘M1’ or ‘M2’ fishery symbol is granted, the chief executive must—
  - (a) write the symbol applied for on the licence; and
  - (b) if the application was for an ‘M2’ fishery symbol—remove the ‘T1’ fishery symbol from the licence the subject of the application.
- (2) If the chief executive decides to refuse the application, the chief executive must, as soon as practicable after making the

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<sup>2</sup> Section 132 (Restriction for ‘M1’, ‘T1’ or ‘T2’ licences)



decision, give the applicant an information notice about the decision.

## **Division 3                      Restrictions on writing fishery symbols on licences**

### **37            Restrictions**

- (1) The chief executive may write a fishery symbol on a commercial fishing boat licence only if—
  - (a) for an ‘M1’, ‘M2’ fishery symbol—the symbol is written under section 36(1); or
  - (b) for a ‘T5’, ‘T6’, ‘T7’, ‘T8’ or ‘T9’ licence—the symbol is written under a written approval by the chief executive for it to be written on the licence; or
  - (c) the licence is a replacement licence; or
  - (d) the chief executive has approved a fishery symbol movement application and, under the application, the symbol is to be written on the licence.
- (2) However, the chief executive must not write a symbol as follows on a commercial fishing boat licence if it has the following written on it—
  - (a) for an ‘M1’ fishery symbol—a ‘T2’ fishery symbol;
  - (b) for an ‘M2’ fishery symbol—an ‘M1’, ‘T1’ or ‘T2’ fishery symbol;
  - (c) for a ‘T1’ fishery symbol—an ‘M2’ or ‘T2’ fishery symbol;
  - (d) for a ‘T2’ fishery symbol—a ‘T1’ fishery symbol.
- (3) Also, the chief executive must not write an ‘M1’ fishery symbol on a commercial fishing boat licence unless it already has a ‘T1’ fishery symbol written on it.

## **Part 2                      Fish that may be taken**

### **38      Condition that only permitted fish may be taken**

Each licence for the east coast trawl fishery is subject to a condition that only permitted fish may be taken under the licence.

### **39      Condition applies to everyone acting under licence**

The condition under section 38 also applies to anyone acting under a licence for the east coast trawl fishery.

## **Part 3                      Use of BRDs**

### **Division 1                  Preliminary**

#### **40      Application and purpose of pt 3**

This part—

- (a) applies if, under chapter 4, a BRD must be used with a net used under a provision of that chapter; and
- (b) prescribes an additional condition to which the licence under which the net is used is subject.

#### **41      Purpose of BRD**

The purpose of a BRD is to reduce the level of bycatch taken by the use of the net to the lowest level that allows the economically viable use of the net, having regard to the sustainability of the east coast trawl fishery's ecological systems.

## **Division 2            BRD use condition**

### **42       Requirement to achieve purpose**

- (1) The licence under which the net is used is subject to a condition (the ***BRD use condition***) that the use of the net must achieve the purpose of a BRD.
- (2) The BRD use condition also applies to anyone acting under the licence.

## **Division 3            Compliance with BRD use condition**

### **Subdivision 1       Preliminary**

#### **42A    Definition for div 3**

In this division—

***bar***, in relation to mesh in a trawl net, means—

- (a) for a knotted trawl net—a side of a mesh of the net from 1 knot to the next knot on the same side of the mesh; or
- (b) for a knotless trawl net—a side of a mesh of the net from 1 corner to the next corner.

### **Subdivision 2       General provision for compliance**

#### **43       How to comply**

- (1) The BRD use condition is taken to have been complied with if a recognised BRD is used with the net.
- (2) In this section—  
***recognised BRD*** means a device that complies with—
  - (a) for an otter trawl net—subdivision 3; or
  - (b) for a beam trawl net—subdivision 4.

### **Subdivision 3      Recognised BRDs for otter trawl nets**

#### **43A      Application of sdiv 3**

This subdivision applies only to an otter trawl net.

#### **44      Square mesh cod end**

The net's cod end is a recognised BRD if—

- (a) at least half the cod end's circumference is square mesh of at least 45mm; and
- (b) the square mesh has at least 75 bars along each side of the mesh; and
- (c) the square mesh net is no more than—
  - (i) for a net used to take prawns—5 meshes from the cod end drawstrings of the net; or
  - (ii) for a net used to take scallops—3 meshes from the cod end drawstrings of the net; and
- (d) nothing covers any of the square meshes during trawling.

#### **45      Square mesh panel**

A panel of the net is a recognised BRD if—

- (a) the panel—
  - (i) is square mesh of at least 10.1cm; and
  - (ii) is at least 60cm wide and 40cm long; and
- (b) the entire panel is no more than—
  - (i) for a net used to take prawns—100 meshes from the cod end drawstrings of the net; or
  - (ii) for a net used to take scallops—50 meshes from the cod end drawstrings of the net; and
- (c) nothing covers any of the square meshes during trawling.

**46 Fisheye**

An opening in the net is a recognised BRD if—

- (a) the opening—
  - (i) is held open by a rigid frame; and
  - (ii) is at least 35cm wide and 15cm long; and
- (b) the opening is no more than—
  - (i) for a net used to take prawns—100 meshes from the cod end drawstrings of the net; or
  - (ii) for a net used to take scallops—50 meshes from the cod end drawstrings of the net; and
- (c) nothing covers any part of the opening during trawling.

**47 Bigeye**

An opening in the net is a recognised BRD if—

- (a) the opening—
  - (i) is in the top of the net; and
  - (ii) is at least 1m across the width of the net; and
- (b) the opening is no more than—
  - (i) for a net used to take prawns—200 meshes from the cod end drawstrings of the net; or
  - (ii) for a net used to take scallops—100 meshes from the cod end drawstrings of the net; and
- (c) the opening has, during trawling, a weighted forward section and a buoyed rear section; and
- (d) the edges of the opening do not overlap by more than 28.5cm; and
- (e) nothing covers any part of the opening during trawling.

**48 Radial escape section**

- (1) A combination of a funnel, hoops and openings in the net is a recognised BRD if—

- (a) they comply with subsections (2) to (4); and
  - (b) nothing covers any part of the openings during trawling.
- (2) The funnel must—
- (a) be attached to the net for all of the funnel's front edge circumference; and
  - (b) have a number of meshes in its rear edge circumference of no more than 60% of the number of meshes in the circumference of the net at its rear edge.
- (3) The net must have—
- (a) either—
    - (i) a hoop attached to it at the funnel's front edge that keeps the funnel fully open; or
    - (ii) a TED within 90cm of the funnel's front edge; and
  - (b) a hoop (the *rear hoop*)—
    - (i) with a diameter of at least 65cm; and
    - (ii) no more than—
      - (A) for a net used to take prawns—105 meshes from the cod end drawstrings of the net; or
      - (B) for a net used to take scallops—53 meshes from the cod end drawstrings of the net.
- (4) The openings must comply with the following—
- (a) they must be forward of the rear hoop;
  - (b) the rear edge of the rear opening must be within 5 meshes of the rear hoop;
  - (c) they must extend for at least 35cm and cover at least half the net's circumference;
  - (d) they must be at least 10.1cm in each of their dimensions;
  - (e) they must be no more than 50cm forward of the funnel's rear edge.

**48A V-cut and bell cod end**

- (1) A combination of the net's cod end and a V-cut opening in the cod end is a recognised BRD if—
  - (a) the last 33 meshes of the net from the cod end drawstrings of the net have a circumference of at least 150% of the rest of the cod end; and
  - (b) the opening complies with subsections (3) and (4); and
  - (c) nothing covers any part of the opening during trawling.
- (2) However, subsection (1)(c) does not apply if—
  - (a) the meshes are left attached along the forward edge of the opening leaving a flap of net; and
  - (b) the edges of the flap do not extend wider than the opening during trawling.
- (3) The opening must—
  - (a) be in the top of the net; and
  - (b) have 2 diagonal forward measurements of 10 bars of the net; and
  - (c) have a lateral measurement along its forward edge of 11 meshes of the net.
- (4) The apex of the opening must not be more than 45 meshes of the net from the drawstrings.

**48B Popeye fish excluder**

- (1) A combination of a funnel, frame and a rectangular opening in the net is a recognized BRD if—
  - (a) they comply with subsections (2) and (3); and
  - (b) nothing covers any part of the opening during trawling.
- (2) The funnel must—
  - (a) be attached to the net for all of the funnel's front edge circumference; and
  - (b) be held open by—
    - (i) a hoop attached to the net at the funnel's front edge; or

- (ii) a TED that is not more than 62cm from the funnel's front edge; and
  - (c) have a number of meshes in its rear edge circumference of no more than 60% of the number of meshes in the circumference of the net at the rear edge; and
  - (d) have a stretched length no longer than 2.25m; and
  - (e) be no more than 110 meshes of the net from the the cod end drawstrings of the net.
- (3) The opening must be—
- (a) no more than 95 meshes of the net from the drawstrings; and
  - (b) at least 40cm long and 38cm wide; and
  - (c) held open by a frame made of material that is rigid enough to ensure that, while the net is being used for trawling, the opening is at least 40cm long and 38cm wide.

## **Subdivision 4      Recognised BRDs for beam trawl nets**

### **49      Application of sdiv 4**

This subdivision applies only to a beam trawl net.

### **50      Square mesh cod end**

The net's cod end is a recognised BRD if—

- (a) at least half the cod end's circumference is square mesh of at least 28mm; and
- (b) the square mesh has at least 110 bars along each side of the mesh; and
- (c) the square mesh is no more than—
  - (i) for a net with a mesh size less than 31mm—7 meshes from the cod end drawstrings of the net; or



- (ii) for a net with a mesh size of 31mm or more—5 meshes from the cod end drawstrings of the net; and
- (d) nothing covers any of the square meshes during trawling.

### **50A Square mesh panel**

A panel of the net is a recognised BRD if—

- (a) the panel—
  - (i) is square mesh of at least 4.8cm; and
  - (ii) is at least 40cm wide and 30cm long; and
- (b) the entire panel is no more than—
  - (i) for a net with a mesh size less than 31mm—150 meshes from the cod end drawstrings of the net; or
  - (ii) for a net with a mesh size of 31mm or more—125 meshes from the cod end drawstrings of the net; and
- (c) nothing covers any of the square meshes during trawling.

### **50B Fisheye**

An opening in the net is a recognised BRD if—

- (a) the opening—
  - (i) is held open by a rigid frame; and
  - (ii) is at least 23cm wide and 10cm high; and
- (b) the opening is no more than—
  - (i) for a net with a mesh size less than 31mm—150 meshes from the cod end drawstrings of the net; or
  - (ii) for a net with a mesh size of 31mm or more—125 meshes from the cod end drawstrings of the net; and
- (c) nothing covers any part of the opening during trawling.

**50C Bigeye**

An opening in the net is a recognised BRD if—

- (a) the opening is in the top of the net and is no more than—
  - (i) for a net with a mesh size less than 31mm—290 meshes from the cod end drawstrings of the net; or
  - (ii) for a net with a mesh size of 31mm or more—250 meshes from the cod end drawstrings of the net; and
- (b) the opening is at least 75cm wide; and
- (c) the opening has, during trawling, a weighted forward section and a buoyed rear section; and
- (d) the edges of the opening do not overlap by more than 28.5cm; and
- (e) nothing covers any part of the opening during trawling.

**50D Radial escape section**

- (1) A combination of a funnel, hoops and openings in the net is a recognised BRD if—
  - (a) they comply with subsections (2) to (4); and
  - (b) nothing covers any part of the openings during trawling.
- (2) The funnel must—
  - (a) be attached to the net for all of the funnel's front edge circumference; and
  - (b) have a number of meshes in its rear edge circumference of no more than 60% of the number of meshes in the circumference of the net at its rear edge.
- (3) The net must have—
  - (a) either—
    - (i) a hoop attached to it at the funnel's front edge that keeps the funnel fully open; or
    - (ii) a TED is not more than 62cm from the funnel's front edge; and
  - (b) a hoop (the *rear hoop*)—

- (i) with a diameter of at least 45cm; and
  - (ii) no more than—
    - (A) for a net with a mesh size less than 31mm—150 meshes from the cod end drawstrings of the net; or
    - (B) for a net with a mesh size of 31mm or more—125 meshes from the cod end drawstrings of the net.
- (4) The openings must comply with the following—
- (a) they must be forward of the rear hoop;
  - (b) the rear edge of the rear opening must be no more than—
    - (i) for a net with a mesh size less than 31mm—7 meshes from the rear hoop; or
    - (ii) for a net with a mesh size of 31mm or more—5 meshes from the rear hoop; and
  - (c) they must extend for at least 24cm and cover at least half the net's circumference;
  - (d) they must be at least 7cm in each of their dimensions;
  - (e) they must be no more than 34cm forward of the funnel's rear edge.

#### **50E V-cut and bell cod end**

- (1) A combination of the net's cod end and a V-cut opening in the cod end is a recognised BRD if—
- (a) the following number of the meshes of the net before the cod end drawstrings of the net have a circumference of at least 150% of the rest of the cod end—
    - (i) if the net has a mesh size of less than 31mm—50;
    - (ii) if the net has a mesh size of 31mm or more—40; and
  - (b) the opening complies with subsections (3) and (4); and
  - (c) nothing covers any part of the opening during trawling.

- (2) However, subsection (1)(c) does not apply if—
  - (a) the meshes are left attached along the forward edge of the opening leaving a flap of net; and
  - (b) the edges of the flap do not extend wider than the opening during trawling.
- (3) The opening must—
  - (a) be in the top of the net; and
  - (b) have 2 diagonal forward measurements of the following number of bars of the net each—
    - (i) if the net has a mesh size of less than 31mm—15;
    - (ii) if the net has a mesh size of 31mm or more—12; and
  - (c) have a lateral measurement along its forward edge of the following number of meshes of the net—
    - (i) if the net has a mesh size of less than 31mm—16;
    - (ii) if the net has a mesh size of 31mm or more—13.
- (4) The apex of the opening must not be more than the following number of meshes of the net from the drawstrings—
  - (a) if the net has a mesh size of less than 31mm—65;
  - (b) if the net has a mesh size of 31mm or more—55.

### **50F Popeye fish excluder**

- (1) A combination of a funnel, frame and a rectangular opening in the net is a recognized BRD if—
  - (a) they comply with subsections (2) and (3); and
  - (b) nothing covers any part of the opening during trawling.
- (2) The funnel must—
  - (a) be attached to the net for all of the funnel's front edge circumference; and
  - (b) be held open by—
    - (i) a hoop attached to the net at the funnel's front edge; or

- (ii) a TED that is not more than 62cm from the funnel's front edge; and
  - (c) have a number of meshes in its rear edge circumference of no more than 60% of the number of meshes in the circumference of the net at the rear edge; and
  - (d) have a stretched length no longer than 2.25m; and
  - (e) be no more than the following number of meshes of the net from the cod end drawstrings of the net—
    - (i) if the net has a mesh size of less than 31mm—165;
    - (ii) if the net has a mesh size of 31mm or more—135.
- (3) The opening must be—
- (a) no more than the following number of meshes of the net from the drawstrings—
    - (i) if the net has a mesh size of less than 31mm—140;
    - (ii) if the net has a mesh size of 31mm or more—120; and
  - (b) at least 40cm long and 38cm wide; and
  - (c) held open by a frame made of material that is rigid enough to ensure that, while the net is being used for trawling, the opening is at least 40cm long and 38cm wide.

## **Part 4                      Use of TEDs**

### **Division 1                Preliminary**

#### **51            Application and purpose of pt 4**

This part—

- (a) applies if, under chapter 4, a TED must be used with a net used under a provision of that chapter; and

- (b) prescribes an additional condition to which the licence under which the net is used is subject.

## **52 Purpose of TED**

The purpose of a TED is to allow turtles to escape immediately after being taken in the net.

## **Division 2 TED use condition**

### **53 Requirement to achieve purpose**

- (1) The licence under which the net is used is subject to a condition (the *TED use condition*) that the use of the net must achieve the purpose of a TED.
- (2) The TED use condition also applies to anyone acting under the licence.

## **Division 3 Compliance with TED use condition**

### **54 Compliance with TED use condition**

The TED use condition is taken to have been complied with if a device that complies with section 55 (a *recognised TED*) is used with the net.

### **55 Requirements for a recognised TED**

- (1) A recognised TED must consist of a barrier and an opening that allows turtles to escape immediately after being taken in the net.
- (2) The barrier must consist of a rigid or semirigid inclined barrier of bars attached to the net's circumference that acts to steer turtles through the opening.
- (3) The bars must be no more than 12cm apart.
- (4) The opening must—

- (a) be immediately forward of the edge of the barrier that is closest to the cod-end of the net; and
- (b) have a minimum taut measurement across the widest part of the net of—
  - (i) for a net that is used in a beam trawl net no longer than 5m—50cm; or
  - (ii) for another net—60cm; and
- (c) have a minimum taut measurement across any other part of the net of 50cm; and
- (d) have at least 1 taut measurement of at least 76cm.

## **Part 4A                      Communication conditions**

### **57A    Purpose and application of pt 4A**

This part prescribes additional conditions to which an ‘M1’, ‘M2’, ‘T1’ or ‘T2’ licence is subject.

### **57B    Obligation to nominate communication mode for boat**

- (1) The holder of the licence must, by notice to the chief executive, nominate a mode by which the chief executive or an inspector may communicate with the person in control of the boat identified in the licence whenever the person is on the boat.
- (2) The mode—
  - (a) can not be by the use of VMS equipment; and
  - (b) must be able to be received on the boat instantaneously after the communication is sent by the chief executive or inspector.

*Examples of ways that may be nominated—*

- a radio on the boat, tuned to a stated radio frequency
- the number for a facsimile, mobile phone, radiophone or satellite phone on the boat

- (3) More than 1 mode may be nominated.
- (4) The holder of the licence may change the nominated mode by giving notice of a new nominated mode to the chief executive.
- (5) However, the new nominated mode must not be used until the chief executive has advised the holder of the licence that the notice of the change has been received by the chief executive.

### **57C Obligation to ensure communication with person in control**

The holder of the licence and the person in control of the boat identified in the licence must take all reasonable steps to ensure the chief executive or an inspector is, whenever the person is on the boat, able to communicate with the person by using a nominated communication mode for the boat,

*Example of all reasonable steps for section—*

The only nominated communication mode for the boat is a radio on the boat, at a stated radio frequency. The holder and the person in control must, when the person is on the boat, ensure the radio is—

- (a) on the boat; and
- (b) in working condition; and
- (c) connected to an appropriate power source and turned on; and
- (d) tuned to the stated frequency; and
- (e) set at a volume that allows the person in control to receive communications from the chief executive or an inspector.

## **Part 5 VMS equipment requirements**

### **58 Purpose and application of pt 5**

- (1) This part prescribes additional conditions to which an ‘M1’, ‘T1’ or ‘T2’ licence is subject.
- (2) If this part imposes an obligation on the person in control, it is a condition of the licence that the obligation must be complied with.



**59 VMS equipment requirements apply**

The licence holder or person in control of a boat identified in the licence must ensure that VMS equipment is installed, maintained and used on the boat in compliance with the VMS equipment requirements.

*Note—*

See chapter 14 (Reporting), part 7 (VMS equipment requirements) of the regulation.

**67 Further obligations for malfunction in major scallop area**

- (1) This section applies in addition to the VMS equipment requirements if the VMS equipment installed on a boat identified in the licence malfunctions inside the area within the following boundary (the *major scallop area*)—
  - from latitude 22°10.80' south, longitude 149°48' east to latitude 22°13.20' south, longitude 152° east
  - to latitude 24°13.80' south, longitude 153°33' east
  - to latitude 24°42' south, longitude 153°16.20' east
  - to latitude 25°06' south, longitude 153°12' east
  - to latitude 25°18' south, longitude 152°43.20' east
  - to latitude 22°10.80' south, longitude 149°48' east.
- (2) The person in control must—
  - (a) stop the use of fishing apparatus from the boat; and
  - (b) immediately cause the boat to travel as soon as practicable to the defined port area nearest the boat, unless the person has a reasonable excuse.
- (3) If the person in control starts to comply with the VMS equipment requirements for the boat, the obligations under subsection (2)—
  - (a) continue to apply; but
  - (b) cease to apply if the chief executive or an inspector gives the person notice that the obligations need not be complied with.
- (4) Notice under subsection (3)(b) may be given—

- (a) orally in person; or
  - (b) by a nominated communication mode for the boat.
- (5) If the boat travels to a port, the person in control must not cause or allow the boat to be used for fishing unless an approved person gives the chief executive or an inspector notice that VMS equipment installed on the boat is in a condition that allows it to perform the functions of VMS equipment.

**68 Further obligations for malfunction outside major scallop area**

- (1) This section applies in addition to the VMS equipment requirements if the VMS equipment installed on a boat identified in the licence malfunctions outside the major scallop area.
- (2) The person in control must cause the boat to travel to a defined port area within 5 days, unless the person has a reasonable excuse.
- (3) However, if the boat moves into the major scallop area, the person in control must—
- (a) stop the use of fishing apparatus from the boat; and
  - (b) immediately cause the boat to travel as soon as practicable to the defined port area nearest the boat, unless the person has a reasonable excuse.
- (4) If the person in control starts to comply with the VMS equipment requirements for the boat, the obligations under subsections (2) and (3)—
- (a) cease to apply; but
  - (b) resume if the chief executive or an inspector gives the person notice that the obligations must be complied with.
- (5) Notice under subsection (4)(b) may be given—
- (a) orally in person; or
  - (b) by a nominated communication mode for the boat.

- (6) If the boat travels to a port, the person in control must not cause or allow the boat to be used for fishing unless an approved person gives the chief executive or an inspector notice that VMS equipment installed on the boat is in a condition that allows it to perform the functions of VMS equipment.

## **Part 6                      Effort units**

### **Division 1                      Introduction**

#### **73                      Simplified outline of pt 6**

- (1) This part provides for the issue of effort units, their entitlement and for conditions for their transfer.
- (2) Effort units must be issued as follows for each licence that is, or is a replacement or renewal of, a 'T1' or 'T2' licence in force at midday on 15 December 2000 (an *eligible licence*)—
  - (a) under division 3, by an issue on or before 1 January 2001, based on allocated days;
  - (b) under division 4, by an issue on or before 1 August 2001, based on supplementary days decided under that division.<sup>3</sup>
- (3) Under divisions 3 and 4, the total of all allocated and supplementary days can not be more than 102929.
- (4) Division 5 allows the chief executive to make a rateable issue of additional effort units for 'T1' or 'T2' fishery symbols if the total mentioned in subsection (3) is not exceeded.
- (5) Divisions 6 and 7 provide for the entitlement of effort units and for working out when they are used.

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3 See section 81(2) and (3) (Making allocation decision).

- (6) Divisions 8 and 9 prescribe conditions for the transfer of effort units and provide for the entitlement under transferred effort units.

## **Division 2                    General provisions about effort units**

### **74            Nature of an effort unit**

Each effort unit is—

- (a) an authority, the entitlement for which is provided for under division 6; and
- (b) a quota for the east coast trawl fishery.

### **75            General condition for issue of effort units**

An effort unit may be issued only under this part.

### **76            When effort unit is *issued***

An effort unit is *issued* when—

- (a) an effort unit certificate that includes the unit is issued; or
- (b) an effort unit certificate is amended or replaced under this part to include the unit.

## **Division 3                    Initial effort units**

### **Subdivision 1            General provisions**

#### **77            Obligation to issue**

On or before 1 January 2001 the chief executive must—

- (a) work out, under this division, the number of effort units that must be issued for each eligible licence; and

- (b) issue an effort unit certificate for the units for the first effort year.

## **78 Effort unit formula**

- (1) To work out the number of effort units that must be issued for each eligible licence under this division, the chief executive must apply the following formula—

$$\mathbf{EU = EUCF \times AD}$$

where—

*EU* means the number of effort units worked out by applying the formula.

*EUCF* means the effort unit conversion factor for—

- (a) the boat identified in the eligible licence; or  
 (b) if no boat is identified in the eligible licence—the boat last identified in the licence.

*AD* means the number of allocated days for the eligible licence.

- (2) If after applying the formula the number of effort units worked out is not a whole number, the number of effort units that must be issued for the eligible licence is the nearest whole number to the amount worked out, rounded up.

## **Subdivision 2 Allocated days**

### **79 Purpose of sdiv 2**

This subdivision provides for how the chief executive must decide the number of allocated days for each eligible licence (the *allocation decision*).

### **80 Deciding recorded fishing days**

- (1) The chief executive must decide the higher of the following number of days for each eligible licence for each year from 1988 to 1998—

- (a) the number of days on which a boat as follows (a **relevant boat**) was used, other than under a surrendered former licence—
  - (i) a boat identified in the eligible licence;
  - (ii) a boat identified in a former licence for the eligible licence;
- (b) if a relevant boat was, in the year, used under a surrendered former licence—an adjusted number of days on which a relevant boat was used in the year under the surrendered former licence worked out by applying the following formula—

$$AD = \frac{(FD \times EUCF 1)}{EUCF 2}$$

where—

**AD** means the adjusted number of recorded fishing days worked out by applying the formula.

**FD** means the number of days on which relevant boats were used in the year under the surrendered former licence.

**EUCF 1** means the effort unit conversion factor for the boat identified in the surrendered former licence.

**EUCF 2** means the effort unit conversion factor for—

- (a) the boat identified in the eligible licence; or
  - (b) if no boat is identified in the eligible licence—the boat last identified in the licence.
- (2) The higher number of days for a year decided under subsection (1) is called the **recorded fishing days** for the year.
  - (3) In making the decision, the chief executive must consider—
    - (a) any relevant logbook returns given before 1 May 1999; and
    - (b) records held by the chief executive about the returns.

- (4) In this section—

**day**, for the use of a relevant boat, means any period 24 hours from when the use started, whether or not the period is included in more than 1 of the 7 named days of the week.

*Example—*

A relevant boat is used from 7p.m. on a Sunday to 6a.m. on the following Monday and again on the Monday from 5p.m. to 6p.m. For this section, the boat is only used for 1 day.

**use**, a relevant boat, means use a trawl net from the boat under a 'T1' or 'T2' licence.

## 81 Making allocation decision

- (1) This section provides for formulae to make the allocation decision, after deciding recorded fishing days.
- (2) For a 'T1' licence, the formula is—

$$AD = \frac{(\mathit{HRD}_1 + \mathit{HRD}_2 + \mathit{HRD}_3 + \mathit{HRD}_4)/4}{(\Sigma \mathit{HRD}_1 + \Sigma \mathit{HRD}_2 + \Sigma \mathit{HRD}_3 + \Sigma \mathit{HRD}_4)/4} \times 94080$$

- (3) For a 'T2' licence, the formula is—

$$AD = \frac{(\mathit{HRD}_1 + \mathit{HRD}_2 + \mathit{HRD}_3 + \mathit{HRD}_4)/4}{(\Sigma \mathit{HRD}_1 + \Sigma \mathit{HRD}_2 + \Sigma \mathit{HRD}_3 + \Sigma \mathit{HRD}_4)/4} \times 1920$$

- (4) In the formulae—

**AD** means the number of allocated days.

**HRD<sub>1</sub>** means the highest number of recorded fishing days in any year from 1988 to 1998 for the eligible licence.

**HRD<sub>2</sub>** means the second highest number of recorded fishing days in any year from 1988 to 1998 for the eligible licence.

**HRD<sub>3</sub>** means the third highest number of recorded fishing days in any year from 1988 to 1998 for the eligible licence.

**HRD<sub>4</sub>** means the fourth highest number of recorded fishing days in any year from 1988 to 1998 for the eligible licence.

$\Sigma HRD_1$  means the sum of the highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

$\Sigma HRD_2$  means the sum of the second highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

$\Sigma HRD_3$  means the sum of the third highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

$\Sigma HRD_4$  means the sum of the fourth highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

### **Subdivision 3      Provisions for giving effect to    appeal decisions**

#### **81A      Application of sdiv 3**

This subdivision applies if the following events happen—

- (a) an eligible licence holder appeals to the tribunal against the allocation decision for the licence;
- (b) recorded fishing days for 1 or more years used to make the allocation decision are, or must be, changed because the tribunal decides to set aside that decision and—
  - (i) substitute another decision; or
  - (ii) return the matter to the chief executive with directions;
- (c) the substituted decision, or a decision by the chief executive made under the directions, (the ***new recorded fishing days decision***) will require the reapplication of the formula under section 81 (the ***allocation decision formula***) to remake the allocation decision;
- (d) the total fishing days for all eligible licences are less than 102929.



**81B Effect of new recorded fishing days decision**

Subject to any decision or direction by the tribunal, the making of the new recorded fishing days decision does not—

- (a) require the reapplication of the allocation decision formula for an eligible licence holder other than the appellant; or
- (b) invalidate or otherwise affect effort units issued to another eligible licence holder.

**81C Adjustment to allocation decision formula**

- (1) The chief executive may, instead of reapplying section 81, remake the allocation decision by reapplying the allocation decision formula using—
  - (a) the same denominators that were used for the allocation decision appealed against; and
  - (b) the numerators used for the decision, as changed by the new recorded fishing days decision.
- (2) If, under subsection (1), the chief executive remakes the decision, the chief executive must—
  - (a) work out whether any further effort units must be issued to the appellant by applying the effort unit formula under section 78, using the allocated days worked out by reapplying the allocation decision formula under subsection (1); and
  - (b) issue the further effort units; and
  - (c) take steps to amend the relevant effort unit certificate to include the further effort units and the fishing days for which they were issued.

## **Division 4                    Further effort units issued on basis of supplementary days**

### **Subdivision 1            Preliminary**

#### **82            Purpose of div 4**

The purpose of this division is to allow further effort units to be issued to eligible persons to attempt to remedy hardship or disadvantage because of the allocation decision.

#### **83            Meaning of *small operator* for div 4**

For this division, a *small operator* means an eligible person who—

- (a) holds only 1 ‘T1’ or ‘T2’ licence; and
- (b) owns the boat identified in the licence; and
- (c) is a person as follows—
  - (i) the person who usually is the person in control of the boat when it is used for trawling (the *usual person in control*);
  - (ii) a close relative of the usual person in control;
  - (iii) a corporation, a director or shareholder of which is, or is a close relative of, the usual person in control; and
- (d) in the 2 financial years immediately before the application was made, derived at least 80% of the person’s gross income from fishing under the licence by trawling; and
- (e) received less than 123 allocated days.

## **Subdivision 2      Applications for effort units**

### **84      Requirements for application**

- (1) An eligible person may, on or before 31 March 2001, apply to the chief executive to be issued with further effort units for the person's eligible licence (an *effort unit application*).
- (2) The application must—
  - (a) be made to the chief executive, in the approved form; and
  - (b) include, or be accompanied by, all documents or information on which the applicant relies to support the application.

### **85      Deciding application**

Subject to sections 88 and 89A, the chief executive must decide each effort unit application on or before 1 August 2001.

### **86      Grounds for issuing effort units**

- (1) The chief executive may, under subdivision 3, work out a number of effort units to be issued to an effort unit applicant if the applicant has reasonably satisfied the chief executive that the applicant is a small operator.
- (2) The chief executive may, under subdivision 4, work out a number of effort units to be issued to an effort unit applicant if the applicant has reasonably satisfied the chief executive that the applicant is not a small operator and that—
  - (a) logbook returns show that from 1988 to 1998 a trawl net was used from a boat identified in a licence as follows (a *relevant licence*) on a day other than a recorded fishing day—
    - (i) the eligible licence the subject of the application;
    - (ii) a former licence or surrendered former licence for the eligible licence; or
  - (b) because of an exceptional circumstance mentioned in

- subsection (4), the 4 highest years used, under section 81, to make the allocation decision for the applicant do not reflect the applicant's representative level of participation in the east coast trawl fishery.
- (3) However, if an applicant is issued effort units worked out under subdivision 3, the chief executive must not issue the applicant effort units worked out under subdivision 4.
- (4) For subsection (2)(b), the exceptional circumstances are each of the following—
- (a) the applicant first acquired, or obtained an approval from a former fisheries agency for, a relevant licence between 1 January 1995 and 13 November 1998;
  - (b) the applicant acquired the eligible licence the subject of the application after 13 November 1998 and, when it was acquired, the applicant—
    - (i) had no actual or constructive knowledge of the Queensland Fisheries Management Authority media release called 'Investment Advice for Queensland East Coast Trawl Fishery', published on 13 November 1998; or
    - (ii) did not understand the nature or significance of the media release, after having taken all reasonable steps in the circumstances to understand it;
  - (c) the applicant did not hold a relevant licence for the whole of the period from 1988 to 1998 and during the period that the applicant held a relevant licence—
    - (i) the applicant or a close relative of the applicant suffered illness or injury; or
    - (ii) the boat identified in the licence could not be used for trawling.

## **88 Priority of deciding effort unit applications**

In deciding effort unit applications, the chief executive must, as much as practicable, give priority to applicants who—

- (a) claim to be small operators; or
- (b) hold the fewest effort units.

**89 Steps after making decision**

- (1) If effort units are worked out for an effort unit applicant under subdivision 3 or 4, the chief executive must, as soon as practicable, take steps to amend the applicant's effort unit certificate to include the effort units and the fishing days for which they were issued.
- (2) The effort units take effect when the amendment is made.

**Subdivision 3 Further effort units for small operators****89A Restriction on granting application by small operator**

The chief executive must refuse an effort unit application if—

- (a) the chief executive is satisfied the applicant is a small operator; and
- (b) the total of supplementary days already worked out for small operators exceeds 5000.

**90 Effort unit formula**

- (1) This section provides for how the chief executive must decide the number of effort units if the chief executive is satisfied the applicant is a small operator.
- (2) To work out the number of effort units, the chief executive must apply the following formula—

$$EU = EUCF \times SD$$

where—

*EU* means the number of effort units worked out by applying the formula.

*EUCF* means the effort unit conversion factor for—

- (a) the boat identified in the eligible licence; or
- (b) if no boat is identified in the eligible licence—the boat last identified in the licence.

**SD** means the number of supplementary days for the eligible licence, worked out under section 91.

## 91 Working out supplementary days

- (1) For section 90(2), the supplementary days are worked out by applying the following formula—

$$SD = \frac{HD_1 + HD_2 + HD_3 + HD_4}{4} - AD$$

- (2) In the formula—

**SD** means the number of supplementary days.

**HD<sub>1</sub>** means the highest number of any recorded and logbook days in any year from 1988 to 1998 for the eligible licence.

**HD<sub>2</sub>** means the second highest number of any recorded and logbook days in any year from 1988 to 1998 for the eligible licence.

**HD<sub>3</sub>** means the third highest number of any recorded and logbook days in any year from 1988 to 1998 for the eligible licence.

**HD<sub>4</sub>** means the fourth highest number of any recorded and logbook days in any year from 1988 to 1998 for the eligible licence.

**AD** means the number of allocated days for the eligible licence.

- (3) If the total of the supplementary days worked out by applying the formula and all other supplementary days already out worked under this section for small operators would, other than this subsection, exceed 5000, the number of supplementary days for the eligible licence is the difference between 5000 and the other supplementary days.

- (4) In this section—

**logbook days**, for a year, means the days, other than recorded fishing days, shown in logbook returns on which a trawl net was used from a boat identified in—

- (a) the eligible licence; or

- (b) a former licence or surrendered former licence for the eligible licence.

## Subdivision 4 Further effort units on other grounds

### 92 Effort unit formula

- (1) This section provides for how the chief executive must decide the number of effort units other than on the ground that the applicant is a small operator.
- (2) To work out the number of effort units, the chief executive must apply the following formula—

$$EU = EUCF \times SD$$

where—

*EU* means the number of effort units worked out by applying the formula.

*EUCF* means the effort unit conversion factor for—

- (a) the boat identified in the eligible licence; or
- (b) if no boat is identified in the eligible licence—the boat last identified in the licence.

*SD* means the number of supplementary days for the eligible licence, worked out under section 93.

### 93 Working out supplementary days

- (1) This section provides for formulae to work out the number of supplementary days for section 92(2).
- (2) For a 'T1' licence, the formula is—

$$SD = \left( \frac{(HD_1 + HD_2 + HD_3 + HD_4)/4}{(\sum HD_1 + \sum HD_2 + \sum HD_3 + \sum HD_4)/4} \times 94080 \right) - AD$$

- (3) For a 'T2' licence, the formula is—

$$SD = \left( \frac{(HD_1 + HD_2 + HD_3 + HD_4)/4}{(\Sigma HD_1 + \Sigma HD_2 + \Sigma HD_3 + \Sigma HD_4)/4} \times 1920 \right) - AD$$

- (4) In the formulae—

*AD* means the number of allocated days for the eligible licence.

*SD* means the number of supplementary days.

*HD<sub>1</sub>* means the highest number of any recorded days and the extra days in any year from 1988 to 1998 for the eligible licence.

*HD<sub>2</sub>* means the second highest number of any recorded days and the extra days in any year from 1988 to 1998 for the eligible licence.

*HD<sub>3</sub>* means the third highest number of any recorded days and the extra days in any year from 1988 to 1998 for the eligible licence.

*HD<sub>4</sub>* means the fourth highest number of any recorded days and the extra days in any year from 1988 to 1998 for the eligible licence.

*ΣHRD<sub>1</sub>* means the sum of the highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

*ΣHRD<sub>2</sub>* means the sum of the second highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

*ΣHRD<sub>3</sub>* means the sum of the third highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

*ΣHRD<sub>4</sub>* means the sum of the fourth highest number of recorded fishing days in any year from 1988 to 1998 for each eligible licence of the same type as the eligible licence.

- (5) For subsection (4), the extra days for a year are—



- (a) all days for the year shown in logbook returns under section 86(2)(a);<sup>4</sup> and
  - (b) a number of other days the chief executive decides that best achieves the purpose of this part.
- (6) For subsection (5)(b), the chief executive must not decide a number that places the applicant in a position as if the applicant had more than an average annual participation in the east coast trawl fishery.

## **Division 5                      Additional effort units**

### **94            Interim issue of additional effort units for all eligible licences**

- (1) This section applies if, on the day this section commences—
  - (a) the total fishing days for all effort units are less than 102929; and
  - (b) all appeals against decisions about effort unit applications are not ended or finally decided.
- (2) The chief executive must, not later than 30 June 2004, issue further additional effort units for each eligible licence to the holder.
- (3) The number of effort units that must be issued for an eligible licence is the number worked out by applying the following formula—

$$\mathbf{EU} = \mathbf{EUCF} \times \left( \frac{\mathbf{RD}}{\mathbf{TEL}} \right)$$

where—

*EU* means the number of effort units worked out by applying the formula.

*EUCF* means the effort unit conversion factor for—

- (a) the boat identified in the eligible licence; or
- (b) if no boat is identified in the eligible licence—the boat

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4 Section 86 (Grounds for issuing effort units)

last identified in the licence.

**RD** means 102343, less the total number of fishing days for all effort units when each of the effort units were issued.

**TEL** means the total number of eligible licences.

- (4) If, after applying the formula, the number of effort units worked out is not a whole number, the number of effort units that must be issued for the eligible licence is the nearest whole number to the amount worked out, rounded down.

## 95 Further issue of additional effort units for all eligible licences

- (1) This section applies if, after all additional effort units have been issued under section 94, the total fishing days for all effort units is still less than 102929.
- (2) The chief executive may issue further additional effort units to each eligible licence holder.
- (3) However, the chief executive must not issue the additional units before—
- (a) the end of the period to appeal against all decisions about effort unit applications (*effort unit appeals*); and
  - (b) all effort unit appeals are ended or finally decided; and
  - (c) if, in deciding an effort unit appeal, the tribunal gave the chief executive directions—the directions have been complied with.
- (4) The number of effort units that must be issued is worked out by applying the following formula—

where—

$$EU = EUCF \times \left( \frac{RD}{TEL} \right)$$

**EU** means the number of effort units worked out by applying the formula.

**EUCF** means the effort unit conversion factor for—

- (a) the boat identified in the eligible licence; or
- (b) if no boat is identified in the eligible licence—the boat

last identified in the licence.

**RD** means 102929, less the total number of fishing days for all effort units when each of the effort units were issued.

**TEL** means the total number of eligible licences.

- (5) If after applying the formula the number of effort units worked out is not a whole number, the number of effort units that must be issued for the eligible licence is the nearest whole number to the amount worked out, rounded down.

## **96 Issue of effort units**

- (1) As soon as practicable after working out, under section 94 or 95, the number of effort units to be issued, the chief executive must take steps to amend the relevant effort unit certificates to include the effort units and the days for which they were issued.
- (2) The effort units take effect when the amendment is made.

## **Division 5A Limit on effort units**

### **96A Application of div 5A**

This division applies if after all effort unit applications have been decided, the total allocated and supplementary days for all eligible licences, would, other than for this division, be more than 102929.

### **96B Automatic rateable effort unit cancellations**

- (1) The number of effort units for each eligible licence is, by cancellation, reduced by applying the following formula—

$$\mathbf{REU} = \mathbf{EU} \times (\mathbf{EFD} / \mathbf{TFD})$$

where—

**REU** means the number of effort units for the licence by which the total number of effort units for the licence must be reduced, worked out by applying the formula.

**EU** means the existing number of effort units for the eligible licence.

**EFD** means the number of fishing days that, other than for this section, would have exceeded 102929.

**TFD** means the total number of fishing days for all effort units.

- (2) If after applying the formula, the number of effort units to be cancelled for the licence is not a whole number, the number of effort units that must be cancelled is the nearest whole number, rounded up.

### **96C Notice and taking of effect of cancellation**

- (1) The chief executive must, as soon as practicable after the cancellation of effort units and reduction of fishing days under section 96B, give each eligible licence holder a replacement effort unit certificate that reflects the cancellation and reduction.
- (2) The cancellation for the holder takes effect when the holder is given the replacement effort unit certificate.

## **Division 6 Effort unit entitlement and use**

### **97 Meaning of *entitlement* of effort unit holder**

- (1) The effort units held by a person authorise the person, in an effort year, to—
- (a) if the effort units are effort units that can be used in conjunction with ‘T1’ licences (***T1 effort units***)—
- (i) use, or allow someone else to use, the boat identified in any ‘T1’ licence also held by the person until the effort units have been used; and
- (ii) use, or allow someone else to use, each of the boats for 4 additional days (each a ***steaming day***); or
- (b) if the effort units are effort units that can be used in conjunction with ‘T2’ licences (***T2 effort units***)—
- (i) use the boat identified in any ‘T2’ licence also held

- by the person until the effort units have been used;  
and
- (ii) use each of the boats for 4 additional days (each also a *steaming day*).
- (2) However, the entitlement applies only while—
- (a) for T1 effort units—the person also holds a ‘T1’ licence that is in force; and
- (b) for T2 effort units—the person also holds a ‘T2’ licence that is in force.
- (3) The authorisation under this section is subject to division 9.<sup>5</sup>
- (4) The authorisation under this section for an effort year is the person’s *entitlement* under the person’s effort units for the year.
- (5) The entitlement is subject to any relevant prohibitions or restrictions under the regulation, this plan or a condition or other provision of the effort units, ‘T1’ licences or ‘T2’ licences.

*Examples of relevant restrictions—*

the restrictions under section 44(1) to (4) of the regulation

## **98 When effort units are *used* for an effort year**

- (1) This section provides for when effort units held by a person are *used* for an effort year.
- (2) Effort units are not used until the holder of the effort units, or anyone else allowed by the holder, has, under section 99, used a boat identified in a ‘T1’ licence or ‘T2’ licence on a fishing day for effort units.
- (3) The number of effort units used on the fishing day is worked out by applying the following formula—

$$EU = 1 \div EUCF$$

where—

*EU* means the number of effort units used.

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5 Division 9 (Entitlement of transferee under transferred effort units)

*I* means the fishing day.

*EUCF* means the effort unit conversion factor for the boat used.

## **99 Provisions for working out use of entitlement**

- (1) This section provides for rules to work out whether a boat has been used on a fishing or steaming day to decide whether the entitlement of an effort unit holder has been used.
- (2) The period of each fishing and steaming day for the effort units is from midday to midday.
- (3) However, if the holder has given the chief executive notice of 24 hours or more that the period of the days is to be—
  - (a) from midnight to midnight—the period is from midnight to midnight; or
  - (b) from 6p.m. to 6p.m.—the period from 6p.m. to 6p.m.
- (4) Subsection (3)(b) applies only if the eligible licence is also an ‘M1’ licence.
- (5) If the holder uses the boat in any part of a fishing or steaming day, the holder is taken to have used the boat for the whole of the day.
- (6) Despite subsections (3) to (5)—
  - (a) the use of the boat for the whole or part of the first 12 hours of an effort year is not included in the working out of whether the boat has been used on a fishing or steaming day if—
    - (i) under subsection (3)(a), the period of the fishing or steaming day is from midnight to midnight; and
    - (ii) the boat has, in the preceding 12 hours, been used under a fishery symbol; and
  - (b) the use of the boat for the whole or part of the first 6 hours of an effort year is not included in the working out of whether the boat has been used on a fishing or steaming day if—
    - (i) under subsection (3)(b), the period of the fishing or steaming day is from 6p.m. to 6p.m.; and

- (ii) the boat has, in the preceding 18 hours, been used under a fishery symbol.
- (7) The boat is taken to have been used on fishing days for effort units before it is used on steaming days.
- (8) In this section—  
*notice* includes a notice given by facsimile, radio or telephone.

### **100 No carrying forward of unused entitlement**

- (1) This section applies if, in an effort year, an effort unit holder fishes on fewer days than the total entitlements under the effort units held by the holder.
- (2) The holder is taken, at the end of the effort year, to have used all the entitlements under the effort units held by the holder for the year.

### **101 Effort unit certificates**

- (1) The chief executive must issue a certificate to each person who holds effort units.
- (2) The certificate must state the following—
  - (a) the holder's name;
  - (b) if the holder has 'T1' effort units—how many of them the holder has;
  - (c) if the holder has 'T2' effort units—how many of them the holder has;
  - (d) if the chief executive has imposed conditions on the effort units—the conditions.

### **101A Evidentiary provision for effort unit certificate**

An effort unit certificate is evidence of—

- (a) the number of effort units held when the certificate was issued under section 101, replaced under section 96C of

this plan or under section 71 of the Act or changed or replaced under section 115; and

- (b) the conditions, if any, imposed on the effort units.

## **Division 7                      Evidentiary aids for use of entitlement**

### **Subdivision 1                  Evidentiary aids for when a fishing or steaming day is used**

#### **102      VMS detection or manual reporting**

- (1) This section applies if the boat identified in a 'T1' licence or 'T2' licence is detected by VMS or manually reported at any time during a day (the *relevant day*) within the following area—
  - (a) for a boat identified in a 'T1' licence—
    - (i) generally—the 'T1' area; and
    - (ii) if the licence also has an 'M1' fishery symbol written on it—the 'M1' and 'M2' area;
  - (b) for a boat identified in a 'T2' licence—the 'T2' area.
- (2) The detection or manual report is evidence that the holder of the licence has used the boat for a whole fishing day or steaming day for—
  - (a) if the licence is a 'T1' licence—'T1' effort units; or
  - (b) if the licence is a 'T2' licence—'T2' effort units.
- (3) However, subsection (2) does not apply if—
  - (a) an exception for this section stated in subdivision 2 applies for the relevant day; or
  - (b) the holder satisfies the chief executive the boat was not used on the relevant day.



**102A Absence of VMS detection or reporting**

- (1) This section applies if at any time during a day (the *relevant time*)—
  - (a) the VMS maintenance and use obligations applied to a person in control of a boat identified in a ‘T1’ or ‘T2’ licence; and
  - (b) the boat is not detected by VMS anywhere; and
  - (c) at that time the manual reporting obligation—
    - (i) applied to the person in control of the boat; and
    - (ii) was not being complied with for the boat.
- (2) The absence of the detection is evidence that the boat was used for a whole fishing or steaming day for—
  - (a) if the licence is a ‘T1’ licence—‘T1’ effort units; or
  - (b) if the licence is a ‘T2’ licence—‘T2’ effort units.
- (3) However, subsection (2) does not apply if the holder of the effort units satisfies the chief executive that the boat was not being used at the relevant time.

**102B Particular notice is evidence of unused entitlement**

- (1) This section applies if an effort unit holder has obtained a written notice from the chief executive stating the amount of unused entitlement under the holder’s effort units for a stated effort year on a stated date.
- (2) The notice is evidence of the amount of unused entitlement under the effort units for the stated effort year on the stated date.

**Subdivision 2 Exceptions****103 Exception—movement only at travelling speed**

- (1) It is an exception for section 102 if, during the whole of the day, the boat is detected by VMS or manually reported as—

- (a) not having moved; or
  - (b) having moved at a speed of no less than 5 knots.
- (2) For subsection (1)(b), if a boat is detected by VMS or manually reported as having moved continuously during a period, the first or last time the boat is detected or manually reported during the period must be disregarded if, at the time, the boat is detected or manually reported as moving at a speed of less than 5 knots.
- (3) This section does not limit sections 105 and 106.

#### **104 Exception—minimum boat movement**

- (1) It is an exception for section 102 if, during the whole of the day, the boat is detected by VMS or manually reported as—
- (a) not having moved; or
  - (b) having moved no more than the following distance from where the boat was first detected on the day—
    - (i) if the boat is detected or manually reported as being in the deep water net area during any part of the day—1000m;
    - (ii) otherwise—250m.
- (2) This section does not limit sections 105 and 106.

#### **105 Exception—moving boat without fishing**

- (1) It is an exception for section 102 if—
- (a) the boat is detected by VMS or manually reported as having moved during a day; and
  - (b) the conditions mentioned in subsection (2) have been complied with.
- (2) For subsection (1)(b), the conditions are as follows—
- (a) the movement is, or is part of, any of the following journeys—
    - (i) from a defined port area to another defined port area;

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- (ii) a defined port area to a place outside the east coast trawl fishery;
  - (iii) a place outside the east coast trawl fishery to a defined port area;
  - (iv) a place outside the east coast trawl fishery to another place outside the east coast trawl fishery;
- (b) the holder or person in control of the boat gave the chief executive notice of the following about the journey before it started—
  - (i) the date and time it will start;
  - (ii) the place it will start;
  - (iii) the proposed destination;
  - (iv) the estimated date and time of arrival at the destination;
  - (v) if the movement involves entering or leaving the east coast trawl fishery—each entry or leaving;
  - (vi) the reason for the journey;
- (c) if any fish taken outside the east coast trawl fishery are on board the boat—the holder or person in control of the boat gave the chief executive notice of the number or weight of each species of permitted fish before the fish were brought into the area;
- (d) the journey complies, or substantially complies, with the journey stated in the notice;
- (e) during the whole of the journey—
  - (i) no fish taken by the use of a trawl net in the east coast trawl fishery are on board the boat; and
  - (ii) the VMS maintenance and use obligations or the manual reporting obligation are complied with for the boat; and
  - (iii) all trawl nets on board the boat are stored inboard the boat and are not suspended from a mast or boom.

- (3) However, the trawl nets may be suspended from a mast or boom if the journey is from a defined port area to the nearest northerly or southerly defined port area.
- (4) The holder or person in control may, during the journey, by notice to the chief executive (*amendment notice*), amend a detail given under subsection (2)(b)(iii), (iv) or (v).
- (5) From the giving of the amendment notice, the condition mentioned in subsection (2)(d) is complied with if the rest of the journey complies, or substantially complies with, the notice given under subsection (2)(b), as amended under the amendment notice.

### **105A Exception—moving boat to test fishing apparatus**

- (1) It is an exception for section 102 if—
  - (a) the boat is detected by VMS or manually reported as having moved during a day; and
  - (b) the conditions mentioned in subsection (2) have been complied with.
- (2) For subsection (1), the conditions are as follows—
  - (a) the movement is, or is part of, a journey for the sole purpose of testing the operation of fishing apparatus;
  - (b) the holder or person in control of the boat gave, at least 24 hours before the journey, the chief executive notice of the following about the journey—
    - (i) the date and time it will start;
    - (ii) the place it will start;
    - (iii) the destination;
    - (iv) the estimated date and time of arrival at the destination;
    - (v) the reason for the journey;
  - (c) the journey complies, or substantially complies, with the journey stated in the notice;
  - (d) the destination for the journey is no more than 1n mile from where the journey started;

- (e) during the whole of the journey—
  - (i) no fish are taken by the use of a trawl net in the east coast trawl fishery; and
  - (ii) the cod ends of each trawl net on or attached to the boat are open; and
  - (iii) the VMS maintenance and use obligations or the manual reporting obligation are complied with for the boat.

**106 Exception—acting exclusively under authority other than a ‘M1’, ‘T1’ or ‘T2’ fishery symbol**

- (1) It is an exception for section 102 if—
  - (a) the boat is detected by VMS or manually reported as having moved during a day; and
  - (b) the conditions mentioned in subsection (2) have been complied with.
- (2) For subsection (1)(b), the conditions are as follows—
  - (a) the movement is, or is part of, a trip that started from a defined port area;
  - (b) the holder or person in control of the boat gave the chief executive notice of the following about the trip before it started—
    - (i) the date and time it will start;
    - (ii) where it will start;
    - (iii) the proposed destination;
    - (iv) the estimated date and time of arrival at the destination;
    - (v) each fishery symbol or other authority, other than a ‘M1’, ‘T1’ or ‘T2’ fishery symbol, under which the boat will be used during the trip;
    - (vi) the activities for which the boat will be used during the trip;
    - (vii) the date and time the use of the boat under the fishery symbol or other authority will stop;

- (c) the trip complies, or substantially complies, with the trip stated in the notice;
- (d) during the whole of the trip—
  - (i) the VMS maintenance and use obligations or the manual reporting obligations are complied with for the boat; and
  - (ii) if the boat is being used under an authority that does not permit the use of trawl nets to take fish in the east coast trawl fishery—there are no trawl nets, or fish taken by the use of a trawl net in the east coast trawl fishery, on board the boat.
- (3) The holder or person in control may, during the trip, by notice to the chief executive (***amendment notice***), amend a detail given under subsection (2)(b)(iii) to (vi).
- (4) From the giving of the amendment notice, the condition mentioned in subsection (2)(c) is complied with if the rest of the trip complies, or substantially complies, with the notice given under subsection (2)(b), as amended under the amendment notice.

### **107 Exception—VMS detection in particular regulated waters**

It is an exception for section 102 if the detection by VMS or manually reporting is within 1 or more of the following—

- (a) the regulated waters mentioned in schedule 3, section 1 in the first regulated period under section 14(a);
- (b) the regulated waters mentioned in schedule 3, section 2 or 3 in the first regulated period under section 18(a);
- (c) the regulated waters mentioned in any of the following provisions of schedule 3—
  - section 31
  - section 55
  - section 62
  - section 87 to 89
  - section 94

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- section 97
  - section 99
  - section 103
  - section 106
  - section 108
  - section 112
  - section 116
  - sections 124 and 125
  - section 132
  - section 137
  - section 141
  - section 143
  - sections 149 to 152
  - sections 154 to 158;
- (c) the following regulated waters described in schedule 1, column 2 of the regulation—
- Currumbin Beach
  - Moreton Bay, including The Broadwater
  - Maroochy River and ocean foreshores
  - Rainbow Beach
  - Wide Bay Bar
  - Hervey Bay (commercial netting)
  - Hook Island (fishing)
  - Townsville Harbour and Cleveland Bay
  - Rollingstone Creek
  - Herbert River
  - Yanks jetty at Orpheus Island
  - Hinchinbrook Channel (all nets)

- Fitzroy Island and High Island
- Mission Bay.

### **108 Notices to chief executive under sdiv 2**

- (1) This section applies for a notice to the chief executive under this subdivision.
- (2) The notice may relate to a continuous period of more than 1 day.
- (3) The notice may be given to the chief executive by—
  - (a) telephone to a telecommunications service provider for the chief executive appointed by gazette notice; or
  - (b) using VMS equipment in a way that ensures—
    - (i) the notice is given to, and received by, the chief executive instantaneously; and
    - (ii) the chief executive can readily access the information in the notice.
- (4) The chief executive may make guidelines for how to give the notice under subsection (3)(b).
- (5) The notice is taken to have been given under subsection (3)(b) if, to the extent they are relevant, the guidelines are complied with.

## **Division 8                      When effort units may or may not be transferred**

### **111 Purpose of div 8**

This division states, for section 65(1)<sup>6</sup> of the Act, the circumstances in which effort units may or may not be transferred.

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<sup>6</sup> Section 65 (Transfer of authority (other than permit)) of the Act



**112 Only whole effort units may be transferred**

A part of an effort unit can not be transferred.

**113 Eligibility of transferee**

- (1) A 'T1' effort unit may be transferred only by a holder of the effort unit to a 'T1' licence holder, other than the transferor.
- (2) Subject to section 114, a 'T2' effort unit may be transferred only by a holder of the effort unit to a 'T2' licence holder, other than the transferor.

**114 Transfer of half of the effort units of 'T2' licence to 'T1' licence**

Half of the effort units for a 'T2' licence may be transferred to a 'T1' licence only if the 'T2' licence holder gives the chief executive notice that the 'T2' licence holder surrenders—

- (a) the 'T2' licence; and
- (b) the other half of the 'T2' licence holder's effort units for the 'T2' licence.

**Division 8A Applications to register transfer of effort units****115 Effort certificate changes required**

If, under section 65B<sup>7</sup> of the Act, an application to transfer an effort unit is registered, the chief executive must give effect to the transfer by changing, cancelling or replacing the transferor's and transferee's current effort unit certificates.

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<sup>7</sup> Section 65B (Registration of transfer of authority) of the Act

## **Division 9                    Entitlement of transferee under transferred effort units**

### **119    Entitlement**

- (1) The entitlement of the transferee under transferred effort units is the unused entitlement of the transferor under the units immediately before the chief executive registers the transfer under section 65B of the Act.
- (2) However, the transferred entitlement only includes an entitlement of the transferor to use a boat on a steaming day if the transferor's former licence to which the effort units related was also transferred to the transferee.
- (3) Subsection (2) does not affect the transferee's entitlement to use a boat on a steaming day under other effort units.

## **Division 10                Miscellaneous provisions**

### **120    Notice of decision about effort units**

As soon as practicable after making a decision under this part, the chief executive must give each person to whom the decision relates an information notice about the decision.

## **Part 8                      Boat modification and replacement**

### **Division 1                Boat modification conditions**

#### **130    Condition for 'M1', 'M2', 'T1' or 'T2' licences**

- (1) This section prescribes additional conditions to which an 'M1', 'M2', 'T1' or 'T2' licence is subject.

- (2) Subject to section 132, the holder of the licence may modify the boat identified on the licence only if the modification does not change the hull units for the boat.
- (3) A modification made under subsection (2) is prescribed as a change in circumstances for section 73(3)<sup>8</sup> of the Act if it changes the details about the boat, as recorded in the register.

### **131 Condition for other licences**

A 'T5', 'T6', 'T7', 'T8' or 'T9' licence is subject to an additional condition that the holder of the licence may modify the boat identified in the licence only if—

- (a) the modification does not change the boat's main engine power or its length; or
- (b) the details of the boat recorded on the licence are amended to reflect the modification.

## **Division 2                      Restrictions on amending licence to modify or replace boat**

### **132 Restriction for 'M1', 'T1' or 'T2' licences**

The chief executive may amend or replace an 'M1', 'T1' or 'T2' licence to allow the boat identified in the licence to be modified or replaced only if the modification or replacement does not result in—

- (a) the hull units for the boat being more than 70; or
- (b) the boat's main engine power being more than 300 maximum continuous brake kW.

### **133 Restriction for 'M2' licences**

The chief executive may amend or replace an 'M2' licence to allow the boat identified in the licence to be modified or replaced only if—

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8 Section 73 (Registers of authorities and fisheries development approval) of the Act

- (a) the amendment or replacement does not increase the number of hull units for the boat; or
- (b) the holder of the licence surrenders another 'M2' licence.

### **134 Length restriction for other licences**

The chief executive may amend or replace a 'T5', 'T6', 'T7', 'T8' or 'T9' licence only if—

- (a) the primary boat identified in the licence is no longer than 14m; and
- (b) the modification or replacement of the boat will not result in the boat's main engine power being more than 300 maximum continuous brake kW.

## **Chapter 4 Specific licence conditions**

### **Part 1 'M1' and 'M2' licences**

#### **Division 1 Preliminary**

#### **135 Purpose and application of pt 1**

- (1) This part—
  - (a) prescribes additional conditions to which an 'M1' or 'M2' licence is subject; and
  - (b) applies to a person acting under a licence that has the fishery symbol 'M1' or 'M2' written on it.
- (2) If this part imposes an obligation on the person in control, it is a condition of the licence that the obligation must be complied with.

**136 Area for 'M1' and 'M2' fishery symbols**

The area for the 'M1' and 'M2' fishery symbols consists of the 'M1' and 'M2' area.<sup>9</sup>

**Division 2 Requirements for fishing****Subdivision 1 General****137 How permitted fish may be taken**

- (1) Permitted fish may be taken only by using beam trawl nets or otter trawl nets.
- (2) A net must not be used unless the net and its use complies with this division.

**138 Maximum net length**

A net must be no longer than—

- (a) for a beam trawl net—10m; or
- (b) for an otter trawl net—32.5m.

**139 Minimum and maximum net mesh size**

The mesh size of a net must not be less than 38mm or more than 60mm.

**140 Maximum length of sweeps of net**

Each sweep used on a net must be no longer than 3m.

**141 Covering net**

- (1) The part of a net within 150 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of at least 38mm and no more than 60mm.

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<sup>9</sup> See schedule 7, section 25 (Meaning of 'M1' and 'M2' area).

- (2) The bottom half of a net, other than within 150 rows of mesh from its drawstring, must not be completely covered.

#### **142 Use of chains for net**

- (1) More than 1 line of ground chain and 1 line of tickler chain must not be used across the mouth of each net.
- (2) The links of the ground chain must not have a diameter of more than 10mm.
- (3) The links of the tickler chain must not have a diameter of more than—
  - (a) if a ground chain is used—6mm; or
  - (b) if something else is attached at 1 or more points to the bottom rope of an otter trawl net so that it is suspended below the bottom rope when the net is in use—10mm.
- (4) The chains must not be used with a weight or an attachment, other than an attachment for joining the chain to the net.

#### **143 Use of more than 1 net**

More than 1 net must not be used from the same boat unless the combined length of the nets is no longer than the length for that type of net permitted under section 138.

### **Subdivision 2 Use of primary boats**

#### **144 Maximum boat length**

A primary boat longer than 14m must not be used.

### **Subdivision 3 BRDs and TEDs**

#### **145 Requirement to use BRD**

A BRD must be used with a net used under this part.

**146 Requirement to use TED**

A TED must be used with a net, other than a try net, used under this part.

**Part 2 'T1' licences****Division 1 Preliminary****147 Purpose and application of pt 2**

This part—

- (a) prescribes additional conditions to which a 'T1' licence is subject; and
- (b) applies to a person acting under a licence that has a 'T1' fishery symbol written on it.

**148 Area for 'T1' fishery symbol**

The area for the 'T1' fishery symbol is the 'T1' area.

**Division 2 Requirements for fishing****Subdivision 1 General****149 How permitted fish may be taken**

- (1) Permitted fish may be taken only by using beam trawl nets or otter trawl nets.
- (2) However, scallops may be taken only by using otter trawl nets.
- (3) A net must not be used unless—

- (a) the net and its use complies with this division; and
  - (b) its primary purpose is to take principal fish.
- (4) However, a net may be used for the primary purpose of taking scallops only if it is no longer than 109m and has a mesh size of at least 75mm.

### **150 Maximum net length**

- (1) In the following areas a beam trawl net used must be no longer than 10m and an otter trawl net used must be no longer than 32.5m—
- (a) the Comboyuro Point and Caloundra Head area;
  - (b) the Hervey Bay area;
  - (c) the Facing Island area;
  - (d) the Keppel Bay area;
  - (e) the Repulse Bay area;
  - (f) the Cleveland Bay area.
- (2) A net used in the Laguna Bay area must be no longer than 18.6m and have a head rope no longer than 8m.
- (3) A net used in waters within the following boundary must be no longer than 39m—
- from latitude 16°51.83' south, longitude 145°54.97' east (Cape Grafton), along the mainland shore to latitude 16°28.93' south, longitude 145°28.00' east (Island Head Point)
  - to latitude 16°43.75' south, longitude 145°40.71' east (Double Island)
  - to latitude 16°51.83' south, longitude 145°54.97' east (Cape Grafton).
- (4) A net used in the deep water net area must be no longer than 184m.
- (5) A net used in any other waters must be no longer than—
- (a) for a beam trawl net—40m; or
  - (b) for an otter trawl net—88m.



**151 Minimum and maximum net mesh size**

- (1) A net used in the following areas must have a mesh size of at least 38mm but no more than 60mm—
  - (a) the Comboyuro Point and Caloundra Head area;
  - (b) the Hervey Bay area;
  - (c) the Facing Island area;
  - (d) the Keppel Bay area;
  - (e) the Repulse Bay area;
  - (f) the Cleveland Bay area;
  - (g) the deep water net area;
  - (h) waters south of Cape Gloucester.
- (2) A net used in the Laguna Bay area must have a mesh size of at least 28mm.
- (3) A net used in waters north of Cape Gloucester must have—
  - (a) a mesh size of at least 45mm but no more than 60mm; and
  - (b) a cod end with a mesh size of at least 38mm and no more than 150 rows of mesh from the drawstring.

**152 Maximum length of sweeps of net**

- (1) This section does not apply to the Laguna Bay area.
- (2) Each sweep used on a net must be no longer than—
  - (a) if the net is used in the Hervey Bay area—3m; or
  - (b) if the net is used in any other waters—10m.

**153 Covering net**

- (1) The part of a net within 150 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of at least 38mm and no more than 60mm.
- (2) The bottom half of a net, other than within 150 rows of mesh from its drawstring, must not be completely covered.

**154 Use of chains for net**

- (1) More than 1 line of ground chain and 1 line of tickler chain must not be used across the mouth of each net.
- (2) The links of the ground chain must not have a diameter of more than—
  - (a) if the net is used in the deep water net area—12mm; or
  - (b) if the net is used in any other waters—10mm.
- (3) The links of the tickler chain must not have a diameter of more than—
  - (a) if a ground chain is used—6mm; or
  - (b) if something else is attached at 1 or more points to the bottom rope of the net so that the thing is suspended below the bottom rope when the net is in use—10mm.
- (4) The chains must not be used with a weight or an attachment, other than an attachment for joining the chain to the net.

**155 Use of more than 1 net**

More than 1 net must not be used from the same boat unless the combined length of the nets is no longer than the length for that type of net permitted under section 150.

**156 Requirement to secure nets north of Cape Gloucester**

- (1) This section does not apply to a net that may be used north of Cape Gloucester.
- (2) A beam trawl net on board a boat north of Cape Gloucester must be removed from the gallows or booms and secured.
- (3) An otter trawl net on board a boat north of Cape Gloucester must be removed from the gallows or booms, detached from the otter boards and secured.

## **Subdivision 2      Use of primary boats**

### **157      Maximum boat length**

A primary boat longer than 20m must not be used.

## **Subdivision 3      BRDs and TEDs**

### **158      Requirement to use BRD**

A BRD must be used with a net used under this part, other than a try net.

### **159      Requirement to use TED**

A TED must be used with a net used under this part, other than a try net.

## **Part 3                      ‘T2’ licences**

### **Division 1              Preliminary**

#### **160      Purpose and application of pt 3**

This part—

- (a) prescribes additional conditions to which a ‘T2’ licence is subject; and
- (b) applies to a person acting under a licence that has a ‘T2’ fishery symbol written on it.

**161 Area for 'T2' fishery symbol**

The area for the 'T2' fishery symbols consists of the 'T2' area.<sup>10</sup>

**Division 2 Requirements for fishing****Subdivision 1 General****162 How permitted fish may be taken**

- (1) Permitted fish may be taken only by using otter trawl nets.
- (2) A net must not be used unless the net and its use complies with this division.

**163 Maximum net length**

- (1) A net must not be used for the primary purpose of taking permitted fish, other than scallops, if it is—
  - (a) longer than 88m; or
  - (b) used only in the deep water net area and it is longer than 184m.
- (2) A net must not be used for the primary purpose of taking permitted fish, other than prawns, if it is longer than 109m.

**164 Minimum and maximum net mesh size**

- (1) A net must not be used for the primary purpose of taking permitted fish, other than scallops, if its mesh size is less than 38mm or more than 60mm.
- (2) A net must not be used for the primary purpose of taking permitted fish, other than prawns if its mesh size is less than 75mm.

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<sup>10</sup> See schedule 7, section 30 (Meaning of 'T2' area).

**165 Maximum length of sweeps of net**

Each sweep used on a net must be no longer than 10m.

**166 Covering net**

- (1) The part of a net within 150 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of—
  - (a) if the net is used for the primary purpose of taking permitted fish, other than scallops—more than 38mm, but no more than 60mm; or
  - (b) if the net is used for the primary purpose of taking permitted fish, other than prawns—more than 75mm.
- (2) The bottom half of a net, other than within 150 rows of mesh from its drawstring, must not be completely covered.

**167 Use of chains for net**

- (1) More than 1 line of ground chain and 1 line of tickler chain must not be used across the mouth of each net.
- (2) The links of the ground chain must not have a diameter of more than—
  - (a) if the net is used in the deep water net area—12mm; or
  - (b) if the net is used in any other waters—10mm.
- (3) The links of the tickler chain must not have a diameter of more than—
  - (a) if a ground chain is used—6mm; or
  - (b) if something else is attached at 1 or more points to the bottom rope of the net so that the thing is suspended below the bottom rope when the net is in use—10mm.
- (4) The chains must not be used with a weight or an attachment, other than an attachment for joining the chain to the net.

**168 Use of more than 1 net**

More than 1 net must not be used from the same boat unless the combined length of the nets is no longer than the length permitted under section 163 for a net.

**Subdivision 2 Use of primary boats****169 Maximum boat length**

A primary boat longer than 20m must not be used.

**Subdivision 3 BRDs and TEDs****170 Requirement to use BRD**

A BRD must be used with a net, other than a try net, used under this part.

**171 Requirement to use TED**

A TED must be used with a net, other than a try net, used under this part.

**Part 4 'T5' licences****Division 1 Preliminary****172 Purpose and application of pt 4**

This part—

- (a) prescribes additional conditions to which a 'T5' licence is subject; and
- (b) applies to a person acting under a licence that has a 'T5' fishery symbol written on it.

**173 Area for 'T5' fishery symbol**

The area for the 'T5' fishery symbol consists of all tidal waters of the following—

- (a) the Brisbane River–Victoria Bridge to Juno Point area;
- (b) the Brisbane River mouth area–north;
- (c) the Brisbane River mouth area–south;
- (d) the Noosa River and lakes connected to the Noosa River;
- (e) the Laguna Bay area;
- (f) the Logan River area and other rivers or creeks south of Double Island Point.

**Division 2 Requirements for fishing****Subdivision 1 General****174 How permitted fish may be taken**

- (1) Permitted fish may be taken only by using—
  - (a) in the Laguna Bay area—otter trawl nets; or
  - (b) in any other waters—beam trawl nets.
- (2) A net must not be used unless the net and its use complies with this division.

**175 Maximum net length**

- (1) In the following a beam trawl net used must be no longer than 5m—
  - (a) the Brisbane River–Victoria Bridge to Juno Point area;
  - (b) the Brisbane River mouth area–north;
  - (c) the Brisbane River mouth area–south;
  - (d) the Noosa River and lakes connected to it;
  - (e) a river or creek.

- (2) A net used in the Laguna Bay area must be no longer than 18.6m and have a head rope no longer than 8m.

### **176 Minimum and maximum net mesh size**

- (1) A net must have a mesh size of at least 28mm.
- (2) A net, other than a net used in the Noosa River and lakes connected to it or in Laguna Bay, must have a cod end with a mesh size of at least 25mm and no more than 100 rows of mesh.

### **177 Covering net**

- (1) The part of a net within 100 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of at least 28mm.
- (2) The bottom half of a net, other than within 100 rows of mesh from its drawstring, must not be completely covered.

### **178 Use of more than 1 net**

- (1) More than 1 beam trawl net must not be used from the same boat unless the combined length of the nets is no longer than the length for that type of net permitted under section 175.
- (2) More than 1 otter trawl net must not be used from the same boat unless—
  - (a) the combined length of the nets is no longer than 18.6m; and
  - (b) the combined head rope length is no longer than 8m.

## **Subdivision 2 Use of primary boats**

### **179 Maximum boat length**

A primary boat longer than 9m must not be used.



## **Subdivision 3 BRDs and TEDs**

### **180 Requirement to use BRD**

A BRD must be used with a net used under this part.

### **181 Requirement to use TED in Laguna Bay area**

From midday on 1 January 2002, a TED must be used with a net used under this part in the Laguna Bay area.

## **Part 5 'T6' licences**

### **Division 1 Preliminary**

#### **182 Purpose and application of pt 5**

This part—

- (a) prescribes additional conditions to which a 'T6' licence is subject; and
- (b) applies to a person acting under a licence that has a 'T6' fishery symbol written on it.

#### **183 Area for 'T6' fishery symbol**

The area for the 'T6' fishery symbol consists of all tidal waters of the following—

- (a) the Great Sandy Strait area;
- (b) the Hervey Bay area;
- (c) rivers and creeks between Double Island Point and the northern bank of the Burrum River.

## **Division 2                    Requirements for fishing**

### **Subdivision 1            General**

#### **184    How permitted fish may be taken**

- (1) Permitted fish may be taken only by using beam trawl nets.
- (2) A net must not be used unless the net and its use complies with this division.

#### **185    Maximum net length**

- (1) A net used in the Great Sandy Strait area or a river or creek must be no longer than 5m.
- (2) A net used in the Hervey Bay area must be no longer than 10m.

#### **186    Minimum and maximum net mesh size**

- (1) A net used in the Great Sandy Strait area or a river or creek must have a mesh size of at least 28mm.
- (2) A net used in the Hervey Bay area must have a mesh size of at least 38mm but no more than 60mm.
- (3) A net, other than a net used in the Hervey Bay area, must have a cod end with a mesh size of at least 25mm and no more than 100 rows of mesh.

#### **187    Covering net**

- (1) The part of a net within 100 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of—
  - (a) if the net is used in the Great Sandy Strait area or a river or creek—at least 28mm; or
  - (b) if the net is used in the Hervey Bay area—at least 38mm but no more than 60mm.

- (2) The bottom half of a net, other than within 100 rows of mesh from its drawstring, must not be completely covered.

### **188 Use of more than 1 net**

More than 1 net must not be used from the same boat unless the combined length of the nets is no longer than the length permitted under section 185 for a net.

## **Subdivision 2 Use of primary boats**

### **189 Maximum boat length**

A primary boat longer than 9m must not be used.

## **Subdivision 3 BRDs and TEDs**

### **190 Requirement to use BRD**

A BRD must be used with a net used under this part.

### **191 Requirement to use TED other than in river or creek**

From midday on 1 January 2002, a TED must be used with a net used under this part other than in a river or creek.

## **Part 6 'T7' licences**

### **Division 1 Preliminary**

#### **192 Purpose and application of pt 6**

This part—

- (a) prescribes additional conditions to which a 'T7' licence is subject; and

- (b) applies to a person acting under a licence that has a 'T7' fishery symbol written on it.

### **193 Area for 'T7' fishery symbol**

The area for the 'T7' fishery symbol consists of all tidal waters of rivers and creeks between the northern bank of the Burrum River and Richards Point (Rodds Peninsula).

## **Division 2 Requirements for fishing**

### **Subdivision 1 General**

#### **194 How permitted fish may be taken**

- (1) Permitted fish may be taken only by using beam trawl nets.
- (2) A net must not be used unless the net and its use complies with this division.

#### **195 Maximum net length**

A net must be no longer than 5m.

#### **196 Minimum and maximum net mesh size**

- (1) A net must have a mesh size of at least 28mm.
- (2) A net must have a cod end with a mesh size of at least 25mm and no more than 100 rows of mesh.

#### **197 Covering net**

- (1) The part of a net within 100 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of at least 28mm.
- (2) The bottom half of a net, other than within 100 rows of mesh from its drawstring, must not be completely covered.

**198 Use of more than 1 net**

More than 1 net must not be used from the same boat unless the combined length of the nets is no longer than 5m.

**Subdivision 2 Use of primary boats****199 Maximum boat length**

A primary boat longer than 9m must not be used.

**Subdivision 3 BRDs****200 Requirement to use BRD**

A BRD must be used with a net used under this part.

**Part 7 'T8' licences****Division 1 Preliminary****203 Purpose and application of pt 7**

This part—

- (a) prescribes additional conditions to which a 'T8' licence is subject; and
- (b) applies to a person acting under a licence that has a 'T8' fishery symbol written on it.

**204 Area for 'T8' fishery symbol**

The area for the 'T8' fishery symbol consists of all tidal waters of the following—

- (a) the Facing Island area;

- (b) the Keppel Bay area;
- (c) the Fitzroy River mouth area;
- (d) rivers and creeks between Richards Point (Rodds Peninsula) and Reef Point, south of Townshend Island.

## **Division 2            Requirements for fishing**

### **Subdivision 1        General**

#### **205    How permitted fish may be taken**

- (1) Permitted fish may be taken only by using beam trawl nets.
- (2) A net must not be used unless the net and its use complies with this division.

#### **206    Maximum net length**

- (1) A net used in the Fitzroy River mouth area or a river or creek must be no longer than 5m.
- (2) A net used in the Facing Island area or the Keppel Bay area must be no longer than 10m.

#### **207    Minimum and maximum net mesh size**

- (1) A net used in a river or creek must have a mesh size of at least 28mm.
- (2) A net used in the Fitzroy River mouth area must have a mesh size of at least 31mm.
- (3) A net used in the Facing Island area or the Keppel Bay area must have a mesh size of at least 38mm but no more than 60mm.
- (4) A net used in a river or creek must have a cod end with a mesh size of at least 25mm and no more than 100 rows of mesh.

**208 Covering net**

- (1) The part of a net within 100 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of—
  - (a) if the net is used in a river or creek—at least 28mm; or
  - (b) if the net is used in the Fitzroy River mouth area—at least 31mm; or
  - (c) if the net is used in the Facing Island area or the Keppel Bay area—at least 38mm but no more than 60mm.
- (2) The bottom half of a net, other than within 100 rows of mesh from its drawstring, must not be completely covered.

**209 Use of more than 1 net**

More than 1 net must not be used from the same boat unless the combined length of the nets is no longer than the length permitted under section 206 for a net.

**Subdivision 2 Use of primary boats****210 Maximum boat length**

A primary boat longer than 9m must not be used.

**Subdivision 3 BRDs and TEDs****211 Requirement to use BRD**

A BRD must be used with a net used under this part.

**212 Requirement to use TED other than in river or creek**

From midday on 1 January 2002, a TED must be used with a net used under this part other than in a river or creek.

## **Part 8                    ‘T9’ licences**

### **Division 1                Preliminary**

#### **213    Purpose and application of pt 8**

This part—

- (a) prescribes additional conditions to which a ‘T9’ licence is subject; and
- (b) applies to a person acting under a licence that has a ‘T9’ fishery symbol written on it.

#### **214    Area for ‘T9’ fishery symbol**

The area for the ‘T9’ fishery symbol consists of all tidal waters of the following—

- (a) the Llewellyn Bay area;
- (b) the Repulse Bay area;
- (c) the Sinclair Bay area;
- (d) the Cleveland Bay area;
- (e) rivers and creeks between Reef Point, south of Townshend Island, and the northern tip of Cape York Peninsula.

### **Division 2                Requirements for fishing**

#### **Subdivision 1         General**

#### **215    How permitted fish may be taken**

- (1) Permitted fish may be taken only by using beam trawl nets.
- (2) A net must not be used unless the net and its use complies with this division.



**216 Maximum net length**

- (1) A net used in a river or creek must be no longer than 5m.
- (2) A net used other than in a river or creek must be no longer than 10m.

**217 Minimum and maximum net mesh size**

- (1) A net used in a river or creek must have a mesh size of at least 28mm.
- (2) A net used other than in a river or creek must have a mesh size of at least 38mm but no more than 60mm.
- (3) A net used in a river or creek must have a cod end with a mesh size of at least 25mm and no more than 100 rows of mesh.

**218 Covering net**

- (1) The part of a net within 100 rows of mesh from its drawstring must not be covered with netting material, unless the material has a mesh size of—
  - (a) if the net is used in a river or creek—at least 28mm; or
  - (b) if the net is used other than in a river or creek—at least 38mm but no more than 60mm.
- (2) The bottom half of a net, other than within 100 rows of mesh from its drawstring, must not be completely covered.

**219 Use of more than 1 net**

More than 1 net must not be used from the same boat unless the combined length of the nets is no longer than the length permitted under section 216 for a net.

**Subdivision 2 Use of primary boats****220 Maximum boat length**

A primary boat longer than 9m must not be used.

### **Subdivision 3      BRDs and TEDs**

#### **221      Requirement to use BRD**

A BRD must be used with a net used under this part.

#### **222      Requirement to use TED other than in river or creek**

- (1) A TED must be used with a net used under this part, other than in a river or creek.
- (2) However, a net used under this part may be used without a TED if—
  - (a) the boat from which the net is used—
    - (i) is no longer than 6.7m; and
    - (ii) has an outboard engine with no more than 90kW of power; and
  - (b) the net—
    - (i) is used in water shallower than 3m; and
    - (ii) remains in the water for no more than 25 minutes; and
    - (iii) is used only by hand, without any equipment to assist in its use.

## **Chapter 5      Miscellaneous provisions**

### **Part 1              Threshold percentage for declared fisheries resources**

#### **223      Purpose of pt 1**

This part prescribes for the east coast trawl fishery the threshold percentage for declared fisheries resources under section 154<sup>11</sup> of the Act.

#### **224      Saucer scallops**

- (1) The threshold percentage for saucer scallops is as follows—
  - (a) from 8a.m. on 1 January to 8a.m. on 1 May—7% of saucer scallops that are less than 9cm;
  - (b) from 8a.m. on 1 May to 8a.m. on 20 September—10% of saucer scallops that are less than 9.5cm;
  - (c) from midday on 20 September to midday on 1 November—nil;
  - (d) from midday on 1 November to midday on 20 December—10% of saucer scallops that are less than 9.5cm;
  - (e) from midday on 20 December to midday on 1 January—nil.
- (2) The threshold percentage must be worked out in the way stated for undersized scallops under section 167 of the regulation.

#### **225      Other declared fisheries resources**

The threshold percentage for declared fisheries resources, other than saucer scallops, is 5%.

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

## **Part 2                      Prescribed acts, offences and suspension criteria**

### **Division 1                      Prescribed acts that must be done only by authority holders**

#### **233      Restrictions on processing scallops on commercial fishing boat**

- (1) Subsection (2) prescribes, for section 82 of the Act, an act that must be done only by the holder of an authority.
- (2) A person (the *processor*) may process a scallop on a commercial fishing boat only if—
  - (a) the processing takes place in waters mentioned in schedule 6; and
  - (b) the licence for the boat is a ‘T1’ licence; and
  - (c) the person in control of the boat is a commercial fisher; and
  - (d) the processor is any of the following—
    - (i) a commercial or assistant fisher;
    - (ii) the holder of the ‘T1’ licence;
    - (iii) the holder under the regulation of a buyer licence that applies to the boat and the waters.

### **Division 2                      Prescribed serious fisheries offences**

#### **235      Serious fisheries offences**

For the schedule, definition *serious fisheries offence*, of the Act, an offence constituted by any of the following is a serious fisheries offence—

- (a) contravening the *Marine Parks Act 2004*;

- (b) trawling in a zone of the Great Barrier Reef Marine Park established under the *Great Barrier Reef Marine Park Act 1975* (Cwlth), unless the zoning plan for the zone, under that Act, authorises the trawling.

*Note—*

Other fisheries offences are prescribed as serious fisheries offences under section 625 of the regulation.

## **Division 3 Prescribed suspension criteria**

### **236 Purpose and application of div 3**

- (1) This division prescribes criteria under section 68B(4)(b)(i)<sup>12</sup> of the Act for a court suspending a commercial fisher licence, commercial fishing boat licence or effort units.
- (2) The prescribed criteria apply only if—
- (a) the licence holder has been convicted (***conviction***) of—
    - (i) an offence under section 77(2) or 78(1) of the Act; or
    - (ii) an offence under section 219(2) of the Act that is a serious fisheries offence under section 625 of the regulation; and
  - (b) the conviction is not a spent conviction.
- (3) In this section—
- spent conviction*** means a conviction—
- (a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
  - (b) that is not revived as prescribed by section 11 of that Act.

### **237 Criteria for suspending commercial fisher licence**

- (1) This section applies for a commercial fisher licence.

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<sup>12</sup> Section 68B (Suspension or cancellation of authority by court) of the Act

- (2) Subsection (3) applies if the conviction is constituted by any of the following (a *serious scallop offence*)—
  - (a) contravening a regulated waters declaration under chapter 2, part 4;
  - (b) contravening a regulated waters declaration under chapter 2, part 5, division 9 of the regulation;
  - (c) the holder of a licence failing to ensure another person acting under the licence complies with the Act if the non-compliance constituted a serious scallop offence mentioned in paragraph (a) or (b).
- (3) For a serious scallop offence, the prescribed criteria are, for the licence holder's—
  - (a) first conviction—6 months to 1 year's suspension; or
  - (b) second conviction—2 to 4 years suspension; or
  - (c) third or subsequent conviction—5 years suspension.
- (4) Otherwise, the prescribed criteria are, for the licence holder's—
  - (a) first conviction—3 months to 6 months suspension; or
  - (b) second conviction—1 to 2 years suspension; or
  - (c) third or subsequent conviction—5 years suspension.

### **238 Criteria for suspending commercial fishing boat licence**

- (1) This section applies for a commercial fishing boat licence.
- (2) For a serious scallop offence, the prescribed criteria are, for the licence holder's—
  - (a) first conviction—1 month to 3 months suspension; or
  - (b) second conviction—1 to 2 years suspension; or
  - (c) third or subsequent conviction—5 years suspension.
- (3) Otherwise, the prescribed criteria are, for the licence holder's—
  - (a) second conviction—1 month to 3 months suspension; or

- (b) third conviction—1 to 2 years suspension; or
- (c) fourth or subsequent conviction—5 years suspension.

### **238A Criteria for suspending effort units**

- (1) This section applies for effort units.
- (2) The prescribed criterion is, for each conviction of the person mentioned in section 238, suspension of a number of the effort units that reduces the person's total entitlement under the effort units in a way that, as nearly as practicable, corresponds with the criterion under section 238(2) or (3).

*Example for subsection (2)—*

A holds a commercial fishing boat licence and effort units for the licence. A is convicted of a serious scallop offence. It is A's first conviction. The prescribed criterion is suspension of a number of the effort units that entitles A to use the boat identified in A's effort unit certificate for the licence for 1 to 3 months.

## **Chapter 6 Transitional provision**

### **239 Transitional provision for Fisheries Management Plans Amendment Management Plan (No. 1) 2006**

- (1) An effort unit certificate issued under unamended section 101 and in force immediately before 1 July 2006 ceases to have effect on that day.
- (2) In this section—

*unamended section 101* means section 101 as in force from time to time before 1 July 2006.

## **Schedule 3      Particular regulated waters**

sections 10(2), 13, 17, 20, 21, 24, 26, 30 and 107

### **Part 1                      Southern and northern regional regulated waters**

#### **Division 1                  Southern regional regulated waters**

##### **1                      Southern regional regulated waters**

Waters within the following boundary, other than waters of Moreton Bay—

- from the intersection of latitude 28°09.88' south with the mainland shore at high water mark (at the State's border with New South Wales, approximately latitude 28°09.88' south, longitude 153°33.10' east) along the shore to latitude 22°00.00' south (approximately at latitude 22°00.00' south, longitude 149°29.68' east)
- to latitude 22°00.00' south, longitude 152°56.58' east
- to latitude 22°19.18' south, longitude 153°00.32' east
- to latitude 22°38.63' south, longitude 152°43.43' east
- to latitude 22°44.90' south, longitude 152°10.56' east
- to latitude 22°34.40' south, longitude 151°56.06' east
- to latitude 23°11.13' south, longitude 151°54.16' east (the light on north reef)
- to latitude 23°54.49' south, longitude 152°23.38' east (the light on Lady Musgrave Island)
- to latitude 24°06.88' south, longitude 152°42.68' east (the light on Lady Elliot Island)
- to latitude 24°21.05' south, longitude 153°08.83' east (the Breaksea spit light off the northern tip of Fraser Island)



Schedule 3, part 1—Southern and northern regional regulated waters (continued)

- to latitude 24°29.90' south, longitude 153°20.06' east
- to latitude 24°59.90' south, longitude 153°35.06' east
- to latitude 26°09.90' south, longitude 153°50.06' east
- to latitude 26°19.90' south, longitude 153°40.76' east
- to latitude 26°29.90' south, longitude 153°34.06' east
- to latitude 26°40.90' south, longitude 153°31.06' east
- to latitude 27°01.90' south, longitude 153°31.26' east
- to latitude 27°25.90' south, longitude 153°39.06' east
- to latitude 28°03.48' south, longitude 153°47.06' east
- to the intersection of latitude 28°09.88' south with the mainland shore at high water mark.

## **Division 2                      Northern regional regulated waters**

### **2                      Swain Reefs and Hydrographers Passage**

Waters within the following boundary—

- from latitude 22°00.00' south, longitude 150°45.06' east to latitude 21°30.41' south, longitude 150°19.06' east
- to latitude 20°46.71' south, longitude 149°39.56' east
- to latitude 20°14.11' south, longitude 149°12.06' east
- to latitude 19°39.91' south, longitude 149°29.66' east
- to latitude 19°39.91' south, longitude 150°02.06' east
- to latitude 19°59.91' south, longitude 150°30.06' east
- to latitude 19°49.08' south, longitude 150°30.06' east
- to latitude 19°56.81' south, longitude 150°42.56' east
- to latitude 20°04.61' south, longitude 150°48.61' east
- to latitude 20°18.86' south, longitude 150°58.23' east
- to latitude 20°26.54' south, longitude 151°04.02' east

Schedule 3, part 1—Southern and northern regional regulated waters (continued)

- to latitude 20°30.27' south, longitude 151°07.61' east
- to latitude 20°36.96' south, longitude 151°15.16' east
- to latitude 20°42.67' south, longitude 151°22.73' east
- to latitude 20°44.50' south, longitude 151°25.31' east
- to latitude 20°46.78' south, longitude 151°29.13' east
- to latitude 20°48.09' south, longitude 151°31.38' east
- to latitude 20°55.00' south, longitude 151°45.50' east
- to latitude 20°51.91' south, longitude 151°57.41' east
- to latitude 20°52.31' south, longitude 152°02.46' east
- to latitude 20°54.97' south, longitude 152°15.39' east
- to latitude 21°01.40' south, longitude 152°39.56' east
- to latitude 21°12.30' south, longitude 152°42.10' east
- to latitude 21°20.00' south, longitude 152°48.10' east
- to latitude 21°36.68' south, longitude 152°51.62' east
- to latitude 22°00.00' south, longitude 152°56.58' east
- to latitude 22°00.00' south, longitude 150°45.06' east.

### **3 Major northern regional regulated waters**

Waters within the following boundary—

- from the intersection of latitude 22°00.00' south with the mainland shore at high water mark (approximately latitude 22°00.00' south, longitude 149°29.68' east) along the shore to latitude 21°28.42' south, longitude 149°20.53' east (Allom Point, southern boundary of Llewellyn Bay)
- to latitude 21°25.91' south, longitude 149°20.20' east (Freshwater Point, northern boundary of Llewellyn Bay)
- along the shore of Llewellyn Bay to latitude 20°06.80' south, longitude 148°26.81' east (northern boundary of Sinclair Bay)

**Schedule 3, part 1—Southern and northern regional regulated waters (continued)**

- to latitude 20°09.54' south, longitude 148°25.36' east (southern boundary of Sinclair Bay)
- along the shore of Sinclair Bay to longitude 142°31.83' east (the northern tip of Cape York, approximately latitude 10°41.25' south, longitude 142°31.83' east)
- to latitude 10°40.91' south, longitude 145°00.06' east
- to latitude 12°59.91' south, longitude 145°00.07' east
- to latitude 14°59.91' south, longitude 146°00.07' east
- to latitude 17°29.91' south, longitude 147°00.07' east
- to latitude 18°42.39' south, longitude 149°00.06' east
- to latitude 18°29.91' south, longitude 148°00.06' east
- to latitude 18°09.91' south, longitude 147°30.07' east
- to latitude 17°45.41' south, longitude 147°00.07' east
- to latitude 16°59.91' south, longitude 146°38.07' east
- to latitude 16°29.91' south, longitude 146°15.07' east
- to latitude 15°59.91' south, longitude 145°56.07' east
- to latitude 15°59.91' south, longitude 145°50.57' east
- to latitude 16°09.91' south, longitude 145°56.07' east
- to latitude 16°15.91' south, longitude 146°01.07' east
- to latitude 16°24.41' south, longitude 146°05.07' east
- to latitude 16°43.41' south, longitude 146°20.07' east
- to latitude 16°55.91' south, longitude 146°30.07' east
- to latitude 16°59.91' south, longitude 146°32.57' east
- to latitude 17°13.71' south, longitude 146°38.57' east
- to latitude 17°45.36' south, longitude 146°48.82' east
- to latitude 17°50.67' south, longitude 146°50.97' east
- to latitude 18°02.84' south, longitude 147°01.90' east
- to latitude 18°09.91' south, longitude 147°10.86' east

**Schedule 3, part 1—Southern and northern regional regulated waters (continued)**

- to latitude 18°11.41' south, longitude 147°15.07' east
- to latitude 18°14.91' south, longitude 147°24.27' east
- to latitude 18°19.31' south, longitude 147°24.77' east
- to latitude 18°21.41' south, longitude 147°37.76' east
- to latitude 18°29.24' south, longitude 147°49.77' east
- to latitude 18°37.98' south, longitude 147°58.24' east
- to latitude 18°42.97' south, longitude 148°05.16' east
- to latitude 18°45.64' south, longitude 148°09.21' east
- to latitude 18°50.19' south, longitude 148°22.26' east
- to latitude 18°59.14' south, longitude 148°50.22' east
- to latitude 19°17.66' south, longitude 149°34.06' east
- to latitude 19°29.91' south, longitude 149°57.42' east
- to latitude 19°29.91' south, longitude 149°49.06' east
- to latitude 19°39.91' south, longitude 150°02.06' east
- to latitude 19°39.91' south, longitude 149°29.66' east
- to latitude 20°14.11' south, longitude 149°12.06' east
- to latitude 20°46.71' south, longitude 149°39.56' east
- to latitude 21°30.41' south, longitude 150°19.06' east
- to latitude 22°00.00' south, longitude 150°45.06' east
- to the intersection of latitude 22°00.00' with the mainland shore at high water mark.

## Schedule 3 (continued)

**Part 2                      Regulated waters and periods  
for scallop replenishment****Division 1                Hervey Bay****5                      Hervey Bay scallop replenishment area A**

- (1) Waters within the following boundary—
  - from latitude 24°40.00' south, longitude 152°40.00' east to latitude 24°40.00' south, longitude 152°50.00' east
  - to latitude 24°30.00' south, longitude 152°50.00' east
  - to latitude 24°30.00' south, longitude 152°40.00' east
  - to latitude 24°40.00' south, longitude 152°40.00' east.
- (2) The regulated period for the waters is from the beginning of 1 April 2008 to midday on 1 January 2009.
- (3) This section expires on 1 January 2009.

**Division 2                Bustard Head****7                      Bustard Head scallop replenishment area A**

- (1) Waters within the following boundary—
  - from latitude 23°55.00' south, longitude 151°40.00' east to latitude 23°55.00' south, longitude 151°50.00' east
  - to latitude 23°45.00' south, longitude 151°50.00' east
  - to latitude 23°45.00' south, longitude 151°40.00' east
  - to latitude 23°55.00' south, longitude 151°40.00' east.
- (2) The regulated period for the waters is from the beginning of 1 April 2008 to midday on 1 January 2009.
- (3) This section expires on 1 January 2009.

Schedule 3, part 2—Regulated waters and periods for scallop replenishment (continued)

**Division 3                      Yeppoon region**

**15            Yeppoon scallop replenishment area A**

- (1) Waters within the following boundary—
  - from latitude 22°45.00' south, longitude 151°03.00' east to latitude 22°45.00' south, longitude 151°13.00' east
  - to latitude 22°35.00' south, longitude 151°05.00' east
  - to latitude 22°35.00' south, longitude 150°55.00' east
  - to latitude 22°45.00' south, longitude 151°03.00' east.
- (2) The regulated period for the waters is from the beginning of 1 April 2008 to midday on 1 January 2009.
- (3) This section expires on 1 January 2009.

**16            Yeppoon scallop replenishment area B**

- (1) Waters within the following boundary—
  - from latitude 23°00.00' south, longitude 151°10.00' east to latitude 23°00.00' south, longitude 151°20.00' east
  - to latitude 22°50.00' south, longitude 151°20.00' east
  - to latitude 22°50.00' south, longitude 151°10.00' east
  - to latitude 23°00.00' south, longitude 151°10.00' east.
- (2) The regulated period for the waters is from midday on 20 September 2008 to midday on 1 September 2010.

## Schedule 3 (continued)

**Part 2A**                      **Reef world heritage area  
regulated waters****16A**    **Reef world heritage area**

Waters within the following boundary—

- from the northern tip of Cape York Peninsula at low water mark to latitude 10°40.91' south, longitude 145°00.06' east
- to latitude 12°59.91' south, longitude 145°00.06' east
- to latitude 14°59.91' south, longitude 146°00.06' east
- to latitude 17°29.91' south, longitude 147°00.06' east
- to latitude 20°59.91' south, longitude 152°55.06' east
- to latitude 24°29.90' south, longitude 154°00.06' east
- to the mainland shore at its intersection with latitude 24°29.91' south at low water mark
- along the shore at low water mark to the northern tip of Cape York Peninsula at low water mark.

**Part 3**                      **Other particular regulated  
waters****18**    **Near the New South Wales border to Point Lookout on  
North Stradbroke Island**

(1) Waters within the following boundary—

- from latitude 28°09.90' south on the territorial sea baseline (approximately latitude 28°09.90' south, longitude 153°33.09' east) along the territorial sea baseline to latitude 27°26.06' south (Point Lookout, North Stradbroke Island, approximately latitude 27°26.06' south, longitude 153°32.78')

## Schedule 3, part 3—Other particular regulated waters (continued)

- to latitude 27°26.10' south, longitude 153°34.66' east
  - to latitude 27°29.90' south, longitude 153°32.66' east
  - to latitude 27°33.70' south, longitude 153°31.26' east
  - to latitude 27°36.30' south, longitude 153°30.47' east
  - to latitude 27°43.50' south, longitude 153°29.27' east
  - to latitude 27°48.10' south, longitude 153°28.26' east
  - to latitude 27°52.90' south, longitude 153°27.66' east
  - to latitude 27°55.10' south, longitude 153°27.47' east
  - to latitude 27°56.30' south, longitude 153°27.86' east
  - to latitude 27°59.90' south, longitude 153°27.86' east
  - to latitude 28°04.30' south, longitude 153°29.06' east
  - to latitude 28°05.90' south, longitude 153°30.06' east
  - to latitude 28°06.50' south, longitude 153°30.47' east
  - to latitude 28°06.70' south, longitude 153°30.86' east
  - to latitude 28°08.10' south, longitude 153°31.86' east
  - to latitude 28°08.10' south, longitude 153°33.47' east
  - to latitude 28°08.50' south, longitude 153°34.07' east
  - to latitude 28°09.10' south, longitude 153°34.86' east
  - to latitude 28°09.90' south on the territorial sea baseline.
- (2) The regulated period for the waters is from 1 October to 31 March.

**31 Moreton Bay**

Waters of Moreton Bay outside the 'M1' and 'M2' area.

**34 Southern Moreton Bay area**

- (1) Waters within the following boundary—
- from latitude 27°26.93' south, longitude 153°14.70' east (the A S Huybers flashing red light beacon off King



## Schedule 3, part 3—Other particular regulated waters (continued)

- Island, near Wellington Point) to latitude 27°30.30' south, longitude 153°19.35' east (the flashing green light beacon off the western tip of Peel Island)
- to latitude 27°32.48' south, longitude 153°20.20' east (the west cardinal light beacon off the northern tip of the bank commonly known as Banana Bank)
  - to latitude 27°35.20' south, longitude 153°22.83' east (the green light beacon on the south-western side of the Pelican Banks)
  - to latitude 27°35.65' south, longitude 153°24.27' east (the special mark flashing yellow light beacon at the southern tip of the Pelican Banks)
  - to latitude 27°34.70' south, longitude 153°24.27' east (the flashing red light beacon on the eastern side of the Pelican Banks)
  - to latitude 27°34.20' south, longitude 153°24.37' east (the flashing green light beacon off the western shore of North Stradbroke Island)
  - to latitude 27°32.17' south, longitude 153°24.07' east (the flashing green light beacon off Wallen Wallen)
  - to latitude 27°31.14' south, longitude 153°23.07' east (the special mark flashing yellow light beacon at the southern tip of Goat Island)
  - to latitude 27°30.20' south, longitude 153°23.99' east (the southern end of Harold Walker Jetty, Dunwich, North Stradbroke Island)
  - along the southern side of Harold Walker Jetty to latitude 27°30.14' south on North Stradbroke Island's western shore (approximately latitude 27°30.14' south, longitude 153°24.08' east)
  - along North Stradbroke Island's western shore to latitude 27°29.60' south, longitude 153°24.15' east (the jetty at One Mile Anchorage)

**Schedule 3, part 3—Other particular regulated waters (continued)**

- along the southern side of the jetty at One Mile Anchorage to latitude 27°29.58' south, longitude 153°24.13' east (the western end of the jetty)
  - to latitude 27°29.51' south, longitude 153°22.89' east (the south cardinal light beacon known as Douglas Light)
  - to latitude 27°27.25' south, longitude 153°19.98' east (the flashing green light beacon every six seconds off Maroom Bank)
  - to latitude 27°25.99' south, longitude 153°17.41' east (the isolated danger beacon on Hope Banks)
  - to latitude 27°26.93' south, longitude 153°14.70' east.
- (2) The regulated period for the waters is from midnight on 30 June to midnight on 30 September each year.

**35 Amity Bight and the South Passage**

- (1) Waters within the following boundary—
- from latitude 27°26.06' south on North Stradbroke Island's north-eastern shore (Point Lookout approximately latitude 27°26.06' south, longitude 153°32.78' east), north and west along the shore of North Stradbroke Island to latitude 27°23.64' south (Amity Point approximately latitude 27°23.64' south, longitude 153°26.40' east)
  - to longitude 153°25.68' east on Moreton Island's southern shore (Reeders Point approximately latitude 27°21.82' south, longitude 153°25.68' east)
  - along Moreton Island's eastern shore to latitude 27°17.40' south (approximately latitude 27°17.40' south, longitude 153°25.27')
  - to latitude 27°17.40' south, longitude 153°28.56' east
  - to latitude 27°20.40' south, longitude 153°30.06' east
  - to latitude 27°26.10' south, longitude 153°34.66' east

**Schedule 3, part 3—Other particular regulated waters (continued)**

- to latitude 27°26.06' south on North Stradbroke Island's north-eastern shore.
- (2) The regulated period for the waters is from 6p.m. to 6a.m. from 1 October to 1 March.

**38 Boggy Creek, Pinkenba**

- (1) Waters of 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 regulated period for the waters is from midday on 1 November to midday on 30 April.

**39 Brisbane River mouth area**

- (1) Waters within the following boundary—
- from latitude 27°19.70' south, longitude 153°08.91' east to latitude 27°18.40' south, longitude 153°08.91' east
  - to latitude 27°18.40' south, longitude 153°11.16' east
  - to latitude 27°19.95' south, longitude 153°11.16' east
  - to latitude 27°19.70' south, longitude 153°08.91' east.
- (2) The regulated period for the waters is from midnight on 30 June to midnight on 30 September each year.

**43 Northern section of Moreton Bay**

- (1) Waters within the following boundary—
- from the intersection of latitude 27°04.93' south with Bribie Island's western shore<sup>13</sup>

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<sup>13</sup> The intersection of latitude 27°04.93' south with Bribie Island's western shore is approximately at latitude 27°04.93' south, longitude 153°09.48' east.

## Schedule 3, part 3—Other particular regulated waters (continued)

- to latitude 27°09.19' south, longitude 153°03.91' east (the special mark yellow flashing light beacon off the Caboolture River)
- to latitude 27°10.97' south, longitude 153°06.14' east (the special mark yellow flashing light beacon No. 1 at the entrance of the Scarborough Boat Harbour)
- to latitude 27°10.95' south, longitude 153°06.77' east (north of Castlereagh Point)
- to latitude 27°09.20' south, longitude 153°06.77' east
- to latitude 27°09.20' south, longitude 153°11.46' east
- to latitude 27°12.12' south, longitude 153°17.23' east (the flashing red beacon M8 off Four Fathom bank)
- to latitude 27°12.03' south, longitude 153°18.71' east (the flashing red beacon MB2 off Middle Bank)
- to latitude 27°08.36' south, longitude 153°20.75' east (the east cardinal beacon M7 west of Cowan Cowan Point on Moreton Island)
- to latitude 27°07.35' south, longitude 153°20.47' east (the flashing yellow beacon M5 west of Cowan Cowan township on Moreton Island)
- to latitude 27°05.24' south, longitude 153°18.90' east (the flashing red beacon M4 off Yule Bank)
- to latitude 27°03.48' south, longitude 153°18.78' east (the flashing red beacon M2 off Salamander Bank)
- to latitude 27°02.75' south, longitude 153°16.22' east (the flashing yellow beacon S1 in Spitfire Channel)
- to latitude 27°02.27' south, longitude 153°15.45' east (the west cardinal beacon NW12 in Spitfire Channel)
- to latitude 27°00.03' south, longitude 153°14.52' east (the southernmost flashing red beacon NW10 in North-West Channel)
- to latitude 27°01.80' south on Bribie Island's eastern shore (approximately latitude 27°01.80' south, longitude 153°10.89' east)

**Schedule 3, part 3—Other particular regulated waters (continued)**

- along Bribie Island's eastern, southern and western shores to latitude 27°04.93' south on Bribie Island's western shore.
- (2) The regulated period for the waters is from midnight on 30 June to midnight on 30 September.

**46 Caloundra Head**

- (1) Waters within the following boundary—
- from latitude 26°44.90' south on the mainland shore (north of Caloundra Head at approximately latitude 26°44.90' south, longitude 153°08.17' east) to latitude 26°44.90' south, longitude 153°12.56' east
  - to latitude 26°51.90' south, longitude 153°12.56' east
  - to latitude 26°51.90' south on the western shore of Pumicestone Strait (approximately latitude 26°51.90' south, longitude 153°06.75' east)
  - along the mainland shore to latitude 26°44.90' south.
- (2) The regulated period for the waters is from 6p.m. to 6a.m. from 1 October to 31 December.

**49 Warana Beach at Kawana Waters**

Waters within the following boundary—

- from latitude 26°43.80' south, longitude 153°08.10' east to latitude 26°43.81' south, longitude 153°08.73' east
- to latitude 26°43.92' south, longitude 153°08.73' east
- to latitude 26°43.91' south, longitude 153°08.10' east
- to latitude 26°43.80' south, longitude 153°08.10' east.

**53 Lakes Doonella and Weyba**

Waters of Lakes Doonella and Weyba.

## Schedule 3, part 3—Other particular regulated waters (continued)

**54 Noosa River and Lakes Cooroibah and Cootharaba**

- (1) Waters of the Noosa River and Lakes Cooroibah and Cootharaba.
- (2) The regulated period for the waters is from 7p.m. to 6a.m.

**55 Laguna Bay area**

Waters within the Laguna Bay area.

**62 Hook Point to Taleerba Creek, Fraser Island**

Waters within the following boundary—

- from latitude 25°47.00' south on Fraser Island's eastern shore, (at approximately latitude 25°47.00' south, longitude 153°04.86' east) north along Fraser Island's eastern shore to latitude 25°37.00' south (at approximately latitude 25°37.00' south, longitude 153°05.36' east)
- to latitude 25°37.20' south, longitude 153°06.96' east
- to latitude 25°47.70' south, longitude 153°07.26' east
- to latitude 25°47.00' south on Fraser Island's eastern shore.

**63 Taleerba Creek to Indian Head, Fraser Island**

- (1) Waters within the following boundary—

- from latitude 25°37.00' south on Fraser Island's eastern shore, (at approximately latitude 25°37.00' south, longitude 153°05.36' east) to latitude 25°00.50' south on Fraser Island's eastern shore, (at approximately latitude 25°00.50' south, longitude 153°21.56' east)
- to latitude 25°00.70' south, longitude 153°22.66' east
- to latitude 25°29.38' south, longitude 153°09.38' east
- to latitude 25°37.20' south, longitude 153°06.96' east

## Schedule 3, part 3—Other particular regulated waters (continued)

- to latitude 25°37.00' south on Fraser Island's eastern shore.
- (2) The regulated period for the waters is from midday on 1 August to midday on 1 April.

**64 Fraser Island—Indian Head to Waddy Point**

- (1) Eastern foreshore waters of Fraser Island and waters within 400m out to sea from the eastern shore at low water, between 400m north of Waddy Point and 400m south of Indian Head.
- (2) The regulated period for the waters is from midday on 1 September to midday on 30 September.

**65 Fraser Island—Hook point to northern tip**

- (1) Fraser Island's eastern foreshore waters and waters within 200m out to sea from the shore at low water, between an F↑B sign at Hook Point and the northern tip of Fraser Island.
- (2) The regulated period for the waters is from midday on 1 September to midday on 1 April.

**67 Mary River**

Waters of the Mary River between lines between the following places marked by F↑B signs—

- longitude 152°46.73' east on the northern bank of the river and longitude 152°46.89' east on its southern bank
- longitude 152°51.80' east on the northern bank of the river near 'Tandora', and longitude 152°51.77' east on the shore of Crab Island (Meteor Point)
- longitude 152°51.68' east on the shore of Crab Island and longitude 152°52.01' east on the southern bank of the river.

**68 Hervey Bay seasonal night-time closure**

- (1) Waters of Hervey Bay within the following boundary—

**Schedule 3, part 3—Other particular regulated waters (continued)**

- from longitude 152°48.82' east on the mainland shore (near Point Vernon, approximately latitude 25°14.67' south, longitude 152°48.82' east) to latitude 25°15.28' south, longitude 152°45.06' east
  - to latitude 25°13.34' south, longitude 152°40.19' east
  - to latitude 25°08.90' south, longitude 152°39.06' east
  - to latitude 25°07.38' south, longitude 152°35.13' east
  - to latitude 25°07.38' south, longitude 152°37.06' east
  - to latitude 25°04.90' south, longitude 152°37.06' east
  - to latitude 25°04.90' south on the mainland shore (approximately latitude 25°04.90' south, longitude 152°33.22' east)
  - along the shore to longitude 152°48.82' east on the mainland shore.
- (2) The regulated period for the waters is from 1 March to 1 May from 6p.m. to 6a.m.

**69 Hervey Bay—other closures**

- (1) Waters of Hervey Bay within the following boundary—
- from longitude 152°48.82' east on the mainland shore (near Point Vernon, approximately latitude 25°14.67' south, longitude 152°48.82' east) to latitude 25°13.34' south, longitude 152°40.19' east
  - to latitude 25°08.90' south, longitude 152°39.06' east
  - to latitude 25°07.38' south, longitude 152°37.06' east
  - to latitude 25°04.90' south, longitude 152°37.06' east
  - to latitude 25°04.90' south on the mainland shore (approximately latitude 25°04.90' south, longitude 152°33.22' east)
  - along the shore to longitude 152°48.82' east on the mainland shore.



**Schedule 3, part 3—Other particular regulated waters (continued)**

- (2) The regulated periods for the waters are—
- (a) from 2 May to the end of February; and
  - (b) from 1 March to 1 May, from 6a.m. to 6p.m.

**70 Skyringville Creek**

- (1) The following waters—
- (a) the creek commonly known as Skyringville Creek—
    - (i) upstream of a line running south-east from the north-western tip of Barubbra Island; and
    - (ii) downstream of a line between F<sup>↑</sup>B signs on opposite sides of the creek about 800m from its banks;
  - (b) waterways joining the parts of the creek described in paragraph (a).
- (2) The regulated period for the waters mentioned in subsection (1)(a)(i) is from 1 August to 30 November.

**72 Southern Hervey Bay**

- (1) Waters within the following boundary—
- from latitude 25°09.18' south on the mainland shore (Burrum Point)<sup>14</sup>
  - to latitude 25°08.69' south, longitude 152°49.93' east (Fairway Buoy, Hervey Bay)
  - to latitude 25°13.50' south on the western shore of Fraser Island (Moon Point, approximately latitude 25°13.50' south, longitude 152°59.50' east)
  - to longitude 152°49.21' east on the mainland shore (Point Vernon, approximately latitude 25°14.47' south, longitude 152°49.21' east)

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<sup>14</sup> Burrum Point is at approximately latitude 25°09.18' south, longitude 152°38.02' east.

**Schedule 3, part 3—Other particular regulated waters (continued)**

- along the shore to longitude 152°38.12' east on the mainland shore.
- (2) The regulated period for the waters is from midnight on 30 June to midnight on 31 October.

**75 Burnett River**

- (1) Waters of the Burnett River and waterways joining it.
- (2) The regulated period for the waters is from 1 August to 30 November.
- (3) However, subsection (2) does not apply to the following waters within the regulated waters—
- (a) the waters upstream of a line between F<sup>↑</sup>B signs on opposite sides of the Burnett River near its junction with Bundaberg Creek;
  - (b) the waters downstream of a line between F<sup>↑</sup>B signs on opposite sides of the river near the western tip of Harriett Island.

**75A Baffle Creek**

The waters of Baffle Creek, and waterways joining it.

**76 Sandy Cape**

- (1) Waters within the following boundary—
- from latitude 24°41.83' south, longitude 153°16.00' east (Sandy Cape) to latitude 24°38.90' south, longitude 153°16.00' east
  - to latitude 24°44.90' south, longitude 153°06.06' east
  - to latitude 24°47.90' south, longitude 153°06.06' east
  - to latitude 24°48.94' south, longitude 153°07.26' east (Rooney Point)

**Schedule 3, part 3—Other particular regulated waters (continued)**

- to latitude 24°41.83' south, longitude 153°16.00' east.
- (2) The regulated period for the waters is from midday 20 September to midday 1 February.

**77 Northern Fraser Island and north of Fraser Island**

- (1) Waters within the following boundary—
- from latitude 24°59.90' south, longitude 152°45.98' east to latitude 24°43.40' south, longitude 152°30.06' east
  - to latitude 24°01.40' south, longitude 151°49.06' east
  - to latitude 23°10.83' south, longitude 150°59.56' east (the light on Great Keppel Island)
  - to latitude 22°59.90' south, longitude 151°00.06' east
  - to latitude 21°59.90' south, longitude 150°42.56' east
  - to latitude 21°59.90' south, longitude 152°00.06' east
  - to latitude 22°05.60' south, longitude 152°14.57' east (the western tip of Herald No. 1 in the Swain Reefs)
  - to latitude 23°11.13' south, longitude 151°54.16' east (the light on North Reef)
  - to latitude 23°54.49' south, longitude 152°23.38' east (the light on Lady Musgrave Island)
  - to latitude 24°06.88' south, longitude 152°42.68' east (the light on Lady Elliot Island)
  - to latitude 24°41.83' south, longitude 153°16.00' east (Sandy Cape, Fraser Island)
  - to latitude 24°48.94' south, longitude 153°07.26' east (Rooney Point)
  - along Fraser Island's western shore to latitude 24°59.90' south, longitude 153°13.23' east
  - to latitude 24°59.90' south, longitude 152°45.98' east.
- (2) The regulated period for the waters is from 8a.m. to 6p.m.

## Schedule 3, part 3—Other particular regulated waters (continued)

**87 Gladstone offshore area**

Waters within the following boundary—

- from latitude 23°44.90' south, longitude 153°30.06' east to latitude 24°29.90' south, longitude 153°30.06' east
- to latitude 24°29.90' south, longitude 154°00.06' east
- to latitude 23°38.54' south, longitude 153°44.16' east
- to latitude 23°44.90' south, longitude 153°30.06' east.

**88 Keppel Bay near Middle Island Observatory**

Waters within the following boundary—

- from latitude 23°10.21' south, longitude 150°55.26' east to latitude 23°10.23' south, longitude 150°55.32' east
- to latitude 23°10.29' south, longitude 150°55.35' east
- to latitude 23°10.35' south, longitude 150°55.32' east
- to latitude 23°10.37' south, longitude 150°55.26' east
- to latitude 23°10.35' south, longitude 150°55.20' east
- to latitude 23°10.29' south, longitude 150°55.17' east
- to latitude 23°10.23' south, longitude 150°55.20' east
- to latitude 23°10.21' south, longitude 150°55.26' east.

**89 Yeppoon offshore area**

Waters within the following boundary—

- from latitude 22°59.90' south, longitude 153°00.06' east to latitude 23°29.90' south, longitude 153°00.06' east
- to latitude 23°16.72' south, longitude 153°37.41' east
- to latitude 22°59.90' south, longitude 153°32.21' east
- to latitude 22°59.90' south, longitude 153°00.06' east.

## Schedule 3, part 3—Other particular regulated waters (continued)

**94 Shoalwater Bay**

Waters, and waterways joining the waters, within the following boundary—

- from latitude 21°29.91' south, longitude 149°38.06' east to latitude 22°23.02' south on the mainland shore near Charon Point (approximately latitude 22°23.02' south, longitude 149°48.51' east)
- east along the shore to latitude 22°18.86' south on the mainland shore near Reef Point (approximately latitude 22°18.86' south, longitude 150°33.99' east)
- to latitude 22°17.75' south on the mainland shore (approximately latitude 22°17.75' south, longitude 150°33.69' east)
- north to Townshend Island
- north along the shore of Townshend Island to longitude 150°30.06' east (approximately latitude 22°12.78' south, longitude 150°30.06' east)
- to latitude 22°05.41' south, longitude 150°40.56' east
- to latitude 21°59.91' south, longitude 151°00.06' east
- to latitude 21°29.91' south, longitude 150°45.06' east
- to latitude 21°29.91' south, longitude 149°38.06' east.

**95 Broadsound to Dunk Island**

(1) Waters within the following boundary—

- from latitude 21°59.90' south, longitude 150°42.56' east to latitude 20°14.91' south, longitude 149°10.07' east
- to latitude 19°59.91' south, longitude 149°00.06' east
- to latitude 19°58.91' south, longitude 148°27.06' east
- to latitude 19°50.91' south, longitude 148°05.06' east
- to latitude 19°14.91' south, longitude 147°30.07' east
- to latitude 18°45.74' south, longitude 146°43.07' east

**Schedule 3, part 3—Other particular regulated waters (continued)**

- to latitude 17°51.74' south, longitude 146°12.73' east
  - to latitude 17°51.74' south, longitude 147°35.61' east
  - to latitude 19°39.55' south, longitude 150°35.06' east
  - to latitude 20°09.91' south, longitude 150°20.06' east
  - to latitude 20°59.90' south, longitude 151°30.06' east
  - to latitude 21°59.90' south, longitude 152°00.06' east
  - to latitude 21°59.90' south, longitude 150°42.56' east.
- (2) The regulated period for the waters is from 8a.m. to 6p.m. every day.

**97 Swain Reefs**

Waters within the following boundary—

- from latitude 19°49.08' south, longitude 150°30.06' east to latitude 20°18.91' south, longitude 150°30.06' east
- to latitude 20°18.91' south, longitude 150°33.06' east
- to latitude 20°29.91' south, longitude 150°33.06' east
- to latitude 20°29.91' south, longitude 151°00.06' east
- to latitude 20°59.91' south, longitude 151°00.06' east
- to latitude 20°59.91' south, longitude 151°30.06' east
- to latitude 21°29.91' south, longitude 151°30.06' east
- to latitude 21°29.90' south, longitude 152°30.06' east
- to latitude 21°59.90' south, longitude 152°30.06' east
- to latitude 21°59.90' south, longitude 152°40.06' east
- to latitude 22°21.90' south, longitude 152°40.06' east
- to latitude 22°29.90' south, longitude 152°35.06' east
- to latitude 21°59.90' south, longitude 151°43.56' east
- to latitude 21°59.91' south, longitude 151°30.06' east
- to latitude 22°18.40' south, longitude 151°30.06' east

## Schedule 3, part 3—Other particular regulated waters (continued)

- to latitude 22°34.40' south, longitude 151°56.06' east
- to latitude 22°44.90' south, longitude 152°10.56' east
- to latitude 22°38.63' south, longitude 152°43.43' east
- to latitude 22°19.18' south, longitude 153°00.32' east
- to latitude 22°00.00' south, longitude 152°56.58' east
- to latitude 21°36.68' south, longitude 152°51.62' east
- to latitude 21°20.00' south, longitude 152°48.10' east
- to latitude 21°12.30' south, longitude 152°42.10' east
- to latitude 21°01.40' south, longitude 152°39.56' east
- to latitude 20°54.97' south, longitude 152°15.39' east
- to latitude 20°52.31' south, longitude 152°02.46' east
- to latitude 20°51.91' south, longitude 151°57.41' east
- to latitude 20°55.00' south, longitude 151°45.50' east
- to latitude 20°48.09' south, longitude 151°31.38' east
- to latitude 20°46.78' south, longitude 151°29.13' east
- to latitude 20°44.50' south, longitude 151°25.31' east
- to latitude 20°42.67' south, longitude 151°22.73' east
- to latitude 20°36.96' south, longitude 151°15.16' east
- to latitude 20°30.27' south, longitude 151°07.61' east
- to latitude 20°26.54' south, longitude 151°04.02' east
- to latitude 20°18.86' south, longitude 150°58.23' east
- to latitude 20°04.61' south, longitude 150°48.61' east
- to latitude 19°56.81' south, longitude 150°42.56' east
- to latitude 19°49.08' south, longitude 150°30.06' east.

**99 Grasstree Island area**

Waters within the following boundary—

**Schedule 3, part 3—Other particular regulated waters (continued)**

- from latitude 21°17.60' south, longitude 149°18.12' east to latitude 21°19.31' south, longitude 149°19.47' east
- to latitude 21°22.09' south, longitude 149°19.16' east
- west along the shore to latitude 21°17.60' south, longitude 149°18.12' east.

**103 Pioneer River mouth**

Waters within the following boundary—

- from latitude 21°10.09' south, longitude 149°12.43' east
- to latitude 21°10.85' south, longitude 149°15.95' east
- to latitude 21°10.30' south, longitude 149°16.24' east
- to latitude 21°06.10' south, longitude 149°15.35' east
- to the intersection of longitude 149°13.51' east with the mainland shore
- along the mainland shore to latitude 21°08.79' south, longitude 149°12.79' east
- to latitude 21°10.09' south, longitude 149°12.43' east.

**106 Egremont Pass Closure**

Waters within the following boundary—

- from latitude 20°56.92' south, longitude 149°25.55' east to latitude 20°55.60' south, longitude 149°24.35' east
- to latitude 20°53.94' south, longitude 149°24.72' east
- to latitude 20°54.12' south, longitude 149°26.34' east
- to latitude 20°56.94' south, longitude 149°25.56' east.

**108 Refuge Bay on Scawfell Island**

Waters within the following boundary—

- from the intersection of longitude 149°35.10' east with the northern shore of Scawfell Island



## Schedule 3, part 3—Other particular regulated waters (continued)

- to the intersection of longitude 149°36.13' east with the northern shore of Scawfell Island
- then along the shore of Refuge Bay to the intersection of longitude 149°35.10' east with the northern shore of Scawfell Island.

**112 Pioneer Bay**

Waters within the following boundary—

- from the intersection of longitude 148°44.05' east with the mainland shore (Mandalay Point)
- to the intersection of longitude 148°42.91' east with the mainland shore<sup>15</sup>
- to latitude 20°15.91' south, longitude 148°41.79' east<sup>16</sup>
- to the intersection of latitude 20°15.12' south with the mainland shore.<sup>17</sup>

**114 Hayman Island to Cape Abbot**

(1) Waters within the following boundary—

- from latitude 20°03.30' south, longitude 148°52.75' east (the western tip of Hayman Island) to longitude 148°45.11' east on the mainland shore (the northern tip of Pioneer Point, approximately latitude 20°14.02' south, longitude 148°45.11' east)
- to latitude 20°05.88' south on the south-western shore of Gumbrell Island (the islands south-western tip, approximately latitude 20°05.88' south, longitude 148°36.20' east)

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15 The intersection of longitude 148°42.91' east with the mainland shore is near the intersection of Broadwater Avenue and Ocean View Avenue, Airlie Beach.

16 Latitude 20°15.91' south, longitude 148°41.79' east is near the eastern tip of Pigeon Island.

17 The intersection of latitude 20°15.12' south with the mainland shore is approximately 2km south of Bluff Point.

**Schedule 3, part 3—Other particular regulated waters (continued)**

- along Gumbrell Island's western shore to latitude 20°05.55' south (the islands south-western tip, approximately latitude 20°05.55' south, longitude 148°36.46' east)
  - to latitude 19°58.33' south, longitude 148°27.02' east (the northern tip of Gloucester Head, Gloucester Island)
  - to latitude 19°58.90' south, longitude 148°21.87' east (the northern tip of Middle Island)
  - to latitude 19°58.59' south, longitude 148°15.55' east (Cape Edgecumbe)
  - to latitude 19°51.49' south, longitude 148°05.12' east (the seaward end of the jetty at Abbot Point)
  - to latitude 19°50.78' south, longitude 147°54.23' east (the northern tip of Camp Island)
  - to latitude 19°43.90' south, longitude 147°50.19' east
  - to latitude 19°43.64' south, longitude 148°21.61' east (the light on Holbourne Island)
  - to latitude 20°03.30' south, longitude 148°52.75' east.
- (2) The regulated period for the waters is from 8a.m. to 6p.m. from 1 April to 31 October.

**116 Bowen to Cairns offshore area**

Waters within the following boundary—

- from latitude 16°55.91' south, longitude 146°30.07' east to latitude 17°29.91' south, longitude 146°30.07' east
- to latitude 18°29.91' south, longitude 147°00.07' east
- to latitude 18°29.91' south, longitude 147°11.07' east
- to latitude 18°23.91' south, longitude 147°09.07' east
- to latitude 18°22.41' south, longitude 147°12.57' east
- to latitude 18°23.91' south, longitude 147°20.06' east
- to latitude 18°29.91' south, longitude 147°22.57' east

**Schedule 3, part 3—Other particular regulated waters (continued)**

- to latitude 18°29.91' south, longitude 147°30.07' east
- to latitude 18°39.91' south, longitude 147°30.07' east
- to latitude 18°39.91' south, longitude 147°42.06' east
- to latitude 18°59.91' south, longitude 148°00.06' east
- to latitude 19°29.91' south, longitude 149°00.06' east
- to latitude 19°29.91' south, longitude 149°57.42' east
- to latitude 19°17.66' south, longitude 149°34.06' east
- to latitude 18°59.14' south, longitude 148°50.22' east
- to latitude 18°50.19' south, longitude 148°22.26' east
- to latitude 18°45.64' south, longitude 148°09.21' east
- to latitude 18°42.97' south, longitude 148°05.16' east
- to latitude 18°37.98' south, longitude 147°58.24' east
- to latitude 18°29.24' south, longitude 147°49.77' east
- to latitude 18°21.41' south, longitude 147°37.76' east
- to latitude 18°19.31' south, longitude 147°24.77' east
- to latitude 18°14.91' south, longitude 147°24.27' east
- to latitude 18°11.41' south, longitude 147°15.07' east
- to latitude 18°09.91' south, longitude 147°10.86' east
- to latitude 18°02.84' south, longitude 147°01.90' east
- to latitude 17°50.67' south, longitude 146°50.97' east
- to latitude 17°45.36' south, longitude 146°48.82' east
- to latitude 17°13.71' south, longitude 146°38.57' east
- to latitude 16°59.91' south, longitude 146°32.57' east
- to latitude 16°55.91' south, longitude 146°30.07' east.

**124 Townsville to Cape York offshore area**

Waters within the following boundary—

## Schedule 3, part 3—Other particular regulated waters (continued)

- from latitude 10°40.91' south, longitude 143°55.07' east to latitude 10°59.91' south, longitude 144°00.07' east
- to latitude 11°17.91' south, longitude 144°00.07' east
- to latitude 11°17.91' south, longitude 143°30.07' east
- to latitude 11°59.91' south, longitude 143°30.07' east
- to latitude 11°59.91' south, longitude 143°45.07' east
- to latitude 12°59.91' south, longitude 143°45.07' east
- to latitude 13°04.91' south, longitude 143°55.07' east
- to latitude 13°29.91' south, longitude 144°00.07' east
- to latitude 13°29.91' south, longitude 144°03.07' east
- to latitude 13°56.41' south, longitude 144°22.07' east
- to latitude 13°59.91' south, longitude 144°30.07' east
- to latitude 14°26.41' south, longitude 145°30.07' east
- to latitude 14°59.91' south, longitude 145°30.07' east
- to latitude 14°59.91' south, longitude 145°32.07' east
- to latitude 15°34.91' south, longitude 145°32.07' east
- to latitude 15°34.91' south, longitude 145°48.07' east
- to latitude 15°59.91' south, longitude 145°48.07' east
- to latitude 15°59.91' south, longitude 145°56.07' east
- to latitude 16°29.91' south, longitude 146°15.07' east
- to latitude 16°59.91' south, longitude 146°38.07' east
- to latitude 17°45.41' south, longitude 147°00.07' east
- to latitude 18°09.91' south, longitude 147°30.07' east
- to latitude 18°29.91' south, longitude 148°00.06' east
- to latitude 18°42.39' south, longitude 149°00.06' east
- to latitude 17°29.91' south, longitude 147°00.07' east
- to latitude 14°59.91' south, longitude 146°00.07' east
- to latitude 12°59.91' south, longitude 145°00.07' east

**Schedule 3, part 3—Other particular regulated waters (continued)**

- to latitude 10°40.91' south, longitude 145°00.06' east
- to latitude 10°40.91' south, longitude 143°55.07' east.

**125 Etty Bay area**

Waters within the following boundary—

- from latitude 17°33.33' south, longitude 146°05.42' east
- along the shore of Etty Bay to latitude 17°33.72' south, longitude 146°05.61' east
- to latitude 17°33.72' south, longitude 146°05.85' east
- to latitude 17°33.33' south, longitude 146°05.76' east
- to latitude 17°33.33' south, longitude 146°05.42' east.

**132 Mission Beach**

Waters within the following boundary—

- from latitude 18°02.09' south, longitude 146°03.15' east to latitude 18°02.09' south, longitude 146°03.53' east
- to latitude 17°59.94' south, longitude 146°04.43' east
- to latitude 17°58.91' south, longitude 146°06.07' east
- to latitude 17°54.49' south, longitude 146°05.92' east
- to latitude 17°54.09' south, longitude 146°06.53' east
- to latitude 17°51.49' south, longitude 146°07.23' east
- to latitude 17°51.11' south, longitude 146°06.53' east
- to latitude 17°49.35' south, longitude 146°06.35' east
- south along the shore to latitude 18°02.09' south, longitude 146°03.15' east.

**133 Mission Beach night time closure**

- (1) Waters within the following boundary—

**Schedule 3, part 3—Other particular regulated waters (continued)**

- from latitude 17°51.49' south, longitude 146°07.23' east to latitude 17°55.50' south, longitude 146°08.11' east
- to latitude 17°58.05' south, longitude 146°06.07' east
- north along the shore to latitude 17°51.49' south, longitude 146°07.23' east.

(2) The regulated period for the waters is from 8p.m. to 6a.m.

**137 Trinity Bay**

Waters of Trinity Bay and waterways joining it west of a line from latitude 16°52.34' south, longitude 145°50.90' east (False Cape) to latitude 16°46.48' south, longitude 145°41.72' east (Taylor Point).

**141 Yorkeys Knob to Simpson Point**

Waters within the following boundary—

- from latitude 16°47.96' south on the mainland shore (Yorkeys Knob, approximately latitude 16°47.96' south, longitude 145°43.30' east) along the shore to longitude 145°37.82' east (Simpson Point, approximately latitude 16°42.31' south, longitude 145°37.82' east)
- to latitude 16°43.51' south on the western shore of Double Island (approximately latitude 16°43.51' south, longitude 145°40.66' east)
- to latitude 16°45.60' south, longitude 145°41.40' east
- to latitude 16°46.61' south, longitude 145°42.22' east
- to latitude 16°46.70' south, longitude 145°42.55' east
- to latitude 16°47.96' south on the mainland shore.

**142 Cook Bay**

(1) Waters of Cook Bay within the following boundary—

- from latitude 16°43.51' south on the western shore of Double Island (approximately latitude 16°43.51' south,

**Schedule 3, part 3—Other particular regulated waters (continued)**

longitude 145°40.66' east) to latitude 16°45.60' south, longitude 145°41.40' east

- to latitude 16°46.61' south, longitude 145°42.22' east
- to latitude 16°46.70' south, longitude 145°42.46' east
- to latitude 16°43.51' south on the western shore of Double Island.

(2) The regulated period for the waters is from 6a.m. to 6p.m.

**143 Island Point to the Daintree River**

Waters within the following boundary—

- from latitude 16°28.73' south on the mainland shore (the light beacon at Island Point, near Port Douglas approximately latitude 16°28.73' south, longitude 145°27.85' east), along the shore to longitude 145°27.56' east (near the northern bank of the Daintree River, approximately latitude 16°17.21' south, longitude 145°27.56' east)
- to latitude 16°28.73' south on the mainland shore.

**148 North of latitude 15°30.00' south**

- (1) Waters north of latitude 15°30.00' south.<sup>18</sup>
- (2) The regulated period for the waters is from 8a.m. to 6p.m.

**149 Grave Point to Indian Head**

Waters within the following boundary—

- from longitude 145°18.27' east on the mainland shore (Grave Point approximately latitude 15°33.15' south, longitude 145°18.27' east) along the shore to latitude 15°22.51' south (Indian Head approximately latitude 15°22.51' south, longitude 145°17.30' east)

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<sup>18</sup> Latitude 15°30.00' south is approximately the latitude of Cooktown.

**Schedule 3, part 3—Other particular regulated waters (continued)**

- to the intersection of latitude 15°29.77' south with the mainland shore (Monkhouse Point)
- to longitude 145°18.27' east on the mainland shore.

**150 Cape Bedford to Murray Reefs**

Waters within the following boundary—

- from latitude 15°13.56' south on the mainland shore (Cape Bedford approximately latitude 15°13.56' south, longitude 145°20.26' east) along the shore to longitude 145°15.65' east (approximately latitude 15°05.58' south, longitude 145°15.65' east)
- to latitude 15°05.58' south, longitude 145°15.90' east (the northern tip of the Murray Reefs)
- to latitude 15°13.56' south on the mainland shore.

**150A Cape Flattery to Lookout Point**

Waters within the following boundary—

- from latitude 14°56.96' south, longitude 145°20.81' east (Cape Flattery) along the mainland shore to latitude 14°50.09' south, longitude 145°13.88' east (eastern tip of Lookout Point)
- to latitude 14°56.96' south, longitude 145°20.81' east (Cape Flattery).

**150B Lookout Point to Baron Reef**

Waters within the following boundary—

- from latitude 14°50.09' south, longitude 145°13.88' east (eastern tip of Lookout Point), along the mainland shore to latitude 14°26.16' south (at approximately latitude 14°26.16' south, longitude 144°37.15' east)
- to latitude 14°28.27' south, longitude 144°41.92' east (northern tip of Baron Reef)



**Schedule 3, part 3—Other particular regulated waters (continued)**

- to latitude 14°30.05' south, longitude 144°45.93' east (northern tip of Noble Island)
- to latitude 14°33.06' south, longitude 144°54.26' east (northern tip of Morris Island)
- to latitude 14°43.88' south, longitude 145°06.07' east (the navigational light on Pethebridge Islets)
- to latitude 14°42.14' south, longitude 145°12.16' east (northern tip of the north most island of the Turtle Island Group)
- to latitude 14°50.09' south, longitude 145°13.88' east (eastern tip of Lookout Point).

**152 Barrow Point to Bizant River**

Waters within the following boundary—

- from latitude 14°21.48' south on the mainland shore (Barrow Point approximately latitude 14°21.48' south, longitude 144°39.05' east), along the shore to longitude 144°01.53' east (the western bank of the Bizant River approximately latitude 14°29.05' south, longitude 144°01.53' east)
- to latitude 14°15.70' south, longitude 144°11.69' east (the western tip of Bathurst Head)
- to latitude 14°13.26' south on the western shore of Denham Island (approximately latitude 14°13.26' south, longitude 144°14.66' east)
- along the island's southern shore to latitude 14°14.34' south (approximately latitude 14°14.34' south, longitude 144°16.19' east)
- to latitude 14°08.40' south, longitude 144°28.97' east (the northern tip of the Channel Rocks)
- to latitude 14°09.41' south, longitude 144°30.07' east
- to latitude 14°09.41' south, longitude 144°31.57' east
- to latitude 14°14.91' south, longitude 144°36.07' east

## Schedule 3, part 3—Other particular regulated waters (continued)

- to latitude 14°20.76' south, longitude 144°39.16' east (the navigation light on Barrow Island)
- to latitude 14°21.48' south on the mainland shore.

**154 Marrett River to Rocky River**

Waters within the following boundary—

- from latitude 14°22.73' south on the mainland shore (the northern bank of the Marrett River approximately latitude 14°22.73' south, longitude 144°10.15' east) along the shore to latitude 13°46.41' south (the northern bank of the Rocky River approximately latitude 13°46.41' south, longitude 143°32.16' east)
- to latitude 13°46.41' south, longitude 143°38.16' east (the western tip of Wilkie Island)
- to latitude 14°13.45' south, longitude 143°47.67' east (the easternmost point of the easternmost island of the Cliff Islands)
- to latitude 14°22.73' south on the mainland shore.

**155 Rocky River to latitude 13°08.91' south**

Waters within the following boundary—

- from latitude 13°46.41' south on the mainland shore (the northern bank of the Rocky River approximately latitude 13°46.41' south, longitude 143°32.16' east), along the shore to latitude 13°08.91' south (approximately latitude 13°08.91' south, longitude 143°30.54' east)
- to latitude 13°08.91' south, longitude 143°33.56' east
- to latitude 13°10.80' south, longitude 143°34.43' east
- to latitude 13°16.83' south, longitude 143°34.53' east
- to latitude 13°24.11' south, longitude 143°39.27' east
- to latitude 13°32.11' south, longitude 143°38.63' east

## Schedule 3, part 3—Other particular regulated waters (continued)

- to latitude 13°46.41' south, longitude 143°34.93' east
- to latitude 13°46.41' south on the mainland shore.

**156 Latitude 13°08.91' south to Thorpe Point**

Waters within the following boundary—

- from latitude 13°08.91' south on the mainland shore (approximately latitude 13°08.91' south, longitude 143°30.50' east) along the shore to latitude 11°55.21' south (the eastern tip of Thorpe Point approximately latitude 11°55.21' south, longitude 143°08.78')
- to latitude 11°57.87' south, longitude 143°15.51' east (500m north-west of the northern tip of Harvey Island)
- to latitude 11°56.68' south, longitude 143°16.00' east (500m north of the northern tip of Nob Island)
- to latitude 11°58.29' south, longitude 143°17.67' east (500m east of the eastern tip of Clerke Island)
- to latitude 11°58.71' south, longitude 143°17.25' east (500m south of the southern tip of Clerke Island)
- to latitude 11°59.73' south, longitude 143°16.16' east (500m south of the southern tip of Hicks Island)
- to latitude 12°00.05' south, longitude 143°14.63' east (500m south of the southern tip of Orton Island)
- to latitude 11°59.91' south, longitude 143°13.07' east
- to latitude 12°04.91' south, longitude 143°10.07' east
- to latitude 12°08.91' south, longitude 143°07.57' east
- to latitude 12°11.83' south, longitude 143°07.59' east (500m east of the eastern tip of Tyrrel Reefs)
- to latitude 12°12.17' south, longitude 143°06.53' east
- to latitude 12°12.17' south, longitude 143°05.97' east
- to latitude 12°15.19' south, longitude 143°05.85' east
- to latitude 12°16.79' south, longitude 143°07.62' east (500m north of the northern tip of Ada Reef)

## Schedule 3, part 3—Other particular regulated waters (continued)

- to latitude 12°18.45' south, longitude 143°11.13' east (500m east of the eastern tip of Lion Reef)
- to latitude 12°18.40' south, longitude 143°11.84' east (500m north of the northern tip of Daniell Reef)
- to latitude 12°21.53' south, longitude 143°14.71' east (the eastern tip of Andrew Reef)
- to latitude 12°24.91' south, longitude 143°18.07' east
- to latitude 12°29.91' south, longitude 143°18.07' east
- to latitude 12°33.41' south, longitude 143°21.26' east
- to latitude 12°35.31' south, longitude 143°24.97' east (the northern tip of Rocky Island)
- to latitude 12°36.85' south, longitude 143°26.83' east (the northern tip of Restoration Island)
- to latitude 12°37.91' south, longitude 143°26.87' east
- to latitude 12°45.34' south, longitude 143°24.46' east (500m east of the eastern tip of Lloyd Island)
- to latitude 12°47.24' south, longitude 143°25.40' east
- to latitude 12°48.12' south, longitude 143°26.71' east (500m north of the northern tip of Waight Bank)
- to latitude 12°48.30' south, longitude 143°33.49' east (500m north-east of the north-eastern tip of Landsdown Reef)
- to latitude 12°53.08' south, longitude 143°33.42' east (500m east of the eastern tip of Rocky Islet)
- to latitude 12°53.84' south, longitude 143°34.29' east (500m east of the eastern tip of Ashton Rock Reef)
- to latitude 12°56.41' south, longitude 143°33.38' east (500m east of the eastern tip of Hammond Reef)
- to latitude 13°08.91' south, longitude 143°33.56' east
- to latitude 13°08.91' south on the mainland shore.

## Schedule 3, part 3—Other particular regulated waters (continued)

**157 Round Point to Fly Point near Cape York**

Waters, and waterways joining the waters, within the following boundary—

- from longitude 143°05.74' east on the mainland shore (the northern tip of Round Point approximately latitude 11°53.44' south, longitude 143°05.74' east) to latitude 11°48.21' south, longitude 142°58.76' east (the eastern tip of Nigger Head Reef)
- to latitude 11°35.60' south, longitude 142°54.14' east (the eastern tip of Pirie Islet)
- to latitude 11°15.38' south, longitude 142°52.93' east (500m east of the eastern tip of Bushy Island Reef)
- to latitude 10°59.39' south, longitude 142°46.04' east (500m east of the eastern tip of Tern Island Reef)
- to latitude 10°52.91' south, longitude 142°42.06' east (500m east of the eastern tip of Turtle Island Reef)
- to latitude 10°46.28' south, longitude 142°38.14' east (500m east of the eastern tip of Ariel Bank)
- to latitude 10°45.02' south on the mainland shore (the eastern tip of Fly Point approximately latitude 10°45.02' south, longitude 142°36.59' east)
- along the shore to longitude 143°05.74' east.

**158 Tip of Cape York**

Waters south of latitude 10°41.19' south, within the following boundary—

- from the intersection of longitude 145°17.02' south with the mainland shore (the northern tip of Cape York)
- to latitude 10°41.25' south, longitude 142°32.51' east
- to longitude 142°34.95' east on the mainland shore (the northern tip of Osnaburg Point approximately latitude 10°43.53' south, longitude 142°34.95' east)
- along the shore to longitude 142°31.83'.

## **Schedule 5      Effort unit conversion factor for boats**

schedule 7, part 4, definition *effort unit conversion factor*

<b>Number of hull units for boat</b>	<b>Effort unit conversion factor for boat</b>
1	3
2	5
3	6
4	7
5	9
6	10
7	11
8	12
9	13
10	14
11	15
12	16
13	17
14	18
15	19
16	20
17	21
18	22
19	23
20	24
21	25
22	26
23	27
24	28
25	28
26	29

## Schedule 5 (continued)

<b>Number of hull units for boat</b>	<b>Effort unit conversion factor for boat</b>
27	30
28	31
29	32
30	33
31	33
32	34
33	35
34	36
35	37
36	37
37	38
38	39
39	40
40	40
41	41
42	42
43	43
44	43
45	44
46	45
47	46
48	46
49	47
50	48
51	49
52	49
53	50
54	51
55	51
56	52

## Schedule 5 (continued)

<b>Number of hull units for boat</b>	<b>Effort unit conversion factor for boat</b>
57	53
58	54
59	54
60	55
61	56
62	56
63	57
64	58
65	58
66	59
67	60
68	60
69	61
70 or more	62



## **Schedule 6      Waters where scallops may be processed on a boat**

section 233(a)

### **1      Tin Can Bay public wharf area**

Tin Can Inlet within a 1n mile radius of the public wharf at Tin Can Bay township.

### **2      Parts of Hervey Bay**

(1) Waters of Hervey Bay within the following boundary—

- from latitude 25°19'.00 south, longitude 152°55.00' east then eastward along latitude 25°19'.00 south to the intersection with the western shore of Big Woody Island
- north along the western shore of Big Woody Island to the northern tip of Big Woody Island
- to latitude 25°17.49' south, longitude 152°5.66' east
- to latitude 25°18.10' south, longitude 152°55.66' east
- to latitude 25°18.10' south, longitude 152°55.00' east
- to latitude 25°19'.00 south, longitude 152°55.00' east.

(2) 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.

### **3      Burnett River from near Bundaberg to near Millaquin Sugar Mill**

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.

## Schedule 6 (continued)

**4 Area near Gladstone**

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
- to the shore on the northern side of the wharf
- to the green beacon near the northern shore at the mouth of Auckland Inlet.

**5 Area near Yeppoon**

Waters near Double Head, near Yeppoon, within the following boundary—

- from the intersection of latitude 23°10.40' south with the mainland shore<sup>19</sup>
- to latitude 23°10.40', longitude 150°48.56' east
- to latitude 23°09.65' south, longitude 150°48.56' east
- to Double Head
- to Wreck Point
- along the shore to latitude 23°10.40' south.

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<sup>19</sup> The intersection of latitude 23°10.40' south with the mainland shore is near Bluff Point.

**Schedule 6 (continued)****6 Area near Bowen**

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.

**7 Area west of Cape Cleveland**

Waters west of Cape Cleveland within the following boundary—

- from Cape Cleveland along the shore to longitude 147°00.07' east
- along longitude 147°00.07' east, to latitude 19°11.91' south
- long latitude 19°1' south, to the shore
- along the shore to Cape Cleveland.

**8 Area west of Magnetic Island**

Waters west of Magnetic Island within the following boundary—

- from latitude 19°07.91' south, on the western shore of Magnetic Island, along the latitude to longitude 146°46.07' east
- along longitude 146°46.08' east to latitude 19°08.91' south
- along latitude 19°08.91' south, to the shore of Magnetic Island
- long the shore to latitude 19°07.91' south.

## Schedule 6 (continued)

**9 Part of North East Bay (Great Palm Island)**

North East Bay (Great Palm Island) within the following boundary—

- from longitude 146°41.07' east, on the northern shore of Great Palm Island, along the longitude to latitude 18°42.91' south
- along latitude 18°42.91' south, to longitude 146°40.07' east
- along longitude 146°40.07' east, to the shore of Great Palm Island
- along the shore to longitude 146°1.07' east.

**10 Lucinda Services Jetty area**

Waters within a 1km radius of the seaward end of the Lucinda Services Jetty, Lucinda.

## Schedule 7      Dictionary

section 6(3)

### Part 2                      Extended definitions for areas

#### 11      **Meaning of *Brisbane River mouth area—north***

*Brisbane River mouth area—north* means waters within the following boundary—

- from latitude 27°21.74' south on the mainland shore (Juno Point approximately latitude 27°21.74' south, longitude 153°09.27' east) to latitude 27°20.54' south, longitude 153°10.13' east (the second green beacon marking the Koopa Channel)
- to latitude 27°20.00' south, longitude 153°11.50' east (the West Coffee Pot beacon)
- to latitude 27°21.57' south, longitude 153°10.40' east (the West Inner Bar beacon)
- to longitude 153°09.60' east on the mainland shore (Luggage Point approximately latitude 27°22.69' south, longitude 153°09.60' east)
- to latitude 27°21.74' south on the mainland shore.

#### 12      **Meaning of *Brisbane River mouth area—south***

*Brisbane River mouth area—south* means waters within the following boundary—

- from latitude 27°21.63' south, longitude 153°10.53' east (the Eastern Inner Bar Beacon) to latitude 27°20.07' south, longitude 153°11.63' east (the Eastern Coffee Pot Beacon)
- to latitude 27°20.01' south, longitude 153°11.75' east
- to latitude 27°21.44' south, longitude 153°10.83' east
- to latitude 27°21.63' south, longitude 153°10.53' east.

## Schedule 7, part 2—Extended definitions for areas (continued)

**13**     **Meaning of *Brisbane River–Victoria Bridge to Juno Point area***

*Brisbane River–Victoria Bridge to Juno Point area* means waters of the Brisbane River between the Victoria Bridge and a line from the F↑B sign at Juno Point to the eastern bank of the river.

**14**     **Meaning of *Cleveland Bay area***

*Cleveland Bay area* means waters of Cleveland Bay, near Townsville, south of a line from Cape Pallarenda to Cape Cleveland.

**15**     **Meaning of *Comboyuro Point to Caloundra Head area***

*Comboyuro Point to Caloundra Head area* means waters within the following boundary—

- from Comboyuro Point, Moreton Island, to the NW2 special mark beacon at the entrance to the North West Channel near 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.

**16**     **Meaning of *deep water net area***

The *deep water net area* means waters within the following boundary—

- from latitude 28°03.48' south, longitude 153°47.06' east to latitude 27°25.90' south, longitude 153°39.06' east
- to latitude 27°01.90' south, longitude 153°31.26' east

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 26°40.90' south, longitude 153°31.06' east
- to latitude 26°29.90' south, longitude 153°34.06' east
- to latitude 26°19.90' south, longitude 153°40.76' east
- to latitude 26°09.90' south, longitude 153°50.06' east
- to latitude 24°59.90' south, longitude 153°35.06' east
- to latitude 24°29.90' south, longitude 153°20.06' east
- to latitude 24°21.05' south, longitude 153°08.83' east  
(the Breaksea Spit light, off the northern tip of Fraser Island)
- to latitude 24°06.88' south, longitude 152°42.68' east  
(the light on Lady Elliot Island)
- to latitude 23°54.49' south, longitude 152°23.38' east  
(the light on Lady Musgrave Island)
- to latitude 23°11.13' south, longitude 151°54.16' east  
(the light on North Reef)
- to latitude 22°34.40' south, longitude 151°56.06' east
- to latitude 22°44.90' south, longitude 152°10.56' east
- to latitude 22°38.63' south, longitude 152°43.43' east
- to latitude 22°19.18' south, longitude 153°00.32' east
- to latitude 22°00.00' south, longitude 152°56.58' east
- to latitude 21°36.68' south, longitude 152°51.62' east
- to latitude 21°20.00' south, longitude 152°48.10' east
- to latitude 21°12.30' south, longitude 152°42.10' east
- to latitude 21°01.40' south, longitude 152°39.56' east
- to latitude 20°54.97' south, longitude 152°15.39' east
- to latitude 20°52.31' south, longitude 152°02.46' east
- to latitude 20°51.91' south, longitude 151°57.41' east
- to latitude 20°55.00' south, longitude 151°45.50' east
- to latitude 20°48.09' south, longitude 151°31.38' east

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 20°46.78' south, longitude 151°29.13' east
- to latitude 20°44.50' south, longitude 151°25.31' east
- to latitude 20°42.67' south, longitude 151°22.73' east
- to latitude 20°36.96' south, longitude 151°15.16' east
- to latitude 20°30.27' south, longitude 151°07.61' east
- to latitude 20°26.54' south, longitude 151°04.02' east
- to latitude 20°18.86' south, longitude 150°58.23' east
- to latitude 20°04.61' south, longitude 150°48.61' east
- to latitude 19°56.81' south, longitude 150°42.56' east
- to latitude 19°49.08' south, longitude 150°30.06' east
- to latitude 19°59.91' south, longitude 150°30.06' east
- to latitude 19°39.91' south, longitude 150°02.06' east
- to latitude 19°29.91' south, longitude 149°49.06' east
- to latitude 19°29.91' south, longitude 149°57.42' east
- to latitude 19°17.66' south, longitude 149°34.06' east
- to latitude 18°59.14' south, longitude 148°50.22' east
- to latitude 18°50.19' south, longitude 148°22.26' east
- to latitude 18°45.64' south, longitude 148°09.21' east
- to latitude 18°42.97' south, longitude 148°05.16' east
- to latitude 18°37.98' south, longitude 147°58.24' east
- to latitude 18°29.24' south, longitude 147°49.77' east
- to latitude 18°21.41' south, longitude 147°37.76' east
- to latitude 18°19.31' south, longitude 147°24.77' east
- to latitude 18°14.91' south, longitude 147°24.27' east
- to latitude 18°11.41' south, longitude 147°15.07' east
- to latitude 18°09.91' south, longitude 147°10.86' east
- to latitude 18°02.84' south, longitude 147°01.90' east
- to latitude 17°50.67' south, longitude 146°50.97' east



## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 17°45.36' south, longitude 146°48.82' east
- to latitude 17°13.71' south, longitude 146°38.57' east
- to latitude 16°59.91' south, longitude 146°32.57' east
- to latitude 16°55.91' south, longitude 146°30.07' east
- to latitude 16°43.41' south, longitude 146°20.07' east
- to latitude 16°24.41' south, longitude 146°05.07' east
- to latitude 16°15.91' south, longitude 146°01.07' east
- to latitude 16°09.91' south, longitude 145°56.07' east
- to latitude 15°59.91' south, longitude 145°50.57' east
- to latitude 15°59.91' south, longitude 145°56.07' east
- to latitude 16°29.91' south, longitude 146°15.07' east
- to latitude 16°59.91' south, longitude 146°38.07' east
- to latitude 17°45.41' south, longitude 147°00.07' east
- to latitude 18°09.91' south, longitude 147°30.07' east
- to latitude 18°29.91' south, longitude 148°00.06' east
- to latitude 18°42.39' south, longitude 149°00.06' east
- to latitude 17°29.91' south, longitude 147°00.07' east
- to latitude 14°59.91' south, longitude 146°00.07' east
- to latitude 18°19.91' south, longitude 148°20.06' east
- to latitude 18°44.91' south, longitude 152°35.06' east
- to latitude 22°14.90' south, longitude 154°40.06' east
- to latitude 27°47.90' south, longitude 154°40.06' east
- to latitude 27°47.90' south, longitude 154°22.06' east
- to latitude 27°57.90' south, longitude 154°00.06' east
- to latitude 28°03.48' south, longitude 153°47.06' east.

## Schedule 7, part 2—Extended definitions for areas (continued)

**17 Meaning of *Facing Island area***

*Facing Island area* means waters within the following boundary—

- from latitude 23°49.93' south, longitude 151°15.22' east (Auckland Point) to latitude 23°47.80' south, longitude 151°17.08' east (Tail Point, Chinaman Island)
- to latitude 23°45.25' south, longitude 151°19.93' east (North Point, Facing Island)
- along the western shore to latitude 23°52.85' south, longitude 151°22.44' east (Gatcombe Head)
- to latitude 23°53.33' south, longitude 151°30.88' east (Fairway Bouy (Wild Cattle Cutting))
- to latitude 23°59.46' south, longitude 151°26.43' east (Tiber Point)
- along the shore to latitude 23°49.93' south, longitude 151°15.22' east.

**18 Meaning of *Fisherman Islands area***

*Fisherman Islands area* means—

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

**19 Meaning of *Fitzroy River mouth area***

*Fitzroy River mouth area* means waters of Keppel Bay and rivers and creeks joining it south and west of the following line—

## Schedule 7, part 2—Extended definitions for areas (continued)

- from Cattle Point to an unnamed point on the shore of Curtis Island about 1.25n 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.

**20 Meaning of *Great Sandy Strait area***

*Great Sandy Strait area* means waters in the Great Sandy Strait between the following lines—

- 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.

**21 Meaning of *Hervey Bay area***

*Hervey Bay area* means waters of Hervey Bay between latitude 25°04.90 south and a line—

- from longitude 152°49.40' east on the mainland shore (the eastern tip of Point Vernon, approximately latitude 25°14.72' south, longitude 152°49.40' east)
- to latitude 25°13.05' south, longitude 152°59.05' east (Sandy Point, Fraser Island).

**22 Meaning of *Keppel Bay area***

*Keppel Bay area* means waters of Keppel Bay within the following boundary—

- from latitude 23°30.90' south, longitude 150°59.64' east (an unnamed point on the shore of Curtis Island about 1.25n mile north of Maria Inlet) along the shore to latitude 23°28.76' south, longitude 150°59.48' east (Warner Point)

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 23°24.97' south, longitude 150°51.15' east (Quartz Rock)
- to latitude 23°25.98' south, longitude 150°49.80' east
- to latitude 23°28.77' south, longitude 150°52.38' east (Cattle Point)
- to latitude 23°30.90' south, longitude 150°59.64' east.

**23 Meaning of *Laguna Bay area***

*Laguna Bay area* means waters within the following boundary—

- from the intersection of latitude 26°15.90' south with the mainland shore<sup>20</sup>
- to latitude 26°22.54' south, longitude 153°06.98' east (eastern tip of Noosa Head)
- then along the mainland shore to its intersection with latitude 26°15.90' south.

**24 Meaning of *Llewellyn Bay area***

*Llewellyn Bay area* means waters of Llewellyn Bay, near Sarina, west of a line—

- from longitude 149°20.20' east on the mainland shore at Freshwater Point (approximately latitude 21°25.91' south, longitude 149°20.20' east)
- to longitude 149°20.53' east on the mainland shore at Allom Point (approximately latitude 21°28.42' south, longitude 149°20.53' east).

**24A Meaning of *Logan River area***

*Logan River area* means the waters of Logan River, and waterways joining it, upstream of the line—

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<sup>20</sup> The intersection of latitude 26°15.90' south with the mainland shore is near Teewah at approximately latitude 26°15.90' south, longitude 153°04.20' east.

## Schedule 7, part 2—Extended definitions for areas (continued)

- from the intersection of the mainland shore with longitude 153°19.20' east<sup>21</sup> to latitude 27°40.40' south, longitude 153°19.50' east
- to latitude 27°41.50' south, longitude 153°21.10' east
- to the intersection of the mainland shore with longitude 153°21.10' east.<sup>22</sup>

**25 Meaning of 'M1' and 'M2' area**

The **'M1' and 'M2' area** means the waters of Moreton Bay within the following boundary—

- from latitude 27°04.93' south on Bribie Island's western shore (approximately latitude 27°04.93' south, longitude 153°09.48' east) to 27°09.19' south, longitude 153°03.91' east (the special mark flashing yellow light beacon off the Caboolture River)
- to latitude 27°10.97' south, longitude 153°06.14' east (the special mark yellow flashing light beacon No. 1 at the entrance of the Scarborough Boat Harbour)
- to latitude 27°11.03' south, longitude 153°07.97' east (the North Reef flashing green light beacon)
- to latitude 27°14.51' south, longitude 153°07.40' east (the Garnet Rock flashing green light beacon off Margate)
- to latitude 27°16.51' south, longitude 153°06.75' east (the Otter Rock flashing green light beacon off Woody Point)
- to latitude 27°15.99' south, longitude 153°06.12' east
- to latitude 27°19.44' south, longitude 153°06.44' east (the special mark flashing yellow light beacon off the banks of Cabbage Tree Creek)

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21 The mainland shore intersects with longitude 153°19.20' east at approximately latitude 27°40.50' south.

22 The mainland shore intersects with longitude 153°21.10' east at approximately latitude 27°41.90' south.

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 27°20.00' south, longitude 153°11.50' east (the West Coffee Pot flashing green light beacon near the banks of the Brisbane River, marking the main shipping channel)
- to latitude 27°18.63' south, longitude 153°12.48' east (No. 1 Entrance West flashing white and red light beacon of the main shipping channel of the Brisbane River)
- to latitude 27°18.65' south, longitude 153°12.62' east (No. 2 Entrance East flashing yellow light beacon of the main shipping channel of the Brisbane River)
- to latitude 27°20.07' south, longitude 153°11.62' east (the East Coffee Pot flashing red light beacon)
- to latitude 27°21.64' south, longitude 153°10.53' east (the east inner bar flashing red light beacon of the main shipping channel of the Brisbane River)
- to latitude 27°22.19' south, longitude 153°14.18' east (the north cardinal beacon north of St Helena Island)
- to latitude 27°24.34' south, longitude 153°14.50' east (the south cardinal light beacon south-east of St. Helena Island)
- to latitude 27°24.86' south, longitude 153°14.56' east (the red light beacon north-east of Green Island)
- to latitude 27°26.93' south, longitude 153°14.70' east (the A S Huybers flashing red light beacon off King Island, near Wellington Point)
- to latitude 27°30.30' south, longitude 153°19.35' east (the flashing green light beacon off the western tip of Peel Island)
- to latitude 27°32.48' south, longitude 153°20.20' east (the west cardinal light beacon off the northern tip of the bank commonly known as Banana Bank)
- to latitude 27°35.20' south, longitude 153°22.83' east (the green light beacon on the south-western side of the Pelican Banks)

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 27°35.65' south, longitude 153°23.83' east (the south cardinal beacon at the southern tip of the Pelican Banks)
- to latitude 27°34.70' south, longitude 153°24.27' east (the flashing red light beacon on the eastern side of the Pelican Banks)
- to latitude 27°34.20' south, longitude 153°24.37' east (the flashing green light beacon off the western shore of North Stradbroke Island)
- to latitude 27°32.17' south, longitude 153°24.07' east (the flashing green light beacon off Wallen Wallen)
- to latitude 27°31.14' south, longitude 153°23.07' east (the special mark flashing yellow light beacon at the southern tip of Goat Island)
- to latitude 27°30.20' south, longitude 153°23.99' east (the southern end of Harold Walker Jetty, Dunwich, North Stradbroke Island)
- along the southern side of Harold Walker Jetty to latitude 27°30.14' south on North Stradbroke Island's western shore (approximately latitude 27°30.14' south, longitude 153°24.08' east)
- along North Stradbroke Island's western shore to latitude 27°29.60' south, longitude 153°24.15' east (the jetty at One Mile Anchorage)
- along the southern side of the jetty at One Mile Anchorage to latitude 27°29.58' south, longitude 153°24.13' east (the western end of the jetty at One Mile Anchorage)
- to latitude 27°29.51' south, longitude 153°22.89' east (the south cardinal light beacon known as Douglas Light)
- to latitude 27°27.25' south, longitude 153°19.98' east (the flashing green light beacon every 6 seconds off Maroom Bank)

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 27°25.99' south, longitude 153°17.41' east (the isolated danger beacon on Hope Banks)
- to latitude 27°25.31' south, longitude 153°18.26' east (the flashing green light beacon north of Chain Banks)
- to latitude 27°24.22' south, longitude 153°20.10' east (the northernmost red lateral beacon at the entrance to Rous Channel)
- to latitude 27°18.70' south, longitude 153°23.10' east (the northernmost green lateral beacon at the entrance to Fraser's Gutter)
- to latitude 27°15.90' south, longitude 153°23.06' east
- east along latitude 27°15.90' to latitude 27°15.90' south, longitude 153°23.61' east (Moreton Island's western shore)
- along Moreton Island's western shore to latitude 27°03.68' south, (Comboyuro Point approximately latitude 27°03.68' south, longitude 153°21.71' east)
- to latitude 27°05.08' south on Bribie Island's eastern shore (Skirmish Point approximately latitude 27°05.08' south, longitude 153°12.43' east)
- along Bribie Island's eastern, southern and western shores to latitude 27°04.93' south on Bribie Island's western shore.

**26 Meaning of *Moreton Bay***

*Moreton Bay* means waters within the following boundary, other than waters in the Fisherman Islands area—

- 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



## Schedule 7, part 2—Extended definitions for areas (continued)

- to Amity Point, North Stradbroke Island
- along North Stradbroke Island's western and southern shores to its south-eastern tip
- to the north-eastern tip of South Stradbroke Island
- along South Stradbroke Island's northern, western and southern shores to the seaward tip of the northern breakwater wall of the Gold Coast Seaway
- to the seaward tip of the southern breakwater wall of the Gold Coast Seaway at Nerang Head on The Spit
- along the shore of The Spit to the Gold Coast Highway bridge over the Nerang River near Waterways Drive, Main Beach
- along the eastern side of the Gold Coast Highway bridge to the mainland shore
- along the shore to the F↑B sign at the south-eastern tip of Toorbul Point.

**27    Meaning of *Repulse Bay area***

*Repulse Bay area* means 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 2n miles
- to Rocky Point.

**28    Meaning of *Sinclair Bay area***

*Sinclair Bay area* means waters of Sinclair Bay, near Bowen, within the following boundary—

- from latitude 20°09.54' south, longitude 148°25.36' east on the shore to latitude 20°06.80' south, longitude 148°26.81' east on the shore

## Schedule 7, part 2—Extended definitions for areas (continued)

- along the shore to latitude 20°09.54' south, longitude 148°25.36' east.

**29 Meaning of 'T1' area**

The '**T1**' area means the waters within the following boundary—

- from latitude 27°57.91' south, longitude 154°00.06' east to latitude 28°09.88' south, longitude 153°33.10' east (point on the shore at the State's border with New South Wales at high water mark)
- along the shore and breakwall to latitude 27°56.12' south, longitude 153°25.99' east (seaward end of the southern Gold Coast Seaway breakwall)
- to the northern tip of Gold Coast Seaway breakwall latitude 27°56.06' south, longitude 153°25.83' east
- along the eastern shore of South Stradbroke to latitude 27°44.83' south, longitude 153°26.90' east
- to latitude 27°43.43' south, longitude 153°27.26' east
- along the eastern shore of North Stradbroke to latitude 27°23.64' south, longitude 153°26.40' east (Amity Point)
- to latitude 27°21.82' south, longitude 153°25.68' east (Reeders Point)
- along the eastern shore of Moreton Island to latitude 27°03.68' south, longitude 153°21.71' east (Comboyuro Point)
- to latitude 27°05.08' south, longitude 153°12.43' east (Skirmish Point)
- along the eastern shore of Bribie Island to latitude 26°50.05' south, longitude 153°07.78' east
- to latitude 26°48.38' south, longitude 153°08.36' east (southern end of Kings Beach)
- along the shore and breakwall to latitude 26°40.74' south, longitude 153°07.95' east (Southern breakwall of Mooloolaba Harbour)

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 26°40.80' south, longitude 153°07.93' east (Northern breakwall of Mooloolaba Harbour)
- along the shore to latitude 25°48.68' south, longitude 153°03.89' east (F↑B) at Inskip Point)
- to latitude 25°47.52' south, longitude 153°04.62' east (F↑B at Hook Point)
- along the eastern shore of Fraser Island to latitude 25°13.50' south, longitude 152°59.50' east (Sandy Point)
- to latitude 25°14.47' south, longitude 152°49.21' east (Point Vernon)
- along the shore to latitude 24°45.45' south, longitude 152°24.76' east (South Head)
- to latitude 24°44.83' south, longitude 152°23.84' east
- along the shore to latitude 24°00.15' south, longitude 151°44.50' east (Chews Point)
- to latitude 24°01.31' south, longitude 151°43.65' east (Pancake Point)
- along the shore to latitude 24°00.50' south, longitude 151°36.22' east (Spit end)
- to latitude 24°03.30' south, longitude 151°37.90' east (Blackney Point)
- along the shore to latitude 24°02.22' south, longitude 151°33.87' east (Innes Head)
- to latitude 24°01.98' south, longitude 151°32.75' east (Norton Point)
- along shore to latitude 23°59.46' south, longitude 151°26.43' east (Tiber Point)
- to latitude 23°59.38' south, longitude 151°25.67' east
- along the shore to latitude 23°56.23' south, longitude 151°21.42' east
- to latitude 23°56.13' south, longitude 151°21.26' east (near Boyne Island)

## Schedule 7, part 2—Extended definitions for areas (continued)

- along the shore to latitude 23°51.12' south, longitude 151°18.70' east (South Trees Wharf)
- to latitude 23°51.22' south, longitude 151°17.77' east (Parsons Point)
- along the shore to latitude 23°49.93' south, longitude 151°15.22' east (Auckland Point)
- to latitude 23°47.80' south, longitude 151°17.08' east (Tail Point, Chinaman Island)
- along the eastern shore of Curtis Island to latitude 23°30.90' south, longitude 150°59.64' east (unnamed point on the shore of Curtis Island about 1.25n mile north of Maria Inlet)
- to latitude 23°28.77' south, longitude 150°52.38' east
- along the shore and breakwall to latitude 23°09.52' south, longitude 150°47.33' east (Southern tip of Rosslyn Bay Breakwall)
- to latitude 23°09.52' south, longitude 150°47.10' east (Northern end of Rosslyn Bay breakwall)
- along the breakwall and shore to latitude 22°57.85' south, longitude 150°46.65' east (Sandy Point)
- to latitude 22°56.62' south, longitude 150°47.64' east
- along the shore to latitude 22°32.18' south, longitude 150°47.36' east (Cape Clinton)
- to latitude 22°28.21' south, longitude 150°45.42' east (Northeast Point)
- along the shore to latitude 22°20.67' south, longitude 149°54.78' east
- to latitude 22°23.01' south, longitude 149°48.55 (Charon Point)
- along the shore to latitude 22°20.90' south, longitude 149°41.53' east
- to latitude 22°00.00' south, longitude 149°29.68' east

## Schedule 7, part 2—Extended definitions for areas (continued)

- along the shore to latitude 21°28.42' south, longitude 149°20.53' east (Allom Point)
- to latitude 21°25.91' south, longitude 149°20.20' (Freshwater Point)
- along the shore to latitude 21°14.71' south, longitude 149°15.36' east (Dudgeon Point)
- to latitude 21°12.60' south, longitude 149°11.73' east
- along the shore to latitude 21°08.84' south, longitude 149°12.63' east
- to latitude 21°08.86' south, longitude 149°13.26' south (East Point)
- along the shore and breakwall to latitude 21°06.38' south, longitude 149°14.10' east (southern breakwall at Mackay Outer harbour)
- to latitude 21°06.27' south, longitude 149°13.95' east (northern breakwall at Mackay outer harbour)
- along the breakwall and shore to latitude 20°29.44' south, longitude 148°42.91' east
- to latitude 20°28.89' south, longitude 148°44.21' east
- along the shore to latitude 20°06.80' south, longitude 148°26.81' east
- to latitude 20°09.54' south, longitude 148°25.36' east
- along the shore and wharf to latitude 20°01.38' south, longitude 148°15.11' east
- to latitude 20°01.48' south, longitude 148°15.95' east (Dalrymple Point)
- along the shore to latitude 19°16.24' south, longitude 146°50.15' east
- to latitude 19°16.13' south, longitude 146°50.13' east
- to latitude 19°15.32' south, longitude 146°50.80' east
- to latitude 19°14.57' south, longitude 146°50.14' east
- to latitude 19°14.62' south, longitude 146°50.00' east

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 19°15.01' south, longitude 146°49.74' east
- to latitude 19°14.97' south, longitude 146°49.43' east
- to latitude 19°14.98' south, longitude 146°49.35' east
- along the shore to latitude 17°36.09' south, longitude 146°07.95' east (Hall Point)
- to latitude 17°35.98' south, longitude 146°07.73' east (Goodman Point)
- along the shore to latitude 17°30.65' south, longitude 146°04.22' east
- to latitude 17°30.31' south, longitude 146°04.63' east (Flying Fish Point)
- along the shore to latitude 16°55.36' south, longitude 145°47.21' east (Stafford Point)
- to latitude 16°55.07' south, longitude 145°46.92' east (Northern breakwall end at the entrance to Cairns Port)
- along the breakwall and shore to latitude 16°28.69' south, longitude 145°27.85' east (Island Point)
- to latitude 16°28.83' south, longitude 145°27.34' east
- along the shore to latitude 15°27.43' south, longitude 145°15.33' east (Northern tip of Cooktown Headland)
- to latitude 15°27.60' south, longitude 145°14.45' east (Point Saunders)
- along the shore to latitude 10°41.25' south, longitude 142°31.86' east (Tip of Cape York)
- to latitude 10°41.25' south, longitude 145°00.06' east
- to latitude 12°59.91' south, longitude 145°00.06' east
- to latitude 14°59.91' south, longitude 146°00.06' east
- to latitude 18°19.91' south, longitude 148°20.04' east
- to latitude 18°44.90' south, longitude 152°35.04' east
- to latitude 22°14.90' south, longitude 154°40.08' east
- to latitude 27°47.32' south, longitude 154°40.08' east

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 27°47.90' south, longitude 154°22.08' east
- to latitude 27°57.91' south, longitude 154°00.06' east.

**30 Meaning of 'T2' area**

The '**T2**' *area* means the waters within the following boundary—

- from latitude 27°57.91' south, longitude 154°00.06' east to latitude 28°09.88' south, longitude 153°33.10' east (point on the shore at the State's border with New South Wales at high water mark)
- along the shore and breakwall to latitude 27°56.12' south, longitude 153°25.99' east (seaward end of the southern Gold Coast Seaway breakwall)
- to the northern tip of Gold Coast Seaway breakwall latitude 27°56.06' south, longitude 153°25.83' east
- along the eastern shore of South Stradbroke to latitude 27°44.83' south, longitude 153°26.90' east
- to latitude 27°43.43' south, longitude 153°27.26' east
- along the eastern shore of North Stradbroke to latitude 27°26.06' south, longitude 153°32.78' east (Point Lookout)
- to latitude 27°01.67' south, longitude 153°28.09' east (Cape Moreton)
- to latitude 26°48.15' south, longitude 153°09.03' east (Caloundra Head)
- along the shore and breakwall to latitude 26°40.74' south, longitude 153°07.95' east (Southern breakwall of Mooloolaba Harbour)
- to latitude 26°40.80' south, longitude 153°07.93' east (Northern breakwall of Mooloolaba Harbour)
- along the shore to latitude 25°48.62' south, longitude 153°03.89' east (F↑B at Inskip Point)

## Schedule 7, part 2—Extended definitions for areas (continued)

- to latitude 25°47.52' south, longitude 153°04.62' east (F<sup>↑</sup>B at Hook Point)
- along the eastern shore of Fraser Island to latitude 24°41.83' south, 153°16' east (Sandy Cape)
- to latitude 24°44.83' south, longitude 152°23.84' east (Burnett Head)
- along the shore to latitude 24°21.40' south, longitude 151°58.66' east
- to latitude 24°21.40' south., longitude 154°40.08' east
- to latitude 27°47.32' south, longitude 154°40.08' east
- to latitude 27°47.90' south, longitude 154°22.08' east
- to latitude 27°57.91' south, longitude 154°00.06' east.

**31 Meaning of *waters north of Cape Gloucester***

*Waters north of Cape Gloucester* means waters north of Cape Gloucester, near Bowen, other than waters in an area mentioned in this part.

**32 Meaning of *waters south of Cape Gloucester***

*Waters south of Cape Gloucester* means waters south of Cape Gloucester, near Bowen, other than waters in an area mentioned in this part.

## **Part 3 Extended definitions for other things**

**34 Working out *hull units* for a boat**

The *hull units*, for a boat, must be worked out by using the following formula and rounding the amount worked out to the nearest whole number—



Schedule 7, part 3—Extended definitions for other things  
(continued)

$$HU = \frac{L \times B \times D \times 0.6}{2.83}$$

where—

*HU* means the number of hull units for the boat;

*L* means the length of the boat;

*B* means the beam of the boat;

*D* means the depth of the boat.<sup>23</sup>

**35 Meaning of *beam* of a boat**

The *beam*, of a boat, means the maximum breadth, in metres, amidships between—

- (a) if the boat has a metal shell—the moulded lines of its frame; or
- (b) if the boat does not have a metal shell—the outer surfaces of its hull, excluding sponsons, fenders and rubbing strips.

**36 Meaning of *depth* of a boat**

- (1) The *depth*, of the boat, means the vertical distance, measured in metres, from its keel datum to—
  - (a) if the boat is, after 15 December 2000, modified or replaced under chapter 3, part 8—a point amidships that is level with the highest point of its uppermost continuous deck; or
  - (b) otherwise—
    - (i) for a boat with a stepped uppermost continuous deck the raised part of which extends over amidships—a line of reference extending from the

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<sup>23</sup> The figure of 0.6 represents a block coefficient to standardise variations in boat design and the figure of 2.83 represents a constant which converts cubic metres to units of 100 cubic feet.

Schedule 7, part 3—Extended definitions for other things  
(continued)

lower part of the deck along a parallel line to the raised part; or

- (ii) if subparagraph (i) does not apply—the underside of its uppermost continuous deck at the side amidships.

- (2) In this section—

***amidships***, of a boat, means the vertical plane at the middle of its length at a right angle to its centre-line plane.

***keel datum*** means—

- (a) for a composite or wooden boat—the lower edge of its keel rabbet; or
- (b) for a boat in which the form at the lower part of midship section is of a hollow nature or if thick or horizontal garboards are fitted—the point where the line of the hull bottom shell continued inwards cuts the boat's centre-line; or
- (c) if, because of the boat's shape, the keel datum can not be worked out under paragraph (a) or (b)—the tangent providing the greatest depth measurement.

**38 Meaning of *length* of a net**

- (1) The ***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) The ***length***, of an otter trawl net, means the combined length, in metres, of the head rope and bottom rope when taut between the outermost points of the meshes attached to the head rope and bottom rope.

**39 Working out an engine's *maximum continuous brake kW***

- (1) An engine's ***maximum continuous brake kW*** must be worked out from the manufacturer's recommended maximum continuous brake kW's for its engine type.

Schedule 7, part 3—Extended definitions for other things  
(continued)

- (2) The engine must be identified by the following—
  - (a) make;
  - (b) model;
  - (c) year of manufacture;
  - (d) serial number;
  - (e) cylinder block;
  - (f) aspiration and cooling systems.
- (3) The following aspects of the recommendation must be considered—
  - (a) ambient water temperature in the range 25°C to 27°C or the temperature mentioned in the recommendation closest to the range;
  - (b) fuel injectors consistent with the recommended maximum continuous brake kW of the engine type.
- (4) If the manufacturer revises the recommendation for the engine type, the revised rating is taken to apply to all new engines of that type installed on boats from the day the revised rating took effect.
- (5) The following must be disregarded—
  - (a) variation from the standard power output, including, for example, engine deratings;
  - (b) different gear boxes or transmission trains associated with individual engines.
- (6) In this section—

*engine type* means the type of main propulsion engine or engines installed on the boat.

**41 Meaning of *sweep* of a net**

- (1) The *sweep*, of a net, includes a chain, rope, shackle, wire or other fitting used to attach otter boards or sleds to the point on

Schedule 7, part 3—Extended definitions for other things  
(continued)

the head rope or bottom rope of a net where the outermost meshes are attached.

- (2) If fittings mentioned in subsection (1) are joined to make a single fitting, the single fitting is 1 sweep.

**42 When a boat is *detected by VMS* at a place**

A boat is *detected by VMS* at or in a place if a signal has come from VMS equipment for the boat at or in the place.

**43 Meaning of *prescribed event formula***

The *prescribed event formula*, for working out the effort units to be surrendered under section 132 for a replacement boat for a boat identified in a licence, is the following formula—

$$EU = OEU \times N$$

where—

*EU* is the number of effort units that must be surrendered.

*OEU* is the number of effort units that are allocated to the licence.

*N* is—

- (a) if the replacement boat has more hull units than the boat identified in the licence—0.070; or
- (b) if the replacement boat has the same hull units as the boat identified in the licence—0.040; or
- (c) if the replacement boat has less hull units than the boat identified in the licence—
  - (i) if the difference is 10 or less hull units—0.040; or
  - (ii) if the difference is 11 hull units—0.100; or
  - (iii) if the difference is 12 hull units—0.105; or
  - (iv) if the difference is 13 hull units—0.110; or
  - (v) if the difference is 14 hull units—0.115; or

Schedule 7, part 3—Extended definitions for other things  
(continued)

- (vi) if the difference is 15 hull units—0.120; or
- (vii) if the difference is 16 hull units—0.125; or
- (viii) if the difference is 17 hull units—0.130; or
- (ix) if the difference is 18 hull units—0.135; or
- (x) if the difference is 19 hull units—0.140; or
- (xi) if the difference is 20 hull units—0.145; or
- (xii) if the difference is 21 hull units—0.150; or
- (xiii) if the difference is 22 hull units—0.155; or
- (xiv) if the difference is 23 hull units—0.160; or
- (xv) if the difference is 24 hull units—0.165; or
- (xvi) if the difference is 25 hull units—0.170.

## Part 4

## Other definitions

*allocated days*, for an eligible licence, means the allocated days for the licence worked out under chapter 3, part 6, division 3, subdivision 2.

*allocation decision* see section 79.

*allocation decision formula* see section 81A(c).

*beam*, of a boat, see section 35 of this schedule.

*beam trawl net* means a trawl net with its mouth attached to a beam or pole to keep the net open.

*BRD* means bycatch reduction device.

*BRD use condition* see section 42(1).

*Brisbane River mouth area—north* see section 11 of this schedule.

## Schedule 7, part 4—Other definitions (continued)

***Brisbane River mouth area–south*** see section 12 of this schedule.

***Brisbane River–Victoria Bridge to Juno Point area*** see section 13 of this schedule.

***Cleveland Bay area*** see section 14 of this schedule.

***close relative***, of a person, means the following relatives of the person—

- (a) a child, including a step-child;
- (b) a brother or sister, including a step brother or sister;
- (c) a parent, including a step parent;
- (d) a spouse.

***Comboyuro Point to Caloundra Head area*** see section 15 of this schedule.

***conviction***, for chapter 5, part 2, division 3, see section 236(2)(a).

***CPUE*** means a ratio that expresses the amount of permitted fish caught by a person compared with the amount of effort applied by the person to catch the fish.

***deep water net area*** see section 16 of this schedule.

***defined port area*** means any of the areas described in schedule 10, column 2 of the regulation.

***depth***, of a boat, see section 36 of this schedule.

***detected by VMS*** see section 42 of this schedule.

***east coast trawl fishery*** see section 2.

***east coast trawl fishery waters*** see section 2.

***effort unit*** means an effort unit issued under chapter 3, part 6.

***effort unit application*** see section 84(1).

***effort unit certificate*** means a certificate issued under section 101, as replaced under section 96C of this plan or under section 71 of the Act or changed or replaced under section 115.

## Schedule 7, part 4—Other definitions (continued)

**effort unit conversion factor**, for a boat, means the effort unit conversion factor for the boat stated in schedule 5 opposite the number of hull units for the boat.

**effort year**—

- 1 An **effort year** means the period from midday on 1 January to midday on 1 January in the next year.
- 2 However, the first effort year does not start until midday on 1 January 2001.

**eligible licence** see section 73(2).

**eligible person** means a person who holds an eligible licence.

**entitlement**, for an effort unit, see section 97(4).

**Facing Island area** see section 17 of this schedule.

**first regulated period**—

- (a) for chapter 2, part 4, division 1—see section 14(a); or
- (b) for chapter 2, part 4, division 2—see section 18(a).

**Fisherman Islands area** see section 18 of this schedule.

**fishery symbol** means a fishery symbol mentioned in section 31(2) of this plan.

**fishing days**, for effort units, means the number of days worked out by dividing the total number of the units by the effort unit conversion factor for the boat identified in the effort unit certificate for the units.

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

**Fitzroy River mouth area** see section 19 of this schedule.

**former fisheries authority** means—

- (a) the former Queensland Fisheries Management Authority under the Act; or
- (b) the Queensland Fish Management Authority under the repealed Act.

**former licence**, for a licence (the **current licence**), means a licence that—

## Schedule 7, part 4—Other definitions (continued)

- (a) replaced or renewed the current licence; or
- (b) expired before the current licence was issued that—
  - (i) authorised the same, or substantially the same, things that are authorised under the current licence; and
  - (ii) was issued to the same person as the holder of the current licence when it was issued or transferred to the person; or
- (c) was replaced or renewed by a licence mentioned in paragraph (a) or (b); or
- (d) expired before the issue of a licence (the *later licence*) mentioned in paragraph (a), (b) or (c) that—
  - (i) authorised the same, or substantially the same, things that are authorised under the current licence; and
  - (ii) was issued to the same person as the holder of the later licence when it was issued or transferred to the person; or
- (e) was surrendered in exchange for the issue or amendment of the current licence or a former licence under paragraphs (b), (c) or (d) to allow the boat identified in that licence to be modified or replaced.

***Great Sandy Strait area*** see section 20 of this schedule.

***ground chain*** means a chain attached at 1 or more points to the bottom rope of an otter trawl net so that the chain is suspended below the bottom rope when the net is in use.

***Hervey Bay area*** see section 21 of this schedule.

***hull units***, for a boat, see section 34 of this schedule.

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

***issued***, for an effort unit, see section 76.

***Keppel Bay area*** see section 22 of this schedule.

***Laguna Bay area*** see section 23 of this schedule.



## Schedule 7, part 4—Other definitions (continued)

**length** of—

- (a) a commercial fishing boat—see section 37 of this schedule; or
- (b) a beam trawl net—see section 38(1) of this schedule; or
- (c) an otter trawl net—see section 38(2) of this schedule.

**licence**, for the east coast trawl fishery, means a licence for the fishery under section 31(1) of this plan.

**Llewellyn Bay area** see section 24 of this schedule.

**Logan River area** see section 24A of this schedule.

**logbook returns** means statistical returns—

- (a) in the form of a logbook given under the Act or the repealed Act; and
- (b) received by the chief executive or a former fisheries authority.

**‘M1’ and ‘M2’ area** see section 25 of this schedule.

**‘M1’ licence** means a commercial fishing boat licence with an ‘M1’ fishery symbol written on it.

**‘M2’ licence** means a commercial fishing boat licence with an ‘M2’ fishery symbol written on it.

**major scallop area** see section 67(1).

**malfunction**, for chapter 3, part 5, division 3, see section 63.

**manually reported**, for a boat, see section 66(4).

**manual reporting guidelines** see section 69.

**manual reporting obligation** see section 66(2).

**maximum continuous brake kW** see section 39 of this schedule.

**mesh size**, of a net, see section 40 of this schedule.

**Moreton Bay** see section 26 of this schedule.

**new recorded fishing days decision** see section 81A(c).

## Schedule 7, part 4—Other definitions (continued)

***nominated communication mode***, for a boat, means a mode nominated for the person in control of the boat under section 57B.

***notice*** means a written notice.

***notice guidelines*** see section 71.

***notification day*** means the day this plan is gazetted.

***otter trawl net*** means a trawl net with its mouth kept open by otter boards and the force of water.

***permitted fish*** see section 8 of this plan.

***plan*** means management plan.

***prescribed event formula***, for section 132, see section 43 of this schedule.

***principal fish*** see section 7 of this plan.

***recognised BRD***, for chapter 3, part 3, division 3, see section 43(2).

***recognised TED***, for chapter 3, part 4, division 3, see section 54.

***recorded fishing days*** see section 80(2).

***regulation*** means the *Fisheries Regulation 2008*.

***repealed Act*** means the repealed *Fishing Industry Organisation and Marketing Act 1982*.

***replacement licence*** means—

- (a) a replacement licence issued under section 71 of the Act to replace a licence that has been lost, damaged or destroyed; or
- (b) a licence for a boat to replace another boat licensed to operate in the east coast trawl fishery.

***Repulse Bay area*** see section 27 of this schedule.

***second regulated period***—

- (a) for chapter 2, part 4, division 1—see section 14(b); or
- (b) for chapter 2, part 4, division 2—see section 18(b).

## Schedule 7, part 4—Other definitions (continued)

*serious scallop offence* see section 237(2).

*Sinclair Bay area* see section 28 of this schedule.

*small operator*, for chapter 3, part 6, division 4, see section 83.

*square mesh* means netting material orientated so the direction of the mesh twine is longitudinal and transverse to the length of the cod end.

*steaming day* see section 97(1).

*supplementary days*, for an eligible licence, means the supplementary days for the licence under chapter 3, part 6, division 4.

*surrendered former licence*, for a licence (the *current licence*), means—

- (a) a former licence surrendered in exchange for the issue or amendment of the current licence; or
- (b) a previous licence surrendered in exchange for the issue or amendment of the licence mentioned in paragraph (a).

*sweep*, of a net, see section 41 of this schedule.

*‘T1’ area* see section 29 of this schedule.

*T1 effort units* see section 97(1)(a).

*‘T1’ licence* means a commercial fishing boat licence with a ‘T1’ fishery symbol written on it.

*‘T2’ area* see section 30 of this schedule.

*T2 effort units* see section 97(1)(b).

*‘T2’ licence* means a commercial fishing boat licence with a ‘T2’ fishery symbol written on it.

*‘T5’ licence* means a commercial fishing boat licence with a ‘T5’ fishery symbol written on it.

*‘T6’ licence* means a commercial fishing boat licence with a ‘T6’ fishery symbol written on it.

## Schedule 7, part 4—Other definitions (continued)

**‘T7’ licence** means a commercial fishing boat licence with a ‘T7’ fishery symbol written on it.

**‘T8’ licence** means a commercial fishing boat licence with a ‘T8’ fishery symbol written on it.

**‘T9’ licence** means a commercial fishing boat licence with a ‘T9’ fishery symbol written on it.

**TED** means turtle excluder device.

**TED use condition** see section 53(1).

**tickler chain** means a chain attached to a trawl net or the otter boards of an otter trawl net that is in front of the mouth of the net when the net is in use.

**trawling** see section 2.

**trawl net** means any beam trawl net or otter trawl net described in chapter 4 and any other fishing apparatus normally used with it.

*Example of other fishing apparatus—*

ground chains or ropes

**try net** means an otter or beam trawl net of the following lengths, used for no longer than 25 minutes at a time, for sampling or testing or to work out the abundance or presence of principal fish—

- (a) for an otter trawl net—no longer than 10m;
- (b) for a beam trawl net—no longer than 2.5m.

**usage notice** see section 28(2).

**used for—**

- (a) a boat, for an allocated or steaming day, see section 97(3); or
- (b) effort units, see section 98(1).

**VMS maintenance and use obligations** means the obligations under section 60(1).

**waters north of Cape Gloucester** see section 31 of this schedule.

## Schedule 7, part 4—Other definitions (continued)

*waters south of Cape Gloucester* see section 32 of this schedule.

*waterway* does not include non-tidal waters.

## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 April 2008. Future amendments of the Fisheries (East Coast Trawl) Management Plan 1999 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

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	19 November 1999	14 December 1999
1A	2000 SL No. 211	11 August 2000	31 August 2000
2	2000 SL No. 360	21 December 2000	15 January 2001
2A rv	2001 SL No. 81	22 June 2001	6 July 2001
2B rv	2001 SL No. 81	12 August 2001	14 August 2001
2C rv	2001 SL No. 209	16 November 2001	23 November 2001
2D rv	2001 SL No. 298	21 December 2001	4 January 2002

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Reprint No.	Amendments included	Effective	Notes
2E rv	2002 SL No. 338 2002 SL No. 340	6 December 2002	
2F rv	2003 SL No. 54	1 April 2003	
2G rv	2003 SL No. 215	12 September 2003	
2H rv	2003 SL No. 215	20 September 2003	
2I	2003 SL No. 261	31 October 2003	

*Fisheries (East Coast Trawl) Management Plan 1999*

Reprint No.	Amendments included	Effective	Notes
2J	2003 SL No. 215	13 December 2003	
2K rv	2003 SL No. 368 2003 SL No. 379	19 December 2003	R2K rv withdrawn, see R3 rv
3 rv	—	19 December 2003	Revision notice issued for R3
3A rv	2004 SL No. 111	25 June 2004	
3B rv	2004 SL No. 111	1 July 2004	
3C rv	2004 SL No. 213	8 October 2004	
3D rv	2004 SL No. 213	21 December 2004	
3E rv	—	2 January 2005	provs exp 1 January 2005
3F	2005 SL No. 27	4 March 2005	R3F withdrawn, see R4
4	—	4 March 2005	
4A	2005 SL No. 246	7 October 2005	
4B	2005 SL No. 246	21 December 2005	
4C rv	2006 SL No. 136	16 June 2006	
4D	2006 SL No. 25	1 July 2006	
4E	2006 SL No. 261	27 October 2006	
4F	2006 SL No. 265	3 November 2006	R4F withdrawn, see R5
5	—	3 November 2006	
5A	—	2 January 2008	provs exp 1 January 2008
5B	2008 SL No. 38	15 March 2008	
5C rv	2008 SL No. 84	1 April 2008	

## 5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	3
Renumbered provisions	2

## 6 List of legislation

### **Fisheries (East Coast Trawl) Management Plan 1999 SL No. 289**

made by the Governor in Council on 18 November 1999

notfd gaz 19 November 1999 pp 1149–52

ss 1–2 commenced on date of notification

s 11 commenced 1 January 2000 (see s 2(1))

s 29(2)(b) commenced 2 January 2000 (see s 2(2))

s 102(2)(b)–(c) commenced 1 March 2000 (see s 2(3))

ss 85, 97 and 110 commenced 1 July 2000 (see s 2(4))

remaining provisions commenced on date of notification (see s 2(5))

exp 1 September 2010 (see SIA s 54)

Note—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.



amending legislation—

**Primary Industries and Natural Resources Legislation Consequential Amendment Management Plan (No. 1) 2000 SL No. 211 pts 1–2**

notfd gaz 11 August 2000 pp 1322–3  
commenced on date of notification

**Fisheries (East Coast Trawl) Amendment Management Plan (No. 1) 2000 SL No. 360**

notfd gaz 21 December 2000 pp 1496A–1496B  
commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Fisheries (East Coast Trawl) Amendment Management Plan (No. 1) 2001 SL No. 81**

notfd gaz 22 June 2001 pp 706–8  
ss 1–2 commenced on date of notification  
s 12 commenced 12 August 2001 (see s 2(2))  
ss 26–27 commenced 21 December 2000 (see s 2(1))  
remaining provisions commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Fisheries (East Coast Trawl) Amendment Management Plan (No. 2) 2001 SL No. 209**

notfd gaz 16 November 2001 pp 982–5  
commenced on date of notification

**Fisheries (East Coast Trawl) Amendment Management Plan (No. 3) 2001 SL No. 298**

notfd gaz 21 December 2001 pp 1482–8  
commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Fisheries Management Plans Amendment Management Plan (No. 1) 2002 SL No. 338 pts 1–2**

notfd gaz 6 December 2002 pp 1162–6  
commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 2) 2002 SL No. 340 pts 1–2**

notfd gaz 6 December 2002 pp 1162–6  
commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Discrimination Law (Marital Status) Amendment Regulation (No. 1) 2003 SL No. 54 ss 1–3 sch**

notfd gaz 28 March 2003 pp 1125–9  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 April 2003 (see s 2)

**Fisheries Management Plans Amendment Management Plan (No. 2) 2003 SL No. 215 pts 1–2**

notfd gaz 12 September 2003 pp 128–31  
ss 1–2 commenced on date of notification  
s 20 commenced 20 September 2003 (see s 2(1))  
ss 21, 22(1) commenced 13 December 2003 (see s 2(2))  
remaining provisions commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Fisheries Management Plans Amendment Management Plan (No. 3) 2003 SL No. 261  
pts 1–2**

notfd gaz 31 October 2003 pp 691–4  
commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 4) 2003 SL No. 368  
s 1, pt 3**

notfd gaz 19 December 2003 pp 1307–13  
commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 5) 2003 SL No. 379  
pts 1, 3**

notfd gaz 19 December 2003 pp 1307–13  
commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Fisheries Management Plans Amendment Management Plan (No. 1) 2004 SL No. 111  
pts 1, 3**

notfd gaz 25 June 2004 pp 573–81  
ss 1–2 commenced on date of notification  
s 54 commenced 1 July 2004 (see s 2)

remaining provisions commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

**Fisheries (East Coast Trawl) Amendment Management Plan (No. 1) 2004 SL No. 213**

notfd gaz 8 October 2004 pp 477–8  
ss 1–2 commenced on date of notification  
pt 3 commenced 21 December 2004 (see s 2)

remaining provisions commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 1) 2005 SL No. 27  
pts 1, 3**

notfd gaz 4 March 2005 pp 758–9  
commenced on date of notification

**Fisheries (East Coast Trawl) Amendment Management Plan (No. 1) 2005 SL No. 246**

notfd gaz 7 October 2005 pp 507–9  
ss 1–2 commence on date of notification  
pt 3 commenced 21 December 2005 (see s 2)

remaining provisions commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 1) 2006 SL No. 25  
pts 1, 3**

notfd gaz 24 February 2006 pp 798–801  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2006 (see s 2)

Note—An explanatory note was prepared

**Fisheries Management Plans Amendment Management Plan (No. 2) 2006 SL No. 136  
ss 1, 2(1), pt 3**

notfd gaz 16 June 2006 pp 787–90  
ss 1–2, 5–9 commenced on date of notification  
remaining provisions commenced 16 June 2006 (see s 2(1))

**Fisheries (East Coast Trawl) Amendment Management Plan (No. 1) 2006 SL No. 261**

notfd gaz 27 October 2006 pp 938–9

commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 3) 2006 SL No. 265  
pts 1, 3**

notfd gaz 3 November 2006 pp 1103–4

commenced on date of notification

**Primary Industries and Other Legislation Amendment Regulation (No. 1) 2008 SL  
No. 38 pts 1, 5**

notfd gaz 29 February 2008 pp 1012–14

ss 1–2 commenced on date of notification

remaining provisions commenced 15 March 2008 (see s 2)

**Fisheries Management Plans Amendment Management Plan (No. 1) 2008 SL No. 84  
pts 1, 3**

notfd gaz 28 March 2008 pp 1721–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 April 2008 (see s 2)

Note— An explanatory note was prepared

## **7 List of annotations**

**This plan has been renumbered—see table of renumbered provisions in endnote 8.**

**What is the “east coast trawl fishery”**

s 2 sub 2006 SL No. 25 s 48

amd 2008 SL No. 84 s 31

**Application of plan**

s 3 amd 2001 SL No. 81 s 4; 2003 SL No. 261 s 3

sub 2006 SL No. 25 s 48

**Objective of plan and its achievement**

s 4 amd 2006 SL No. 25 s 49

sub 2008 SL No. 84 s 32

**How objectives are to be achieved—sch 2**

s 5 amd 2000 SL No. 211 s 3

om 2008 SL No. 84 s 32

**Interpretation****prov hdg** sub 2006 SL No. 25 s 50(1)

s 6 amd 2006 SL No. 25 s 50(2)–(3); 2008 SL No. 84 s 33

**What is a “permitted fish”**

s 8 prev (2)–(3) exp 31 October 2000 (see prev s 8(3))

amd 2000 SL No. 360 s 3; 2001 SL No. 298 ss 3, 2 sch

**CHAPTER 2—REGULATED WATERS DECLARATIONS****ch hdg** sub 2008 SL No. 84 s 34

**PART 1—PRELIMINARY****pt hdg** sub 2008 SL No. 84 s 34**Division 1—Closures for all the east coast trawl fishery's waters****div hdg** sub 2006 SL No. 25 s 51  
om 2008 SL No. 84 s 34**Operation of ch 2****s 9** amd 2006 SL No. 25 s 52  
sub 2008 SL No. 84 s 34**Division 2—Specific closures****div hdg** om 2008 SL No. 84 s 34**Subdivision 1—Annual southern and northern closures****sdiv hdg** om 2008 SL No. 84 s 34**Subdivision 2—Scallop replenishment closures****sdiv hdg** sub 2000 SL No. 360 s 6  
om 2008 SL No. 84 s 34**Subdivision 2A—Grey nurse shark protection area closures****sdiv hdg** ins 2003 SL No. 379 s 11  
om 2008 SL No. 84 s 34**Subdivision 3—Other specific closures****sdiv hdg** om 2008 SL No. 84 s 34**Division 3—Exemptions from prohibited activities****div hdg** om 2008 SL No. 84 s 34**PART 2—DECLARATION AND REGULATION OF REGULATED WATERS****pt hdg** sub 2008 SL No. 84 s 34**Division 1—Fish other than permitted fish****div hdg** om 2008 SL No. 84 s 34**Division 2—Permitted fish****div hdg** om 2008 SL No. 84 s 34**Subdivision 1—Permitted fish other than saucer scallops****sdiv hdg** om 2008 SL No. 84 s 34**Subdivision 2—Saucer scallops****sdiv hdg** om 2008 SL No. 84 s 34**Division 3—Fish taken from closed waters****div hdg** om 2008 SL No. 84 s 34**Declaration and regulation of east coast trawl fishery waters****s 10** amd 2003 SL No. 261 s 4; 2006 SL No. 25 s 52  
sub 2008 SL No. 84 s 34**PART 3—EAST COAST TRAWL FISHERY REGULATED WATERS****pt hdg** ins 2008 SL No. 84 s 34

**Regulated waters for pt 3**

**s 11** amd 2000 SL No. 211 s 3; 2000 SL No. 360 s 4; 2001 SL No. 81 s 5; 2003 SL No. 261 s 5  
sub 2008 SL No. 84 s 34

**Prohibited activities**

**s 12** amd 2000 SL No. 211 s 3; 2000 SL No. 360 s 5; 2001 SL No. 81 s 6; 2003 SL No. 261 s 5  
sub 2008 SL No. 84 s 34

**Sit-out notices**

**s 12A** ins 2001 SL No. 81 s 7  
om 2008 SL No. 84 s 34

**Sit-out applications**

**s 12B** ins 2001 SL No. 81 s 7  
amd 2003 SL No. 261 ss 4, 6  
om 2008 SL No. 84 s 34

**PART 4—SOUTHERN AND NORTHERN REGIONAL REGULATED WATERS**

**pt hdg** ins 2008 SL No. 84 s 34

**Division 1—Southern regional regulated waters**

**div hdg** ins 2008 SL No. 84 s 34

**Regulated waters for div 1**

**s 13** sub 2008 SL No. 84 s 34

**Regulated periods for div 1**

**s 14** sub 2000 SL No. 360 s 6; 2008 SL No. 84 s 34

**Prohibited activities**

**s 15** sub 2000 SL No. 360 s 6; 2008 SL No. 84 s 34

**Closures—sch 3, pt 2A**

**s 15AA** ins 2003 SL No. 379 s 11  
om 2008 SL No. 84 s 34

**Prohibited activities**

**s 15AAA** ins 2003 SL No. 379 s 11  
om 2008 SL No. 84 s 34

**Closed waters—reef world heritage area**

**s 15A** ins 2001 SL No. 209 s 3  
amd 2001 SL No. 298 s 4; 2003 SL No. 261 s 7; 2004 SL No. 111 s 54  
om 2008 SL No. 84 s 34

**Exception for div 1**

**s 16** prev s 16 om 2000 SL No. 360 s 6  
pres s 16 amd 2001 SL No. 81 s 8  
sub 2008 SL No. 84 s 34

**Division 2—Northern regional regulated waters**

**div hdg** ins 2008 SL No. 84 s 34

**Regulated waters for div 2**

s 17 amd 2000 SL No. 360 s 7  
sub 2008 SL No. 84 s 34

**Regulated periods for div 2**

s 18 sub 2008 SL No. 84 s 34

**Prohibited activities**

s 19 sub 2008 SL No. 84 s 34

**Prohibited activities in waters under sch 3, s 3**

s 20 amd 2000 SL No. 360 s 8  
sub 2008 SL No. 84 s 34

**Exception for s 18**

s 21 amd 2000 SL No. 211 s 4; 2003 SL No. 261 s 8  
sub 2008 SL No. 84 s 34

**Division 3—Sit-out notices and sit-out applications**

div hdg ins 2008 SL No. 84 s 34

**Sit-out notices**

s 22 sub 2008 SL No. 84 s 34

**Sit-out applications**

s 23 sub 2008 SL No. 84 s 34

**PART 5—REGULATED WATERS FOR SCALLOP REPLENISHMENT**

pt hdg ins 2008 SL No. 84 s 34

**Regulated waters for pt 5**

prov hdg sub 2001 SL No. 298 s 5(1)

s 24 amd 2001 SL No. 298 ss 5, 2 sch (amdt could not be given effect); 2002 SL  
No. 24; 2002 SL No. 340 s 3  
sub 2008 SL No. 84 s 34

**Prohibited activities and regulated periods**

s 25 amd 2001 SL No. 298 s 2 sch  
sub 2008 SL No. 84 s 34

**PART 6—REEF WORLD HERITAGE AREA REGULATED WATERS**

pt hdg ins 2008 SL No. 84 s 34

**Regulated waters for pt 6**

s 26 amd 2001 SL No. 298 s 2 sch  
sub 2008 SL No. 84 s 34

**Prohibited activities and regulated period**

s 27 prev s 27 om 2001 SL No. 298 s 9  
pres s 27 ins 2008 SL No. 84 s 34

**Chief executive to give usage notice**

s 28 sub 2000 SL No. 360 s 9  
amd 2001 SL No. 81 s 9  
sub 2008 SL No. 84 s 34

**Obligations of holders of ‘T1’ licences under usage notice**

**s 29**           amd 2002 SL No. 340 s 4; 2003 SL No. 215 s 4; 2004 SL No. 213 ss 4, 7;  
                   2005 SL No. 246 ss 4, 6; 2006 SL No. 261 s 3  
                   sub 2008 SL No. 84 s 34

**Saucer scallops in scallop replenishment closure**

**s 29A**          ins 2001 SL No. 81 s 10  
                   om 2008 SL No. 84 s 34

**PART 7—OTHER PARTICULAR REGULATED WATERS**

**pt hdg**       ins 2008 SL No. 84 s 34

**Regulated waters for pt 7**

**s 30**           sub 2008 SL No. 84 s 34

**Prohibited activities and regulated periods**

**s 30A**         ins 2008 SL No. 84 s 34

**Exception for Laguna Bay area regulated waters**

**s 30B**         ins 2008 SL No. 84 s 34

**CHAPTER 3—GENERAL PROVISIONS FOR LICENCES AND FISHERY SYMBOLS****PART 1—LICENCES AND FISHERY SYMBOLS****Division 1—General provisions**

**div hdg**       ins 2000 SL No. 360 s 10

**Licences and fishery symbols for the east coast trawl fishery**

**prov hdg**     amd 2006 SL No. 25 s 52

**s 31**           amd 2000 SL No. 360 s 11; 2001 SL No. 209 s 4; 2003 SL No. 261 s 9; 2006  
                   SL No. 25 s 52

**Who may fish**

**s 32**           amd 2000 SL No. 360 s 12; 2001 SL No. 81 s 11; 2006 SL No. 25 s 53

**Assistant fishers**

**s 33**           sub 2006 SL No. 25 s 54

**Division 2—Obtaining an ‘M1’ or ‘M2’ fishery symbol**

**div hdg**       ins 2000 SL No. 360 s 13

**Applying for ‘M1’ or ‘M2’ fishery symbol**

**s 34**           amd 2000 SL No. 211 s 3  
                   sub 2000 SL No. 360 s 13

**Deciding application**

**s 35**           ins 2000 SL No. 360 s 13

**Steps after making decision**

**s 36**           ins 2000 SL No. 360 s 13

**Division 3—Restrictions on writing fishery symbols on licences**

**div hdg**       ins 2000 SL No. 360 s 13

**Restrictions**

**s 37**           ins 2000 SL No. 360 s 13  
                   amd 2006 SL No. 25 s 55

**Condition that only permitted fish may be taken**

s 38      amd 2006 SL No. 25 s 52

**Condition applies to everyone acting under licence**

s 39      amd 2006 SL No. 25 s 52

**PART 3—USE OF BRDs****Purpose of BRD**

s 41      amd 2006 SL No. 25 s 56

**Division 3—Compliance with BRD use condition****Subdivision 1—Preliminary**

sdiv hdg    sub 2003 SL No. 215 s 5

**Definition for div 3**s 42A      ins 2003 SL No. 215 s 5  
            amd 2006 SL No. 136 s 6**Subdivision 2—General provision for compliance**

sdiv hdg    ins 2003 SL No. 215 s 5

**How to comply**

s 43      ins 2003 SL No. 215 s 5

**Subdivision 3—Recognised BRDs for otter trawl nets**

sdiv hdg    (prev sdiv 2 hdg) sub 2003 SL No. 215 s 6

**Application of sdiv 3**

s 43A      ins 2003 SL No. 215 s 6

**Square mesh cod end**

s 44      amd 2003 SL No. 215 s 7

**Square mesh panel**

s 45      amd 2003 SL No. 215 s 8

**Fisheye**

s 46      amd 2003 SL No. 215 s 9

**Bigeye**

s 47      amd 2003 SL No. 215 s 10

**Radial escape section**

s 48      amd 2003 SL No. 215 s 11; 2006 SL No. 136 s 7

**V-cut and bell cod end**

s 48A      ins 2006 SL No. 136 s 8

**Popeye fish excluder**

s 48B      ins 2006 SL No. 136 s 8

**Subdivision 4—Recognised BRDs for beam trawl nets**

sdiv hdg    (prev sdiv 3 hdg) sub 2003 SL No. 215 s 12

**Application of sdiv 4**

prov hdg    amd 2000 SL No. 211 s 5

s 49      amd 2000 SL No. 211 s 3  
            sub 2003 SL No. 215 s 12



**Square mesh cod end**

s 50 sub 2003 SL No. 215 s 12

**Square mesh panel**

s 50A ins 2003 SL No. 215 s 12

**Fisheye**

s 50B ins 2003 SL No. 215 s 12

**Bigeye**

s 50C ins 2003 SL No. 215 s 12

**Radial escape section**s 50D ins 2003 SL No. 215 s 12  
amd 2006 SL No. 136 s 7**V-cut and bell cod end**

s 50E ins 2006 SL No. 136 s 9

**Popeye fish excluder**

s 50F ins 2006 SL No. 136 s 9

**PART 4—USE OF TEDS****Division 3—Compliance with TED use condition**

div hdg sub 2002 SL No. 340 s 5

**Subdivision 1—General**

sdiv hdg om 2002 SL No. 340 s 5

**Compliance with TED use condition**

s 54 sub 2002 SL No. 340 s 5

**Requirements for a recognised TED**

s 55 sub 2002 SL No. 340 s 5

**Subdivision 2—TED guidelines**

sdiv hdg om 2002 SL No. 340 s 5

**Chief executive may make guidelines**

prov hdg amd 2000 SL No. 211 s 5

s 56 amd 2000 SL No. 211 s 3

om 2002 SL No. 340 s 5

**Compliance with TED use condition from TED guidelines**

s 57 om 2002 SL No. 340 s 5

**PART 4A—COMMUNICATION CONDITIONS**

pt hdg ins 2001 SL No. 81 s 12

**Purpose and application of pt 4A**

s 57A ins 2001 SL No. 81 s 12

amd 2003 SL No. 261 s 4

**Obligation to nominate communication mode for boat**

s 57B ins 2001 SL No. 81 s 12

amd 2003 SL No. 261 s 10

**Obligation to ensure communication with person in control**

s 57C ins 2001 SL No. 81 s 12

**PART 5—VMS EQUIPMENT REQUIREMENTS**

pt hdg sub 2008 SL No. 84 s 35

**Division 1—Preliminary**

div hdg om 2008 SL No. 84 s 35

**Purpose and application of pt 5**

s 58 amd 2000 SL No. 360 s 14; 2003 SL No. 261 s 4  
(3)–(4) exp 31 March 2001 (see s 58(4))

**Division 2—VMS equipment obligations**

div hdg om 2008 SL No. 84 s 36

**VMS equipment requirements apply**

s 59 prev s 59 amd 2000 SL No. 211 s 3; 2001 SL No. 81 s 13  
om 2008 SL No. 84 s 36  
pres s 59 ins 2008 SL No. 84 s 37

**Obligation to maintain and use VMS equipment**

s 60 amd 2000 SL No. 211 s 3  
sub 2000 SL No. 360 s 15  
amd 2003 SL No. 215 s 13  
om 2008 SL No. 84 s 36

**Obligation to modify or replace installed VMS if required**

s 61 ins 2000 SL No. 360 s 15  
om 2008 SL No. 84 s 36

**Division 3—Obligations if VMS equipment malfunctions**

div hdg om 2008 SL No. 84 s 38

**Subdivision 1—Preliminary**

sdiv hdg om 2008 SL No. 84 s 38

**Application and purpose of div 3**

s 62 om 2008 SL No. 84 s 38

**Meaning of “malfunction” for div 3**

s 63 om 2008 SL No. 84 s 38

**When person is taken to be aware of malfunction**

s 64 amd 2000 SL No. 211 s 3; 2000 SL No. 360 s 16; 2001 SL No. 81 s 14  
om 2008 SL No. 84 s 38

**Subdivision 2—Obligations**

sdiv hdg om 2008 SL No. 84 s 39

**Obligation to give notice of malfunction**

s 65 amd 2000 SL No. 211 s 3; 2000 SL No. 360 s 17  
om 2008 SL No. 84 s 39

**Manual reporting obligation**

s 66 amd 2000 SL No. 211 s 3; 2000 SL No. 360 s 18  
om 2008 SL No. 84 s 39

**Further obligations for malfunction in major scallop area**

**s 67** ins 2000 SL No. 360 s 19  
amd 2001 SL No. 81 s 15; 2008 SL No. 84 s 40

**Further obligations for malfunction outside major scallop area**

**s 68** ins 2000 SL No. 360 s 19  
amd 2001 SL No. 81 s 16; 2008 SL No. 84 s 41

**Subdivision 3—Manual reporting guidelines**

**sdiv hdg** om 2008 SL No. 84 s 42

**Chief executive may make guidelines**

**prov hdg** amd 2000 SL No. 211 s 5  
**s 69** amd 2000 SL No. 211 s 3  
om 2008 SL No. 84 s 42

**Compliance with manual reporting obligation**

**s 70** amd 2000 SL No. 360 s 20  
om 2008 SL No. 84 s 42

**Division 4—Notice guidelines**

**div hdg** ins 2000 SL No. 360 s 21  
om 2008 SL No. 84 s 42

**Chief executive may make guidelines**

**s 71** ins 2000 SL No. 360 s 21  
om 2008 SL No. 84 s 42

**Compliance with notice guidelines**

**s 72** ins 2000 SL No. 360 s 21  
om 2008 SL No. 84 s 42

**PART 6—EFFORT UNITS**

**pt hdg** ins 2000 SL No. 360 s 22

**Division 1—Introduction**

**div hdg** ins 2000 SL No. 360 s 22

**Simplified outline of pt 6**

**s 73** ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 17

**Division 2—General provisions about effort units**

**div hdg** ins 2000 SL No. 360 s 22

**Nature of an effort unit**

**s 74** ins 2000 SL No. 360 s 22  
amd 2006 SL No. 25 s 52

**General condition for issue of effort units**

**s 75** ins 2000 SL No. 360 s 22

**When effort unit is “issued”**

**s 76** ins 2000 SL No. 360 s 22  
amd 2006 SL No. 25 s 57

**Division 3—Initial effort units****div hdg** ins 2000 SL No. 360 s 22**Subdivision 1—General provisions****sdiv hdg** ins 2000 SL No. 360 s 22**Obligation to issue****s 77** ins 2000 SL No. 360 s 22**Effort unit formula****s 78** ins 2000 SL No. 360 s 22**Subdivision 2—Allocated days****sdiv hdg** ins 2000 SL No. 360 s 22**Purpose of sdiv 2****s 79** ins 2000 SL No. 360 s 22**Deciding recorded fishing days****s 80** ins 2000 SL No. 360 s 22  
and 2001 SL No. 81 s 18**Making allocation decision****s 81** ins 2000 SL No. 360 s 22**Subdivision 3—Provisions for giving effect to appeal decisions****sdiv hdg** ins 2001 SL No. 81 s 19**Application of sdiv 3****s 81A** ins 2001 SL No. 81 s 19**Effect of new recorded fishing days decision****s 81B** ins 2001 SL No. 81 s 19**Adjustment to allocation decision formula****s 81C** ins 2001 SL No. 81 s 19**Division 4—Further effort units issued on basis of supplementary days****div hdg** ins 2000 SL No. 360 s 22**Subdivision 1—Preliminary****sdiv hdg** ins 2000 SL No. 360 s 22**Purpose of div 4****s 82** ins 2000 SL No. 360 s 22**Meaning of “small operator” for div 4****s 83** ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 ss 11, 20**Subdivision 2—Applications for effort units****sdiv hdg** ins 2000 SL No. 360 s 22**Requirements for application****s 84** ins 2000 SL No. 360 s 22

**Deciding application**

s 85 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 21

**Grounds for issuing effort units**

s 86 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 20; 2006 SL No. 25 s 52

**Restrictions on number of supplementary days**

s 87 ins 2000 SL No. 360 s 22  
om 2001 SL No. 81 s 22

**Priority of deciding effort unit applications**

s 88 ins 2000 SL No. 360 s 22

**Steps after making decision**

s 89 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 23

**Subdivision 3—Further effort units for small operators**

sdiv hdg ins 2000 SL No. 360 s 22

**Restriction on granting application by small operator**

s 89A ins 2001 SL No. 81 s 24

**Effort unit formula**

s 90 ins 2000 SL No. 360 s 22

**Working out supplementary days**

s 91 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 25

**Subdivision 4—Further effort units on other grounds**

sdiv hdg ins 2000 SL No. 360 s 22

**Effort unit formula**

s 92 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 26 (retro)

**Working out supplementary days**

s 93 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 27 (retro); 2006 SL No. 25 s 52

**Division 5—Additional effort units**

div hdg ins 2000 SL No. 360 s 22  
sub 2001 SL No. 81 s 28

**Interim issue of additional effort units for all eligible licences**

s 94 ins 2000 SL No. 360 s 22  
sub 2001 SL No. 81 s 29; 2003 SL No. 368 s 13

**Further issue of additional effort units for all eligible licences**

prov hdg sub 2001 SL No. 81 s 30(1)  
amd 2003 SL No. 368 s 14  
s 95 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 30

**Issue of effort units**

**s 96** ins 2000 SL No. 360 s 22  
amd 2003 SL No. 368 s 15

**Division 5A—Limit on effort units**

**div hdg** ins 2001 SL No. 81 s 31

**Application of div 5A**

**s 96A** ins 2001 SL No. 81 s 31  
amd 2003 SL No. 368 s 16

**Automatic rateable effort unit cancellations**

**s 96B** ins 2001 SL No. 81 s 31

**Notice and taking of effect of cancellation**

**s 96C** ins 2001 SL No. 81 s 31

**Division 6—Effort unit entitlement and use**

**div hdg** ins 2000 SL No. 360 s 22

**Meaning of “entitlement” of effort unit holder**

**s 97** ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 32; 2001 SL No. 298 s 4; 2003 SL No. 261 s 11  
sub 2006 SL No. 25 s 58

**When effort units are “used” for an effort year**

**s 98** ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 33; 2003 SL No. 261 s 12  
sub 2006 SL No. 25 s 58

**Provisions for working out use of entitlement**

**s 99** ins 2000 SL No. 360 s 22  
amd 2006 SL No. 25 s 59

**No carrying forward of unused entitlement**

**s 100** ins 2000 SL No. 360 s 22

**Effort unit certificates**

**s 101** orig s 101(2), (5) exp 31 December 1999 (see s 101(5))  
prev s 101(3), (6) exp 29 February 2000 (see s 101(6))  
pres s 101 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 34; 2006 SL No. 25 s 60

**Evidentiary provision for effort unit certificate**

**s 101A** ins 2006 SL No. 25 s 61

**Division 7—Evidentiary aids for use of entitlement**

**div hdg** ins 2000 SL No. 360 s 22

**Subdivision 1—Evidentiary aids for when a fishing or steaming day is used**

**sdiv hdg** ins 2000 SL No. 360 s 22

**VMS detection or manual reporting**

**s 102** prev s 102(3)–(4) exp 1 March 2000 (see s 102(4))  
pres s 102 ins 2000 SL No. 360 s 22

sub 2001 SL No. 81 s 35  
amd 2006 SL No. 25 s 62

**Absence of VMS detection or reporting**

**s 102A** ins 2001 SL No. 81 s 35  
amd 2006 SL No. 25 s 63

**Particular notice is evidence of unused entitlement**

**s 102B** ins 2006 SL No. 25 s 64

**Subdivision 2—Exceptions**

**sdiv hdg** ins 2001 SL No. 81 s 35

**Exception—movement only at travelling speed**

**s 103** ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 36; 2001 SL No. 298 s 6

**Exception—minimum boat movement**

**s 104** ins 2000 SL No. 360 s 22

**Exception—moving boat without fishing**

**s 105** ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 37; 2006 SL No. 25 s 65

**Exception—moving boat to test fishing apparatus**

**s 105A** ins 2003 SL No. 215 s 14  
amd 2006 SL No. 25 s 66

**Exception—acting exclusively under authority other than a ‘M1’, ‘T1’ or ‘T2’ fishery symbol**

**prov hdg** sub 2003 SL No. 261 s 13(1)  
**s 106** ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 38; 2003 SL No. 261 s 13(2)–(4); 2006 SL No. 25 s 66

**Exception—VMS detection in particular regulated waters**

**s 107** ins 2000 SL No. 360 s 22  
amd 2003 SL No. 261 s 14  
sub 2008 SL No. 84 s 43

**Notices to chief executive under sdiv 2**

**prov hdg** amd 2001 SL No. 81 s 39  
**s 108** ins 2000 SL No. 360 s 22

**Subdivision 2—Evidentiary aids for where boat is used**

**sdiv 2 (s 109)** ins 2000 SL No. 360 s 22  
om 2001 SL No. 81 s 40

**Subdivision 3—Other evidentiary aids**

**sdiv 3 (s 110)** ins 2000 SL No. 360 s 22  
om 2001 SL No. 81 s 40

**Division 8—When effort units may or may not be transferred**

**div hdg** ins 2000 SL No. 360 s 22  
sub 2006 SL No. 25 s 67

**Purpose of div 8**

s 111 ins 2000 SL No. 360 s 22  
sub 2006 SL No. 25 s 67

**Only whole effort units may be transferred**

s 112 ins 2000 SL No. 360 s 22  
sub 2006 SL No. 25 s 67

**Eligibility of transferee**

s 113 orig s 113(2), (5) exp 31 December 1999 (see s 113(5))  
prev s 113(3), (6) exp 29 February 2000 (see s 113(6))  
pres s 113 ins 2000 SL No. 360 s 22  
sub 2006 SL No. 25 s 67; 2006 SL No. 265 s 5

**Transfer of half of the effort units of ‘T2’ licence to ‘T1’ licence**

prov hdg amd 2001 SL No. 81 s 41(1)  
s 114 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 41(2)–(4)  
sub 2001 SL No. 209 s 5; 2006 SL No. 25 s 67

**Division 8A—Applications to register transfer of effort units**

div hdg ins 2006 SL No. 25 s 67

**Effort certificate changes required**

s 115 ins 2000 SL No. 360 s 22  
sub 2001 SL No. 81 s 42; 2006 SL No. 25 s 67

**Required minimum number of fishing days after transfer**

s 116 ins 2000 SL No. 360 s 22  
om 2006 SL No. 25 s 67

**Effort unit surrender requirement if licence transferred**

s 117 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 81 s 43  
om 2006 SL No. 25 s 67

**Effort unit surrender requirement if licence not transferred**

s 118 ins 2000 SL No. 360 s 22  
amd 2001 SL No. 209 s 6  
om 2006 SL No. 25 s 67

**Division 9—Entitlement of transferee under transferred effort units**

div hdg ins 2000 SL No. 360 s 22

**Entitlement**

s 119 ins 2000 SL No. 360 s 22  
amd 2006 SL No. 25 s 68

**Division 10—Miscellaneous provisions**

div 10 (s 120) ins 2000 SL No. 360 s 22

**PART 7—GENERAL PROVISIONS ABOUT GUIDELINES**

pt hdg om 2008 SL No. 84 s 44

**Division 1—Publication and inspection**

div hdg om 2008 SL No. 84 s 44



**Operation of div 1**

s 121 amd 2000 SL No. 211 s 3  
om 2008 SL No. 84 s 44

**Notification**

s 122 amd 2000 SL No. 211 s 3; 2000 SL No. 360 s 23  
om 2008 SL No. 84 s 44

**Publication**

s 123 amd 2000 SL No. 211 s 6; 2000 SL No. 360 s 24; 2003 SL No. 261 s 4; 2006  
SL No. 25 s 52  
om 2008 SL No. 84 s 44

**Inspection**

s 124 amd 2000 SL No. 211 s 7  
om 2008 SL No. 84 s 44

**Division 2—Use of guidelines in proceedings**

div hdg om 2008 SL No. 84 s 44

**Operation of div 2**

s 125 om 2008 SL No. 84 s 44

**BRD guidelines**

s 126 om 2003 SL No. 215 s 15

**TED guidelines**

s 127 om 2002 SL No. 340 s 6

**Manual reporting guidelines**

s 128 om 2008 SL No. 84 s 44

**Notice guidelines**

s 129 ins 2000 SL No. 360 s 25  
om 2008 SL No. 84 s 44

**PART 8—BOAT MODIFICATION AND REPLACEMENT**

pt hdg ins 2000 SL No. 360 s 26

**Division 1—Boat modification conditions**

div hdg ins 2000 SL No. 360 s 26

**Condition for ‘M1’, ‘M2’, ‘T1’ or ‘T2’ licences**

s 130 ins 2000 SL No. 360 s 26  
amd 2001 SL No. 81 s 44

**Condition for other licences**

s 131 amd 2000 SL No. 211 s 3  
sub 2000 SL No. 360 s 26

**Division 2—Restrictions on amending licence to modify or replace boat**

div hdg ins 2000 SL No. 360 s 26

**Restriction for ‘M1’, ‘T1’ or ‘T2’ licences**

s 132 amd 2000 SL No. 211 s 3  
sub 2000 SL No. 360 s 26

amd 2001 SL No. 81 s 45; 2003 SL No. 215 s 16  
sub 2006 SL No. 25 s 69

**Restriction for ‘M2’ licences**

**s 133** amd 2000 SL No. 211 s 3  
sub 2000 SL No. 360 s 26; 2006 SL No. 25 s 69

**Length restriction for other licences**

**s 134** ins 2000 SL No. 360 s 26

**CHAPTER 4—SPECIFIC LICENCE CONDITIONS**

**PART 1—‘M1’ AND ‘M2’ LICENCES**

**pt hdg** amd 2000 SL No. 360 s 27

**Purpose and application of pt 1**

**s 135** amd 2000 SL No. 360 s 28

**Area for ‘M1’ and ‘M2’ fishery symbols**

**s 136** sub 2000 SL No. 360 s 29

**Use of chains for net**

**s 142** sub 2000 SL No. 360 s 30

**Use of more than 1 net**

**s 143** amd 2000 SL No. 360 s 31

**Requirement to use BRD**

**s 145** amd 2002 SL No. 340 s 7

**PART 2—‘T1’ LICENCES**

**pt hdg** amd 2003 SL No. 261 s 11

**Purpose and application of pt 2**

**s 147** amd 2003 SL No. 261 s 15

**Area for ‘T1’ fishery symbol**

**s 148** sub 2000 SL No. 360 s 32; 2003 SL No. 261 s 16

**How permitted fish may be taken**

**s 149** amd 2003 SL No. 261 s 17

**Maximum net length**

**s 150** amd 2000 SL No. 360 s 33; 2002 SL No. 340 s 8

**Minimum and maximum net mesh size**

**s 151** amd 2000 SL No. 360 s 34

**Use of chains for net**

**s 154** sub 2000 SL No. 360 s 35

**Use of more than 1 net**

**s 155** amd 2000 SL No. 360 s 36

**Requirement to use BRD**

**s 158** sub 2000 SL No. 360 s 37  
(2)–(3) exp 1 July 2001 (see s 158(3))

**Requirement to use TED**

- s 159** sub 2000 SL No. 360 s 37  
 (2) and (4) exp 1 July 2001 (see s 159(4))  
 (3) and (5) exp 1 January 2002 (see s 159(5))

**PART 3—‘T2’ LICENCES****Area for ‘T2’ fishery symbol**

- s 161** sub 2000 SL No. 360 s 38

**Use of chains for net**

- s 167** sub 2000 SL No. 360 s 39

**Use of more than 1 net**

- s 168** amd 2000 SL No. 360 s 40

**Requirement to use BRD**

- s 170** sub 2000 SL No. 360 s 41  
 (2)–(3) exp 1 July 2001 (see s 170(3))

**Requirement to use TED**

- s 171** sub 2000 SL No. 360 s 41  
 (2)–(3) exp 1 January 2002 (see s 171(3))

**PART 4—‘T5’ LICENCES****Area for ‘T5’ fishery symbol**

- s 173** amd 2003 SL No. 215 s 17

**Numbering and renumbering of plan**

- s 175A** om R2 (see RA s 37)

**Division 2—Requirements for fishing****Use of more than 1 net**

- s 178** amd 2000 SL No. 360 s 42

**Subdivision 3—BRDs AND TEDs**

- sdiv hdg** sub 2000 SL No. 360 s 43

**Requirement to use TED in Laguna Bay area**

- s 181** ins 2000 SL No. 360 s 44

**PART 5—‘T6’ LICENCES****Division 2—Requirements for fishing****Use of more than 1 net**

- s 188** amd 2000 SL No. 360 s 45

**Subdivision 3—BRDs and TEDs**

- sdiv hdg** sub 2000 SL No. 360 s 46

**Requirement to use TED other than in river or creek**

- s 191** ins 2000 SL No. 360 s 47

**PART 6—‘T7’ LICENCES****Division 3—Miscellaneous**

- div hdg** om 2006 SL No. 25 s 70

**Only named commercial fisher may use boat**

**s 201** amd 2000 SL No. 211 s 3  
om 2006 SL No. 25 s 70

**Prohibition on transfer of 'T7' licences**

**s 202** amd 2000 SL No. 211 s 3  
om 2006 SL No. 25 s 70

**PART 7—'T8' LICENCES****Division 2—Requirements for fishing****Use of more than 1 net**

**s 209** amd 2000 SL No. 360 s 48

**Subdivision 3—BRDs and TEDs**

**sdiv hdg** sub 2000 SL No. 360 s 49

**Requirement to use TED other than in river or creek**

**s 212** ins 2000 SL No. 360 s 50

**PART 8—'T9' LICENCES****Division 2—Requirements for fishing****Use of more than 1 net**

**s 219** amd 2000 SL No. 360 s 51

**Subdivision 3—BRDs and TEDs**

**sdiv hdg** sub 2000 SL No. 360 s 52

**Requirement to use TED other than in river or creek**

**s 222** ins 2000 SL No. 360 s 53  
sub 2002 SL No. 340 s 9

**CHAPTER 5—MISCELLANEOUS PROVISIONS****Purpose of pt 1**

**s 223** amd 2006 SL No. 25 s 52

**Saucer scallops**

**s 224** amd 2004 SL No. 213 ss 5, 8; 2005 SL No. 246 ss 5, 7; 2008 SL No. 84 s 45

**Review of permitted fish, other than principal fish**

**s 226** amd 2000 SL No. 211 s 3  
om 2001 SL No. 298 s 9

**PART 2—PRESCRIBED ACTS, OFFENCES AND SUSPENSION CRITERIA**

**pt hdg** prev pt 2 hdg sub 2006 SL No. 136 s 10

om 2008 SL No. 84 s 46

pres pt 2 hdg (prev pt 3 hdg) sub 2008 SL No. 84 s 47

**Division 1—Prescribed acts that must be done only by authority holders**

**div hdg** prev pt 2 div 1 hdg om 2006 SL No. 136 s 11

pres div 1 hdg (prev pt 3 div 1 hdg) sub 2008 SL No. 84 s 47

**General fishing effort review**

**prov hdg** sub 2001 SL No. 81 s 46

**s 227** ins 2000 SL No. 360 s 54

om 2006 SL No. 136 s 12

amd 2006 SL No. 25 s 52 (amdt could not be given effect)

**Ecological sustainability action for reef world heritage area**

- s 227A ins 2001 SL No. 81 s 47  
om 2001 SL No. 209 s 7

**Steaming day review**

- s 228 ins 2000 SL No. 360 s 54  
amd 2001 SL No. 81 s 20  
om 2001 SL No. 298 s 9

**Review**

- prov hdg sub 2006 SL No. 136 s 13  
s 229 amd 2000 SL No. 211 s 3; 2006 SL No. 265 s 6  
om 2008 SL No. 84 s 46

**Consultation requirements**

- s 230 amd 2000 SL No. 211 s 3  
om 2008 SL No. 84 s 46

**Division 2—Consultation requirements for reviews**

- div hdg om 2006 SL No. 136 s 11

**Division 3—Amendment or repeal**

- div hdg om 2006 SL No. 136 s 14

**How plan may be amended**

- s 231 amd 2000 SL No. 211 ss 3, 8  
om 2006 SL No. 136 s 14  
amd 2006 SL No. 25 s 52 (amdt could not be given effect)

**Restrictions on possessing bugs**

- s 232 amd 2003 SL No. 215 s 18  
om 2008 SL No. 84 s 48

**Restrictions on processing scallops on commercial fishing boat**

- s 233 amd 2006 SL No. 25 s 71; 2008 SL No. 84 s 49

**Interfering with approved VMS seals**

- s 234 amd 2001 SL No. 81 s 48  
om 2008 SL No. 84 s 50

**Serious fisheries offences**

- s 235 amd 2001 SL No. 81 s 49; 2006 SL No. 25 s 72; 2008 SL No. 84 s 51

**Purpose and application of div 3**

- s 236 amd 2000 SL No. 360 s 55; 2001 SL No. 81 s 50; 2002 SL No. 338 s 3; 2004  
SL No. 111 s 55; 2008 SL No. 84 s 52

**Criteria for suspending commercial fisher licence**

- s 237 sub 2001 SL No. 81 s 1  
amd 2008 SL No. 84 s 53

**Criteria for suspending commercial fishing boat licence**

- s 238 sub 2001 SL No. 81 s 51

**Criteria for suspending effort units**

- s 238A** ins 2001 SL No. 81 s 51  
amd 2008 SL No. 84 s 54

**PART 4—SAVINGS AND TRANSITIONAL PROVISIONS**

- pt hdg** exp 1 January 2002 (see s 244)

**CHAPTER 6—TRANSITIONAL PROVISION**

- ch hdg** prev ch 6 hdg ins 2003 SL No. 215 s 19  
exp 1 January 2005 (see s 241)  
pres ch 6 hdg ins 2006 SL No. 25 s 73

**Transitional provision for Fisheries Management Plans Amendment Management Plan (No. 1) 2006**

- prov hdg** orig s 239 hdg amd 2000 SL No. 360 s 57  
**s 239** orig s 239 amd 2000 SL No. 211 s 3  
exp 1 January 2002 (see s 244)  
prev s 239 ins 2003 SL No. 215 s 19  
amd 2003 SL No. 261 s 183; 2004 SL No. 111 s 56  
exp 1 January 2005 (see s 241)  
pres s 239 ins 2006 SL No. 25 s 73

**‘M1’ fishery symbol for certain ‘T1’ licences**

- s 239A** ins 2001 SL No. 81 s 52  
exp 1 January 2002 (see s 244)

**Refund of effort units surrendered**

- s 240** prev s 240 ins 2000 SL No. 360 s 58  
exp 1 January 2002 (see s 244)  
pres s 240 ins 2003 SL No. 215 s 19  
exp 1 January 2005 (see s 241)

**Expiry of ch 6**

- s 241** prev s 241 ins 2000 SL No. 360 s 58  
amd 2001 SL No. 81 s 53  
exp 1 January 2002 (see s 244)  
pres s 241 ins 2003 SL No. 215 s 19  
exp 1 January 2005 (see s 241)

**Replacement of certain damaged or sunken boats**

- prov hdg** amd 2000 SL No. 360 s 59(1)  
**s 242** amd 2000 SL No. 360 s 59(2)  
sub 2001 SL No. 81 s 54  
exp 1 January 2002 (see s 244)

**Licence transfer applications made before s 117 commenced**

- s 243** prev s 243 ins 2000 SL No. 360 s 60  
exp 1 April 2001 (see s 243(7))  
pres 243 ins 2001 SL No. 81 s 54  
exp 1 January 2002 (see s 244)

**Exclusion of s 117 for certain licence**

- s 244** ins 2001 SL No. 81 s 54  
exp 1 January 2002 (see s 244)

**Expiry of pt 4**

- s 244** amd 2000 SL No. 360 s 61  
exp 1 January 2002 (see s 244)

**SCHEDULE 1—THE FISHERY**

- sch hdg** om 2006 SL No. 25 s 74

**PART 1—DESCRIPTION**

- pt hdg** om 2006 SL No. 25 s 74

**Area**

- s 1** amd 2000 SL No. 360 s 62(1)  
om 2006 SL No. 25 s 74

**Major species taken**

- s 2** om 2006 SL No. 25 s 74

**Nature of fishery and required fishery symbols**

- s 3** om 2006 SL No. 25 s 74

**Restrictions on apparatus and other controls**

- s 4** amd 2003 SL No. 261 s 19  
om 2006 SL No. 25 s 74

**Aborigines and Torres Strait Islanders**

- s 5** om 2006 SL No. 25 s 74

**PART 2—KNOWN STATUS**

- pt hdg** om 2006 SL No. 25 s 74

**General**

- s 6** om 2006 SL No. 25 s 74

**Logbook program**

- s 7** amd 2000 SL No. 211 s 9(1)  
om 2006 SL No. 25 s 74

**Markets**

- s 8** amd 2001 SL No. 81 s 11  
om 2006 SL No. 25 s 74

**Aborigines' and Torres Strait Islanders' fishery**

- s 9** amd 2000 SL No. 211 s 9(2)  
om 2006 SL No. 25 s 74

**Catch levels—tables 1–3**

- s 10** amd 2000 SL No. 211 s 9(3); 2000 SL No. 360 s 62(2)  
om 2006 SL No. 25 s 74

**TABLE 1—TOTAL CATCH (T)**

- t 1** om 2006 SL No. 25 s 74

**TABLE 2—TOTAL NUMBER OF DAYS WORKED FROM OTTER AND BEAM TRAWLERS**

- hdg** amd 2000 SL No. 360 s 62(3)  
**t 2** om 2006 SL No. 25 s 74

**TABLE 3—LICENCE HOLDERS WHO FISHED**

**t 3** om 2006 SL No. 25 s 74

**SCHEDULE 2—HOW THE OBJECTIVES ARE TO BE ACHIEVED**

**sch hdg** amd 2006 SL No. 25 s 75(1)

**sch 2** om 2008 SL No. 84 s 55

**PART 1—MANAGING THE EAST COAST TRAWL FISHERY IN A WAY THAT GIVES OPTIMAL, BUT SUSTAINABLE, COMMUNITY BENEFIT**

**pt hdg** om 2008 SL No. 84 s 55

**Definition for pt 1**

**s 1** amd 2006 SL No. 25 s 75(2)

om 2008 SL No. 84 s 55

**How objective is to be achieved**

**s 2** om 2008 SL No. 84 s 55

**How achievement is to be measured**

**s 3** amd 2000 SL No. 211 s 10(1); amd 2006 SL No. 25 s 75(2)

om 2008 SL No. 84 s 55

**Review Events**

**s 4** om 2008 SL No. 84 s 55

**PART 2—ENSURING FISHERIES RESOURCES TAKEN IN THE EAST COAST TRAWL FISHERY ARE TAKEN IN AN ECOLOGICALLY SUSTAINABLE WAY**

**pt hdg** amd 2006 SL No. 25 s 75(1)

om 2008 SL No. 84 s 55

**Definition for pt 2**

**s 5** amd 2006 SL No. 25 s 75(2)

om 2008 SL No. 84 s 55

**How objective is to be achieved**

**s 6** sub 2000 SL No. 360 s 63(1)

om 2008 SL No. 84 s 55

**How achievement is to be measured**

**s 7** amd 2000 SL No. 211 s 10(1)

sub 2000 SL No. 360 s 63(1)

amd 2006 SL No. 25 s 75(2)

om 2008 SL No. 84 s 55

**Review events**

**s 8** amd 2000 SL No. 211 s 10(1); 2000 SL No. 360 s 63(2); 2001 SL No. 81 s 55;

2006 SL No. 25 s 75(2)

om 2008 SL No. 84 s 55

**PART 3—ENSURING THE SUSTAINABILITY OF THE EAST COAST TRAWL FISHERY'S ECOLOGICAL SYSTEMS**

**pt hdg** amd 2006 SL No. 25 s 75(3)

om 2008 SL No. 84 s 55



**Definition for pt 3**

s 9            amd 2006 SL No. 25 s 75(4)  
                om 2008 SL No. 84 s 55

**How objective is to be achieved**

s 10           om 2008 SL No. 84 s 55

**How achievement is to be measured**

s 11           amd 2000 SL No. 211 s 10(1); 2001 SL No. 81 s 11; 2006 SL No. 25 s 75(2)  
                om 2008 SL No. 84 s 55

**Review events**

s 12           amd 2000 SL No. 211 s 10(1)–(2); 2000 SL No. 360 s 63(3)–(4); 2006 SL No.  
                25 s 75(2)  
                om 2008 SL No. 84 s 55

**PART 4—PROVIDING AN ECONOMICALLY VIABLE, BUT ECOLOGICALLY SUSTAINABLE, TRAWL FISHERY**

pt hdg        om 2008 SL No. 84 s 55

**Definition for pt 4**

s 13           om 2008 SL No. 84 s 55

**How objective is to be achieved**

s 14           amd 2000 SL No. 360 s 63(5); 2006 SL No. 25 s 75(2)  
                om 2008 SL No. 84 s 55

**How achievement is to be measured**

s 15           amd 2000 SL No. 211 s 10(1)  
                sub 2000 SL No. 360 s 63(6)  
                amd 2006 SL No. 25 s 75(2)  
                om 2008 SL No. 84 s 55

**Review events**

s 16           amd 2000 SL No. 211 s 10(3)  
                sub 2000 SL No. 360 s 63(6)  
                amd 2001 SL No. 81 s 55; 2006 SL No. 25 s 75(2)  
                om 2008 SL No. 84 s 55

**PART 5—ENSURING FAIR ACCESS TO FISHERIES RESOURCES ON A SUSTAINABLE BASIS**

pt hdg        om 2008 SL No. 84 s 55

**Definition for pt 5**

s 17           amd 2006 SL No. 25 s 75(2)  
                om 2008 SL No. 84 s 55

**How objective is to be achieved**

s 18           amd 2006 SL No. 25 s 75(2)  
                om 2008 SL No. 84 s 55

**How achievement is to be measured**

s 19           amd 2000 SL No. 211 s 10(1); 2006 SL No. 25 s 75(2)  
                om 2008 SL No. 84 s 55

**Review events**

s 20 om 2008 SL No. 84 s 55

**SCHEDULE 3—PARTICULAR REGULATED WATERS**

**sch hdg** sub 2000 SL No. 360 s 64  
amd 2003 SL No. 379 s 12(1)  
sub 2008 SL No. 84 s 56(1)

**PART 1—SOUTHERN AND NORTHERN REGIONAL REGULATED WATERS**

**pt hdg** sub 2000 SL No. 360 s 64; 2008 SL No. 84 s 56(1)

**Division 1—Southern regional regulated waters**

**div hdg** sub 2000 SL No. 360 s 64; 2008 SL No. 84 s 56(1)

**Southern regional regulated waters**

**prov hdg** sub 2008 SL No. 84 s 56(1)  
**s 1** sub 2000 SL No. 360 s 64  
amd 2003 SL No. 261 s 20(1)

**Division 2—Northern regional regulated waters**

**div hdg** sub 2000 SL No. 360 s 64; 2008 SL No. 84 s 56(2)

**Swain Reefs and Hydrographers Passage**

**s 2** sub 2000 SL No. 360 s 64

**Major northern regional regulated waters**

**prov hdg** sub 2008 SL No. 84 s 56(3)  
**s 3** amd 2008 SL No. 84 s 56(4)

**PART 2—REGULATED WATERS AND PERIODS FOR SCALLOP REPLENISHMENT**

**pt hdg** sub 2000 SL No. 360 s 64; 2008 SL No. 84 s 56(5)

**Division 1—Hervey Bay**

**div hdg** sub 2000 SL No. 360 s 64; 2003 SL No. 215 s 20

**General closure until midday on 1 February 2001**

**s 4** sub 2000 SL No. 360 s 64  
exp 1 February 2001 (see s 4(3))

**Hervey Bay scallop replenishment area A**

**s 5** sub 2000 SL No. 360 s 64; 2003 SL No. 215 s 20  
amd 2008 SL No. 84 s 56(6)  
exp 1 January 2009 (see s 5(3))

**Hervey Bay scallop replenishment area B**

**s 6** sub 2000 SL No. 360 s 64; 2003 SL No. 215 s 20  
exp 1 January 2008 (see s 6(3))

**Division 2—Bustard Head**

**div hdg** prev div hdg sub 2000 SL No. 360 s 64  
om 2003 SL No. 215 s 20(1)  
pres div hdg ins 2003 SL No. 215 s 20(1)

**Hervey Bay scallop replenishment area C**

**s 7** sub 2000 SL No. 360 s 64; 2003 SL No. 215 s 20

amd 2008 SL No. 84 s 56(6)  
exp 1 January 2009 (see s 7(3))

**Hervey Bay scallop replenishment area D**

s 8 sub 2000 SL No. 360 s 64; 2003 SL No. 215 s 20  
 exp 1 January 2008 (see s 8(3))

**General closure until midday on 1 February 2001**

s 9 sub 2000 SL No. 360 s 64  
 exp 1 February 2001 (see s 9(3))

**Bustard Head scallop replenishment area A**

s 10 sub 2000 SL No. 360 s 64  
 om 2003 SL No. 215 s 20

**Bustard Head scallop replenishment area B**

s 11 sub 2000 SL No. 360 s 64  
 om 2003 SL No. 215 s 20

**Bustard Head scallop replenishment area C**

s 12 sub 2000 SL No. 360 s 64  
 om 2003 SL No. 215 s 20

**Bustard Head scallop replenishment area D**

s 13 sub 2000 SL No. 360 s 64  
 om 2003 SL No. 215 s 20

**Division 3—Yeppoon region**

div hdg sub 2000 SL No. 360 s 64

**General closure until midday on 1 February 2001**

s 14 sub 2000 SL No. 360 s 64  
 exp 1 February 2001 (see s 14(3))

**Yeppoon scallop replenishment area A**

s 15 sub 2000 SL No. 360 s 64  
 amd 2008 SL No. 84 s 56(6)  
exp 1 January 2009 (see s 15(3))

**Yeppoon scallop replenishment area B**

s 16 sub 2000 SL No. 360 s 64  
 amd 2008 SL No. 84 s 56(7)

**PART 2A—REEF WORLD HERITAGE AREA REGULATED WATERS**

pt hdg ins 2003 SL No. 379 s 12(2)  
 sub 2008 SL No. 84 s 56(8)

**Reef world heritage area**

s 16A ins 2003 SL No. 379 s 12(2)  
 sub 2008 SL No. 84 s 56(8)

**Henderson Rock**

s 16B ins 2003 SL No. 379 s 12(2)  
 om 2008 SL No. 84 s 56(8)

**Cherub's Cave**

s 16C ins 2003 SL No. 379 s 12(2)  
om 2008 SL No. 84 s 56(8)

**Wolf Rock**

s 16D ins 2003 SL No. 379 s 12(2)  
om 2008 SL No. 84 s 56(8)

**PART 3—OTHER PARTICULAR REGULATED WATERS**

**pt hdg** sub 2000 SL No. 360 s 64; 2008 SL No. 84 s 56(9)

**Lakes and lagoons south of Endeavour River and east of longitude 142°31.88'**

s 17 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

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

s 18 sub 2000 SL No. 360 s 64  
amd 2001 SL No. 81 s 56(1)3; 2004 SL No. 111 s 57; 2008 SL No. 84  
s 56(11)

**Currumbin Beach**

s 19 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Currumbin Creek**

s 20 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Tallebudgera Creek**

s 21 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Tallebudgera Creek to Burleigh**

s 22 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Southern part of the Broadwater and the Nerang River**

s 23 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Gold Coast Seaway**

s 24 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Broadwater—central part**

s 25 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Broadwater—western part**

s 26 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Coomabah Lake and Coomabah Creek**

s 27 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Coomabah Creek, Oyster Lake and Saltwater Creek**

- s 28 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Coomera River**

- s 29 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Swan Bay, North Stradbroke Island**

- s 30 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Moreton Bay**

- s 31 sub 2000 SL No. 360 s 64

**Moreton Bay, including The Broadwater**

- s 32 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Dunwich**

- s 33 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Southern Moreton Bay area**

- s 34 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Amity Bight and the South Passage**

- s 35 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Manly Boat Harbour**

- s 36 sub 2000 SL No. 360 s 64  
om 2003 SL No. 261 s 20(2)

**Wynnum and Manly**

- s 37 sub 2000 SL No. 360 s 64  
om 2003 SL No. 261 s 20(2)

**Boggy Creek, Pinkenba**

- s 38 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Brisbane River mouth area**

- s 39 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Brisbane Airport floodway channel to the Pine River**

- s 40 sub 2000 SL No. 360 s 64  
amd 2003 SL No. 261 s 20(2)–(3)  
om 2008 SL No. 84 s 56(10)

**Sandgate Pier**

- s 41 sub 2000 SL No. 360 s 64  
om 2003 SL No. 261 s 20(2)

**South Pine River and North Pine River**

s 42 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Northern section of Moreton Bay**

s 43 sub 2000 SL No. 360 s 64  
amd 2003 SL No. 261 s 20(4); 2008 SL No. 84 s 56(11)

**Pumicestone Strait**

s 44 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

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

s 45 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Caloundra Head**

s 46 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Caloundra—Kings Beach to Shelly Beach**

s 47 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Currimundi Lake and Currimundi Creek near Caloundra**

s 48 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Warana Beach at Kawana Waters**

s 49 sub 2000 SL No. 360 s 64

**Mooloolah River**

s 50 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**South Maroochy River and the North Maroochy River**

s 51 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Maroochy River and ocean foreshores**

s 52 sub 2000 SL No. 360 s 64; 2003 SL No. 261 s 20(5)  
om 2008 SL No. 84 s 56(10)

**Lakes Doonella and Weyba**

s 53 sub 2000 SL No. 360 s 64

**Noosa River and Lakes Cooroibah and Cootharaba**

s 54 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Laguna Bay area**

s 55 sub 2000 SL No. 360 s 64; 2001 SL No. 81 s 56(2)  
amd 2008 SL No. 84 s 56(10)

**Weyba Creek**

s 56 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

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

s 57 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Noosa River—ocean foreshore north of its northern bank**

s 58 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Waterways south of Double Island Point**

s 59 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Rainbow Beach**

s 60 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Wide Bay Bar**

s 61 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Hook Point to Taleerba Creek, Fraser Island**

s 62 sub 2000 SL No. 360 s 64

**Taleerba Creek to Indian Head, Fraser Island**

s 63 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Fraser Island—Indian Head to Waddy Point**

s 64 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Fraser Island—Hook point to northern tip**

s 65 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Snapper Creek near Tin Can Bay**

s 66 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Mary River**

s 67 sub 2000 SL No. 360 s 64

**Hervey Bay seasonal night-time closure**

s 68 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Hervey Bay—other closures**

s 69 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(12)

**Skyringville Creek**

- s 70 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(13)

**Hervey Bay**

- s 71 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Southern Hervey Bay**

- s 72 sub 2000 SL No. 360 s 64  
amd 2003 SL No. 261 s 20(6); 2008 SL No. 84 s 56(11)

**Theodolite Creek**

- s 73 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Coonar Creek**

- s 74 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Burnett River**

- s 75 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(14)

**Baffle Creek**

- s 75A ins 2003 SL No. 215 s 20(2)

**Sandy Cape**

- s 76 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Northern Fraser Island and north of Fraser Island**

- s 77 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Round Hill Creek**

- s 78 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 38 s 15  
om 2008 SL No. 84 s 56(10)

**Eurimbula Creek**

- s 79 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Rodds Harbour**

- s 80 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Wild Cattle Creek**

- s 81 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Boyne River and part of South Trees Inlet**

- s 82 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)



**Tannum Sands**

s 83 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Calliope River**

s 84 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**The Narrows near Curtis Island**

s 85 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Fitzroy River and waters near its mouth**

s 86 sub 2000 SL No. 360 s 64  
amd 2003 SL No. 215 s 20(3)  
om 2008 SL No. 84 s 56(10)

**Gladstone offshore area**

s 87 sub 2000 SL No. 360 s 64

**Keppel Bay near Middle Island Observatory**

s 88 sub 2000 SL No. 360 s 64

**Yeppoon offshore area**

s 89 sub 2000 SL No. 360 s 64

**Point Vernon to Cape Manifold**

s 90 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Cawarral Creek**

s 91 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Causeway Lake, Shoal Bay**

s 92 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Water Park Creek**

s 93 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Shoalwater Bay**

s 94 sub 2000 SL No. 360 s 64  
amd 2003 SL No. 261 s 20(7)

**Broadsound to Dunk Island**

s 95 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**St. Lawrence Creek to Endeavour River**

s 96 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Swain Reefs**

s 97 sub 2000 SL No. 360 s 64

**Rocky Dam Creek**

s 98 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Grasstree Island area**

s 99 sub 2000 SL No. 360 s 64

**Louisa Creek**

s 100 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Pioneer River upstream of Pioneer Bridge**

s 101 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Pioneer River**

s 102 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Pioneer River mouth**

s 103 sub 2000 SL No. 360 s 64; 2003 SL No. 261 s 20(8)

**Reliance Creek, west of Eimeo**

s 104 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Constant Creek**

s 105 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Egremont Pass Closure**

s 106 sub 2000 SL No. 360 s 64

**Seaforth Creek**

s 107 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Refuge Bay on Scawfell Island**

s 108 sub 2000 SL No. 360 s 64; 2003 SL No. 261 s 20(9)

**Victor Creek**

s 109 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**O'Connell River**

s 110 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Proserpine River**

s 111 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Pioneer Bay**

s 112 sub 2000 SL No. 360 s 64; 2003 SL No. 261 s 20(9); 2003 SL No. 261  
s 20(10)

**Merinda Creek**

s 113 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Hayman Island to Cape Abbot**

s 114 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)

**Bowen Harbour and Magazine Island**

s 115 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Bowen to Cairns offshore area**

s 116 sub 2000 SL No. 360 s 64

**Hook Island**

s 117 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Groper Creek, Yellow Gin Creek and the Burdekin River**

s 118 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Burdekin River**

s 119 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Plantation Creek and Seaforth Creek**

s 120 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Haughton River and the Short Cut**

s 121 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Barramundi Creek**

s 122 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Townsville Harbour and Cleveland Bay**

s 123 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Townsville to Cape York offshore area**

s 124 sub 2000 SL No. 360 s 64

**Etty Bay area**

s 125 sub 2000 SL No. 360 s 64  
amd 2001 SL No. 81 s 56(3)-(4)

**Rollingstone Creek, Halifax Bay**

s 126 sub 2000 SL No. 360 s 64  
amd 2003 SL No. 261 s 20(7)  
om 2008 SL No. 84 s 56(10)

**Herbert River**

s 127 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Yanks Jetty area at Orpheus Island**

s 128 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Hinchinbrook Channel**

s 129 sub 2000 SL No. 360 s 64  
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**Meunga Creek**

s 130 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Murray River**

s 131 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Mission Beach**

s 132 sub 2000 SL No. 360 s 64  
amd 2001 SL No. 81 s 56(5)

**Mission Beach night time closure**

s 133 sub 2000 SL No. 360 s 64  
amd 2001 SL No. 81 s 56(6); 2008 SL No. 84 s 56(11)

**Johnstone River**

s 134 sub 2000 SL No. 360 s 64  
om 2008 SL No. 84 s 56(10)

**Russell River, Mulgrave River and Mutchero Inlet**

s 135 sub 2000 SL No. 360 s 64  
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**Fitzroy Island and High Island, near Cairns**

s 136 sub 2000 SL No. 360 s 64  
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s 137 sub 2000 SL No. 360 s 64

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s 138 sub 2000 SL No. 360 s 64  
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**Barron River**

s 139 sub 2000 SL No. 360 s 64  
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s 140 sub 2000 SL No. 360 s 64  
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**Yorkeys Knob to Simpson Point**

s 141 sub 2000 SL No. 360 s 64

**Cook Bay**s 142 sub 2000 SL No. 360 s 64  
amd 2008 SL No. 84 s 56(11)**Island Point to the Daintree River**

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amd 2008 SL No. 84 s 56(11)**Grave Point to Indian Head**s 149 sub 2000 SL No. 360 s 64  
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s 155 sub 2000 SL No. 360 s 64  
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s 2 sub 2000 SL No. 360 s 66

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s 3 sub 2000 SL No. 360 s 66

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s 5 sub 2000 SL No. 360 s 66  
amd 2003 SL No. 261 s 23

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s 6 sub 2000 SL No. 360 s 66

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s 9 sub 2000 SL No. 360 s 66

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pt hdg om 2008 SL No. 84 s 58(2)

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om 2008 SL No. 84 s 58(2)

**References to latitudes and longitudes**

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amd 2001 SL No. 81 s 58(1)  
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s 2 om 2006 SL No. 25 s 77(2)

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s 6 amd 2000 SL No. 360 s 67(2)–(3); 2001 SL No. 298 s 8(1)–(3)  
om 2008 SL No. 84 s 58(2)

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s 8 amd 2001 SL No. 298 s 8(5); 2003 No. 215 s 22(1); 2003 SL No. 368 s 17;  
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**Meaning of “deep water net area”**

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**Meaning of “Facing Island area”**

**s 17** sub 2000 SL No. 360 s 67(7)

**Meaning of “Hervey Bay area”**

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**Meaning of “Keppel Bay area”**

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amd 2005 SL No. 27 s 5(1)

**Meaning of “Laguna Bay area”**

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**Meaning of “Llewellyn Bay area”**

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s 35 ins 2000 SL No. 360 s 67(12)

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- def **“Logan River area”** ins 2003 SL No. 215 s 22(6)

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- def “**‘T1’ area**” ins 2000 SL No. 360 s 67(15)  
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- def **“tickler chain”** ins 2000 SL No. 360 s 67(15)  
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Previous	Renumbered as
26.....	36
27.....	37
28.....	38
29.....	39
30.....	40
31.....	41
32.....	42
33.....	43
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73.....	82
74.....	83

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Previous	Renumbered as
75.....	84
76.....	85
77.....	86
77A.....	87
78.....	88
78A.....	89
79.....	90
80.....	91
81.....	92
82.....	93
83.....	95
84.....	96
84A.....	97
85.....	98
85A.....	99
86.....	100
87.....	101
88.....	102
88A.....	103
89.....	104
90.....	105
90A.....	106
91.....	107
91A.....	108
92.....	109
93.....	110
94.....	111
95.....	112
96.....	113
97.....	114
98.....	115
98A.....	116
99.....	117
100.....	118
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103.....	121
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105.....	123
105A.....	124
106.....	125
107.....	126
108.....	127
109.....	128
110.....	129
111.....	130
112.....	131
112A.....	132

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Previous	Renumbered as
112B .....	133
113.....	134
114.....	135
115.....	136
116.....	137
117.....	138
118.....	139
119.....	140
120.....	141
121.....	142
122.....	143
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131.....	152
132.....	153
133.....	154
134.....	155
135.....	156
136.....	157
137.....	158
sch 4A hdg.....	sch 5 hdg
sch 5 hdg.....	sch 6 hdg
sch 6 hdg.....	sch 7 hdg
1AA.....	1
1.....	2
2.....	3
3.....	4
4.....	5
5.....	6
6.....	7
7.....	8
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11.....	12
12.....	13
13.....	14
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15.....	16
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17.....	18
18.....	19

Previous	Renumbered as
19.....	20
20.....	21
21.....	22
22.....	23
23.....	24
23A.....	25
24.....	26
25.....	27
26.....	28
26A.....	29
26B.....	30
27.....	31
28.....	32
28A.....	33
29.....	34
29A.....	35
29B.....	36
30.....	37
31.....	38
32.....	39
33.....	40
34.....	41
34A.....	42

## **9 Information about retrospectivity**

Retrospective amendments that have been consolidated are noted in the list of legislation and list of annotations. Any retrospective amendment that has not been consolidated is noted in footnotes to the text.