



Queensland

Fisheries Act 1994

Fisheries (Freshwater) Management Plan 1999

Reprinted as in force on 13 June 2008

Reprint No. 3B

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

Information about this reprint

This plan is reprinted as at 13 June 2008. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint due to changes made in various editions of the Macquarie Dictionary. Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Fisheries (Freshwater) Management Plan 1999

Contents

		Page
Part 1	Preliminary	
1	Short title	5
2	What is the freshwater fishery	5
3	Application of plan	5
4	Objectives of plan and its achievement	5
5	Interpretation	6
Part 5	Releasing restrictions	
28	Nonindigenous fisheries resources—sch 5	6
29	Aquaculture fisheries resources	7
30	Live bait—sch 7	7
Part 6	Regulated fishing apparatus declarations for recreational fishers in nontidal waters	
31	Operation of pt 6	7
32	Recreational fishers regulated for pt 6	8
36	Canister traps	8
37	Collapsible traps	9
38	Dillies	9
39	Funnel traps	9
39A	Round traps	9
40	Scoop or dip nets	9
41	Fishing lines and set lines not used in privately owned waters	10
42	Number of traps	10
43	Marking traps and set lines	10
Part 7	Stocked impoundments	
44	Permit to fish with fishing line or set line in stocked impoundment	11

45	Prohibition on using fishing line or set line without permit	11
Part 8	Commercial fishery for eels	
Division 1	Preliminary	
46	Meaning of eel licence	12
Division 2	General	
47	Who may take eels	12
47A	Obtaining nominee approval.	12
48	How eels may be taken	13
49	Waters from which eels may be taken	13
50	Selling or processing eels taken under eel licence	13
Division 3	Authorities	
51	Restriction on writing fishery symbol 'E' on authorities	13
52	Eel licences are not transferable	13
Division 4	Eel traps and round traps	
Subdivision 1	General requirements	
54	Definition for sdiv 1	14
55	Entrances to trap and from trap to pocket	14
56	Trap mesh size	14
57	Trap frame	14
58	Trap float.	14
59	Marking of trap and trap float	14
60	Pocket length	15
61	Pocket float	15
62	Pocket frames.	15
Subdivision 2	Dimension requirements for eel trap frames	
63	Dimensions.	15
Subdivision 3	Dimension requirements for round traps	
64	Diameter and height.	16
Division 5	Requirements for using eel traps and round traps	
65	Restriction on trapping times	16
66	Number of traps that may be used	17
67	Checking traps	17
Part 11	Miscellaneous	
73	Criteria for suspending authority relating to fishery	17
Part 12	Transitional provision	
74	Transitional provision for Fisheries Management Plans Amendment Management Plan (No. 1) 2006.	18

Schedule 5	Waters where nonindigenous fisheries resources must not be released	19
1	Drainage divisions	19
2	River basins in East Coast Drainage Division	19
Schedule 6	Where certain aquaculture fisheries resources may be released	21
1	Australian bass	21
2	Barramundi	22
3	Eel-tailed catfish	25
4	Golden perch	27
4A	Khaki bream	29
5	Mary River cod	29
6	Murray cod	30
7	Redclaw crayfish	30
8	Silver perch	32
9	Sleepy cod	33
10	Sooty grunter	35
11	Southern saratoga	37
Schedule 7	Restrictions on the use of live fish as bait	39
1	Redclaw crayfish	39
2	Yabbies	41
Schedule 8	Aids to interpretation and definitions	43
Part 1	Provisions aiding interpretation	
6	River basins and drainage divisions	43
Part 2	Dictionary	
 Endnotes		
1	Index to endnotes	50
2	Date to which amendments incorporated	50
3	Key	50
4	Table of reprints	51
5	Tables in earlier reprints	51
6	List of legislation	51
7	List of annotations	53

Fisheries (Freshwater) Management Plan 1999

[as amended by all amendments that commenced on or before 13 June 2008]

Part 1 Preliminary

1 Short title

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

2 What is the *freshwater fishery*

The *freshwater fishery* is activities by way of fishing relating to any freshwater fish in Queensland's non-tidal waters.

3 Application of plan

This plan applies in relation to the taking, possessing and other uses of freshwater fish.

4 Objectives of plan and its achievement

- (1) The objective of this management plan is to provide for the use, conservation and enhancement of the community's freshwater fish resources in a way that seeks to—
 - (a) apply and balance the principles of ecologically sustainable development; and
 - (b) promote ecologically sustainable development.
- (2) The objective is to be achieved mainly by—
 - (a) restricting the fishing apparatus that may be used to take freshwater fish; and
 - (b) imposing requirements for fish stocking; and
 - (c) managing the commercial eel fishery; and

(d) preventing inappropriate release of fish in fresh water.

(3) In this section—

principles of ecologically sustainable development see section 3(5) of the Act.

Notes—

- 1 In addition to the regulated fishing apparatus declarations under part 6, other fisheries declarations under the regulation also apply to the freshwater fishery. For relevant fisheries declarations, see chapters 2, 3 and 4 and schedule 2 of the regulation.
- 2 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.

5 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 8, part 1 contains provisions that aid the interpretation of this plan.
- (4) The dictionary in schedule 8, part 2 defines particular words used in this plan.

Part 5 Releasing restrictions

28 Nonindigenous fisheries resources—sch 5

- (1) This section applies if a person holds a general fisheries permit to release nonindigenous fisheries resources into waters in the freshwater fishery.

- (2) As well as any conditions stated on the permit, the permit is subject to the condition that nonindigenous fisheries resources must not be released in waters mentioned in schedule 5.

29 Aquaculture fisheries resources

A person may release aquaculture fisheries resources into privately owned waters in the freshwater fishery only if—

- (a) the person holds an authority allowing the person to release the resources into the waters; or
- (b) the resources are not nonindigenous fisheries resources for the area where they are released; or
- (c) the resources are mentioned in schedule 6 and are released into a river basin into which the schedule states the resources may be released.

30 Live bait—sch 7

A person may use a freshwater fish mentioned in schedule 7 as live bait to take freshwater fish only in the waters stated in the schedule for the fish.

Part 6 Regulated fishing apparatus declarations for recreational fishers in nontidal waters

31 Operation of pt 6

- (1) This part provides for particular regulated fishing apparatus declarations under section 37(3) of the Act.
- (2) The fishing apparatus mentioned in this part is—
 - (a) declared to be regulated fishing apparatus; and
 - (b) regulated in the way stated in this part.

Note—

Chapter 4, part 1, division 5 of the regulation provides for an exception to regulated fishing apparatus declarations under this part.

32 Recreational fishers regulated for pt 6

- (1) This part applies to a recreational fisher for taking or possessing fish in waters, other than in tidal waters or on nontidal land.

Note—

See chapter 4, part 1, division 4, subdivision 2 of the regulation for regulated fishing apparatus declarations for recreational fishers taking fish in tidal waters or on tidal land.

- (2) A recreational fisher may only use fishing apparatus mentioned in a relevant section—
 - (a) in compliance with the relevant section; and
 - (b) if the relevant section states the way in which the apparatus must be used—in the stated way.
- (3) In this section—

relevant section means section 36, 37, 38, 39, 39A, 40, 41, 42 or 43.

36 Canister traps

- (1) A canister trap must be open at 1 end.
- (2) The trap must have dimensions of no more than—
 - (a) for its diameter, height and width—50cm; and
 - (b) for its length—60cm.
- (3) Also, the trap's diameter, width or height, measured anywhere along its length, must be no more than the diameter, width or height of its open end.
- (4) If the trap does not have a mesh made of rigid material, the size of its mesh must be no more than 25mm.

37 Collapsible traps

A collapsible trap must be made of rigid material and have 1 or more collapsible sides.

38 Dillies

A dilly must have—

- (a) a diameter of no more than 125cm; and
- (b) a mesh size of no more than 25mm.

39 Funnel traps

- (1) A funnel trap must not have more than 4 entrances and must not be longer than 70cm, wider than 50cm or higher than 50cm.
- (2) The trap's entrance—
 - (a) must be made of rigid material; and
 - (b) must be no more than 10cm in each of its dimensions.
- (3) If the trap does not have a mesh made of rigid material, the size of its mesh must be no more than 25mm.

39A Round traps

- (1) A round trap must not have—
 - (a) more than 4 entrances; or
 - (b) a diameter more than 70cm; or
 - (c) a height more than 50cm.
- (2) Each entrance on the trap must not have a diameter, height or width more than 10cm.
- (3) If the trap does not have a mesh made of rigid material, the size of its mesh must be no more than 25mm.

40 Scoop or dip nets

A scoop or dip net may be used only if—

- (a) the net is no more than 1m in each of its dimensions; and
- (b) the net has a mesh size of no more than 25mm; and
- (c) the handle or shaft of the net is no longer than 2.5m.

41 Fishing lines and set lines not used in privately owned waters

- (1) This section applies only to the use of a fishing line or set line in water that is not privately owned.

Example of privately owned water—

water in a dam on privately owned land, if the dam is not built across a waterway

- (2) A fishing line or set line must not have more than 1 hook or lure attached to it.
- (3) A person must not—
 - (a) use more than 6 fishing lines or set lines alone or in a combination; or
 - (b) set a fishing line as a cross-line.
- (4) A person who uses a set line must not be more than 200m from the line.
- (5) In this section—

cross-line means a fishing line fixed at both ends and set across or in water.

42 Number of traps

A person who is fishing must not possess or use more than a total of 4 traps of a type, or any combination of types of trap, mentioned in this part.

43 Marking traps and set lines

- (1) A person who uses a trap of a type mentioned in this part or a set line to take freshwater fish must have a tag on the trap or set line with the surname and address of the owner of the trap or set line written on the tag.

- (2) Also, if the trap is not fixed to something stationary above the water level while the trap is in use, the apparatus must have a light coloured float attached to it.
- (3) The float must—
 - (a) have the owner's first name and surname written on it; and
 - (b) be at least 15cm in each of its dimensions.
- (4) However, subsection (3)(b) does not apply if the float is a 2 or 3L plastic milk container.

Part 7 Stocked impoundments

44 Permit to fish with fishing line or set line in stocked impoundment

The chief executive may issue a permit (a *stocked impoundment permit*) to take freshwater fish from a stated stocked impoundment by using a fishing line or a set line.

45 Prohibition on using fishing line or set line without permit

- (1) A person may take a freshwater fish from a stocked impoundment with a fishing line or a set line only if the person has a stocked impoundment permit to take freshwater fish from the impoundment.
- (2) Subsection (1) does not apply to a person under 18 years.

Part 8 Commercial fishery for eels

Division 1 Preliminary

46 Meaning of *eel licence*

An *eel licence* is a commercial harvest fishery licence with the fishery symbol 'E' written on it.

Division 2 General

47 Who may take eels

- (1) A person may take or possess eels for trade or commerce only if—
 - (a) the person holds an eel licence; or
 - (b) the person is an approved nominee of an eel licence holder.
- (2) However only 1 person may act under the same eel licence at the same time.

47A Obtaining nominee approval

- (1) An eel licence holder may apply in writing to the chief executive for someone else to be the holder's approved nominee.
- (2) The chief executive may grant the approval only if satisfied the holder has become temporarily incapacitated or is otherwise temporarily unable to act under the licence.
- (3) The term of the approval may only be for the period during which the chief executive considers the holder will be incapacitated or otherwise temporarily unable to act under the licence.
- (4) If the chief executive decides to refuse the application, the chief executive must give the applicant an information notice about the decision.

48 How eels may be taken

- (1) Eels may be taken only by using an eel trap or a round trap.
- (2) An eel trap or round trap may be used only if—
 - (a) the trap complies with division 4; and
 - (b) the use of the trap complies with division 5.

49 Waters from which eels may be taken

A person may only take eels from waters in—

- (a) an impoundment formed by a dam stated on an eel licence; or
- (b) a privately owned artificially created impoundment within a catchment stated on an eel licence.

50 Selling or processing eels taken under eel licence

- (1) The holder of an eel licence, or an approved nominee of the holder, may sell or process eels taken under the licence.
- (2) The sale may be to anyone, whether or not the buyer holds an authority that allows the sale.

Division 3 Authorities**51 Restriction on writing fishery symbol 'E' on authorities**

The chief executive may write an 'E' fishery symbol on an authority only if the authority is a replacement eel licence issued under section 71 of the Act to replace an eel licence that has been lost, damaged or destroyed.

52 Eel licences are not transferable

An eel licence is not transferable.

Division 4 Eel traps and round traps

Subdivision 1 General requirements

54 Definition for sdiv 1

In this subdivision—

trap means an eel trap or a round trap.

55 Entrances to trap and from trap to pocket

- (1) A trap may only have 1 entrance into the trap itself or from the trap into its pocket.
- (2) The aperture of the entrance from the trap into its pocket must be at least 20cm in each of its dimensions.
- (3) The trap's entrance must not be extended by attaching wings.

56 Trap mesh size

- (1) A trap (other than its pocket) must have a mesh size of at least 25mm.
- (2) However, any meshes on the trap that are made of rigid material must be at least 22mm in each of its dimensions.

57 Trap frame

A trap when set must have a frame made of rigid material.

58 Trap float

The trap must have a float attached to it that is at least 150mm in each of its dimensions.

59 Marking of trap and trap float

The trap and trap float must be marked with—

- (a) the number of the authority under which the trap and float are being used; and
- (b) the authority holder's first name and surname.

60 Pocket length

The pocket of the trap must be long enough to allow an air-breathing animal trapped in the trap or the pocket to reach the surface of the water.

61 Pocket float

The pocket must be attached to a float in a way that allows an air-breathing animal trapped in the trap or the pocket to have access to the surface of the water to breathe.

62 Pocket frames

- (1) The pocket must have frames that are—
 - (a) made of rigid material; and
 - (b) no more than 1m apart; and
 - (c) at least 20cm in each of their dimensions.
- (2) The first frame must be no more than 1m from the exit of the trap into the pocket.
- (3) The last frame must be no more than 0.5m from the end of the pocket.

Subdivision 2 Dimension requirements for eel trap frames**63 Dimensions**

An eel trap when set must have a frame that is no longer than 2m, no wider than 0.6m and no deeper than 0.6m.

Subdivision 3 Dimension requirements for round traps

64 Diameter and height

A round trap must have a diameter no more than 1m and a height of no longer than 0.6m.

Division 5 Requirements for using eel traps and round traps

65 Restriction on trapping times

- (1) This section applies to an eel trap or a round trap in waters in the freshwater fishery, other than in—
 - (a) privately owned waters; or
 - (b) waters—
 - (i) that the State has the right to use and control the flow of under the *Water Act 2000*, section 19;¹ and
 - (ii) to which the public does not have access.

Example for paragraph (b)—

waters in a balancing storage, including, for example, the Bullyard Balancing storage

- (2) A trap must not be used on—
 - (a) an ordinary weekend from 9a.m. on Saturday to 4p.m. on Sunday; or
 - (b) a long weekend from 9a.m. on the first day of the long weekend to 4p.m. on the last day of the long weekend.
- (3) However, the trap may remain in the water if it is unbaited and its pocket is open.
- (4) In this section—

long weekend means any period of 3 or 4 days, including Easter, made up of a weekend and 1 or 2 public holidays

¹ *Water Act 2000*, section 19 (Rights in all water vests in State)

immediately before or immediately after the weekend.

ordinary weekend means a weekend other than a long weekend.

66 Number of traps that may be used

No more than the number of eel or round traps stated on the eel licence under which a trap is used may be used at the same time at each place stated on the licence.

67 Checking traps

An eel trap or a round trap that is in use must be checked within 1 day after being set.

Part 11 Miscellaneous

73 Criteria for suspending authority relating to fishery

- (1) This section applies to an eel licence or another authority that allows the taking or possession of freshwater fish if the authority holder has been convicted (*conviction*) of a serious fisheries offence prescribed under section 625 of the regulation.
- (2) However, this section does not apply if the conviction is a spent conviction.
- (3) For section 68B(4)(b)(i)² of the Act, the criteria prescribed for a court suspending the authority are for the holder's—
 - (a) first conviction—2 to 3 months suspension; or
 - (b) second conviction—3 to 6 months suspension; or
 - (c) third conviction—6 months to 1 year's suspension; or
 - (d) fourth conviction—1 to 5 year's suspension; or

2 Section 68B (Suspension or cancellation of authority by court) of the Act

- (e) fifth or subsequent conviction—5 years suspension.
- (4) 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.

Part 12 Transitional provision

74 Transitional provision for Fisheries Management Plans Amendment Management Plan (No. 1) 2006

- (1) This section applies if, immediately before 1 July 2006, a person holds a nominee authority for an authority that, under section 52 as in force immediately before that day, is an eel authority.
- (2) On 1 July 2006, the nominee under the nominee authority is taken to be an approved nominee of the holder of the authority.

Note—

On 1 July 2006 the authority becomes an eel licence. See section 118 of the regulation.

- (3) The term of the approval is for the rest of the term of the nominee authority stated in the authority.

Schedule 5 Waters where nonindigenous fisheries resources must not be released

section 28(2)

1 Drainage divisions

Waters in river basins in the following drainage divisions—

Bulloo–Bancannia

Gulf of Carpentaria

Lake Eyre

Murray–Darling.

2 River basins in East Coast Drainage Division

Waters in the following river basins in the East Coast Drainage Division—

Baffle

Barron

Bloomfield

Curtis Island

Daintree

Endeavour

Fraser Island

Hann (with the reference number 9102)

Hinchinbrook Island

Jacky Jacky

Jeannie

Lockhart

Schedule 5 (continued)

Mossman
Mulgrave
Murray
Noosa
Normanby
North Johnstone
Olive
Pascoe
Russell
Shoalwater
South Johnstone
Stewart
Stradbroke Islands
Tully
Waterpark
Whitsunday Island.

Schedule 6 Where certain aquaculture fisheries resources may be released

section 29(c)

1 Australian bass

Australian bass may be released only into the following river basins—

Albert

Auburn

Barambah

Bremer

Brisbane

Burnett

Burrum

Caboolture

Eliot

Gregory

Lockyer

Logan

Maroochy

Mary

Nogo

Noosa

North Pine

Southcoast

Schedule 6 (continued)

South Pine

Stanley.

2 Barramundi

Barramundi may be released only into the following river basins—

- (a) river basins for south east Gulf of Carpentaria stock (Point Parker to Pera Head) as follows—

Archer

Cloncurry

Coen

Coleman

Einasleigh

Flinders

Gilbert

Holroyd

L Creek

Leichardt

Mitchell

Morning

Nicholson

Norman

Saxby

Staaten

Watson;

Schedule 6 (continued)

- (b) river basins for north west Cape York stock (Pera Head to Escape River) as follows—

Dulhunty

Embley

Escape

Jackson

Jardine

Mission

Skardon

Wenlock;

- (c) river basins for east coast Cape York stock (Orford Bay to Bathurst Heads) as follows—

Hann (with the reference number 1050)

Lockhardt

Normanby

Olive

Jacky Jacky

Pascoe

Stewart;

- (d) river basins for mid north east Coast stock (Cooktown to Burdekin River) as follows—

Barron

Black

Burdekin

Daintree

Endeavour

Haughton

Schedule 6 (continued)

Herbert

Hinchinbrook Island

Mossman

Mulgrave

Murray

North Johnstone

Ross

Russell

South Johnstone

Tully;

- (e) river basins for central east coast stock (Repulse Bay to Shoalwater Bay) as follows—

O'Connell

Pioneer

Plane

Shoalwater

Styx;

- (f) river basins for south east coast stock (Fitzroy River to Mary River) as follows—

Auburn

Baffle

Barambah

Boyne

Curtis Island

Dawson

Elliot

Schedule 6 (continued)

Fitzroy
Gregory
Isaac
Burnett
Burrum
Calliope
Comet
Kolan
Mackenzie
Mary
Nogo
Nogoa.

3 Eel-tailed catfish

Eel-tailed catfish may be released only into the following river basins—

(a) river basins for eastern stock as follows—

Albert
Auburn
Baffle
Barambah
Boyne
Bremer
Brisbane
Burnett
Burrum

Schedule 6 (continued)

Caboolture

Calliope

Comet

Dawson

Fitzroy

Fraser Island

Isaac

Kolan

Lockyer

Logan

Mackenzie

Maroochy

Mary

Nogo

Nogoa

Noosa

North Pine

Shoalwater

Southcoast

South Pine

Stanley

Waterpark;

- (b) river basins for Murray–Darling Drainage stock as follows—

Balonne

Border Rivers

Schedule 6 (continued)

Condamine

Macintyre

Maranoa

Moonie

Nebine

Paroo

Severn

Warrego.

4 Golden perch

Golden perch may be released only into the following river basins—

(a) river basins for Murray–Darling stock as follows—

Albert

Auburn

Balonne

Barambah

Border Rivers

Bremer

Brisbane

Burnett

Burrum

Caboolture

Condamine

Lockyer

Logan

Schedule 6 (continued)

Macintyre

Maranoa

Maroochy

Mary

Moonie

Nebine

Nogo

North Pine

Paroo

Severn

Southcoast

South Pine

Stanley

Warrego;

(b) river basins for east coast stock as follows—

Comet

Dawson

Fitzroy

Isaac

Mackenzie

Nogoa;

(c) river basins for Lake Eyre stock as follows—

Barcoo

Cooper

Diamantina

Schedule 6 (continued)

Georgina

Mulligan

Thomson.

4A Khaki bream

Khaki bream may be released only into the following river basins—

Barron

Daintree

Mulgrave

Murray

North Johnstone

Russell

South Johnstone

Tully.

5 Mary River cod

Mary River cod may be released only into the following river basins—

Albert

Bremer

Brisbane

North Pine

Stanley

Lockyer

Logan

Schedule 6 (continued)

Mary

Southcoast.

6 Murray cod

Murray cod may be released only into the following river basins—

Balonne

Border Rivers

Condamine

Macintyre

Maranoa

Moonie

Nebine

Paroo

Severn

Warrego.

7 Redclaw crayfish

Redclaw crayfish may be released only into the following river basins—

Alice

Archer

Cliffdale

Cloncurry

Coen

Coleman

Dulhunty

Schedule 6 (continued)

Edward
Eight Mile
Einasleyh
Embley
Flinders
Gilbert
Hann (with the reference number 1050)
Hann (with the reference number 9102)
Holroyd
Jackson
Jacky Jacky
Jardine
Kendall
L Creek
Leichardt
Lockhart
Mission
Mitchell
Morning
Morrington Island
Nicholson
Norman
Normanby
Olive
Palmer
Pascoe

Schedule 6 (continued)

Saxby
Settlement
Skardon
Staaten
Stewart
Torres Strait Islands
Watson
Wenlock
Walsh.

8 Silver perch

Silver perch may be released only into the following river basins—

Auburn
Balonne
Barambah
Border Rivers
Boyne
Bremer
Brisbane
Burnett
Burrum
Caboolture
Condamine
Dawson
Eliot

Schedule 6 (continued)

Fitzroy

Kolan

Lockyer

Logan

Macintyre

Maranoa

Maroochy

Mary

Moonie

Nebine

Nogo

Nogoa

North Pine

Paroo

Severn

Southcoast

South Pine

Stanley

Warrego.

9 Sleepy cod

Sleepy cod may be released only into the following river basins—

(a) river basins for southern stock as follows—

Comet

Dawson

Schedule 6 (continued)

Fitzroy

Isaac

Mackenzie

Nogoa

Plane;

(b) river basins for northern stock as follows—

Alice

Archer

Cliffdale

Cloncurry

Coen

Coleman

Dulhunty

Edward

Eight Mile

Einasleigh

Embley

Flinders

Gilbert

Hann (with the reference number 9102)

Holroyd

Jackson

Jardine

Kendall

L Creek

Leichardt

Schedule 6 (continued)

Mission
Mitchell
Morning
Nicholson
Norman
Normanby
Palmer
Saxby
Settlement
Skardon
Staaten
Walsh
Watson
Wenlock.

10 Sooty grunter

Sooty grunter may be released only into the following river basins—

Alice
Archer
Barron
Belyando
Bowen
Burdekin
Clarke
Cliffdale

Schedule 6 (continued)

Cloncurry

Coen

Coleman

Dulhunty

Edward

Eight Mile

Einasleigh

Embley

Flinders

Gilbert

Hann (with the reference number 9102)

Herbert

Holroyd

Kendall

L Creek

Leichardt

Mission

Mitchell

Morning

Mulgrave

Murray

Nicholson

Norman

North Johnstone

Palmer

Pioneer

Schedule 6 (continued)

Russell
Saxby
Settlement
Staaten
Tully
Walsh
Watson
Wenlock.

11 Southern saratoga

Southern saratoga may be released only into the following river basins—

Auburn
Barambah
Boyne
Bremer
Brisbane
Burnett
Comet
Dawson
Fitzroy
Isaac
Lockyer
Mackenzie
Nogo
Nogoa

Schedule 6 (continued)

North Pine

Southcoast

Stanley.

Schedule 7 Restrictions on the use of live fish as bait

section 30

1 Redclaw crayfish

Redclaw crayfish may be used as live bait to take freshwater fish only in the waters of the following—

- (a) the following river basins in the Gulf of Carpentaria Drainage Division—

Alice

Archer

Cliffdale

Cloncurry

Coen

Coleman

Dulhunty

Edward

Eight Mile

Einasleigh

Embley

Flinders

Gilbert

Hann (with the reference number 9102)

Holroyd

Jackson

Jardine

Kendall

Schedule 7 (continued)

L Creek
Leichardt
Mission
Mitchell
Morning
Morningside
Nicholson
Norman
Palmer
Saxby
Settlement
Skardon
Staaten
Torres Strait
Walsh
Watson
Wenlock;

- (b) the following river basins in the East Coast Drainage Division—

Hann (with the reference number 1050)
Jacky Jacky
Olive
Pascoe
Lockhart
Normanby
Stewart.

Schedule 7 (continued)

2 Yabbies

A yabby may be used as live bait to take freshwater fish only in the waters of the following—

- (a) the following river basins in the Murray–Darling Drainage Division—

Balonne

Border Rivers

Condamine

Macintyre

Maranoa

Moonie

Nebine

Paroo

Severn

Warrego;

- (b) the following river basins in the Lake Eyre Drainage Division—

Barcoo

Cooper Creek

Diamantina

Georgina

Mulligan

Thomson;

- (c) the following river basins in the East Coast Drainage Division—

Belyando

Schedule 7 (continued)

Dawson

Isaac;

(d) the Bulloo River Basin.

Schedule 8 Aids to interpretation and definitions

section 5

Part 1 Provisions aiding interpretation

6 River basins and drainage divisions

- (1) The river basins mentioned in this plan are shown on the river basins map at the end of this part.
- (2) Each river basin is identified on the map by a reference number.
- (3) Each river basin's reference number is shown opposite its name under the heading 'reference numbers' that follows the map.
- (4) The drainage divisions mentioned in this plan are made up of river basins.
- (5) The reference numbers of the river basins that make up each drainage division are as follows—
 - (a) for the Bulloo–Bancannia Drainage Division—number 10112;
 - (b) for the East Coast Drainage Division—numbers 1010 to 1460;
 - (c) for the Gulf of Carpentaria Drainage Division—numbers 9101 to 9280;
 - (d) for the Lake Eyre Drainage Division—numbers 10011 to 10033;
 - (e) for the Murray–Darling Drainage Division—numbers 4162 to 4242.

Schedule 8 (continued)

- (6) The exact location of the boundaries of each river basin and drainage division can be identified on the series of maps called 'figure 1' to 'figure 33' held by the chief executive.³
- (7) A reference to a river basin or drainage division does not include tidal waters in the river basin or drainage division.

³ The maps can be inspected during business hours at the department's office at 80 Ann Street, Brisbane.

Schedule 8 (continued)

Reference numbers

schedule 8, section 6(3)

<i>River Basin</i>	<i>Reference Number</i>	<i>River Basin</i>	<i>Reference Number</i>	<i>River Basin</i>	<i>Reference Number</i>
Albert	1451	Embley	9240	Murray	1140
Alice	9191	Endeavour	1070	Nebine	4225
Archer	9220	Fitzroy	1300	Nicholson	9121
Auburn	1363	Flinders	9150	Nogo	1361
Baffle	1340	Fraser Island	1390	Nogoa	1302
Balonne	4222	Georgina	10012	Noosa	1400
Barambah	1362	Gilbert	9170	Norman	9160
Barcoo	10033	Gregory	1371	Normanby	1051
Barron	1100	Hann	1050	North Johnstone	1120
Belyando	1203	Hann	9102	North Pine	1421
Black	1170	Haughton	1190	O'Connell	1240
Bloomfield	1081	Hay	1007	Olive	1020
Border Rivers	4162	Herbert	1160	Palmer	9192
Bowen	1202	Hinchinbrook Island	1150	Paroo	4242
Boyne	1330	Holroyd	9210	Pascoe	1021
Bremer	1431	Isaac	1304	Pioneer	1250
Brisbane	1430	Jackson	9262	Plane	1260
Bulloo	10112	Jacky Jacky	1010	Proserpine	1220
Burdekin	1200	Jardine	9270	Ross	1180
Burnett	1360	Jeannie	1060	Russell	1111
Burrum	1372	Kendall	9211	Saxby	9151
Caboulture	1420	Kolan	1350	Settlement	9101
Calliope	1320	Lake Frome	1004	Severn	4163
Clarke	1201	L Creek	9141	Shoalwater	1280
Cliffdale	9104	Leichardt	9130	Skardon	9261
Cloncurry	9152	Lockhart	1030	Southcoast	1460
Coen	9221	Lockyer	1432	South Johnstone	1121
Coleman	9200	Logan	1450	South Pine	1422
Cooper Creek	10031	Macintyre	4164	Staaten	9180
Comet	1305	Mackenzie	1301	Stanley	1433
Condamine	4223	Maranoa	4224	Stewart	1040
Curtis Island	1310	Maroochy	1410	Stradbroke Islands	1440
Daintree	1080	Mary	1380	Styx	1270
Dawson	1303	Mission	9241	Thomson	10032
Diamantina	10021	Mitchell	9190	Torres Strait Islands	9280
Don	1210	Moonie	4172	Tully	1130
Dulbunty	9260	Morning	9140	Walsh	9193
Edward	9201	Mornington Island	9111	Warrego	4232
Eight Mile	9103	Mossman	1090	Waterpark	1290
Einmasleigh	9171	Mulgrave	1110	Watson	9230
Eliot	1370	Mulligan	10011	Wenlock	9250
				Whitsunday Islands	1230

Schedule 8 (continued)

Part 2 Dictionary

approved nominee, of an eel licence holder, means a person approved under section 47A as the holder's nominee.

aquaculture development means fisheries development relating to aquaculture.

culture stock collection permit means a general fisheries permit for culture stock collection.

eel means a long-finned eel or a short-finned eel.

eel fishery means the commercial fishery for eels under part 8.

eel licence see section 46.

fishery symbol, for the eel fishery, means the symbol 'E'.

freshwater fishery see section 2.

notice means notice in writing.

plan means management plan.

reference number, for a river basin, means its reference number under part 1, section 6 of this schedule and the river basins map at the end of the part.

regulation means the *Fisheries Regulation 2008*.

rigid material includes steel and aluminium.

stocked impoundment—

1 A *stocked impoundment* means the waters of the following—

- Bill Gunn Dam (Lake Dyer)
- Bjelke Peterson Dam
- Boondooma Dam
- Borumba Dam
- Burdekin Falls Dam
- Callide Dam

Schedule 8 (continued)

- Cania Dam
- Connolly Dam
- Cooby Dam
- Coolmunda Dam
- Cressbrook Dam
- Eungella Dam
- Fred Haigh Dam (Lake Monduran)
- Glenlyon Dam
- Gordonbrook Dam
- Isis Balancing Storage (Lake Gregory)
- Kinchant Dam
- Lake Clarendon
- Lake MacDonald
- Lenthalls Dam
- Leslie Dam
- Maroon Dam
- Moogerah Dam
- Peter Faust Dam
- Somerset Dam
- Storm King Dam
- Teemburra Dam
- Tinaroo Falls Dam (Lake Tinaroo)
- Wivenhoe Dam
- Wuruma Dam.

2 The waters include all waters in the impoundments up to their full supply levels.

stocked impoundment permit see section 44.

trap, for part 8, division 4, subdivision 1, see section 54.

Schedule 8 (continued)

water does not include tidal waters.

waterway does not include tidal waters.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	50
3 Key	50
4 Table of reprints	51
5 Tables in earlier reprints	51
6 List of legislation	51
7 List of annotations	53

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 13 June 2008. Future amendments of the Fisheries (Freshwater) 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
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	1 April 1999	6 May 1999
1A	—	17 October 1999	27 October 1999
1B	2000 SL No. 97	26 May 2000	2 June 2000
1C	2000 SL No. 211	11 August 2000	8 September 2000

Reprint No.	Amendments included	Effective	Notes
1D	2002 SL No. 338 2002 SL No. 341	6 December 2002	
1E	2003 SL No. 31	28 February 2003	R1E withdrawn, see R2
2	—	28 February 2003	
2A	2003 SL No. 261	31 October 2003	
2B	2003 SL No. 215	13 December 2003	
2C	2004 SL No. 111	25 June 2004	
2D	2005 SL No. 27	4 March 2005	
2E	2005 SL No. 165	22 July 2005	
2F	2006 SL No. 136	16 June 2006	
2G	2006 SL No. 25	1 July 2006	R2G withdrawn, see R3
3	—	1 July 2006	
3A	2008 SL No. 84	1 April 2008	
3B	2008 SL No. 157	13 June 2008	

5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	2

6 List of legislation

Fisheries (Freshwater) Management Plan 1999 SL No. 54

made by the Queensland Fisheries Management Authority on 31 March 1999
notfd gaz 1 April 1999 pp 1534–6
pt 7 commenced 17 October 1999 (see s 2)
remaining provisions commenced on date of notification
exp 1 September 2009 (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—

Fisheries (Freshwater) Management Amendment Plan (No. 1) 2000 SL No. 97

notfd gaz 26 May 2000 pp 296–7
commenced on date of notification

Primary Industries and Natural Resources Legislation Consequential Amendment Management Plan (No. 1) 2000 SL No. 211 pts 1, 3

notfd gaz 11 August 2000 pp 1322–3
commenced on date of notification

Fisheries Management Plans Amendment Management Plan (No. 1) 2002 SL No. 338 pts 1, 3

notfd gaz 6 December 2002 pp 1162–66
commenced on date of notification

Fisheries (Freshwater) Amendment Management Plan (No. 1) 2002 SL No. 341

notfd gaz 6 December 2002 pp 1162–66
commenced on date of notification

Note—A regulatory impact statement and explanatory note were prepared

Fisheries Management Plans Amendment Management Plan (No. 1) 2003 SL No. 31 pts 1–2

notfd gaz 28 February 2003 pp 774–5
commenced on date of notification

Fisheries Management Plans Amendment Management Plan (No. 2) 2003 SL No. 215 ss 1, 2(2), pt 3

notfd gaz 12 September 2003 pp 128–31
ss 1–2 commenced on date of notification

remaining provisions commenced 13 December 2003 (see s 2(2))

Note—A regulatory impact statement and explanatory note were prepared

Fisheries Management Plans Amendment Management Plan (No. 3) 2003 SL No. 261 pts 1, 3

notfd gaz 31 October 2003 pp 691–4
commenced on date of notification

Fisheries Management Plans Amendment Management Plan (No. 1) 2004 SL No. 111 s 1, pt 4

notfd gaz 25 June 2004 pp 573–81
commenced on date of notifications

Note—A regulatory impact statement and explanatory note were prepared

Fisheries Management Plans Amendment Management Plan (No. 1) 2005 SL No. 27 pts 1, 4

notfd gaz 4 March 2005 pp 758–9
commenced on date of notification

Fisheries Management Plans Amendment Management Plan (No. 2) 2005 SL No. 165 pts 1–2

notfd gaz 22 July 2005 pp 988–9
commenced on date of notification

**Fisheries Management Plans Amendment Management Plan (No. 1) 2006 SL No. 25
pts 1, 4**

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
pts 1, 4**

notfd gaz 16 June 2006 pp 787–90
 ss 1–2 commenced on date of notification
 remaining provisions commenced 16 June 2006 (see s 2(1))

**Fisheries Management Plans Amendment Management Plan (No. 1) 2008 SL No. 84
pts 1, 4**

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

**Fisheries Management Plans Amendment Management Plan (No. 2) 2008 SL No. 157
pts 1, 4**

notfd gaz 13 June 2008 pp 948–51
 commenced on date of notification

7 List of annotations

PART 1—PRELIMINARY**What is the “freshwater fishery”**

s 2 sub 2006 SL No. 25 s 79

Application of plan

s 3 sub 2006 SL No. 25 s 79

Objective of plan and its achievement

s 4 sub 2008 SL No. 84 s 60

Interpretation

prov hdg sub 2006 SL No. 25 s 80(1)

s 5 amd 2002 SL No. 341 s 3; 2006 SL No. 25 s 80(2)–(3); 2008 SL No. 84 s 61

PART 2—CLOSED SEASON DECLARATIONS

pt hdg om 2008 SL No. 84 s 62

Division 1—Closed seasons

div hdg ins 2002 SL No. 341 s 4

om 2008 SL No. 84 s 62

Australian bass

s 6 amd 2002 SL No. 341 s 5

om 2008 SL No. 84 s 62

Barramundi—Gulf of Carpentaria waterways

s 7 amd 2002 SL No. 341 s 6; 2005 SL No. 165 s 3
 om 2008 SL No. 84 s 62

Barramundi—Waters other than Gulf of Carpentaria waterways

s 8 sub 2002 SL No. 341 s 7
 om 2008 SL No. 84 s 62

Division 2—Prohibitions and exemptions

div hdg ins 2002 SL No. 341 s 8
 om 2008 SL No. 84 s 62

Prohibitions

s 9 om 2008 SL No. 84 s 62

General exemptions

prov hdg sub 2002 SL No. 341 s 9
s 10 om 2008 SL No. 84 s 62

Exemption for Australian bass

s 10A ins 2002 SL No. 341 s 10
 amd 2004 SL No. 111 s 60
 om 2008 SL No. 84 s 62

Exemption for barramundi—Gulf of Carpentaria waterways

s 10B ins 2002 SL No. 341 s 10
 om 2008 SL No. 84 s 62

Exemption for barramundi—Waters other than Gulf of Carpentaria waterways

s 10C ins 2002 SL No. 341 s 10
 om 2008 SL No. 84 s 62

PART 3—CLOSED WATERS DECLARATIONS

pt hdg om 2008 SL No. 84 s 62

Division 1—Closures to all fishing

div hdg om 2008 SL No. 84 s 62

General closures—sch 3

s 11 om 2008 SL No. 84 s 62

Barwon, Dumaresq and Macintyre rivers

s 12 amd 2000 SL No. 97 s 3
 om 2008 SL No. 84 s 62

Prohibitions

s 13 om 2008 SL No. 84 s 62

Division 2—Closure to fishing using certain apparatus

div hdg om 2008 SL No. 84 s 62

Obi Obi Creek

s 14 om 2008 SL No. 84 s 62

Prohibitions

s 15 om 2008 SL No. 84 s 62

Division 3—Exemptions**div hdg** om 2008 SL No. 84 s 62**Exemptions****s 16** om 2008 SL No. 84 s 62**PART 4—REGULATED FISH DECLARATIONS****pt hdg** om 2008 SL No. 84 s 62**Division 1—Freshwater fish taken from closed waters****div hdg** om 2008 SL No. 84 s 62**Freshwater fish taken from closed waters****s 17** om 2008 SL No. 84 s 62**Division 2—Freshwater fish regulated by number****div hdg** om 2008 SL No. 84 s 62**Freshwater fish regulated by number—sch 4****s 18** amd 2002 SL No. 341 s 11

om 2008 SL No. 84 s 62

Division 3—Freshwater fish regulated by number and area**div hdg** om 2008 SL No. 84 s 62**Freshwater fish regulated by number and area****s 19** amd 2002 SL No. 341 s 12

om 2008 SL No. 84 s 62

Certain catfish with eel-like tails**s 20** amd 2000 SL No. 211 s 13; 2002 SL No. 341 s 13

om 2008 SL No. 84 s 62

Murray cod**s 21** om 2008 SL No. 84 s 62**Redclaw crayfish****s 22** amd 2002 SL No. 341 s 14

om 2008 SL No. 84 s 62

Mangrove jack**s 22A** ins 2002 SL No. 341 s 15

om 2008 SL No. 84 s 62

Division 4—Freshwater fish regulated by size**div hdg** om 2008 SL No. 84 s 62**Freshwater fish regulated by size****s 23** amd 2002 SL No. 341 s 16

om 2008 SL No. 84 s 62

Division 5—Freshwater fish regulated by size and area**div hdg** om 2008 SL No. 84 s 62

Barramundi

- s 24** prev s 24 om 2002 SL No. 341 s 17
pres s 24 ins 2002 SL No. 341 s 18
om 2008 SL No. 84 s 62

Murray cod

- s 25** sub 2002 SL No. 341 s 18
om 2008 SL No. 84 s 62

Freshwater fish regulated by size and area

- s 25A** ins 2002 SL No. 341 s 18
om 2008 SL No. 84 s 62

Exemption—barramundi

- s 25B** ins 2002 SL No. 341 s 18
om 2008 SL No. 84 s 62

Division 6—Freshwater fish regulated by species

- div hdg** om 2008 SL No. 84 s 62

Lungfish and Mary River cod

- s 26** amd 2002 SL No. 341 s 19
om 2008 SL No. 84 s 62

River blackfish

- s 26A** ins 2002 SL No. 341 s 20
om 2008 SL No. 84 s 62

Bloomfield River cod

- s 26B** ins 2002 SL No. 341 s 20
om 2008 SL No. 84 s 62

Spiny crayfish

- s 26C** ins 2002 SL No. 341 s 20
om 2008 SL No. 84 s 62

Prohibited activities

- s 26D** ins 2002 SL No. 341 s 20
om 2008 SL No. 84 s 62

Division 6A—Freshwater fish regulated by species and area

- div hdg** ins 2002 SL No. 341 s 21
om 2008 SL No. 84 s 62

Silver perch

- s 26E** ins 2002 SL No. 341 s 21
amd 2004 SL No. 111 s 61
om 2008 SL No. 84 s 62

Division 7—Freshwater fish regulated by gender and area

- div hdg** om 2008 SL No. 84 s 62

Berried female redclaw crayfish

- s 27** sub 2002 SL No. 341 s 22
om 2008 SL No. 84 s 62

Berried female blueclaw crayfish

s 27A ins 2002 SL No. 341 s 22
om 2008 SL No. 84 s 62

PART 6—REGULATED FISHING APPARATUS DECLARATIONS FOR RECREATIONAL FISHERS IN NONTIDAL WATERS

pt hdg sub 2008 SL No. 84 s 63

Division 1—Preliminary

div hdg om 2008 SL No. 84 s 63

Operation of pt 6

s 31 sub 2008 SL No. 84 s 63

Division 2—General

div hdg om 2008 SL No. 84 s 63

Recreational fishers regulated for pt 6

s 32 amd 2002 SL No. 341 s 23
sub 2008 SL No. 84 s 63

What fish may be taken

s 33 om 2008 SL No. 84 s 63

Permitted area

s 34 om 2008 SL No. 84 s 63

Division 3—Recreational fishing apparatus and their use

div hdg om 2008 SL No. 84 s 63

Definition for div 3

s 35 om 2008 SL No. 84 s 63
def “trap” amd 2002 SL No. 341 s 24

Dillies

s 38 sub 2002 SL No. 341 s 25

Round traps

s 39A ins 2002 SL No. 341 s 26

Number of traps

s 42 amd 2008 SL No. 84 s 64

Marking traps and set lines

s 43 amd 2008 SL No. 84 s 65

Permit to fish with fishing line or set line in stocked impoundment

s 44 amd 2000 SL No. 211 s 14

Prohibition on using fishing line or set line without permit

s 45 amd 2000 SL No. 97 s 4

PART 8—COMMERCIAL FISHERY FOR EELS**Meaning of “eel licence”**

s 46 sub 2006 SL No. 25 s 81

Who may take eels

s 47 sub 2006 SL No. 25 s 82

Obtaining nominee approval

s 47A ins 2006 SL No. 25 s 82

Waters from which eels may be taken

s 49 amd 2006 SL No. 25 s 83

Selling or processing eels taken under eel licence

s 50 sub 2006 SL No. 25 s 84

Division 3—Authorities

div hdg sub 2006 SL No. 25 s 85

Restriction on writing fishery symbol ‘E’ on authorities

s 51 amd 2000 SL No. 211 s 14; 2006 SL No. 25 s 86

Eel licences are not transferable

s 52 amd 2000 SL No. 211 s 14
sub 2006 SL No. 25 s 87

Eel authorities are not transferable

s 53 om 2006 SL No. 25 s 87

Restriction on trapping times

s 65 amd 2004 SL No. 111 s 62

Number of traps that may be used

s 66 amd 2006 SL No. 25 s 88

PART 9—ABORIGINES’ AND TORRES STRAIT ISLANDERS’ FISHERY

pt hdg om 2008 SL No. 84 s 66

Aboriginal and Torres Strait Islander rights not affected

s 68 om 2008 SL No. 84 s 66

PART 10—REVIEW OF PLAN

pt hdg sub 2006 SL No. 136 s 16
om 2008 SL No. 84 s 66

Review

prov hdg sub 2006 SL No. 136 s 17

s 69 amd 2000 SL No. 211 ss 14, 15; 2002 SL No. 341 s 27
om 2008 SL No. 84 s 66

Consultation requirements for review

s 70 amd 2000 SL No. 211 s 14
om 2008 SL No. 84 s 66

How plan may be amended

s 71 amd 2000 SL No. 211 ss 14, 16
om 2006 SL No. 136 s 18

Serious fisheries offences

s 72 amd 2000 SL No. 211 s 14; 2003 SL No. 261 s 26; 2005 SL No. 27 s 7
om 2008 SL No. 84 s 67

Criteria for suspending authority relating to fishery

s 73 amd 2002 SL No. 338 s 5; 2004 SL No. 111 s 63; 2006 SL No. 25 s 83; 2008
 SL No. 84 s 68

PART 12—TRANSITIONAL PROVISION

pt hdg prev pt 12 hdg exp 1 April 2000 (see s 76)
 pres pt 12 hdg ins 2006 SL No. 25 s 89

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

s 74 prev s 74 om 2002 SL No. 338 s 6
 pres s 74 ins 2006 SL No. 25 s 89

Existing eel authorities

s 75 exp 1 April 2000 (see s 76)

Expiry of pt 12

s 76 exp 1 April 2000 (see s 76)

SCHEDULE 1—THE FRESHWATER FISHERY

sch 1 om 2006 SL No. 25 s 90

PART 1—DESCRIPTION

pt hdg om 2006 SL No. 25 s 90

Area

s 1 om 2006 SL No. 25 s 90

Fish species

s 2 om 2006 SL No. 25 s 90

Recreational fishery

s 3 om 2006 SL No. 25 s 90

Fishing for trade or commerce—fishery symbol

s 4 om 2006 SL No. 25 s 90

Restrictions on taking eels for trade or commerce

s 5 om 2006 SL No. 25 s 90

Collection of culture stock for aquaculture

s 6 amd 2000 SL No. 211 s 17(1); 2005 SL No. 27 s 8(1)
 om 2006 SL No. 25 s 90

Aborigines' and Torres Strait Islanders' fishery

s 7 om 2006 SL No. 25 s 90

PART 2—STATUS

pt hdg om 2006 SL No. 25 s 90

Division 1—Recreational fishing

div hdg om 2006 SL No. 25 s 90

Fishing survey

s 8 amd 2000 SL No. 211 s 17(2)
 om 2006 SL No. 25 s 90

Recreational fishing in south of State

s 9 om 2006 SL No. 25 s 90

Recreational fishing in north of State

s 10 om 2006 SL No. 25 s 90

Freshwater stocking program

s 11 om 2006 SL No. 25 s 90

Freshwater fish stocking—releases

s 12 om 2006 SL No. 25 s 90

Economic benefits of the program

s 13 om 2006 SL No. 25 s 90

Division 2—Commercial fishing

div hdg om 2006 SL No. 25 s 90

Subdivision 1—Taking eels

sdiv hdg om 2006 SL No. 25 s 90

Eels taken

s 14 om 2006 SL No. 25 s 90

Waters used

s 15 om 2006 SL No. 25 s 90

Authorities

s 16 amd 2000 SL No. 211 s 17(3)
om 2006 SL No. 25 s 90

Eel stocks

s 17 om 2006 SL No. 25 s 90

Eel markets

s 18 om 2006 SL No. 25 s 90

Eel aquaculture

s 19 amd 2000 SL No. 211 s 17(3)–(5); 2005 SL No. 27 s 8(2)–(4)
om 2006 SL No. 25 s 90

Subdivision 2—Collection of culture stock for aquaculture

sdiv hdg om 2006 SL No. 25 s 90

Management responsibility

s 20 amd 2000 SL No. 211 s 17(3), (5), (6); 2005 SL No. 27 s 8(5)
om 2006 SL No. 25 s 90

Collection of culture stock

s 21 om 2006 SL No. 25 s 90

Subdivision 3—Commercial fishing tours

sdiv hdg om 2006 SL No. 25 s 90

Commercial fishing tours

s 22 amd 2000 SL No. 211 s 17(3)
om 2006 SL No. 25 s 90

Subdivision 4—Exploratory and developmental fisheries**sdiv hdg** om 2006 SL No. 25 s 90**What is exploratory fishing****s 23** om 2006 SL No. 25 s 90**What is developmental fishing****s 24** om 2006 SL No. 25 s 90**No current general fisheries permits****prov hdg** amd 2005 SL No. 27 s 8(6)**s 25** amd 2000 SL No. 211 s 17(3), (7); 2005 SL No. 27 s 8(6)
om 2006 SL No. 25 s 90**Division 3—Aborigines' and Torres Strait Islanders' fishery****div hdg** om 2006 SL No. 25 s 90**Aborigines' and Torres Strait Islanders' fishery****s 26** om 2006 SL No. 25 s 90**SCHEDULE 2—HOW THE OBJECTIVES ARE TO BE ACHIEVED****sch 2** om 2008 SL No. 84 s 69**PART 1—MANAGING THE TAKING OF FRESHWATER FISH****pt hdg** om 2008 SL No. 84 s 69**Definition for pt 1****s 1** om 2008 SL No. 84 s 69**How objective is to be achieved****s 2** amd 2005 SL No. 27 s 9
om 2008 SL No. 84 s 69**How achievement is to be measured****s 3** amd 2000 SL No. 211 s 18(1)
om 2008 SL No. 84 s 69**PART 2—MANAGING THE FRESHWATER FISHERY TO GIVE OPTIMAL,
BUT SUSTAINABLE, COMMUNITY BENEFIT****pt hdg** om 2008 SL No. 84 s 69**Definition for pt 2****s 4** om 2008 SL No. 84 s 69**How objective is to be achieved****s 5** amd 2002 SL No. 341 s 28
om 2008 SL No. 84 s 69**How achievement is to be measured****s 6** amd 2000 SL No. 211 s 18(2)
om 2008 SL No. 84 s 69**PART 3—MINIMISING THE RISK OF DAMAGE FROM NONINDIGENOUS
NOXIOUS FISHERIES RESOURCES****pt hdg** om 2008 SL No. 84 s 69

Definition for pt 3

s 7 om 2008 SL No. 84 s 69

How objective is to be achieved

s 8 om 2008 SL No. 84 s 69

How achievement is to be measureds 9 amd 2000 SL No. 211 s 18(3)
om 2008 SL No. 84 s 69**SCHEDULE 3—CLOSED WATERS**

sch 3 om 2008 SL No. 84 s 69

Severn River at Queen Mine Waterhole

s 1 om 2008 SL No. 84 s 69

Dumaresq River at Bonshaw Weir

s 2 om 2008 SL No. 84 s 69

Macintyre River at Goondiwindi Weir

s 3 om 2008 SL No. 84 s 69

Macintyre Brook at Coolmunda Dam, Whetstone and Bendor Weirs

s 4 om 2008 SL No. 84 s 69

Pike Creek at Glenlyon Dam

s 5 om 2008 SL No. 84 s 69

Quart Pot Creek at Storm King Dam

s 6 om 2008 SL No. 84 s 69

Barwon River at Mungindi Weir

s 7 om 2008 SL No. 84 s 69

Balonne River at Surat Weir

s 8 om 2008 SL No. 84 s 69

**Condamine River at or near the Chinchilla, Loudon, Lemon Tree, Yarramalong,
Cecil Plains and Reilly's Weirs**s 9 amd 2002 SL No. 341 s 29(1)
om 2008 SL No. 84 s 69**Balonne River at Beardmore Dam and Jack Taylor Weir**

s 10 om 2008 SL No. 84 s 69

Sandy Creek at Leslie Dam

s 11 om 2008 SL No. 84 s 69

Dogwood Creek at Miles Weir

s 12 om 2008 SL No. 84 s 69

Burnett Creek at Maroon Dam

s 13 om 2008 SL No. 84 s 69

Reynolds Creek at Moogerah Dam

s 14 om 2008 SL No. 84 s 69

Brisbane River at Mt Crosby Weir

s 15 om 2008 SL No. 84 s 69

Brisbane River at Old Mt Crosby Weir

s 15A ins 2002 SL No. 341 s 29(3)
om 2008 SL No. 84 s 69

Brisbane River at Wivenhoe Dam

s 15B ins 2002 SL No. 341 s 29(3)
om 2008 SL No. 84 s 69

Mary River at Mary River Barrage

s 16 om 2008 SL No. 84 s 69

Tinana Creek at Tinana Creek Barrage

s 17 om 2008 SL No. 84 s 69

Burnett River

s 18 sub 2002 SL No. 341 s 29(2)–(3)
amd 2003 SL No. 31 s 3
om 2008 SL No. 84 s 69

Kolan River at Kolan Barrage

s 19 om 2008 SL No. 84 s 69

Three Moon Creek at Cania Dam

s 20 om 2008 SL No. 84 s 69

Nogo River at Wuruma Dam

s 21 om 2008 SL No. 84 s 69

Stuart River at Gordonbrook Dam

s 22 om 2008 SL No. 84 s 69

Boyne River (Auburn River Basin) at Boondoomba Dam

s 23 om 2008 SL No. 84 s 69

Boyne River (Boyne River Basin) at Awoonga Dam

s 24 om 2008 SL No. 84 s 69

Dawson River at Glebe Weir

s 25 om 2008 SL No. 84 s 69

Dawson River at Gyranda Weir

s 26 om 2008 SL No. 84 s 69

Dawson River at Orange Creek Weir

s 27 om 2008 SL No. 84 s 69

Dawson River at Theodore Weir

s 28 om 2008 SL No. 84 s 69

Dawson River at Moura Weir

s 29 om 2008 SL No. 84 s 69

Dawson River at Neville Hewitt Weir

s 30 om 2008 SL No. 84 s 69

Fitzroy River at Fitzroy River Barrage

s 31 om 2008 SL No. 84 s 69

Fitzroy River at Eden Bann Weir

s 32 om 2008 SL No. 84 s 69

Fitzroy River at Wattlebank Control Weir

s 33 om 2008 SL No. 84 s 69

Nogoa River at Fairbairn Dam

s 34 om 2008 SL No. 84 s 69

Pioneer River at the Marian, Mirani and Dumbleton Weirs

s 35 om 2008 SL No. 84 s 69

Burdekin River at Clare Weir

s 36 om 2008 SL No. 84 s 69

Thomson River at Fairmount Weir

s 37 ins 2002 SL No. 341 s 29(3)

om 2008 SL No. 84 s 69

Nerang River at Hinze Dam

s 38 ins 2002 SL No. 341 s 29(3)

om 2008 SL No. 84 s 69

Albert River at Luscombe Weir

s 39 ins 2002 SL No. 341 s 29(3)

om 2008 SL No. 84 s 69

Six Mile Creek at Lake MacDonald

s 40 ins 2002 SL No. 341 s 29(3)

om 2008 SL No. 84 s 69

SCHEDULE 4—FRESHWATER FISH REGULATED BY NUMBER

sch 4 om 2008 SL No. 84 s 69

Numbers for individual species

s 1 amd 2002 SL No. 341 s 30(1)–(2); 2003 SL No. 31 s 4

om 2008 SL No. 84 s 69

Combined numbers of species

s 2 amd 2002 SL No. 341 s 30(3)–(4)

om 2008 SL No. 84 s 69

**SCHEDULE 6—WHERE CERTAIN AQUACULTURE FISHERIES RESOURCES
MAY BE RELEASED****Khaki bream**

s 4A ins 2002 SL No. 341 s 31(1)

Sooty grunter

s 10 amd 2002 SL No. 341 s 31(2)

SCHEDULE 7—RESTRICTIONS ON THE USE OF LIVE FISH AS BAIT**Redclaw crayfish**

s 1 amd 2003 SL No. 215 s 24

SCHEDULE 8—AIDS TO INTERPRETATION AND DEFINITIONS**PART 1—PROVISIONS AIDING INTERPRETATION****Measurement of size of fish**

s 1 om 2008 SL No. 84 s 70(1)

Scientific names of fish

s 2 amd 2002 SL No. 341 s 32(1); 2003 SL No. 261 s 27(1)
om 2008 SL No. 84 s 70(1)

Scientific classification

s 3 amd 2000 SL No. 211 s 19(1); 2003 SL No. 261 s 27(2)–(3)
om 2008 SL No. 84 s 70(1)

References to possession of fish

s 4 om 2006 SL No. 25 s 91(1)

Time periods

s 5 om 2006 SL No. 25 s 91(1)

River basins and drainage divisions

s 6 amd 2000 SL No. 211 s 19(2)

Meaning of “Lake Awoonga area”

s 7 om 2002 SL No. 341 s 32(2)

Meaning of “Lake Tinaroo area”

s 8 om 2002 SL No. 341 s 32(2)

Meaning of “stocked impoundment”

s 9 amd 2000 SL No. 97 s 5
om 2002 SL No. 341 s 32(2)

PART 2—DICTIONARY

pt hdg prev pt 2 hdg om 2002 SL No. 341 s 32(2)
pres pt 2 hdg (prev pt 3 hdg) renum 2002 SL No. 341 s 32(4)
def “**approved nominee**” ins 2006 SL No. 25 s 91(3)
def “**aquaculture development**” ins 2005 SL No. 27 s 10
def “**culture stock collection permit**” ins 2005 SL No. 27 s 10
def “**dilly**” om 2006 SL No. 25 s 91(2)
def “**eel authority**” om 2006 SL No. 25 s 91(2)
def “**eel licence**” ins 2006 SL No. 25 s 91(3)
def “**F↑B sign**” amd 2000 SL No. 211 s 19(3)
om 2006 SL No. 25 s 91(2)
def “**fishing line**” om 2006 SL No. 25 s 91(2)
def “**freshwater fish**” om 2008 SL No. 84 s 70(2)
def “**freshwater fishery**” sub 2006 SL No. 25 s 91(2)–(3)
def “**general fisheries permit**” amd 2000 SL No. 211 s 19(4)
om 2006 SL No. 25 s 91(2)
def “**Gulf of Carpentaria waterways**” ins 2002 SL No. 341 s 32(3)
om 2008 SL No. 84 s 70(2)
def “**Lake Awoonga area**” om 2002 SL No. 341 s 32(2)
def “**Lake Tinaroo area**” om 2002 SL No. 341 s 32(2)
def “**recreational fisher**” om 2006 SL No. 25 s 91(2)
def “**recreational fishing apparatus**” om 2008 SL No. 84 s 70(2)

def **“regulation”** sub 2008 SL No. 84 s 70(2)–(3)
def **“required way”** amd 2000 SL No. 211 s 19(5)
om 2002 SL No. 341 s 32(2)
def **“set line”** om 2008 SL No. 157 s 10
def **“stocked impoundment”** sub 2002 SL No. 341 s 32(2)–(3)
amd 2006 SL No. 25 s 91(4)
def **“trap”** sub 2008 SL No. 84 s 70(2)–(3)