



Queensland

*Fisheries Act 1994*

# **Fisheries (East Coast Trawl) Management Plan 2010**

**Current as at 21 December 2012**

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Queensland

# Fisheries (East Coast Trawl) Management Plan 2010

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# Fisheries (East Coast Trawl) Management Plan 2010

[as amended by all amendments that commenced on or before 21 December 2012]

## Chapter 1 Preliminary

### Part 1 Introduction

#### 1 Short title

This management plan may be cited as the *Fisheries (East Coast Trawl) Management Plan 2010*.

#### 2 Commencement

This plan commences at midday on 1 January 2011.

#### 3 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*).

#### 4 Application of plan

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

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## Part 2 Objective of plan and its achievement

### 5 Objective of plan and its achievement

- (1) The objective of this plan is to provide for the use, conservation and enhancement of the community's fisheries resources by managing the east coast trawl fishery 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 access to the east coast trawl fishery to holders of licences on which the fishery symbol 'M1', 'M2', 'T1', 'T2', 'T5', 'T6', 'T7', 'T8' or 'T9' is written; and
  - (b) protecting scallops by the regulated waters declarations under this plan; and
  - (c) restricting the fishing apparatus used in the east coast trawl fishery; and
  - (d) requiring the use of a BRD or TED; and
  - (e) using effort units to restrict the use of commercial fishing boats in the east coast trawl fishery by holders of licences on which the fishery symbol 'M1', 'T1' or 'T2' is written.
- (3) In this section—

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

*Notes—*

- 1 In addition to the regulated waters declarations in this plan, other fisheries declarations under the regulation also apply to the east

coast trawl fishery. For relevant fisheries declarations, see chapters 2, 3 and 4 and schedule 3 of the regulation.

- 2 This plan does not regulate the taking of fish by recreational fishers in the east coast trawl fishery. For relevant provisions about that matter, see chapters 2, 3 and 4 and schedule 3 of the regulation.

## Part 3 Interpretation

### Division 1 Interpretation

#### 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 4, parts 1 and 2 and the dictionary in schedule 4, part 3 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;

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- (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 bug;
- (b) blue swimmer crab;
- (c) cuttlefish;
- (d) mantis shrimp;
- (e) octopus;
- (f) pipefish;
- (g) red champagne lobster;
- (h) slipper lobster;
- (i) threadfin bream;
- (j) three-spotted crab.

# **Chapter 2 Regulated waters declarations**

## **Part 1 Preliminary**

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

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

*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.
- (2) Particular east coast trawl fishery waters mentioned in schedule 1 are also regulated in the way stated in parts 3 to 8.

## **Part 3 Southern and northern regional regulated waters**

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

#### **11 Regulated waters for div 1**

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

#### **12 Regulated period for div 1**

For this division, the regulated period is from midday on 20 September to midday on 1 November.

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### **13 Prohibited activities**

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

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

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

### **14 Regulated waters for div 2**

This division applies to the regulated waters mentioned in schedule 1, sections 2 and 3.

### **15 Regulated period for div 2**

For this division, the regulated period is from midday on 15 December to midday on 1 March.

### **16 Prohibited activities**

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

- (a) possess or use a trawl net;
- (b) use a boat under a licence on which a fishery symbol mentioned in section 31(2) is written.

### **17 Exception for s 16**

Despite section 16, a person may, in the waters mentioned in schedule 1, section 2, possess or use an otter trawl net, under a 'T1' licence, from midday on 3 January to midday on 1 March, if the net—

- (a) is no longer than 109m; and
- (b) has a mesh size of at least 75mm.

## **Part 4                      Regulated waters for scallop ranching**

### **18        Regulated waters for pt 4**

This part applies to the Hervey Bay (scallop ranching area) waters.

*Note—*

See schedule 1 (Regulated waters) of the regulation.

### **19        Prohibited activities and regulated periods**

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

*Note—*

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

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## Part 5                                Regulated waters for scallop replenishment

### 20        Regulated waters for pt 5

This part applies to the regulated waters mentioned in schedule 1, part 2.

### 21        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’ 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).

*Note—*

See 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 86(2) have been complied with.

(4) In this section—

*relevant regulated period*, for waters, means the regulated period stated for the waters in schedule 1, part 2.



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## Part 6 Reef world heritage area regulated waters

### 22 Regulated waters for pt 6

This part applies to the regulated waters mentioned in schedule 1, section 10.

### 23 Prohibited activities and regulated period

- (1) This section applies if, in the waters, on a particular day (the *base day*) in a particular effort year (the *base year*), the following total entitlement for the following years are used—
  - (a) 2010—2299139;
  - (b) 2011—2278447;
  - (c) 2012—2255663;
  - (d) 2013—2233106;
  - (e) 2014—2210775;
  - (f) 2015—2188667;
  - (g) 2016—2166780;
  - (h) 2017—2145112;
  - (i) 2018—2123661;
  - (j) 2019—2102424;
  - (k) 2020—2081400;
  - (l) 2021—2060586;
  - (m) 2022—2039980;
  - (n) 2023—2019580.
- (2) A person must not in the waters, in the regulated period, possess or use a trawl net to take fish under a ‘T1’ licence.
- (3) Also, a person must not in the waters possess fish taken in contravention of subsection (2).

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- (4) For subsection (2), the regulated period starts at midday on the day that is 5 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 total entitlement is used on a Monday, the waters are closed from midday on the next Sunday until midday on 1 January in the next year.

## **24 Chief executive to give usage notice**

- (1) This section applies if the chief executive becomes aware that the fishing and steaming days—
- (a) have been used under section 23(1); or
  - (b) are likely to be used under section 23(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 23(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.

## **25 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 23(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**

### **Southern trawl fishery area regulated waters**

#### **26 Regulated waters for pt 7**

This part applies to the regulated waters mentioned in schedule 1, part 4.

[s 27]

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## **27 Prohibited activities and regulated periods**

- (1) This section applies if, in the waters, during the relevant period for an effort year, 309014 effort units or more are used.
- (2) A person must not, in the waters, after the relevant period for the effort year ends, use or allow someone else to use the following for more than 24 days each month in May, June and July in the effort year—
  - (a) a boat identified in any ‘T1’ licence;
  - (b) a boat identified in any ‘T2’ licence.
- (3) However, subsection (2) does not apply to the use of a boat identified in a ‘T1’ or ‘T2’ licence if—
  - (a) the boat is also identified in a licence with a fishery symbol, other than a ‘T1’ or ‘T2’ fishery symbol, written on it; and
  - (b) the boat is being used in the waters under the other fishery symbol.
- (4) In this section—

*relevant period* means the period from 1 November to 31 March.

## **Part 8 Other particular regulated waters**

### **28 Regulated waters for pt 8**

This part applies to the regulated waters mentioned in schedule 1, part 5.

### **29 Prohibited activities and regulated periods**

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

- (a) if, under schedule 1, part 5, a regulated period is stated for the waters—in the stated regulated period; or
- (b) otherwise—at any time.

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

Despite section 29, a person may possess or use an otter trawl net in the Laguna Bay area regulated waters under a ‘T1’ or ‘T5’ licence.

*Note—*

See schedule 1, section 23 (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.

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### **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.

*Note—*

See section 74 (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                      Restrictions on writing fishery symbols on licences**

### **34 Restrictions**

- (1) The chief executive may write a fishery symbol on a commercial fishing boat licence only if—

- 
- (a) the licence is a replacement licence; or
  - (b) 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 approve an application to amend an authority to write a fishery symbol on the authority if the result of the amendment would be—
- (a) an ‘M2’ fishery symbol is written on a licence that has an ‘M1’, ‘T1’ or ‘T2’ fishery symbol written on the licence;
  - (b) a ‘T2’ fishery symbol is written on a licence that has an ‘M1’ or ‘T1’ fishery symbol written on the licence;
  - (c) an ‘M1’ fishery symbol is written on a licence that does not have a ‘T1’ fishery symbol written on the licence.
- (3) However, the chief executive must not approve an application to amend an authority to remove a fishery symbol on the authority if the result of the amendment would be—
- (a) an ‘M1’ fishery symbol is written on a licence that does not have a ‘T1’ fishery symbol written on the licence.
- (4) Also, the chief executive must not write—
- (a) an ‘M1’, ‘T1’ or ‘T2’ fishery symbol on a licence allowing the use of a boat for which—
    - (i) the hull units are more than 70; or
    - (ii) the main engine is more than 300 maximum continuous brake kW; or
  - (b) a ‘T5’, ‘T6’, ‘T7’, ‘T8’ or ‘T9’ fishery symbol on a licence allowing the use of a boat if—
    - (i) the boat is longer than 14m; or
    - (ii) the boat’s main engine exceeds 300 maximum continuous brake kW.
- (5) Also, for subsection (1)(b), the chief executive must not write an ‘M2’ fishery symbol on a licence that would allow the use

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of a boat for which the hull units are more than the hull units for a boat that can be used under the licence from which the fishery symbol is being moved.

- (6) However, the chief executive may write an ‘M2’ fishery symbol on a licence that would otherwise contravene subsection (5) if the holder of the licence surrenders another ‘M2’ licence.

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

### **35 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.

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

The condition under section 35 also applies to anyone acting under a licence for the east coast trawl fishery.

## **Part 3 Use of BRDs**

### **Division 1 Preliminary**

#### **37 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.

### **38 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**

### **39 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 General provision for compliance**

#### **40 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 2; or
  - (b) for a beam trawl net—subdivision 3.

[s 41]

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## **Subdivision 2      Recognised BRDs for otter trawl nets**

### **41      Application of sdiv 2**

This subdivision applies only to an otter trawl net.

### **42      Square mesh cod end**

- (1) The net's cod end is a recognised BRD if—
  - (a) any of the following apply—
    - (i) for a net used to take prawns outside of the deep water net area, the cod end's entire circumference is square mesh of at least—
      - (A) 35mm; and
      - (B) 100 bars around; and
      - (C) 100 bars long;
    - (ii) for a net used to take prawns in the deep water net area, the cod end's entire circumference is square mesh of at least—
      - (A) 45mm; and
      - (B) 80 bars around; and
      - (C) 75 bars long;
    - (iii) for a net used to take scallops, the cod end's entire circumference is square mesh of at least—
      - (A) 88mm; and
      - (B) 50 bars around; and
      - (C) 40 bars long; and
  - (b) the square mesh net is no more than 5 meshes from the cod end drawstrings of the net; and

- 
- (c) the cod end contains 4 evenly spaced belly ropes, made from at least 12mm polyethylene rope, that run the length of the cod end; and
  - (d) nothing covers any of the square meshes during trawling.
- (2) However, subsection (1)(d) does not prevent a chaffing mat from being attached to the bottom half of the circumference of the cod end if the mat is secured to the cod end—
- (a) only—
    - (i) along the leading edge of the mat; and
    - (ii) half-way along the length of each side of the mat; and
  - (b) along no more than half the length of the cod end.

#### **43 Half-round 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.

#### **44 Square mesh panel**

A panel of the net is a recognised BRD if—

- (a) the panel—

[s 45]

---

- (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.

#### **45 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.

#### **46 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.

#### **47 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 that is not more than 90cm from 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—

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- (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.

#### **48 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.

#### **49 Popeye fish excluder**

- (1) A combination of a funnel, frame and a rectangular opening in the net is a recognised 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 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

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- (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 3      Recognised BRDs for beam trawl nets**

#### **50      Application of sdiv 3**

This subdivision applies only to a beam trawl net.

#### **51      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 of 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.

#### **52      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 of 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.

### **53 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 of 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.

### **54 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 of less than 31mm—290 meshes from the cod end drawstrings of the net; or

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- (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.

## 55 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 that 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 of 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 of 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;
  - (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.

## **56 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.

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- (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.

## **57 Popeye fish excluder**

- (1) A combination of a funnel, frame and a rectangular opening in the net is a recognised 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**

#### **58        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.

#### **59        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**

#### **60        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.

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## Division 3 Compliance with TED use condition

### 61 Compliance with TED use condition

The TED use condition is taken to have been complied with if a device that complies with section 62 (a *recognised TED*) is used with the net.

### 62 Requirements for a recognised TED

- (1) A recognised TED for a net must consist of each of the following—
  - (a) a grid complying with subsection (2);
  - (b) an opening in the net (the *escape hole*) that—
    - (i) allows turtles to escape immediately after they are taken in the net; and
    - (ii) otherwise complies with subsection (3);
  - (c) either of the following covering the escape hole—
    - (i) a single flap complying with subsection (4);
    - (ii) a double flap complying with subsection (5);
  - (d) if the escape hole is in the bottom of the net, floats attached to the grid that are—
    - (i) of a type, and attached in a way, that complies with subsection (6); and
    - (ii) of a number required under subsection (7).
- (2) The grid must—
  - (a) be at least 81cm wide and 81cm high; and
  - (b) have vertical bars, spaced no more than 12cm apart, extending from the top to the bottom of the net; and
  - (c) be constructed of rigid material; and

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- (d) be constructed as a single solid unit without any hinged or collapsible components; and
  - (e) be attached to the entire circumference of the net; and
  - (f) be installed and kept at an angle of between 30° and 55° in the net so that it is inclined towards the escape hole.
- (3) The escape hole must consist of either—
- (a) the following cuts—
    - (i) a horizontal cut that is—
      - (A) at the trailing edge of the escape hole and immediately in front of and parallel to the trailing edge of the grid; and
      - (B) no less than 61cm wide; and
      - (C) no narrower than the grid, other than for 10cm at either side of the grid;
    - (ii) 2 cuts each of which is—
      - (A) in front of and perpendicular to the trailing edge of the grid; and
      - (B) of equal length; and
      - (C) no less than 66cm long if the escape hole is covered with a single flap, or no less than 51cm long if the escape hole is covered with a double flap;
    - (iii) a leading edge cut that, when the net is stretched, is no less than—
      - (A) 181cm, if the escape hole is covered with a single flap; or
      - (B) 142cm, if the escape hole is covered with a double flap; or
  - (b) the following cuts—
    - (i) a horizontal cut that is—



- (A) at the trailing edge of the escape hole and immediately in front of and parallel to the trailing edge of the grid; and
    - (B) no less than 102cm wide;
  - (ii) 2 all bar cuts that—
    - (A) are each of equal length and no less than 136cm long; and
    - (B) taper from each end of the horizontal cut mentioned in subparagraph (i) to where they meet.
- (4) A single flap—
  - (a) must—
    - (i) be on the outside of the net; and
    - (ii) have a mesh size of no more than 50mm; and
  - (b) must consist of 1 rectangular panel—
    - (i) that is no less than 338cm by 132cm; and
    - (ii) the longer edge of which is attached to the net in front of the leading edge of the escape hole; and
    - (iii) that does not overlap the escape hole by more than 13cm on either side; and
    - (iv) that is not sewn down the outside edges more than 15cm past the trailing edge of the grid; and
    - (v) the trailing edge of which does not extend more than 61cm behind the trailing edge of the grid.
- (5) A double flap—
  - (a) must—
    - (i) be on the outside of the net; and
    - (ii) have a mesh size of no more than 50mm; and
  - (b) must consist of 2 rectangular panels—
    - (i) that are of equal size; and

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- (ii) that are each no less than 147cm wide; and
  - (iii) that do not overlap by more than 38cm; and
  - (iv) that are sewn together only along the leading edges of the panels; and
  - (v) that are attached to the net in front of the leading edge of the escape hole; and
  - (vi) the trailing edges of which do not extend more than 61cm behind the trailing edge of the grid.
- (6) A float must—
- (a) be attached—
    - (i) to the top half of the grid; and
    - (ii) inside or outside the net but not to a flap; and
  - (b) if it is attached inside the net, be attached behind the grid; and
  - (c) be made of—
    - (i) aluminium; or
    - (ii) ethylene vinyl acetate (*EVA*); or
    - (iii) hard plastic; or
    - (iv) polyvinyl chloride (*PVC*); and
  - (d) if it is made of EVA or PVC—
    - (i) be at least 22cm long; and
    - (ii) have a diameter of at least 17.2cm; and
  - (e) if it is made of aluminium or hard plastic, have a diameter of at least 25cm.
- (7) There must be attached to the grid—
- (a) if the grid has a circumference of no more than 305cm—at least 1 float; or
  - (b) if the grid has a circumference of more than 305cm, either—

- 
- (i) at least 2 floats made of EVA or PVC; or
  - (ii) at least 1 float made of aluminium or hard plastic.
- (8) In this section—

*all bar cut* means a cut through parallel opposing bars in a row of meshes.

*behind*, in relation to a part of a net, means away from the front opening of the net.

*front opening*, of the net, means the opening through which fish enter the net.

*in front of*, in relation to a part of a net, means towards the front opening of the net.

*leading edge* means the edge nearest to the front opening of the net.

*trailing edge* means the edge furthest from the front opening of the net.

## Part 5 Communication conditions

### 63 Purpose and application of pt 5

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

### 64 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—

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- (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 modes 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.

## **65 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 taking all reasonable steps—*

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.

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## Part 6 VMS equipment requirements

### 66 Purpose and application of pt 6

- (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.

### 67 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.

### 68 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°48.00' east to latitude 22°13.20' south, longitude 152°00.00' east
  - to latitude 24°13.80' south, longitude 153°33.00' east
  - to latitude 24°42.00' south, longitude 153°16.20' east
  - to latitude 25°06.00' south, longitude 153°12.00' east
  - to latitude 25°18.00' south, longitude 152°43.20' east
  - to latitude 22°10.80' south, longitude 149°48.00' east.
- (2) The person in control must—

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- (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.

## **69 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 7                      Effort units**

### **Division 1                Introduction**

#### **70            Simplified outline of pt 7**

- (1) This part provides for the entitlement of effort units and conditions for their transfer.
- (2) Divisions 3 and 4 provide for the entitlement of effort units and for working out when they are used.

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- (3) Divisions 5, 6 and 7 prescribe conditions for the transfer of effort units, provide for the registration of transferred effort units and provide for the entitlement under transferred effort units.

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

### **71            Nature of an effort unit**

Each effort unit is—

- (a) an authority, the entitlement for which is provided for under division 3; and
- (b) a quota for the east coast trawl fishery.

### **72            Restriction on issue of effort units**

The chief executive must not issue effort units.

## **Division 3                    Effort unit entitlement and use**

### **73            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 7.
  - (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 sections 263 to 269 of the regulation

## **74 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 75, used a boat identified in a ‘T1’ licence or ‘T2’ licence on a fishing day for effort units.

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- (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.

*I* means the fishing day.

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

## 75 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 is 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.

## **76 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.

## **77 Content of effort unit certificates**

An effort unit certificate must state each of the following—

- (a) the name of the person who holds the effort units mentioned in the certificate;
- (b) if the holder has T1 effort units—how many of them the holder has;

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- (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;
- (e) if the chief executive has suspended any of the effort units—
  - (i) the number of effort units suspended; and
  - (ii) the period of the suspension.

## **78 Evidentiary provision for effort unit certificate**

An effort unit certificate is evidence of—

- (a) the number of effort units held when the certificate was—
  - (i) issued; or
  - (ii) changed or replaced under section 93; and
- (b) the conditions, if any, imposed on the effort units.

## **Division 4 Evidentiary aids for use of entitlement**

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

## **79 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.

## **80 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 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.

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- (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.

## **81 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**

### **82 Exception—movement only at travelling speed**

- (1) It is an exception for section 79(3)(a) 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 84 and 86.

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**83 Exception—minimum boat movement**

- (1) It is an exception for section 79(3)(a) 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 84 and 86.

**84 Exception—moving boat without fishing**

- (1) It is an exception for section 79(3)(a) 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;
    - (ii) from a defined port area to a place outside the east coast trawl fishery;
    - (iii) from a place outside the east coast trawl fishery to a defined port area;
    - (iv) from a place outside the east coast trawl fishery to another place outside the east coast trawl fishery;

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- (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.



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- (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.

## **85 Exception—moving boat to test fishing apparatus**

- (1) It is an exception for section 79(3)(a) 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 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;

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- (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.

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

- (1) It is an exception for section 79(3)(a) 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 journey 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 journey 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 an ‘M1’, ‘T1’ or ‘T2’ fishery symbol, under which the boat will be used during the journey;

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- (vi) the activities for which the boat will be used during the journey;
  - (vii) the date and time the use of the boat under the fishery symbol or other authority will stop;
  - (c) the journey complies, or substantially complies, with the journey stated in the notice;
  - (d) during the whole of the journey—
    - (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 journey, 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 journey complies, or substantially complies, with the notice given under subsection (2)(b), as amended under the amendment notice.

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

It is an exception for section 79(3)(a) if the detection by VMS or manually reporting is within 1 or more of the following—

- (a) the regulated waters mentioned in schedule 1, section 1 in the regulated period under section 12;
- (b) the regulated waters mentioned in schedule 1, section 2 or 3 in the regulated period under section 15;
- (c) the regulated waters mentioned in any of the following provisions of schedule 1—

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- section 13
  - section 23
  - section 24
  - sections 37 to 40
  - sections 42 to 47
  - sections 49 to 52
  - section 54
  - section 55
  - section 57
  - sections 59 to 68;
- (d) 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 (netting)
  - 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–High Island
  - Mission Bay.

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**88 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 5                      When effort units may or may not be transferred**

**89 Purpose of div 5**

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

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

A part of an effort unit can not be transferred.

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## **91 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 92, a T2 effort unit may be transferred only by a holder of the effort unit to a ‘T2’ licence holder, other than the transferor.

## **92 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 6 Applications to register transfer of effort units**

### **93 Effort unit certificate changes required**

If, under section 65B 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.

## **Division 7 Entitlement of transferee under transferred effort units**

### **94 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 8                      Miscellaneous provisions**

### **95            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**

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

- (1) This section prescribes an additional condition to which an 'M1', 'M2', 'T1' or 'T2' licence is subject.
- (2) Subject to section 98, the holder of the licence may modify the boat identified on the licence only if the modification does not change the number of hull units for the boat.

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- (3) A modification made under subsection (2) is prescribed as a change in circumstances for section 73(3) of the Act if it changes the details about the boat, as recorded in the register.

## **97 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**

### **98 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.

### **99 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—

- (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.

## **100 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**

#### **101 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 of the boat, it is a condition of the licence that the obligation must be complied with.

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## **102 Area for 'M1' and 'M2' fishery symbols**

The area for the 'M1' and 'M2' fishery symbols consists of the 'M1' and 'M2' area.

## **Division 2 Requirements for fishing**

### **Subdivision 1 General**

#### **103 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.

#### **104 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.

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

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

#### **106 Maximum length of sweeps of net**

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

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**107 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.

**108 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.

**109 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 104.

**Subdivision 2 Use of primary boats**

**110 Maximum boat length**

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

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## **Subdivision 3 BRDs and TEDs**

### **111 Requirement to use BRD**

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

### **112 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**

#### **113 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.

#### **114 Area for 'T1' fishery symbol**

The area for the 'T1' fishery symbol consists of the 'T1' area.

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## **Division 2                    Requirements for fishing**

### **Subdivision 1            General**

#### **115    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.

#### **116    Maximum net length**

- (1) In the following areas a beam trawl net must be no longer than 10m and an otter trawl net 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 the following waters must be no longer than 39m—
  - (a) waters within the following boundary—
    - from latitude 16°51.83' south, longitude 145°54.97' east (Cape Grafton), along the mainland shore to

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- 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);
- (b) Etty Bay fishing area waters, within the following boundary—
- from latitude 17°30.28' south, longitude 146°04.66' east (Flying Fish Point)
  - along the shore of Etty Bay to latitude 17°33.33' south, longitude 146°05.42' east
  - to latitude 17°33.33' south, longitude 146°05.76' east
  - to latitude 17°33.72' south, longitude 146°05.85' east
  - to latitude 17°33.72' south, longitude 146°05.61' east
  - along the shore of Etty Bay to latitude 17°35.47' south, longitude 146°07.62' east (near Mourilyan Harbour)
  - to latitude 17°30.28' south, longitude 146°04.66' east (Flying Fish Point).
- (4) A beam trawl net used in an area other than an area mentioned in subsections (1) to (3) must not be longer than 40m.
- (5) An otter trawl net must—
- (a) for a net used in the deep water net area—be no longer than 184m; or
  - (b) for a net used in an area other than the deep water net area or an area mentioned in subsections (1) to (3)—
    - (i) for the primary purpose of taking scallops—be no longer than 109m; or

- (ii) for the primary purpose of taking permitted fish, other than scallops—be no longer than 88m.

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

- (1) A net used for the primary purpose of taking permitted fish, other than scallops, must have—
  - (a) for a net used in the following areas—a mesh size of at least 38mm but no more than 60mm—
    - (i) the Comboyuro Point and Caloundra Head area;
    - (ii) the Hervey Bay area;
    - (iii) the Facing Island area;
    - (iv) the Keppel Bay area;
    - (v) the Repulse Bay area;
    - (vi) the Cleveland Bay area;
    - (vii) the deep water net area; or
  - (b) for a net used in the Laguna Bay area—a mesh size of at least 28mm; or
  - (c) for a net used in east coast trawl fishery waters, other than in an area mentioned in paragraph (a) or (b)—
    - (i) a mesh size of at least 43mm but no more than 60mm; and
    - (ii) a cod end with a mesh size of at least 38mm and no more than 150 rows of mesh from the drawstring.
- (2) A net used for the primary purpose of taking scallops must have a mesh size of at least 75mm.

### **118 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—

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- (a) if the net is used in the Hervey Bay area—3m; or
- (b) if the net is used in any other waters—10m.

### **119 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.

### **120 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.

### **121 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 116.



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

### **122      Maximum boat length**

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

## **Subdivision 3      BRDs and TEDs**

### **123      Requirement to use BRD**

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

### **124      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**

#### **125      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.

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## **126 Area for 'T2' fishery symbol**

The area for the 'T2' fishery symbol consists of the 'T2' area.

## **Division 2 Requirements for fishing**

### **Subdivision 1 General**

#### **127 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.

#### **128 Maximum net length**

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

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

- (1) A net used for the primary purpose of taking permitted fish, other than scallops, must—
  - (a) have a mesh size of at least 43mm but no more than 60mm; and
  - (b) have a cod end with a mesh size of at least 38mm and no more than 150 rows of mesh from the drawstring.
- (2) A net used for the primary purpose of taking scallops must have a mesh size of at least 75mm.

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**130 Maximum length of sweeps of net**

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

**131 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.

**132 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.

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### **133 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 128 for a net.

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

### **134 Maximum boat length**

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

## **Subdivision 3 BRDs and TEDs**

### **135 Requirement to use BRD**

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

### **136 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**

#### **137 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.

### **138 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;
- (g) other rivers or creeks south of Double Island Point.

## **Division 2 Requirements for fishing**

### **Subdivision 1 General**

#### **139 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.

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#### **140 Maximum net length**

- (1) A beam trawl net used in the following areas 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 the Noosa River;
  - (e) the Logan River area;
  - (f) other rivers or creeks south of Double Island Point.
- (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.

#### **141 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.

#### **142 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.

#### **143 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 140.

- (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**

### **144 Maximum boat length**

A primary boat longer than 9m 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 in Laguna Bay area**

A TED must be used with a net used under this part in the Laguna Bay area.

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

### **Division 1 Preliminary**

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

This part—

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- (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.

### **148 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**

#### **149 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.

#### **150 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.



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**151 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.

**152 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.

**153 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 150 for a net.

**Subdivision 2 Use of primary boats**

**154 Maximum boat length**

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

[s 155]

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## **Subdivision 3 BRDs and TEDs**

### **155 Requirement to use BRD**

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

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

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**

#### **157 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.

#### **158 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).

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## **Division 2                    Requirements for fishing**

### **Subdivision 1            General**

#### **159    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.

#### **160    Maximum net length**

A net must be no longer than 5m.

#### **161    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.

#### **162    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.

#### **163    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.

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

### **164      Maximum boat length**

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

## **Subdivision 3      BRDs**

### **165      Requirement to use BRD**

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

# **Part 7                    'T8' licences**

## **Division 1              Preliminary**

### **166      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.

### **167      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**

#### **168    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.

#### **169    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.

#### **170    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.

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### **171 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.

### **172 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 169 for a net.

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

### **173 Maximum boat length**

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

## **Subdivision 3 BRDs and TEDs**

### **174 Requirement to use BRD**

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

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

A TED must be used with a net used under this part other than in a river or creek.

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## **Part 8                    'T9' licences**

### **Division 1                Preliminary**

#### **176    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.

#### **177    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**

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

- (1) Permitted fish may be taken only by using beam trawl nets.

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- (2) A net must not be used unless the net and its use complies with this division.

### **179 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.

### **180 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.

### **181 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.

### **182 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 179 for a net.



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

### **183      Maximum boat length**

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

## **Subdivision 3      BRDs and TEDs**

### **184      Requirement to use BRD**

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

### **185      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.

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## **Chapter 5      Additional licence                                  conditions**

### **186      Purpose of ch 5**

This chapter prescribes additional conditions to which a commercial fishing boat licence is subject.

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

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 3; 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.

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## Chapter 6 Prescribed offences and suspension criteria

### Part 1 Prescribed serious fisheries offences

#### 188 Serious fisheries offences

- (1) For the Act, schedule, definition *serious fisheries offence*, an offence constituted by any of the following is a serious fisheries offence—
- (a) contravening the *Marine Parks Act 2004*;
  - (b) entering or using the marine national park zone in contravention of the *Great Barrier Reef Marine Park Act 1975* (Cwlth), section 38BA.

*Note—*

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

- (2) In this section—

*marine national park zone* means the Marine National Park Zone described in the *Great Barrier Reef Marine Park Zoning Plan 2003* (Cwlth) made under the *Great Barrier Reef Marine Park Act 1975* (Cwlth).

### Part 2 Prescribed suspension criteria

#### 189 Purpose and application of pt 2

- (1) This part prescribes criteria under section 68B(4)(b)(i) of the Act for a court suspending a commercial fisher licence, commercial fishing boat licence or effort units.

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- (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.

## 190 Criteria for suspending commercial fisher licence

- (1) This section applies for a commercial fisher licence.
- (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 3;
  - (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 to 6 months suspension; or
  - (b) second conviction—1 to 2 years suspension; or
  - (c) third or subsequent conviction—5 years suspension.

### **191 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 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 to 3 months suspension; or
  - (b) third conviction—1 to 2 years suspension; or
  - (c) fourth or subsequent conviction—5 years suspension.

### **192 Criterion 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 191, 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 191(2) or (3).

*Example for subsection (2)—*

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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 7            Repeal and transitional provisions**

### **Part 1                Repeal provision**

#### **193    Repeal**

The Fisheries (East Coast Trawl) Management Plan 1999, SL No. 289 is repealed.

### **Part 2                Saving and transitional provisions**

#### **Division 1            Definitions**

#### **194    Definition for pt 2**

In this part—

*repealed plan* means the repealed *Fisheries (East Coast Trawl) Management Plan 1999*.

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## **Division 2                    General saving and transitional provisions**

### **195    References to repealed regulation**

In a document, a reference to a particular provision (the *previous provision*) of the repealed plan is, if the context permits, taken to be a reference to any provision of this plan that corresponds, or substantially corresponds, to the previous provision.

### **196    Existing licences and effort units**

- (1) This section applies if, immediately before the commencement of this plan—
  - (a) a licence had a fishery symbol written on it; or
  - (b) a person held an effort unit.
- (2) On the commencement of this plan, the licence and the symbol or the effort unit continues in force under this plan.

### **197    Existing effort unit certificates continue**

From the commencement of this plan, an effort unit certificate that was evidence of effort units held immediately before commencement of this plan is taken to be an effort unit certificate given under this plan as evidence of the effort units stated in the certificate.

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

- (1) This section applies to an effort unit holder who notified the chief executive under section 99(3) of the repealed plan that the period of each fishing and steaming day for the effort units is—
  - (a) from midnight to midnight; or
  - (b) from 6p.m. to 6p.m.

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- (2) At the commencement of this plan, the effort unit holder is taken to have given notice to the chief executive under section 75.



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## **Schedule 1      Particular regulated waters**

sections 10(2), 11, 14, 17, 20, 21(4), 22, 26, 28 and 87

### **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)

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- 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°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

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- to latitude 20°18.86' south, longitude 150°58.23' east
  - to latitude 20°26.54' south, longitude 151°04.02' east
  - 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)

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- along the shore of Llewellyn Bay to latitude 20°06.80' south, longitude 148°26.81' east (northern boundary of Sinclair Bay)
- 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 Peninsula, 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

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- to latitude 18°02.84' south, longitude 147°01.90' east
  - to latitude 18°09.91' south, longitude 147°10.86' east
  - 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' south with the mainland shore at high-water mark.

## **Part 2**                      **Regulated waters and periods for scallop replenishment**

### **Division 1**                **Hervey Bay**

#### **4**            **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 periods for the waters are—
  - (a) from the commencement of this section to midday on 3 January 2011; and
  - (b) from midday on 20 September 2011 to midday on 3 January 2013; and
  - (c) from midday on 20 September 2013 to midday on 3 January 2015; and
  - (d) from midday on 20 September 2015 to midday on 3 January 2017; and
  - (e) from midday on 20 September 2017 to midday on 3 January 2019; and
  - (f) from midday on 20 September 2019 to midday on 3 January 2021; and
  - (g) from midday on 20 September 2021 to midday on 3 January 2023.

#### **5**            **Hervey Bay scallop replenishment area B**

- (1) Waters within the following boundary—

- 
- from latitude 24°40.00' south, longitude 152°50.00' east to latitude 24°40.00' south, longitude 153°00.00' east
  - to latitude 24°30.00' south, longitude 153°00.00' east
  - to latitude 24°30.00' south, longitude 152°50.00' east
  - to latitude 24°40.00' south, longitude 152°50.00' east.
- (2) The regulated periods for the waters are—
- (a) from the commencement of this section to midday on 3 January 2012; and
  - (b) from midday on 1 November 2012 to midday on 3 January 2014; and
  - (c) from midday on 1 November 2014 to midday on 3 January 2016; and
  - (d) from midday on 1 November 2016 to midday on 3 January 2018; and
  - (e) from midday on 1 November 2018 to midday on 3 January 2020; and
  - (f) from midday on 1 November 2020 to midday on 3 January 2022.

## **Division 2                      Bustard Head**

### **6                      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 periods for the waters are—
- (a) from the commencement of this section to midday on 3 January 2011; and

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- (b) from midday on 20 September 2011 to midday on 3 January 2013; and
- (c) from midday on 20 September 2013 to midday on 3 January 2015; and
- (d) from midday on 20 September 2015 to midday on 3 January 2017; and
- (e) from midday on 20 September 2017 to midday on 3 January 2019; and
- (f) from midday on 20 September 2019 to midday on 3 January 2021; and
- (g) from midday on 20 September 2021 to midday on 3 January 2023.

**7 Bustard Head scallop replenishment area B**

- (1) Waters within the following boundary—
  - from latitude 23°55.00' south, longitude 151°50.00' east to latitude 23°55.00' south, longitude 152°00.00' east
  - to latitude 23°45.00' south, longitude 152°00.00' east
  - to latitude 23°45.00' south, longitude 151°50.00' east
  - to latitude 23°55.00' south, longitude 151°50.00' east.
- (2) The regulated periods for the waters are—
  - (a) from the commencement of this section to midday on 3 January 2012; and
  - (b) from midday on 1 November 2012 to midday on 3 January 2014; and
  - (c) from midday on 1 November 2014 to midday on 3 January 2016; and
  - (d) from midday on 1 November 2016 to midday on 3 January 2018; and
  - (e) from midday on 1 November 2018 to midday on 3 January 2020; and



- 
- (f) from midday on 1 November 2020 to midday on 3 January 2022.

## **Division 3                      Yeppoon region**

### **8                      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 periods for the waters are—
- (a) from the commencement of this section to midday on 3 January 2011; and
  - (b) from midday on 20 September 2011 to midday on 3 January 2013; and
  - (c) from midday on 20 September 2013 to midday on 3 January 2015; and
  - (d) from midday on 20 September 2015 to midday on 3 January 2017; and
  - (e) from midday on 20 September 2017 to midday on 3 January 2019; and
  - (f) from midday on 20 September 2019 to midday on 3 January 2021; and
  - (g) from midday on 20 September 2021 to midday on 3 January 2023.

### **9                      Yeppoon scallop replenishment area B**

- (1) Waters within the following boundary—

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- 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 periods for the waters are—
- (a) from the commencement of this section to midday on 3 January 2012; and
  - (b) from midday on 1 November 2012 to midday on 3 January 2014; and
  - (c) from midday on 1 November 2014 to midday on 3 January 2016; and
  - (d) from midday on 1 November 2016 to midday on 3 January 2018; and
  - (e) from midday on 1 November 2018 to midday on 3 January 2020; and
  - (f) from midday on 1 November 2020 to midday on 3 January 2022.

## **Part 3                      Reef world heritage area    regulated waters**

### **10      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 4                      Southern trawl fishery area    regulated waters**

### **11            Southern trawl fishery area regulated waters**

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 Island 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 Island 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)

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- 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)
- to latitude 26°40.80' south, longitude 153°07.93' east (northern roadway of Mooloolaba Harbour)
- along the shore to latitude 25°48.68' south, longitude 153°03.62' 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 24°41.83' south, longitude 153°16.00' east (Sandy Cape)
- 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 22°00.00' south, longitude 154°31.25' east

- to latitude 22°14.90' 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.

## **Part 5**                      **Other particular regulated waters**

### **12**      **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' east)
- 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

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- 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.

### **13 Moreton Bay**

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

### **14 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 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)
  - 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 green light beacon that flashes every 6 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.

## **15 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' east)
  - 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
  - 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.

## **16 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.

## **17 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.

## 18 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

*Editor's note—*

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

- 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)

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- 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)
  - 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.

## 19 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.

**20 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.

**21 Lakes Doonella and Weyba**

Waters of Lakes Doonella and Weyba.

**22 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.

**23 Laguna Bay area**

Waters within the Laguna Bay area.

**24 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

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- to latitude 25°47.70' south, longitude 153°07.26' east
- to latitude 25°47.00' south on Fraser Island's eastern shore.

**25 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
  - 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.

**26 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.

**27 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<sup>↑</sup>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.

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**28 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.

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

(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°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.

### **30 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.
- (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.

### **31 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↑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.

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**32 Southern Hervey Bay**

- (1) Waters within the following boundary—
- from latitude 25°09.18' south on the mainland shore (Burrum Point)
- Editor's note—*
- Burrum Point is at approximately latitude 25°09.18' south, longitude 152°38.02' east.
- 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)
  - 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.

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

**34 Baffle Creek**

Waters of Baffle Creek and waterways joining it.

**35 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)
- 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.

**36 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.

### **37 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.

### **38 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

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- to latitude 23°10.23' south, longitude 150°55.20' east
- to latitude 23°10.21' south, longitude 150°55.26' east.

**39 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.

**40 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.

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**41 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
  - 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.

**42 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

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- 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
- 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.

#### **43 Grasstree Island area**

Waters within the following boundary—

- 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.

#### **44 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.

#### **45 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

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- to latitude 20°54.12' south, longitude 149°26.34' east
- to latitude 20°56.94' south, longitude 149°25.56' east.

**46 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
- 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.

**47 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
- to latitude 20°15.91' south, longitude 148°41.79' east
- to the intersection of latitude 20°15.12' south with the mainland shore.

*Editor's notes—*

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.

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

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

**48 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 island's south-western tip, approximately latitude 20°05.88' south, longitude 148°36.20' east)
  - along Gumbrell Island's western shore to latitude 20°05.55' south (the island's 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.

#### **49 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

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- 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
- 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.

## **50 Townsville to Cape York Peninsula offshore area**

Waters within the following boundary—

- 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

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

**51 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.

**52 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.

### **53 Mission Beach night-time closure**

- (1) Waters within the following boundary—
  - 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.

### **54 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).

### **55 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.

**56 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, 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°43.51' south on the western shore of Double Island.
- (2) The regulated period for the waters is from 6a.m. to 6p.m.

**57 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.

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

- (1) Waters north of latitude 15°30.00' south.

*Editor's note—*

Latitude 15°30.00' south is approximately the latitude of Cooktown.

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

**59 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)
- 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.

## **60 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.

## **61 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).

## **62 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

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- 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)
- 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 northernmost island of the Turtle Island Group)
- to latitude 14°50.09' south, longitude 145°13.88' east (eastern tip of Lookout Point).

**63 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
- 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.

#### **64 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.

#### **65 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

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- to latitude 13°24.11' south, longitude 143°39.27' east
- to latitude 13°32.11' south, longitude 143°38.63' east
- to latitude 13°46.41' south, longitude 143°34.93' east
- to latitude 13°46.41' south on the mainland shore.

**66 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' east)
- 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



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- to latitude 12°16.79' south, longitude 143°07.62' east (500m north of the northern tip of Ada Reef)
  - 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.

## **67 Round Point to Fly Point near Cape York Peninsula**

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.

## **68 Tip of Cape York Peninsula**

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

- from the intersection of longitude 145°17.02' east with the mainland shore (the northern tip of Cape York Peninsula)
- 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' east.

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## Schedule 2      Effort unit conversion factor for boats

schedule 4, part 3, 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

Schedule 2

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<b>Number of hull units for boat</b>	<b>Effort unit conversion factor for boat</b>
26	29
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

<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 3      Waters where scallops may be processed on a boat**

section 187(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°55.66' 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.

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#### 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

*Editor's note—*

The intersection of latitude 23°10.40' south with the mainland shore is near Bluff Point.

- to latitude 23°10.40' south, 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.

#### 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

Schedule 3

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- 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
- along latitude 19°11.91' 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°46.07' east to latitude 19°08.91' south
- along latitude 19°08.91' south to the shore of Magnetic Island
- along the shore to latitude 19°07.91' south.

**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°41.07' east.

## **10 Lucinda Services Jetty area**

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

## Schedule 4 Dictionary

section 6(3)

### Part 1 Extended definitions for areas

#### 1 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 Western Coffee Pot beacon)
- to latitude 27°21.57' south, longitude 153°10.40' east (the Western 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.

#### 2 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.

### 3 **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.

### 4 **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.

### 5 **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.

### 6 **Meaning of *deep water net area***

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

Schedule 4

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- 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
- 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

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- 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
  - 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

Schedule 4

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- 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
- 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.

## 7 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 Buoy (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.

## 8 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.

## 9 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 4

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- 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.

**10 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.

**11 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).

**12 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 miles north of Maria Inlet) along the shore to latitude 23°28.76' south, longitude 150°59.48' east (Warner Point)



- 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.

### 13 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

*Editor's note—*

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.

- 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.

### 14 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).

## 15 Meaning of *Logan River area*

*Logan River area* means the waters of Logan River, and waterways joining it, upstream of the line—

- from the intersection of the mainland shore with longitude 153°19.20' east 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.

*Editor's notes—*

The mainland shore intersects with longitude 153°19.20' east at approximately latitude 27°40.50' south.

The mainland shore intersects with longitude 153°21.10' east at approximately latitude 27°41.90' south.

## 16 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 latitude 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)
- to latitude 27°20.00' south, longitude 153°11.50' east (the Western 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 Eastern 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)

Schedule 4

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- 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°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 green light beacon that flashes every 6 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°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' south 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.

## 17 Meaning of *Moreton Bay*

*Moreton Bay* means waters within the following boundary, other than waters in the Fisherman Islands area—

Schedule 4

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- from the F↑B sign at the south-eastern tip of Toorbul Point to the F↑B sign at the southern end of South Esplanade, Bongaree, Bribie Island
- along Bribie Island's western and southern shores to Skirmish Point
- to Comboyuro Point, Moreton Island
- along Moreton Island's western shore to Reeders Point
- to Amity Point, North Stradbroke Island
- along North Stradbroke Island's western and southern shores to its south-eastern tip
- to the north-eastern tip of South Stradbroke Island
- along South Stradbroke Island's northern, western and southern shores to the seaward tip of the northern breakwater wall of the Gold Coast Seaway
- to the seaward tip of the southern breakwater wall of the Gold Coast Seaway at Nerang Head on The Spit
- along the shore of The Spit to the Gold Coast Highway bridge over the Nerang River near Waterways Drive, Main Beach
- along the eastern side of the Gold Coast Highway bridge to the mainland shore
- along the shore to the F↑B sign at the south-eastern tip of Toorbul Point.

## 18 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.

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**19 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
- along the shore to latitude 20°09.54' south, longitude 148°25.36' east.

**20 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)

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- 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)
- 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)



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- 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)
  - 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 miles 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)

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- along the shore to latitude 22°20.67' south, longitude 149°54.78' east
- to latitude 22°23.01' south, longitude 149°48.55' east (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
- 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' east (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' east (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
  - 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 Peninsula)
  - to latitude 10°41.25' south, longitude 145°00.06' east

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- 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
- to latitude 27°47.90' south, longitude 154°22.08' east
- to latitude 27°57.91' south, longitude 154°00.06' east.

## 21 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)
- 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 24°41.83' south, longitude 153°16.00' 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.

## Part 2                      **Extended definitions for other things**

### 22      **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—

$$\mathbf{HU = \frac{L \times B \times D \times 0.6}{2.83}}$$

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.

*Editor's note—*

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.

### **23 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.

### **24 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 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.

## 25 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.

## 26 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 for its engine type.
- (2) The engine must be identified by the following—
  - (a) make;
  - (b) model;
  - (c) year of manufacture;
  - (d) serial number;
  - (e) cylinder block;

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- (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.

## **27 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 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.

## **28 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.



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## Part 3 Other definitions

*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.

*beam*, of a boat, see section 23 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 39(1).

*Brisbane River mouth area–north* see section 1 of this schedule.

*Brisbane River mouth area–south* see section 2 of this schedule.

*Brisbane River–Victoria Bridge to Juno Point area* see section 3 of this schedule.

*Cleveland Bay area* see section 4 of this schedule.

*Comboyuro Point to Caloundra Head area* see section 5 of this schedule.

*conviction*, for chapter 6, part 2, see section 189(2)(a).

*deep water net area* see section 6 of this schedule.

*depth*, of a boat, see section 24 of this schedule.

*detected by VMS* see section 28 of this schedule.

*east coast trawl fishery* see section 3.

*east coast trawl fishery waters* see section 3.

*effort unit* means an effort unit continued under section 196.

*effort unit certificate* means a certificate issued under section 101 of the repealed regulation or replaced under section 71 of the Act or changed or replaced under section 93.

**effort unit conversion factor**, for a boat, means the effort unit conversion factor for the boat stated in schedule 2 opposite the number of hull units for the boat.

**effort year** means the period from midday on 1 January to midday on 1 January in the next year.

**entitlement**, for an effort unit, see section 73(4).

**Facing Island area** see section 7 of this schedule.

**Fisherman Islands area** see section 8 of this schedule.

**fishery symbol** means a fishery symbol mentioned in section 31(2).

**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.

**Fitzroy River mouth area** see section 9 of this schedule.

**Great Sandy Strait area** see section 10 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 11 of this schedule.

**hull units**, for a boat, see section 22 of this schedule.

**Keppel Bay area** see section 12 of this schedule.

**Laguna Bay area** see section 13 of this schedule.

**length** of—

- (a) a commercial fishing boat—see schedule 11, part 1, section 3 of the regulation; or
- (b) a beam trawl net—see section 25(1) of this schedule; or
- (c) an otter trawl net—see section 25(2) of this schedule.

**licence**, for the east coast trawl fishery, means a licence for the fishery under section 31(1).

**Llewellyn Bay area** see section 14 of this schedule.

**Logan River area** see section 15 of this schedule.

**'M1' and 'M2' area** see section 16 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 68(1).

**manually reported**, for a boat, means notice about a boat's position and operation given under section 683 of the regulation.

**maximum continuous brake kW** see section 26 of this schedule.

**mesh size**, of a net, see schedule 11, part 1, section 6 of the regulation.

**Moreton Bay** see section 17 of this schedule.

**nominated communication mode**, for a boat, means a mode nominated for the person in control of the boat under section 64.

**notice** means a written notice.

**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.

**plan** means management plan.

**principal fish** see section 7.

**recognised BRD**, for chapter 3, part 3, division 3, see section 40(2).

**recognised TED**, for chapter 3, part 4, division 3, see section 61.

**regulated waters** means the waters declared to be regulated waters under section 10(1).

**regulation** means the *Fisheries Regulation 2008*.

**repealed plan** see section 194.

**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 18 of this schedule.

**serious scallop offence** see section 190(2).

**Sinclair Bay area** see section 19 of this schedule.

**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 73(1).

**sweep**, of a net, see section 27 of this schedule.

**‘T1’ area** see section 20 of this schedule.

**T1 effort units** see section 73(1)(a).

**‘T1’ licence** means a commercial fishing boat licence with a ‘T1’ fishery symbol written on it.

**‘T2’ area** see section 21 of this schedule.

**T2 effort units** see section 73(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.

**‘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 60(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 3.

**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 24(2).

**used**, for—

- (a) a boat, on a fishing or steaming day, see section 75; or
- (b) effort units, see section 74(1).

**VMS maintenance and use obligations** means the obligations under section 679 of the regulation.

# 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 21 December 2012. Future amendments of the Fisheries (East Coast Trawl) Management Plan 2010 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 included	Effective	Notes
1	none	midday 1 January 2011	
1A	2012 SL No. 252	21 December 2012	

## 5 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### **Fisheries (East Coast Trawl) Management Plan 2010 SL No. 357**

made by the chief executive on 24 November 2010  
 approved by the Governor in Council on 9 December 2010  
 notfd gaz 10 December 2010 pp 1082–6  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced midday 1 January 2011 (see s 2)  
exp 1 September 2021 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Fisheries Legislation Amendment Regulation (No. 1) 2012 SL No. 252 pts 1, 3**

notfd gaz 21 December 2012 pp 599–602  
 commenced on date of notification

## 6 List of annotations

### **Serious fisheries offences**

s 188 amd 2012 SL No. 252 s 5

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