



Queensland

Fisheries Amendment Regulation (No. 1) 2014

Subordinate Legislation 2014 No. 282

made under the

Fisheries Act 1994

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1 Short title

This regulation may be cited as the *Fisheries Amendment Regulation (No. 1) 2014*.

2 Commencement

This regulation commences on 1 February 2015.

3 Regulation amended

This regulation amends the *Fisheries Regulation 2008*.

4 Amendment of s 51 (Regulated waters for div 5)

Section 51—

insert—

- North Pine River at North Pine Dam
- Sideling Creek at Kurwongbah Dam
- Teviot Brook at Wyaralong Dam
- Yabba Creek at Borumba Dam.

5 Replacement of ch 2, pt 5, div 6 (Murray cod in Barwon, Dumaresq and Macintyre rivers)

Chapter 2, part 5, division 6—

omit, insert—

Division 6	Murray cod in particular waters of the Murray–Darling drainage division
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53 Regulated waters for div 6

This division applies to the regulated waters of the Murray–Darling drainage division, other than the following dams—

[s 6]

- Beardmore Dam
- Beehive Dam
- Connolly Dam
- Cooby Dam
- Coolmunda Dam
- Glenlyon Dam
- Leslie Dam
- Storm King Dam.

54 Taking Murray cod generally prohibited

- (1) A regulated person must not in the regulated waters—
 - (a) take a Murray cod during the regulated period; or
 - (b) possess a Murray cod taken in contravention of paragraph (a).
- (2) For subsection (1)(a), the regulated period is from 1 September to 30 November.

6 Insertion of new of ch 2, pt 5, div 9B

After section 58A—

insert—

Division 9B Craterocephalus

58B Prohibited activities

A regulated person must not in the Thompson River Catchment regulated waters—

- (a) take a fish of the genus *Craterocephalus*; or
- (b) possess a fish of the genus *Craterocephalus* taken in contravention of paragraph (a).

7 Replacement of ss 185C and 185D

Sections 185C and 185D—

omit, insert—

185C Funnel traps

A recreational fisher may use a funnel trap only if—

- (a) the trap—
 - (i) has no more than 4 entrances; and
 - (ii) is no longer than 70cm, no wider than 50cm and no higher than 50cm; and
- (b) for a trap that does not have a mesh made of rigid material—the size of the mesh is no more than 25mm; and
- (c) the trap has an entrance made of rigid material; and
- (d) for a trap used in eastern non-tidal waters—the trap's entrance is no more than 5cm in all its dimensions; and
- (e) for a trap used in non-tidal waters other than eastern non-tidal waters—the trap's entrance is no more than 10cm in all its dimensions.

185CA Pyramid traps

A recreational fisher may use a pyramid trap only if—

- (a) the trap—
 - (i) is a pyramid shape; and
 - (ii) has no more than 1 entrance; and
 - (iii) has a base of no more than 60cm in length and width; and
 - (iv) is no less than 15cm in height; and
 - (v) has a mesh size of no more than 25mm; and

- (b) the trap's entrance—
 - (i) is no less than 15cm in all its dimensions; and
 - (ii) is made of rigid material; and
 - (iii) is at the narrow end of the trap; and
 - (iv) is parallel to the base of the trap.

185D Round traps

A recreational fisher may use a round trap only if—

- (a) the trap—
 - (i) has no more than 4 entrances; and
 - (ii) has a diameter of no more than 70cm; and
 - (iii) is no higher than 50cm; and
- (b) for a trap that does not have a mesh made of rigid material—the size of the mesh is no more than 25mm; and
- (c) the trap has an entrance made of rigid material; and
- (d) for a trap used in eastern non-tidal waters—the trap's entrance is no more than 5cm in all its dimensions; and
- (e) for a trap used in non-tidal waters other than eastern non-tidal waters—the trap's entrance is no more than 10cm in all its dimensions.

8 Amendment of s 185E (Freshwater traps)

(1) Section 185E(1), after 'funnel trap'—

insert—

, pyramid trap

-
- (2) Section 185E(1), ‘(5)’—
omit, insert—
(4)
- (3) Section 185E(4)(a), after ‘be’—
insert—
solid,
- (4) Section 185E(5)—
omit.

9 Amendment of s 185F (Fishing lines and hooks)

- (1) Section 185F(2)(a) and (b)—
omit, insert—
- (a) at any one time, use more than 6 fishing lines; or
 - (b) use a set line; or
 - (c) set a fishing line as a cross-line; or
 - (d) attach more than 1 hook or lure to a fishing line the fisher is using; or
 - (e) be more than 50 metres from any fishing line the fisher is using.
- (2) Section 185F(3) and (4)—
omit.

10 Amendment of s 196 (Operation of pt 2)

- (1) Section 196(2), after ‘division 2’—
insert—
or 3
- (2) Section 196(4), ‘Division 3’—

omit, insert—

Division 4

11 Insertion of new s 198A

Chapter 4, part 2, division 3—

insert—

198A Taking fish using particular bait

A recreational fisher may take fish from non-tidal waters using bait taken from tidal waters only if the bait has been cooked, frozen or preserved.

Examples of ways in which bait may be preserved—

dried, freeze dried, pickled, preserved in alcohol, salted

12 Amendment of s 213 (Authorities in which inspectors may have an interest)

Section 213(d), ‘or a set line’—

omit.

13 Amendment of s 220A (Stocked impoundment permit)

Section 220A, ‘or set line’—

omit.

14 Amendment of s 640A (Taking freshwater fish from prescribed stocked impoundment using fishing or set line)

Section 640A, ‘or set line’—

omit.

15 Amendment of s 700 (Prescribed entities for delegating power to issue stocked impoundment permits—Act, s 21)

Section 700(1), ‘or a set line’—

omit.

16 Amendment of sch 1 (Regulated waters)

- (1) Schedule 1, part 2, after the entry for jetties in, or south of, Noosa River—

insert—

Murray–Darling drainage division	waters of the Murray–Darling drainage division	part 5, division 6
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- (2) Schedule 1, part 2, entries for Barwon River, Dumaresq River and Macintyre River—

omit.

- (3) Schedule 1, part 2, after the entry for Nerang River at Hinze Dam—

insert—

Teviot Brook at Wyaralong Dam	Teviot Brook from 100m upstream to 200m downstream of the Wyaralong Dam wall	part 5, division 5
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- (4) Schedule 1, part 2, after the entry for Bramble Bay—

insert—

North Pine River at North Pine Dam	North Pine River from 100m upstream to 200m downstream of the North Pine Dam wall	part 5, division 5
Sideling Creek at Kurwongbah Dam	Sideling Creek from 100m upstream to 200m downstream of the Kurwongbah Dam wall	part 5, division 5

- (5) Schedule 1, part 2, entry for Obi Obi Creek, column 2, from ‘shortest line’ to ‘Skenes Creek’—

[s 17]

omit, insert—

downstream side of Obi Obi Creek crossing 4 (Manuel Hornibrook Bridge)

- (6) Schedule 1, part 2, after the entry for South Maroochy River and the North Maroochy River—

insert—

Yabba Creek at Borumba Dam	Yabba Creek from 100m upstream to 200m downstream of the Borumba Dam wall	part 5, division 5
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- (7) Schedule 1, part 2, after the entry for Fitzroy River at Wattlebank Control Weir—

insert—

Thompson River Catchment	waters of the Thompson River Catchment	part 5, division 9B
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17 Amendment of sch 2 (Regulated fish declarations)

- (1) Schedule 2, part 2, entries for Agassiz's glassfish, Aru gudgeon, Australian smelt, barred grunter, blackmast, blue catfish, bony bream, boofhead catfish, Celebes flathead goby, coal grunter, concave flathead goby, delicate blue eye, desert goby, elongate glassfish, empire gudgeon, fimbriate gudgeon, firetail gudgeon, flagtail glassfish, flathead gudgeon, flyspecked hardyhead, freshwater longtom, Gilbert's grunter, golden flathead goby, highfin catfish, Lake's carp gudgeon, leathery grunter, Lorentz grunter, Macleay's glassfish, Marjorie's hardyhead, Midgley's carp gudgeon, mueller's glassfish, Mulgrave goby, Northern purplespotted gudgeon, Obbes' catfish, Pacific blue eye, pennyfish, poreless gudgeon, Rendahl's catfish, Roman-nose goby, sailfin glassfish, scaleless goby, sevenspot archerfish, silver catfish, silver cobbler, sleepy cod, smallhead grunter, snakehead gudgeon, Southern purplespotted gudgeon, spangled perch, speckled goby, spotted blue eye, square blotch goby, striped gudgeon, tank goby and western carp gudgeon—

omit.

(2) Schedule 2, part 2—

insert—

Edgbaston			a person taking or possessing the fish other than in the Thompson River Catchment
fish of the sub family <i>Sicydiinae</i>			a person taking or possessing the fish
freshwater mullet	N	more than 20	a person taking or possessing the fish
	S	less than 30cm	a person taking or possessing the fish
gulf grunter	S	less than 28cm	a person taking or possessing the fish

(3) Schedule 2, part 2, after entry for yellowtail kingfish—

insert—

any freshwater fish species not mentioned in this part or part 3, column 1	N	more than 20	a person taking or possessing the fish
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(4) Schedule 2, part 2, entry for Mary River cod, column 4, item 1(a), after 'upstream of the'—

insert—

impounded waters held at full supply level by the

(5) Schedule 2, part 2, entry for Mary River cod, column 4, item 1(b)—

omit, insert—

- (b) the fish is taken from 1 December to 31 August; and
- (c) the fish is more than 50cm

[s 17]

- (6) Schedule 2, part 2, entry for Mary River cod, column 4, item 2, ‘complies with item 1(b)’—

omit, insert—

(b) and complies with item 1(c)

- (7) Schedule 2, part 3, entry for Barcoo grunter or silver perch or Welch’s grunter or any combination of these fish, column 3—

omit, insert—

more than 5 of which no more than 2 may be silver perch

- (8) Schedule 2, part 3, entry for catfish (with eel-like tails) in the genera *Neosiluroides*, *Neosilurus* or *Tandanus* or a combination of any fish in any of the genera, column 1, after ‘in the genera’—

insert—

Anodontiglanis,

- (9) Schedule 2, part 3, from entry for guitarfish or shovelnose ray or a combination of these fish to entry for khaki grunter or sooty grunter or a combination of these fish—

omit, insert—

goldenline whiting, Northern whiting or sand whiting or any combination of these fish	N	more than 30	a recreational fisher taking or possessing the fish
guitarfish or shovelnose ray or a combination of these fish	N	more than 5	a person taking or possessing the fish for trade or commerce
gulf grunter, kahki grunter, lake grunter or sooty grunter or a combination of these fish	N	more than 10	a person taking or possessing the fish

18 Insertion of new sch 10E

After schedule 10D—

insert—

**Schedule 10E Listed
impoundments**

schedule 11, section 6C

- Atkinsons Dam
- Baroon Pocket Dam
- Beehive Dam
- Bill Gunn Dam (Lake Dyer)
- Bjelke Peterson Dam
- Boondooma Dam
- Borumba Dam
- Burdekin Dam (Lake Dalrymple)
- Callide Dam
- Cania Dam
- Connolly Dam
- Cooby Dam
- Coolmunda Dam
- Cressbrook Dam
- Eungella Dam
- Ewen Maddock Dam
- Fairbairn Dam
- Fred Haigh Dam (Lake Monduran)
- Glenlyon Dam
- Gordonbrook Dam

[s 19]

- Hinze Dam
- Kinchant Dam
- Koombooloomba Dam
- Lake Awonga
- Lake Gregory
- Lake MacDonald
- Lenthalls Dam (Lake Lenthall)
- Leslie Dam
- Maroon Dam
- Middle Creek Dam
- Moogerah Dam
- Mount Morgan Big Dam
- North Pine Dam
- Peter Faust Dam
- Ross River Dam
- Sideling Creek Dam (Lake Kurwonbah)
- Somerset Dam
- Storm King Dam
- Teemburra Dam
- Theresa Creek Dam
- Tinaroo Dam
- Wivenhoe Dam
- Wuruma Dam
- Wyaralong Dam

19 Amendment of sch 11 (Dictionary)

(1) Schedule 11, section 6B(3)—

omit.

- (2) Schedule 11, part 1—

insert—

6C Meaning of *listed impoundment*

- (1) A *listed impoundment* is an impoundment mentioned in schedule 10E.
- (2) However, a *listed impoundment* includes only the waters up to the full supply level of the impoundment.

- (3) Schedule 11, part 2—

insert—

eastern non-tidal waters means—

- (a) non-tidal waters in the East Coast drainage division other than a listed impoundment; and
- (b) non-tidal waters in the Murray–Darling drainage division east of the Gore Highway.

full supply level, for an impoundment, means the level of the water surface when the impoundment is holding as much water as it can hold while not affected by flood.

listed impoundment see section 6C of this schedule.

pyramid trap means a mesh trap with a square-shaped base and 4 triangular sides that meet at a point where there is a trap opening.

- (4) Schedule 11, part 2, definition *recreational fishing apparatus*, paragraph (q)—

omit, insert—

- (q) a pyramid trap.

ENDNOTES

- 1 Made by the Governor in Council on 27 November 2014.
- 2 Notified on the Queensland legislation website on 28 November 2014.
- 3 The administering agency is the Department of Agriculture, Fisheries and Forestry.

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