



Queensland

Fisheries (Effort Caps and Other Matters) Amendment Declaration 2022

Subordinate Legislation 2022 No. 150

made under the

Fisheries Act 1994

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
3	Declaration amended	3
Part 2	Amendments commencing on notification	
4	Amendment of s 94 (Regulated waters to which division applies and their regulated periods)	3
5	Amendment of sch 1 (Regulated waters)	4
Part 3	Amendments commencing on 1 November 2022	
6	Amendment of s 86B (Possessing or using trawl nets if maximum number of effort units used)	6
7	Insertion of new s 86BA	6
	86BA Restrictions on using particular boats if threshold number of effort units used	7
Part 4	Amendment commencing on 2 November 2022	
8	Replacement of s 86 (Using trawl nets in regulated period generally) 8	
	86 Possessing or using trawl nets in regulated periods generally	8
Part 5	Amendments commencing on 1 March 2023	
9	Amendment of s 86D (Possessing or using trawl nets if maximum number of effort units used)	9

Contents

10	Amendment of s 86E (Possessing or using trawl nets if maximum number of effort units used)	9
----	--	---

Part 1 Preliminary

1 Short title

This declaration may be cited as the *Fisheries (Effort Caps and Other Matters) Amendment Declaration 2022*.

2 Commencement

- (1) Part 3 commences on 1 November 2022.
- (2) Part 4 commences on 2 November 2022.
- (3) Part 5 commences on 1 March 2023.

3 Declaration amended

This declaration amends the *Fisheries Declaration 2019*.

Part 2 Amendments commencing on notification

4 Amendment of s 94 (Regulated waters to which division applies and their regulated periods)

- (1) Section 94, table, column 2, entry for Stradbroke Island (trawl nets), ‘from midday on 1 November to midday on 1 March’—
omit, insert—
from midday on 1 January to midday on 1 March
- (2) Section 94, table, after entry for Swain Reefs—
insert—

North Reef (trawl nets)	from midday on 1 November to midday on 1 March
-------------------------	--

[s 5]

5 Amendment of sch 1 (Regulated waters)

(1) Schedule 1, part 2, entry for Stradbroke Island (trawl nets)—
omit, insert—

Stradbroke Island (trawl nets)	waters within the following boundary— <ul style="list-style-type: none"> • from latitude 27°50.188' south, longitude 153°28.557' east to latitude 27°50.230' south, longitude 153°29.347' east • to latitude 27°45.272' south, longitude 153°30.221' east • to latitude 27°42.646' south, longitude 153°30.684' east • to latitude 27°41.224' south, longitude 153°30.824' east • to latitude 27°36.870' south, longitude 153°31.796' east • to latitude 27°32.902' south, longitude 153°33.195' east • to latitude 27°28.634' south, longitude 153°34.911' east • to latitude 27°26.300' south, longitude 153°36.425' east • to latitude 27°26.311' south, longitude 153°34.594' east • to latitude 27°29.900' south, longitude 153°32.660' east • to latitude 27°32.162' south, longitude 153°31.826' east • to latitude 27°33.700' south, longitude 153°31.260' east • to latitude 27°36.300' south, longitude 153°30.470' east • to latitude 27°40.767' south, longitude 153°29.726' east • to latitude 27°43.500' south, longitude 153°29.271' east 	chapter 2, part 12, division 8
--------------------------------	---	--------------------------------------

	<ul style="list-style-type: none"> • to latitude 27°45.003' south, longitude 153°28.940' east • to latitude 27°45.000' south, longitude 153°29.478' east • to latitude 27°50.188' south, longitude 153°28.557' east 	
--	--	--

(2) Schedule 1, part 2, entry for Caloundra to Moreton Island (trawl nets)—

omit, insert—

Caloundra to Moreton Island (trawl nets)	<p>waters within the following boundary—</p> <ul style="list-style-type: none"> • from latitude 26°45.832' south, longitude 153°8.183' east to latitude 26°45.832' south, longitude 153°17.472' east • to latitude 26°56.735' south, longitude 153°30.380' east • to latitude 26°57.812' south, longitude 153°30.352' east • to latitude 27°10.300' south, longitude 153°29.700' east • to latitude 27°18.000' south, longitude 153°30.000' east • to latitude 27°20.230' south, longitude 153°34.000' east • to latitude 27°20.211' south, longitude 153°26.678' east • to latitude 27°1.673' south, longitude 153°28.079' east • to latitude 26°58.221' south, longitude 153°29.499' east • to latitude 26°56.732' south, longitude 153°26.570' east • to latitude 26°51.438' south, longitude 153°10.002' east 	chapter 2, part 12, division 8
--	--	--------------------------------

[s 6]

	<ul style="list-style-type: none"> to latitude 26°48.135' south, longitude 153°9.049' east to latitude 26°45.832' south, longitude 153°8.183' east 	
--	--	--

(3) Schedule 1, part 2, after entry for Swain Reefs—

insert—

North Reef (trawl nets)	<p>waters within the following boundary—</p> <ul style="list-style-type: none"> from latitude 22°54.200' south, longitude 152°00.000' east to latitude 22°54.200' south, longitude 152°4.000' east to latitude 23°5.000' south, longitude 152°4.000' east to latitude 23°5.000' south, longitude 152°00.000' east to latitude 22°54.200' south, longitude 152°00.000' east 	chapter 2, part 12, division 8
-------------------------	--	--------------------------------

Part 3 Amendments commencing on 1 November 2022

6 Amendment of s 86B (Possessing or using trawl nets if maximum number of effort units used)

Section 86B(1), '167,625'—

omit, insert—

204,102

7 Insertion of new s 86BA

After section 86B—

insert—

86BA Restrictions on using particular boats if threshold number of effort units used

- (1) This section applies if—
 - (a) 142,872 or more effort units for the southern inshore trawl region are used at any time in the period from 1 November to 29 September; and
 - (b) on or before 30 September, the chief executive publishes a notice (a *threshold notice*) on the department's website stating that 142,872 or more effort units for the southern inshore trawl region have been used since 1 November.
- (2) A person must not use, or allow another person to use, the primary boat identified in a T1 or T2 licence in the southern inshore trawl region in the regulated period.
- (3) However, a person may use, or allow another person to use, the primary boat identified in a T1 or T2 licence in the southern inshore trawl region for no more than 24 days in each whole month in the regulated period.
- (4) Also, subsections (2) and (3) do not apply to the use of the primary 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 southern inshore trawl region under the other fishery symbol.
- (5) For subsections (2) and (3), the regulated period is the period—
 - (a) starting on the day after the day the threshold notice is published; and

[s 8]

- (b) ending on 31 October.
- (6) For subsection (3), the first whole month in the regulated period starts on the first day of the regulated period.

Part 4 **Amendment commencing on 2 November 2022**

8 Replacement of s 86 (Using trawl nets in regulated period generally)

Section 86—

omit, insert—

86 Possessing or using trawl nets in regulated periods generally

- (1) A person must not possess or use a trawl net in the southern offshore trawl region A or the southern offshore trawl region B in the following regulated periods—
 - (a) from 8a.m on 20 September to 6p.m on 1 November;
 - (b) from 8a.m to 6p.m on a day other than a day or a part of a day in the period mentioned in paragraph (a).
- (2) However, subsection (1) does not apply to—
 - (a) a person possessing or using an otter trawl net under a T5 licence; or
 - (b) a person possessing or using a trawl net in waters south of the eastern tip of Point Cartwright in the regulated period mentioned in subsection (1)(b).

Part 5 **Amendments commencing on 1 March 2023**

9 **Amendment of s 86D (Possessing or using trawl nets if
maximum number of effort units used)**

Section 86D(1), ‘500,711’—

omit, insert—

318,584

10 **Amendment of s 86E (Possessing or using trawl nets if
maximum number of effort units used)**

Section 86E(1), ‘418,657’—

omit, insert—

250,178

ENDNOTES

- 1 Made by the chief executive of the Department of Agriculture and Fisheries on 25 October 2022.
- 2 Notified on the Queensland legislation website on 28 October 2022.
- 3 The administering agency is the Department of Agriculture and Fisheries.

© State of Queensland 2022