

**Queensland**



**Subordinate Legislation 1995 No. 291**

***Fisheries Act 1994***

**FISHERIES (PUMICESTONE STRAIT CLOSED  
WATERS) DECLARATION 1995**

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**Short title**

1. This declaration may be cited as the *Fisheries (Pumicestone Strait Closed Waters) Declaration 1995*.

**Purpose of declaration**

2.(1) The purpose of this declaration is to ensure the waters of Pumicestone Strait<sup>1</sup> are closed to commercial fishing.

(2) Parts of the waters are already closed to most commercial fishing activities, either permanently, or at particular times.

(3) This declaration adds to, and does not replace, existing closed waters declarations.<sup>2</sup>

**Waters to which declaration applies**

3.(1) This declaration applies to the waters of Pumicestone Strait and waterways joining it between its southern and northern boundaries.

(2) The southern boundary of the waters closed by this declaration is a direct line between boundary signs at the southern end of South Esplanade, Bongaree, Bribie Island, and the south-eastern tip of Toorbul Point.

(3) The northern boundary of the waters closed by this declaration is a direct line between boundary signs at the southern end of the sand spit between Kings Beach and Bulcock Beach, Caloundra, and the northern tip of Bribie Island.

(4) In this section—

“**boundary sign**” means a sign with the symbol F↑B on it, erected by a fisheries agency.

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<sup>1</sup> Pumicestone Strait is also known as Pumicestone Passage and sometimes Pumicestone Channel.

<sup>2</sup> In some of the waters commercial fishing (other than for crabs) is already prohibited. In other waters, commercial fishing is prohibited between 6 p.m. on Friday and 6 p.m. on Sunday.

**Closed waters**

4. To the extent necessary to give effect to the purpose of this declaration, the waters described in section 3 are closed.

**What declaration prohibits**

5.(1) This declaration prohibits the following in the closed waters—

- (a) taking fish for trade or commerce;
- (b) using or possessing fishing apparatus for trade or commerce;
- (c) possessing fish taken for trade or commerce;
- (d) using or possessing fishing apparatus only a commercial fisher may use or possess.<sup>3</sup>

(2) However, this section does not apply to aquaculture.

(3) Also, this section does not prohibit bringing ashore or transporting fish taken outside the closed waters.

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**ENDNOTES**

- 1. Made by the chief executive on 9 October 1995.
- 2. Notified in the gazette on 20 October 1995.
- 3. Laid before the Legislative Assembly on . . .
- 4. The administering agency is the Department of Primary Industries.

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<sup>3</sup> Under the Act, section 84(3), a prohibition on the use or possession of fishing apparatus does not apply to a boat lawfully passing through waters if the fishing apparatus is stowed and secured.