

Queensland

# Fisheries Legislation Amendment Regulation (No. 4) 2009

# Subordinate Legislation 2009 No. 213

made under the

Fisheries Act 1994

# Contents

			Page		
Part 1	Prelimina	ry			
1	Short title		3		
Part 2	Amendme Plan 2003	ent of Fisheries (Coral Reef Fin Fish) Management			
2	Manageme	lanagement plan amended			
3	Amendme	nt of s 111 (Definitions for div 4)	3		
4	Amendme division)	nt of s 123 (Notices to chief executive under this	4		
Part 3	Amendme Plan 1999	ent of Fisheries (East Coast Trawl) Management			
5	Manageme	ent plan amended	5		
6	Amendment of s 29B (Prohibited activities and regulated periods)				
7	Omission of	Omission of ch 3, pt 3, div 3, sdiv 1 (Preliminary)			
8	Renumbering of ch 3, pt 3, div 3, sdivs 2–4				
9	Amendment of s 43 (How to comply)				
10	Amendment of s 43A (Application of sdiv 3)				
11	Replacem	ent of s 44 (Square mesh cod end)	6		
	44	Square mesh cod end	6		
	44A	Half-round square mesh cod end	7		
12	Amendme	nt of s 49 (Application of sdiv 4)	8		

#### Contents

13	Amendment of sch 3 (Particular regulated waters)	8
14	Amendment of sch 7 (Dictionary)	10
Part 4	Amendment of Fisheries Legislation Amendment Regulation (No. 1) 2008	
15	Regulation amended	10
16	Amendment of s 2 (Commencement)	10
17	Replacement of s 5 (Replacement of s 55 (Requirements for a recognised TED))	11
	5 Replacement of s 55 (Requirements for a recognised TED)	11
Part 5	Amendment of Fisheries Regulation 2008	
18	Regulation amended	15
19	Amendment of s 47 (Prohibited activities and regulated periods)	15
20	Amendment of s 50 (Commercial fishing)	16
21	Replacement of s 158 (Mud crab)	17
	158 Mud crab	17
22	Amendment of s 188 (Using crab apparatus)	17
23	Amendment of s 596A (Use of particular crab apparatus)	17
24	Relocation of s 596B (Possession of crab apparatus)	18
25	Replacement of s 600 (Marking of fishing apparatus)	18
	600 Marking of fishing apparatus	18
26	Amendment of s 614 (Fishery period)	19
27	Amendment of s 711 (Other fees payable under the Act)	19
28	Amendment of sch 1 (Regulated waters)	20
29	Amendment of sch 2 (Regulated fish declarations)	25
30	Amendment of sch 6 (Glossary of scientific names for particular fish other than regulated coral reef fin fish)	27

[s 1]

# Part 1 Preliminary

### 1 Short title

This regulation may be cited as the Fisheries Legislation Amendment Regulation (No. 4) 2009.

# Part 2 Amendment of Fisheries (Coral Reef Fin Fish) Management Plan 2003

# 2 Management plan amended

This part amends the Fisheries (Coral Reef Fin Fish) Management Plan 2003.

# 3 Amendment of s 111 (Definitions for div 4)

(1) Section 111, definitions *retained fish conditions* and *retained fish notice*—

omit.

(2) Section 111—

insert—

*'retained fish conditions* means, for a prior notice, that an authorised boat must not leave the unloading area for the landing place for the prior notice with coral reef fin fish unless the holder, or someone else acting for the holder, has given the chief executive a retained fish notice for the fish at least the following period before the boat leaves the unloading area—

- (a) if the landing place is at or north of latitude 15°50.30' south—6 hours;
- (b) if the landing place is south of latitude 15°50.30' south—3 hours.

[s 4]

*retained fish notice* means a notice stating the retained fish notice particulars and given in compliance with the retained fish conditions.'.

(3) Section 111, definition *prior notice particulars*, paragraph (f)(ii)—

omit, insert—

- (ii) the total number of each of the following on board all the authorised boats when the notice is given—
  - (A) coral trout that are whole or gilled and gutted;
  - (B) redthroat emperor that are whole or gilled and gutted;
  - (C) other coral reef fin fish that are whole or gilled and gutted;
  - (D) containers of other coral reef fin fish that are whole or gilled and gutted.'.

# 4 Amendment of s 123 (Notices to chief executive under this division)

Section 123(1)—

omit, insert—

- '(1) This section applies to each of the following notices—
  - (a) a notice required to be given under section 113, 114 or 115;
  - (b) a retained fish notice;
  - (c) a transhipment notice;
  - (d) an unnotifiable landing notice;
  - (e) an unloaded fish notice.'.

[s 5]

# Part 3 Amendment of Fisheries (East Coast Trawl) Management Plan 1999

#### 5 Management plan amended

This part amends the Fisheries (East Coast Trawl) Management Plan 1999.

# 6 Amendment of s 29B (Prohibited activities and regulated periods)

- Section 29B(1), '160000'—
   *omit, insert*—
   '309014'.
- (2) Section 29B(4), definition *relevant period*, '1 January'—
   *omit, insert*—
   '1 November'.

# 7 Omission of ch 3, pt 3, div 3, sdiv 1 (Preliminary)

Chapter 3, part 3, division 3, subdivision 1 *omit*.

# 8 Renumbering of ch 3, pt 3, div 3, sdivs 2–4

Chapter 3, part 3, division 3, subdivisions 2 to 4 *renumber* as chapter 3, part 3, division 3, subdivisions 1 to 3.

# 9 Amendment of s 43 (How to comply)

(1) Section 43(2), definition *recognised BRD*, paragraph (a), 'subdivision 3'—

omit, insert—

[s 10]

'subdivision 2'.

(2) Section 43(2), definition *recognised BRD*, paragraph (b), 'subdivision 4'—

omit, insert—

'subdivision 3'.

### 10 Amendment of s 43A (Application of sdiv 3)

Section 43A, heading, 'sdiv 3'-

omit, insert—

**'sdiv 2'**.

# 11 Replacement of s 44 (Square mesh cod end)

Section 44—

omit, insert—

#### '44 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.

#### '44A 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

[s 12]

- (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.'.

### 12 Amendment of s 49 (Application of sdiv 4)

Section 49, heading, 'sdiv 4'---

omit, insert—

'sdiv 3'.

### 13 Amendment of sch 3 (Particular regulated waters)

Schedule 3, section 17—

omit, insert—

### **'17** 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)

[s 13]

- 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 Broadway 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.'.

### 14 Amendment of sch 7 (Dictionary)

Schedule 7, part 4—

insert—

'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.'.

# Part 4

# Amendment of Fisheries Legislation Amendment Regulation (No. 1) 2008

# 15 Regulation amended

This part amends the Fisheries Legislation Amendment Regulation (No. 1) 2008.

Editor's note—

Legislation ultimately amended-

• Fisheries (East Coast Trawl) Management Plan 1999

# 16 Amendment of s 2 (Commencement)

Section 2(3), '16 December 2009'—

omit, insert—

'1 February 2010'.

# 17 Replacement of s 5 (Replacement of s 55 (Requirements for a recognised TED))

Section 5—

omit, insert—

# \*5 Replacement of s 55 (Requirements for a recognised TED)

Section 55—

omit, insert—

#### **'55 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, there must be attached to the grid—
    - (i) floats that are of a type, and are attached in a way, that comply with subsection (6); and
    - (ii) the number of floats 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,
	exten	iding from	m the	top to th	e bo	ottom	of the	net; ar	ıd

- (c) be constructed of rigid material; and
- (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 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
		(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
		<ul><li>(vi) the trailing edges of which do not extend more than</li><li>61cm behind the trailing edge of the grid.</li></ul>
'(6)	A flo	pat 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 ( <b><i>PVC</i></b> ); 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)	Ther	e 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 Amendment of Fisheries Regulation 2008

#### 18 Regulation amended

This part amends the Fisheries Regulation 2008.

# 19 Amendment of s 47 (Prohibited activities and regulated periods)

Section 47(2)—

omit, insert—

- (2) For subsection (1), each of the following periods is a regulated period—
  - (a) from 15 October 2009 to 19 October 2009;
  - (b) from 14 November 2009 to 18 November 2009;
  - (c) from 5 October 2010 to 9 October 2010;
  - (d) from 3 November 2010 to 7 November 2010;
  - (e) from 24 October 2011 to 28 October 2011;
  - (f) from 22 November 2011 to 26 November 2011;
  - (g) from 12 October 2012 to 16 October 2012;
  - (h) from 11 November 2012 to 15 November 2012;
  - (i) from 2 October 2013 to 6 October 2013;
  - (j) from 31 October 2013 to 4 November 2013.'.

# 20 Amendment of s 50 (Commercial fishing)

- (1) Section 50(1)(b)(ii), 'in an unloading area' *omit*.
- (2) Section 50(1)(c)—

omit, insert—

- '(c) either—
  - (i) the boat is in an unloading area; or
  - (ii) the boat is not in an unloading area but only in a permitted period.'.
- (3) Section 50(2)—

insert—

#### 'permitted period means—

(a) a period other than a regulated period mentioned in section 47(2); or

[s 21]

(b) the period from midnight at the beginning of the first day of a regulated period mentioned in section 47(2) to 6a.m. on the day.'.

#### 21 Replacement of s 158 (Mud crab)

Section 158-

omit, insert—

#### 158 Mud crab

'The size of a mud crab must be decided by measuring the widest part of its carapace.'.

#### 22 Amendment of s 188 (Using crab apparatus)

(1) Section 188(3)(b)—

omit, insert—

- (b) the crab apparatus is attached by a rope to either—
  - (i) a float complying with subsection (4); or
  - (ii) a fixed object above the high water mark, including for example, a jetty or tree; and
- (c) if the crab apparatus is attached to a fixed object under paragraph (b)(ii)—a tag, on which is written the surname of the owner of the apparatus, is attached to the part of the rope above the high water mark.'.
- (2) Section 188(4), '(3)(b)'—

omit, insert—

'(3)(b)(i)'.

#### 23 Amendment of s 596A (Use of particular crab apparatus)

(1) Section 596A(a) omit, insert[s 24]

- '(a) the waters of Moreton Bay (whole) south of latitude 27°18.430' south;'.
- (2) Section 596A—

relocate after section 596.

# 24 Relocation of s 596B (Possession of crab apparatus)

Section 596B—

relocate after section 596A.

#### 25 Replacement of s 600 (Marking of fishing apparatus)

Section 600-

omit, insert—

#### 600 Marking of fishing apparatus

- '(1) An item of crab apparatus used to take crabs must—
  - (a) have attached to it a tag on which is written the name of the owner of the apparatus; or
  - (b) be marked with the boat mark for the owner's primary boat.
- (2) Also, the crab apparatus must be attached by a rope to either—
  - (a) a compliant float that is at least 15cm in all its dimensions; or
  - (b) a fixed object above the high water mark, including, for example, a jetty or tree.
- '(3) If crab apparatus is attached to a fixed object under subsection (2)(b), a tag, on which is written the boat mark for the primary boat of the owner of the apparatus, must be attached to the part of the rope above the high water mark.
- (4) If 2 items of crab apparatus are fixed to a line, one end of the line must have attached to it 2 compliant floats that are at least 15cm in all their dimensions.

- (5) If 3 or more items of crab apparatus are fixed to a line—
  - (a) one end of the line must have attached to it a compliant float that is at least 25cm in all its dimensions; and
  - (b) the other end of the line must have attached to it a flag that is at least 2m above the water; and
  - (c) a tag must be attached to the line near the float or flag stating the number of items of crab apparatus that are attached to the line.
- (6) In this section—

compliant float, for using crab apparatus, means a float that-

- (a) is light coloured and clearly visible on the surface of the water; and
- (b) is marked with the boat mark for the primary boat of the owner of the apparatus.'.

#### 26 Amendment of s 614 (Fishery period)

Section 614, 'between 1 April and 31 December'—

omit, insert—

'in the period stated on the licence'.

#### 27 Amendment of s 711 (Other fees payable under the Act)

Section 711(2)—

omit, insert—

- (2) Each of the fees stated in schedule 9, tables 1 to 3—
  - (a) is the annual fee for an authority, fishery symbol or quota authority stated in the table for the financial year stated in the column heading under which the fee is stated; and
  - (b) is payable in arrears at the end of each half of the relevant financial year.'.

# 28 Amendment of sch 1 (Regulated waters)

(1) Schedule 1, part 1, entry for Coral reef fin fish waters—

omit, insert—

'Coral reef fin fish waters	<ul> <li>tidal waters within the following boundary—</li> <li>from the northern tip of Cape York along latitude 10°41' south</li> </ul>	part 5, division 4'.
	• to longitude 145° east	
	• to latitude 13° south, longitude 145° east	
	• to latitude 15° south, longitude 146° east	
	• to latitude 17°30' south, longitude 147° east	
	• to latitude 21° south, longitude 152°55' east	
	• to latitude 24°30' south, longitude 154° east	
	• to latitude 24°50' south, longitude 154° east	
	• along latitude 24°50' south to the mainland shore	
	• along the shore to the northern tip of Cape York at latitude 10°41' south	

(2) Schedule 1, part 2, entries for Swan Bay and Wolf Rock (grey nurse shark protection area), column 3, 'section 642B'—

omit.

(3) Schedule 1, part 2, entry for Port of Gladstone–Rodds Bay (dugong protection area)—

'Port of Gladstone– Rodds Bay (dugong protection	1	<ul> <li>waters within the following boundary—</li> <li>from the eastern tip of Friend Point of The Narrows to the western tip of Laird Point Curtis Island</li> </ul>	part 12'.
area)		• along the western and southern shores of Curtis Island to the eastern tip of Southend on Curtis Island	
		• to the northern tip of North Point on Facing Island	
		• along the western, southern and south-eastern shore of Facing Island to the eastern tip of East Point	
		• to the northern tip of Flora Point, Rodds Peninsula	
		• along the mainland shore to the eastern tip of Friend Point of The Narrows	
	2	waterways adjoining the waters mentioned in item 1	

omit, insert—

(4) Schedule 1, part 2, entry for Clairview Bluff–Carmilla Creek (dugong protection area)—

r			,
'Clairview Bluff– Carmilla Creek (dugong protection area)	1	<ul> <li>waters within the following boundary—</li> <li>from latitude 21°54'25" south where it intersects the mainland shore near Carmilla Creek</li> <li>to latitude 21°57'54" south, longitude 149°35'45" east</li> <li>to latitude 22°01'45" south, longitude 149°35'45" east</li> <li>to latitude 22°10'34" south, longitude 149°36'43" east</li> <li>to the eastern tip of Clairview Bluff</li> <li>along the mainland shore to latitude 21°54'25" south where it intersects the mainland shore near Carmilla Creek</li> </ul>	part 12'.
	2	waterways adjoining the waters mentioned in	
	-	item 1	

(5) Schedule 1, part 2, entry for Llewellyn Bay (dugong protection area)—

omit, insert—

'Llewellyn	1	waters within the following boundary—	part 12'.
Bay (dugong protection area)		• from the northern tip of Freshwater Point	
		• to latitude 21°27'07" south, longitude 149°27'42" east	
		• to latitude 21°30'40" south, longitude 149°28'55" east	
		• to latitude 21°29'13" south, longitude 149°24' east	
		• to the north-eastern tip of Allom Point	
		• along the mainland shore to the northern tip of Freshwater Point	
	2	waterways adjoining the waters mentioned in item 1	

(6) Schedule 1, part 2, entry for Ball Bay–Sand Bay (dugong protection area)—

• ,	•
omit	incort
onni,	insert—
,	

'Ball Bay–Sand Bay (dugong protection area)	1	<ul> <li>waters within the following boundary—</li> <li>from longitude 148°59'45" east where it intersects the mainland shore at Ball Bay to latitude 20°52'01" south, longitude 148°59'45" east</li> </ul>	part 12'.
		• to latitude 20°56'49" south, longitude 149°06'47" east	
		• to longitude 149°05'42" east where it intersects the shore of Sand Bay	
		• along the mainland shore to longitude 148°59'45" east where it intersects the mainland shore at Ball Bay	
	2	waterways adjoining the waters mentioned in item 1	

(7) Schedule 1, part 2, entry for Repulse Bay (dugong protection area)—

omit, insert—

'Repulse Bay (dugong protection area)	1	<ul> <li>waters within the following boundary—</li> <li>from the southern tip of Rocky Point to latitude 20°30'14" south, longitude 148°45'47" east</li> </ul>	part 12'.
		<ul> <li>east to longitude 148°49'44" east</li> <li>north along longitude 148°49'44" east to the mainland shore</li> </ul>	
		<ul> <li>along the mainland shore to the southern tip of Rocky Point</li> </ul>	
	2	waterways adjoining the waters mentioned in item 1	

(8) Schedule 1, part 2, entry for Edgecumbe Bay–Bowen (dugong protection area)—

Fisheries Legislation Amendment Regulation (No. 4) 2009 Part 5 Amendment of Fisheries Regulation 2008

[s 28]

omit, insert—

'Edgecumbe Bay–Bowen (dugong protection area)	1	<ul> <li>waters within the following boundary—</li> <li>from longitude 148°11'10" east where it intersects the mainland shore to the northern tip of Gloucester Head, Gloucester Island</li> </ul>	part 12'.
		• along the western shore of Gloucester Island to longitude 148°27'22" east where it intersects the shore of the island	
		• to the northern tip of Cape Gloucester	
		• along the mainland shore to longitude 148°11'10" east where it intersects the mainland shore	
	2	waterways adjoining the waters mentioned in item 1	

# (9) Schedule 1, part 2, entry for Bowling Green Bay (dugong protection area)—

omit, insert—

'Bowling Green Bay (dugong protection area)	1	<ul> <li>waters within the following boundary—</li> <li>from the northern tip of Cape Cleveland to the northern tip of Cape Bowling Green</li> <li>along the shore to the northern tip of Cape Cleveland</li> </ul>	
2		waterways adjoining the waters mentioned in item 1	

(10) Schedule 1, part 2, entry for Lucinda to Allingham–Halifax Bay (dugong protection area)—

[s 29]

[			
'Lucinda to Allingham– Halifax Bay (dugong protection area)	1	waters within the following boundary—	part 12'.
		• from the western end of the jetty where it intersects the shore of Lucinda Point along the northern side of the jetty to its seaward end to latitude 18°33'32" south, longitude 146°23'28" east	
		• to latitude 18°37'41" south, longitude 146°23'02" east	
		• to latitude 18°42'29" south, longitude 146°21'04" east	
		• along latitude 18°42'29" south where it intersects the mainland shore near Allingham	
		• along the mainland shore to the northern side of the western end of the jetty where it intersects the mainland shore of Lucinda Point	
	2	waterways adjoining the waters mentioned in item 1	

omit, insert—

# 29 Amendment of sch 2 (Regulated fish declarations)

(1) Schedule 2, part 2, entries for Balmain bug, Moreton Bay bug and mud crab—

omit.

(2) Schedule 2, part 2—

Fisheries Legislation Amendment Regulation (No. 4) 2009 Part 5 Amendment of Fisheries Regulation 2008

[s 29]

	1	1	
'deepwater bug	F	the bug with its carapace damaged or separated from the body	a person possessing the fish on a boat
	F	bug-meat	a person possessing the fish on a boat
	G	an egg bearing female	a person possessing the fish
	G	a female from which the eggs have been removed	a person possessing the fish on a commercial fishing boat
	S	less than 7.5cm	a person taking or possessing the fish
Moreton Bay bug	F	the bug with its carapace damaged or separated from the body	a person possessing the fish on a boat
	F	bug-meat	a person possessing the fish on a boat
	S	less than 7.5cm	a person taking or possessing the fish
mud crab	F	the crab with its carapace separated from the body	a person possessing the fish
	N	more than 10	a recreational fisher taking or possessing the fish
	G	female mud crab	a person taking or possessing the fish
	S	less than 15cm	a person taking or possessing the fish

insert—

[s 30]

shovel-nosed lobster	F	the bug with its carapace damaged or separated from the body	a person possessing the fish on a boat
	F	bug-meat	a person possessing the fish on a boat
	G	an egg bearing female	a person possessing the fish
	G	a female from which the eggs have been removed	a person possessing the fish on a commercial fishing boat
	S	less than 7.5cm	a person taking or possessing the fish
smooth bug	F	the bug with its carapace damaged or separated from the body	a person possessing the fish on a boat
	F	bug-meat	a person possessing the fish on a boat
	G	an egg bearing female	a person possessing the fish
	G	a female from which the eggs have been removed	a person possessing the fish on a commercial fishing boat
	S	less than 10.5cm	a person taking or possessing the fish'.

# 30 Amendment of sch 6 (Glossary of scientific names for particular fish other than regulated coral reef fin fish)

Schedule 6, part 4—

insert—

'deepwater bug shovel-nosed lobster smooth bug Ibacus alticrenatus Ibacus brucei Ibacus chacei'.

### ENDNOTES

- 1 Made by the Governor in Council on 8 October 2009.
- 2 Notified in the gazette on 9 October 2009.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Employment, Economic Development and Innovation.

© State of Queensland 2009