

# Impact Analysis Statement

## Summary IAS

### Details

<b>Lead department</b>	Department of Primary Industries
<b>Name of the proposal</b>	<i>Fisheries Legislation Amendment Regulation 2026</i>  Amendments to the <i>Fisheries (General) Regulation 2019</i> to prescribe additional dams to the Stocked Impoundment Permit Scheme and update a partial revocation of the Bowling Green Bay declared Fish Habitat Area.  Amendments to the <i>Fisheries (Commercial Fisheries) Regulation 2019</i> to prescribe the Toms Fisheye BRD.
<b>Submission type</b> (Summary IAS / Consultation IAS / Decision IAS)	Summary Impact Analysis Statement
<b>Title of related legislative or regulatory instrument</b>	<i>Fisheries Legislation Amendment Regulation 2026</i>
<b>Date of issue</b>	April 2026

Proposal type	Details
<b>Minor and machinery in nature</b>	<p><b><u>Toms Fisheye bycatch reduction device amendments</u></b></p> <p>The proposal is to amend the <i>Fisheries (Commercial Fisheries) Regulation 2019</i> to:</p> <ul style="list-style-type: none"> <li>prescribe the Toms Fisheye Bycatch Reduction Device (BRD) as an approved BRD.</li> </ul> <p>Making Tom's Fisheye BRD a prescribed BRD under the <i>Fisheries (Commercial Fisheries) Regulation 2019</i> expands the range of approved BRDs available to commercial trawl fishers. An improved range of options for prescribed BRDs is expected to contribute to ongoing economic efficiency and ecological stewardship in the East Coast Otter Trawl Fishery (the Fishery) by supporting commercial trawl fishers in selecting an appropriate BRD that best fits their vessel and fishing methods.</p> <p>The Tom's Fisheye BRD has been successfully deployed in the Commonwealth government's Northern Prawn Fishery, where it has contributed to measurable reductions in bycatch volumes and improved compliance with environmental stewardship objectives. The Department of Primary Industries has conducted extensive trials of this BRD in combination with the trawl industry with observed success, with this study to be published shortly.</p> <p>The amendment to prescribe the Tom's Fisheye BRD under the <i>Fisheries (Commercial Fisheries) Regulation 2019</i> is a minor administrative amendment to accommodate improved access to BRDs, and imposes negligible regulatory costs either to government, or commercial fishers. This amendment is minor and machinery in nature and does not require further regulatory impact analysis under the Better Regulation Policy.</p>

\*Refer to [The Queensland Government Better Regulation Policy](#) for regulatory proposals not requiring regulatory impact analysis (for example, public sector management, changes to existing criminal laws, taxation).

*For all other proposals, complete below.*

**What is the nature, size and scope of the problem? What are the objectives of government action?**

**Stocked Impoundment Permit Scheme amendments**

The proposal is to amend the *Fisheries (General) Regulation 2019* to:

- Prescribe three (3) additional dams to the Stocked Impoundment Permit Scheme (SIPS) and remove one (1) dam.

The SIPS was established in 2000 as a user-pays system to support fish stocking in designated freshwater impoundments. Impoundments are 'put, grow and take' fisheries where most stocked species will not reproduce. This means the impoundments need to be stocked regularly with fish. The impoundments are stocked with native fish specifically for recreational fishing, which provides a sustainable fishing option that reduces the fishing pressure on wild fish stocks.

Currently, 63 impoundments across Queensland are included in the SIPS. Under this scheme, individuals aged 18 and over are required to obtain a permit to fish with a line in specified dams and weirs across Queensland. Revenue generated from permit sales is reinvested directly into the program. This funding supports a range of critical activities, including:

- fish restocking;
- scientific research and monitoring;
- fish tagging; and
- habitat restoration or enhancement.

These efforts are designed to promote best-practice fisheries management and enrich the recreational fishing experience.

On 15 August 2022, Fisheries Queensland called for expression of interest from freshwater stocking groups to add the impoundments they stock to the SIPS or have existing impoundments removed. This request from Fisheries Queensland was regular in nature and was not a response to any perceived or tangible issue.

The administration guidelines for the SIPS provide for both basic mandatory requirements and additional requirements to be assessed by Fisheries Queensland when considering the addition of new impoundments to the SIPS, as well as providing for removal of impoundments from the SIPS. This includes public access to the impoundment for recreational fishing as a necessary component of the SIPS.

After consultation with both the SIPS Advisory Committee and Freshwater working groups, three impoundments were supported to join the scheme – Enoggera Reservoir, Mount Morgan No.7 Dam and Paradise Dam. There were no applications requesting to be removed from SIPS. One impoundment (Beehive Dam) is to be removed due to loss of recreational access and the closure of the stocking group.

Impoundments that are part of the SIPS require users to hold a stocked impoundment permit to take freshwater fish using a fishing line, from a prescribed stocked impoundment. As a result, the impoundments that are part of the scheme must be identified and prescribed by regulation to define which impoundments require a permit.

To include additional impoundments to the SIPS requires prescribing by regulation. Amending the *Fisheries (General) Regulation 2019* achieves the goal of including the three additional impoundments to the SIPS, and removal of Beehive Dam, from the list of prescribed stocked impoundment.

**Administrative amendment to existing excluded areas for Bowling Green Bay declared Fish Habitat Area (FHA)**

The proposal is to amend the *Fisheries (General) Regulation 2019* to correct outdated references to existing areas excluded from Bowling Green Bay declared FHA by:

- updating lot-on-plan numbers to reflect numbers used in the Titles Registry, and
- omit references to land which has become non-tidal and has no legislative effect.

Declared FHAs are legally mapped areas under the *Fisheries Act 1994* (Fisheries Act) that safeguard critical aquatic ecosystems essential for fish populations and biodiversity. Their boundaries are defined through the *Fisheries (General) Regulation 2019* and corresponding declared FHA plans, which outline both mapped boundaries and specific inclusions or exclusions.

For Bowling Green Bay declared FHA, references to non-tidal areas excluded from the declared FHA are listed in Schedule 3 of the *Fisheries (General) Regulation 2019*. The references no longer match current cadastral records. These discrepancies arose because:

- Vacant Crown Land parcels referenced in the *Fisheries (General) Regulation 2019* are now referenced as Unallocated State Land through standard administrative processes under Queensland land legislation.
- Some of the lots listed in the *Fisheries (General) Regulation 2019* have no corresponding lot-on-plan numbers in the Titles Registry, potentially a result of natural coastal changes shifting the high-water mark, or due to updates that have been made to the lot listings in the Titles Registry.
- Cadastral updates occur independently of legislation, leaving outdated lot-on-plan numbers in the Regulation when changes are made to the Digital Cadastral Database.

The amendment updates the existing references to excluded parcels for Bowling Green Bay declared FHA. These changes have negligible regulatory costs to government, fishers, or the community, as they ensure the *Fisheries (General) Regulation 2019* aligns with current cadastral information and makes no change to the intent or effect of existing excluded parcels. This amendment is minor and machinery in nature and does not require further regulatory impact analysis under the Better Regulation Policy.

### **Amendment for partial revocation of Bowling Green Bay declared FHA**

#### **Objectives**

Bowling Green Bay declared FHA includes areas that support both important environmental values and the long-standing presence of the Australian Institute of Marine Science (AIMS) harbour and in-water research infrastructure. As Bowling Green Bay and the surrounding environment changes over time, there is a need to ensure that AIMS' future planning can appropriately consider essential works - such as maintaining the harbour and upgrading research-related infrastructure – by balancing future development with the ecological conservation of important marine resources.

The objective is to support the ongoing research functions of AIMS by allowing for the planned maintenance and development of infrastructure to support its Cape Ferguson research facility, wharf and harbours while continuing to have regard to the purpose and integrity of the declared FHA.

#### **Background**

Bowling Green Bay, near Townsville, is a declared FHA which means it is managed in accordance with the Fisheries Act and *Fisheries (General) Regulation 2019*.

The Bowling Green Bay declared FHA partially overlaps with the Bowling Green Bay Ramsar site. The environmental values of the Ramsar site are detailed in its Ramsar Information Sheet, which provides a comprehensive description of the area's marine habitats and ecological significance. The declared Ramsar wetlands specifically exclude the AIMS wharf and harbour.

Declared FHAs:

- are defined areas of critical inshore and estuarine fish habitats which play a key role in sustaining fish stocks for recreational, commercial and Indigenous fishing;
- provide a way to protect and manage all fish habitats within their boundaries, including vegetation, sand bars and rocky headlands;
- permit legal forms of recreational, traditional or commercial boating activities;
- restrict development activities within the FHA boundaries; and
- are declared as management A area or management B areas depending on the level of protection required.

Bowling Green Bay declared FHA:

- is a management A area that protects 68 573 hectares of intertidal and sub-tidal habitats;
- is shown on [Plan FHA-007](#);
- is located between Cape Bowling Green and Cape Cleveland;
- excludes land that is not tidal land within the lots described in Schedule 3 of the *Fisheries (General) Regulation 2019*.

#### AIMS facility

The AIMS research facility is located south of Townsville at Cape Ferguson, on land that borders the Bowling Green Bay declared FHA. The facility relies on a small harbour that allows research vessels to access the site. This harbour, along with the in-water structures needed for research operations, sits within tidal areas that are also part of the declared FHA.

Over recent years, natural sediment build-up has made the harbour shallower, creating problems for vessel access and day-to-day research activities. To keep the facility operating effectively, AIMS needs to restore the harbour and upgrade parts of its infrastructure.

However, planning for any future works is unable to progress because the proposed activity areas overlap with the Bowling Green Bay declared FHA. The types of work that may be needed include harbour maintenance such as moving accumulated sand, upgrading existing structures, and installing new seawater pipelines—some of which would occur within the declared FHA.

#### FHA boundaries and management A and B areas

The declared FHA boundaries are defined through:

- a combination of sections 77 to 79 of the *Fisheries (General) Regulation 2019*; and
- the relevant FHA statutory plan; and
- the relevant section of Schedule 3 of the *Fisheries (General) Regulation 2019*.

Schedule 3 of the *Fisheries (General) Regulation 2019* lists each declared FHA plan and includes details on the area included and excluded within the boundary of a declared FHA, and the Plan indicates the management level, as either a management A or management B area.

The management level applied by the legislation either prohibits or restricts development within the outer boundary of a declared FHA as follows:

- management A – provides the highest level of statutory protection over core fish habitat conservation areas
- management B – provides statutory protection over important fish habitat conservation areas and allows a more flexible management approach to development than management A.

The current management A area of the Bowling Green Bay declared FHA is the most stringent management level applied to proposed development that may be authorised. Development may be permitted only where it is necessary for one or more prescribed development purposes and must comply with the requirements of the declared management area.

#### Resource Allocation Authority (RAA)

Under the Fisheries Act, development may be undertaken in a declared FHA if it meets 'accepted development' requirements. Potential upgrades to the AIMS harbour's research infrastructure do not meet these requirements.

For works that are not 'accepted development', the Fisheries Act also provides for the issuance of an RAA upon successful application. Previous advice to AIMS indicated that any application for research facility infrastructure upgrades in the harbour would be refused, as it does not meet the criteria for a prescribed development purpose.

Therefore, neither of these vehicles can be pursued to progress research infrastructure upgrades in the Bowling Green Bay FHA.

## What options were considered?

### Stocked Impoundment Permit Scheme amendments

#### **Option 1: No change/status quo**

Should no amendments to the fisheries subordinate legislation be made, then the initiatives cannot be eventualised.

Additional impoundments to the SIPS could not occur without an amendment to the *Fisheries (General) Regulation 2019* as the impoundments are prescribed by regulation. Impoundments are prescribed in the regulations to support the regulatory environment for the SIPS, which includes the issuing of authorities under the Act, as well as enforcement and compliance actions undertaken under fisheries legislation.

#### **Option 2: Amend the *Fisheries (General) Regulation 2019* to prescribe the additional impoundments to SIPS and omit one impoundment from the list of prescribed impoundments**

To support the additional impoundments and removal of Beehive Dam from the SIPS, an amendment to the *Fisheries (General) Regulation 2019* Schedule 8, Part 3 section 18 is required. Public consultation that was completed in 2024 informed Fisheries Queensland that 89% of the public feedback supported the impoundments be added to the scheme.

### Amendment for partial revocation of Bowling Green Bay declared FHA

#### **Option 1: No change/status quo**

No amendment to the fisheries subordinate legislation. Part of the boundary of the Bowling Green Bay declared FHA is contiguous with the whole of the seaward boundary of Lot 35 on Plan EP1474. All parts of the tidal and intertidal areas that are included within the declared FHA adjoining the Cape Ferguson facility on Lot 35 on Plan EP1474 will continue to be part of the declared FHA. The description of the area that is declared within the boundary of the Bowling Green Bay declared FHA will not change and the provisions under the Fisheries Act and *Fisheries (General) Regulation 2019* will apply over all parts of the existing area of the Bowling Green Bay declared FHA management A area.

#### **Option 2: Amend the *Fisheries (General) Regulation 2019* to declare part of the Bowling Green Bay declared FHA a management B area**

Amend the fisheries subordinate legislation. Part of the management A area of the Bowling Green Bay declared FHA is amended through a partial downgrade of tidal and intertidal areas to a management B area so that some parts of the tidal and intertidal areas included within the declared FHA that adjoin the Cape Ferguson facility on Lot 35 on Plan EP1474 will be managed under the provisions of the Fisheries Act and *Fisheries (General) Regulation 2019* as management B areas, in combination with the remaining areas that are to be managed as management A areas.

#### **Option 3: Amend the *Fisheries (General) Regulation 2019* to exclude parts of the Bowling Green Bay declared FHA**

Amend the fisheries subordinate legislation. Exclude parts of the tidal and intertidal areas of the Bowling Green Bay declared FHA adjoining and seaward of the cadastral boundary of Lot 35 on Plan EP1474, including the harbour area and areas of in-water infrastructure, seawater pipelines and a future pipeline intake. Removing the management A area for future planning involving the harbour and for infrastructure upgrades and seawater pipelines at Cape Ferguson is limited to three (3) excluded zones.

Amend the *Fisheries (General) Regulation 2019* to list one (1) excluded zone by amending the Bowling Green Bay declared FHA description, update property lot-on-plan descriptions for the properties included in Schedule 3 of the *Fisheries (General) Regulation 2019* and refer to a revised Plan FHA-007 that will show the amended outer boundary.

The additional zones proposed to be excluded from the FHA involve three (3) zones required for:

- the harbour and in-water infrastructure;
- a new north intake line for seawater; and

- the existing seawater pipelines (north and south intake lines).

As an update to refer to the current lot-on-plan descriptions shown on the Plan is required, the Digital Cadastral Database and Titles Register are to be used to update the Plan to reflect the description of the Bowling Green Bay declared FHA in Schedule 3, as it describes non-tidal land on three named islets as excluded from the declared FHA and references out of date lot-on-plan information.

Provisions under the Fisheries Act and *Fisheries (General) Regulation 2019* will continue to apply over all other, non-excluded parts of the Bowling Green Bay declared FHA management A area.

## What are the impacts?

### **Stocked Impoundment Permit Scheme amendments**

By making Enoggera Reservoir, Mount Morgan No. 7 Dam, and Paradise Dam prescribed dams for the scheme, recreational fishers will be required to purchase a permit if they wish to line-fish recreationally at these locations, restricting access to the ordinary activity of recreational line-fishing in these locations.

The requirement to obtain a SIPS permit will impact people who are currently able to fish for free in the proposed dams however, the impact is considered negligible for the following reasons:

- only a very small number of people are impacted.
- the impact is very low-cost and infrequent.
- affected fishers are able to access other free fishing spots within reasonable proximity to the proposed dams.

Current SIPS permit fees are:

- \$13.15 per week
- \$62.47 per year
- \$44.94 per year if you have a:
  - Queensland Government Seniors Card
  - Pensioner Concession Card, Health Care Card
  - Repatriation Health Care Card (Gold Card).

SIPS permits allow recreational fishers to line-fish at all impoundments under the scheme and are not limited to individual locations. 47,921 SIPS permits were issued in FY 24/25.

Applying the same methodology utilised in the *2015 Proposed changes to the Queensland Stocked Impoundment Permit Scheme – Decision Regulatory Impact Statement* to estimate user numbers and impacts, it is expected that an additional 1,986 anglers will need permits over the first 10 years at a cost of \$58,026.

If the impoundments are successfully added to the scheme, there may be some impact to the overall distribution of funds between SIPS impoundments until popularity and awareness increases at the new dams. Given the current year-on-year financial performance of SIPS, it is predicted the impact on other impoundments will be minimal.

The expansion of the Scheme is not expected generate additional administrative costs for government as the three additional dams will be incorporated into current scheme management utilising existing resources and budget.

No additional infrastructure provision costs are anticipated for dam/impoundment operators as the three proposed impoundments currently have the necessary infrastructure in place. Associated additional maintenance costs are expected to be minimal.

SIPS plays a vital role in enhancing recreational fishing opportunities while achieving broader, publicly beneficial objectives such as:

- reducing pressure on wild fish populations;
- fostering sustainable fishing practices;
- encouraging community involvement in fisheries stewardship; and

- contributing to the economic vitality of regional communities through fishing-related tourism.

The unique nature of these impoundments (location and characteristics) will add variability to SIPS, and it is expected that their addition will benefit the scheme overall. In addition, increased revenue from permit sales will be re-invested into the SIPS scheme to support program objectives, and the new locations will be eligible for consideration for funding allocation for the purpose of community benefit at Enoggera reservoir, Mount Morgan No. 7 Dam, and Paradise Dam such as restocking and fisheries enhancement. This is expected to provide an improved experience for both new and existing recreational fishers visiting Enoggera reservoir, Mount Morgan No. 7 Dam, and Paradise Dam. These benefits are considered to outweigh the adverse impact to recreational fishers caused by new permit requirements.

If the impoundments are successfully added to the scheme, there may be some impact to the overall distribution of funds between SIPS impoundments until popularity and awareness increases at the new dams. Given the current year-on-year financial performance of SIPS, it is predicted the impact on other impoundments will be minimal.

Beehive Dam was proposed to be removed from the scheme, due to the loss of recreational access at the dam, which is a mandatory requirement for inclusion in the SIPS scheme, and the closure of the stocking group. Omitting Beehive Dam from the list of prescribed impoundments would not result in further impacts as its removal would be administrative in nature.

### **Amendment for partial revocation of Bowling Green Bay declared FHA**

None of the considered options is expected to have impact on the declared Ramsar wetlands, as the amendments to excluded areas for the Bowling Green Bay declared FHA fall outside the boundaries of the Bowling Green Bay Ramsar site.

#### **Option 1**

By maintaining the status quo, the current description of the boundary of the Bowling Green Bay declared FHA will remain in effect. The full range of required infrastructure development and upgrades of AIMS infrastructure cannot be achieved. Planning for development to restore, maintain and improve AIMS' research and monitoring functions at existing facilities will not be achieved. This may impact the availability of critical marine science and reef data and limit AIMS' contributions to the development of ecologically sustainable fisheries practices through provision of marine-science data and reef-monitoring.

- Planning approval for development proposals to maintain and upgrade the harbour area and in-water infrastructure cannot be progressed under this option.

Without amendment, the management A area of the Bowling Green Bay declared FHA will continue to apply in and around the harbour and in-water infrastructure, preventing development applications for a harbour upgrade and refurbishment of research related infrastructure. As a result, AIMS would need to relocate its harbour and infrastructure to sites outside the declared FHA or continue to operate at reduced capacity within their existing facilities.

- Where works are proposed in the Bowling Green Bay declared FHA management A area, the potential development that may be proposed in the harbour area and related infrastructure needs to meet a prescribed development purpose to be authorised under the Fisheries Act and *Fisheries (General) Regulation 2019*.

Potential development applications for the works that are required for the purpose of future upgrades cannot be initiated without the exclusion of the existing harbour area and its associated infrastructure as these areas would remain part of the Bowling Green Bay declared FHA management A area and the proposed future development would not meet a prescribed development purpose.

- A potential risk is that operation of assets that support scientific research such as the National Sea Simulator could be negatively impacted.

Maintaining the status quo negatively impacts the operation of the AIMS Cape Ferguson facility. Planning to implement potential harbour maintenance and in-water infrastructure works cannot be undertaken.

- Pending future potential upgrades to the harbour area, temporary berthing of AIMS research vessels at the Port of Townsville, 50 km from the AIMS Cape Ferguson facilities, has been used. Some research activities may be maintained on a short-term temporary basis, however the scientific

research related to sample handling, storage and processing requires access to and use of the AIMS harbour.

Without an amendment being made to the subordinate legislation, AIMS may need to find other options such as relocating infrastructure to another area exclusive of the Bowling Green Bay declared FHA and away from the existing research facility at Cape Ferguson. Relocating the harbour and infrastructure to locations further away would impact the delivery of AIMS scientific operations from the established Cape Ferguson facility and the facility may not be able to operate as required. Without maintaining the harbour, the harbour cannot be restored to its full function. The existing wharf infrastructure would not be upgraded and repaired, and this would compromise future harbour and wharf operations as the infrastructure deteriorates.

### Option 2

By amending the declared FHA by downgrading part of the declared FHA to a management B area, planning for the full range of required infrastructure development and upgrades of AIMS infrastructure in the declared FHA cannot be achieved. Despite amendment of the declared FHA, due to the nature of the proposed development and upgrades this would still mean the development would be ineligible for issue of an RAA in a management B area.

- Applications for planning approval for the full range of potential development proposals required to maintain and upgrade the harbour area and infrastructure assets in the declared FHA would not be possible under this option.

With the amendment, downgrading the tidal and intertidal areas in and around the harbour and for in-water infrastructure to a management B area would allow some, but not all of the required development activities and all the proposed activities would not meet the prescribed development purpose requirements for a RAA to be issued. As this option to downgrade amendment is similar to Option 1, in that it would also limit the full range of proposed development activities to be conducted in the declared FHA, it will impact the future planning that is required for development applications for works to upgrade the harbour and refurbish and install new research infrastructure in Bowling Green Bay.

- Downgrading the Bowling Green Bay declared FHA to a management B area means the potential development that may be proposed in the harbour area and for related infrastructure must still meet a prescribed development purpose to be authorised under the Fisheries Act and *Fisheries (General) Regulation 2019*.

Potential development applications for the works that are required for the purpose of future upgrades cannot be initiated in the declared FHA for the existing harbour area and other key infrastructure for research. The areas to undertake the works would be included in the Bowling Green Bay declared FHA management B area and the proposed development for the harbour and infrastructure would need to meet a prescribed development purpose. This would apply to activities such as a potential new seawater intake, harbour development and infrastructure (breakwaters and wharf).

- A potential risk is that operation of assets that support scientific research such as the National SeaSimulator could be negatively impacted.

Without future planning to address the ability to implement potential harbour maintenance and infrastructure works, this negatively impacts the operation of the AIMS Cape Ferguson facility.

### Option 3

By implementing this option to exclude parts of the Bowling Green Bay declared FHA to exclude zones that are used by the AIMS Cape Ferguson research facility, maintenance of the harbour operation and future potential upgrades of the in-water infrastructure can be scoped and planned within the excluded areas.

- Amending the *Fisheries (General) Regulation 2019* will assist planning and assessment processes for future potential development approvals concerning harbour maintenance and in-water infrastructure upgrades that may be pursued in the future.

The proposed amendment would remove the application of the management A area within the excluded zones.

- Formal exclusion of the three (3) zones is proposed for the purpose of the scientific research operations based at Cape Ferguson and will benefit the ongoing research activities of AIMS as a research provider.

The proposed exclusion of the three (3) zones is intended to support the scientific research operations based at Cape Ferguson and will enhance the ongoing research capability of AIMS as a major research provider. These zones within the declared FHA have been identified as areas required for potential future upgrades, including refurbishment of harbour infrastructure, installation of a new seawater inlet, and maintenance of two existing inlets. Any such works would be subject to future environmental approvals and assessments.

Revoking 45.4 hectares from the declared FHA would allow AIMS to plan to reinstate the operational capacity of the marine research facility. This includes a partial revocation of 38.8 hectares within the existing harbour to enable future planning to be undertaken and potential applications for refurbishment works and possible upgrades to be made under planning and environmental approval processes. Planning for an upgrade of the existing seawater supply to support experimental facilities used for critical research into tropical marine environments has also been proposed. A new seawater inlet is proposed and requires an area of 1.8 hectares to be revoked from the declared FHA for the installation and future maintenance of the inlet. Directional drilling through bedrock to establish the additional seawater intake for the National Sea Simulator will avoid areas having greatest benthic habitat and value. The proposed revocation area represents a 75 metre buffer zone around the pipeline inlet which will be approximately 2 metres above the seabed in 4.5 metres of water depth. The existing seawater intake pipelines are within a 4.8 hectare area that is proposed to be excluded from the declared FHA to allow for continued maintenance and safe operation of the seawater intakes while allowing for future replacement or refurbishment.

- By implementing option 3 to exclude the three (3) areas, AIMS will directly benefit from the permanent exclusion of the areas located in Bowling Green Bay that support AIMS' scientific research operations now and in the future.

The revision of the Bowling Green Bay declared FHA boundary description to exclude the three (3) areas does not remove the need for future planning approvals requirements for the potential harbour upgrade and pipeline installations. Environmental impacts associated with development activities are subject to a variety of separate planning and development approvals, and applications are assessed by government agencies.

The combined revocation area that is proposed for exclusion of intertidal and subtidal fish habitats from protection in the management A Bowling Green Bay declared FHA is 45.4 hectares. AIMS, in consultation with the department, prepared and then submitted to the department a revocation assessment study seeking the partial exclusion of harbour and seawater intake areas from the Bowling Green Bay declared FHA on 30 September 2025.

The proposal is seeking to ensure the lowest impact partial revocation area is achieved to minimise the impact of the revocation area on management of the Bowling Green Bay declared FHA while accommodating the future requirements of AIMS. Future potential development and maintenance activities have been considered. The maximum extent of the areas required for future potential development and the locations considered appropriate for ongoing future use by AIMS are clearly identified in the revocation assessment study and public consultation. The proposed partial revocation area nominated has been minimised to cover essential AIMS infrastructure requirements while allowing for some limited future development. The area proposed to be revoked from the declared FHA in the vicinity of Cape Ferguson has been limited to three (3) key zones. This approach means the tidal and intertidal habitats between and outside each of the three (3) areas will remain protected as a management A area. The partial revocation proposal is to exclude 45.4 hectares or 0.07 per cent of the Bowling Green Bay declared FHA in total.

Impacts of excluding parts of the declared FHA have been assessed from an environmental perspective. The proposal adjoins the AIMS Cape Ferguson facility and does not introduce a new use of the area adjoining the FHA. While the proposed amendment will revoke parts of the management A area that provides statutory protection of fish habitats and fisheries resources under section 122 of the Fisheries Act, the fish habitats and their values in these parts are not considered unique and are well represented within the broader Bowling Green Bay declared FHA.

This option removes the management A area that provides protection of the values associated with the habitats in the partial revocation areas. The areas contain soft sediments and marine plants, such as macroalgae and seagrass, however the protection of marine plants is also provided for under Section 123 of the Fisheries Act. While the proposed amendment removes the declared FHA management from the excluded zones, this does not affect the application of other State laws to the excluded tidal and intertidal areas. The amendment does not remove the requirement to obtain future development approvals from relevant local, state and commonwealth agencies. The proposed amendment will not result in the need for additional resources. No costs to interests from a social perspective have been identified.

This option will not remove any requirements to obtain future Federal Government approvals that may be required for the future development proposed in the excluded zones. Future development proposals may also be subject to planning approvals administered by the Department of State Development, Infrastructure and Planning (such as operational work involving marine plants) and Marine Parks requirements under the (Great Barrier Reef Coast) Zoning Plan 2004.

### **Who was consulted?**

#### **Stocked Impoundment Permit Scheme amendments**

Public consultation on a range of proposed recreational fishing management options was conducted between 14 March and 9 May 2024 through the release of the discussion paper *Recreational fishing in Queensland: Consultation on fishery reforms*. In total, 1,158 submissions were received, of which 1,016 were responses to the discussion paper survey and 142 were written submissions.

Survey respondents included Traditional Owners, commercial fishers, recreational stakeholders, charter fishers, environmental groups, interested community members, and other stakeholders. The majority of respondents were recreational fishers (78.2%), followed by interested community members (23.2%) and environmental groups (6.3%).

The paper considered among other things expanding the SIPS. 89% of respondents supported the inclusion of the three proposed impoundments. 11% of respondents did not support the inclusion of any of the dams in the SIPS scheme, for reasons including the following:

- respondents felt that the proposed inclusions did not affect them.
- respondents did not support a paid permit system and/or the expansion of the scheme.
- respondents did not support fish stocking in general or had environmental concerns

Both the SIPS Advisory Committee and Freshwater working groups as supported three impoundments to join the scheme – Enoggera Reservoir, Mount Morgan No.7 Dam and Paradise Dam. Fisheries Queensland and both groups concluded the public benefits of the SIPS scheme outweighed concerns about expanding the paid system, and that environmental concerns could be adequately addressed during the assessment process required to obtain a fish stocking permit.

#### **Amendment for partial revocation of Bowling Green Bay declared FHA**

Public and stakeholder consultation about a partial revocation proposal for the Bowling Green Bay declared FHA was required under the department's Terms of Reference prepared for the revocation assessment study.

As part of the revocation assessment study, AIMS undertook public consultation and targeted stakeholder on a proposal to exclude three (3) zones at Cape Ferguson from the Bowling Green Bay declared FHA for their future infrastructure and operations needs within the Scientific Research Zone.

AIMS commenced a 28-day public consultation from 23 June 2025 to 20 July 2025 to seek feedback on a partial revocation proposal for Bowling Green Bay declared FHA.

The consultation included:

- Weekly notices in the Townsville Bulletin;
- Letters to stakeholders including government agencies, community groups, and Traditional Owner representatives;
- Posters displayed at local boat ramps and community notice boards; and
- A dedicated webpage and email contact for public queries.

Feedback provided to AIMS from stakeholders, including regulatory agencies and authorities such as the Great Barrier Reef Marine Park Authority, and Queensland Government Departments for the Environment, Tourism, Science and Innovation, Primary Industries, and Transport and Main Roads, environmental organisations, industry representatives, Traditional Owner groups, community organisations, fishing clubs, and members of the public was considered by the department. No objections to the partial revocation proposal were raised by regulatory agencies and authorities.

No objections to the proposed exclusion zones were raised by community interest groups, natural resource management organisations or Traditional Owner groups. A seafood industry response had no objections although noted the potential for precedents to be set. Concerns the proposed revocation impacts public access and recreational fishing rights, and questions about the scientific research zone were raised by a private citizen. Following the department's consideration of the location and size of the nominated exclusion zones, there are no potential impacts of the revocation proposal on existing fishing. The three (3) zones around Cape Ferguson are each located within a Scientific Research Zone where commercial and recreational fishing is not permitted. Entry to the Scientific Research Zone is access by permit only (i.e. the zone is not publicly accessible). Based on the feedback received the amendment of the FHA management A area to exclude the three (3) zones does not impact the public and stakeholders.

### **What is the recommended option and why?**

#### **Stocked Impoundment Permit Scheme amendments**

Option 2 is the preferred option as it gives effect to prescribing the additional impoundments to the SIPS. It is recommended that Schedule 8 part 3, section 18 of the *Fisheries (General) Regulation 2019* be amended to:

- a. include as prescribed stock impoundments:
  - i. Enoggera Reservoir,
  - ii. Mount Morgan No. 7 Dam, and
  - iii. Paradise Dam.
- b. omit Beehive dam from the list of prescribed stock impoundments.

SIPS plays a vital role in enhancing recreational fishing opportunities while achieving broader objectives such as reducing pressure on wild fish populations, fostering sustainable fishing practices, encouraging community involvement in fisheries stewardship, and contributing to the economic vitality of regional communities through fishing-related tourism.

The unique location and characteristics of the proposed additional impoundments will add variability to SIPS, which is expected to benefit the scheme overall. Increased revenue from permit sales will be re-invested into the SIPS scheme to support program objectives, which are considered to outweigh the adverse impact to recreational fishers caused by new permit requirements.

#### **Amendment for partial revocation of Bowling Green Bay declared FHA**

Option 3 (Amend the *Fisheries (General) Regulation 2019*) is the preferred option as it addresses the future planning needs of the AIMS Cape Ferguson research facility. It is recommended that Bowling Green Bay declared FHA be amended through a partial revocation to exclude three (3) zones to enable future works for potential harbour and seawater pipeline proposals to be planned.

Although the amendment removes management A protection from these specific zones, marine plants and other environmental values in the area remain protected under other provisions of the Fisheries Act and other State laws. Future development would still require all relevant approvals. No additional resource needs or social impacts have been identified.

Revocation of part of the Bowling Green Bay declared FHA management A area is required to provide for the initial planning of future potential harbour and infrastructure upgrades and can only be undertaken by amending Schedule 3 of the *Fisheries (General) Regulation 2019*. Section 223 of the Fisheries Act states the Governor in Council may make regulations under the Act.

The department is seeking to exclude the three (3) zones required by the AIMS Cape Ferguson research facility on a permanent basis. The proposed amendment is limited to removing the declared FHA

management provisions within three (3) excluded zones of the Bowling Green Bay declared FHA by amending Schedule 3 of the *Fisheries (General) Regulation 2019* to exclude one (1) zone, update lot-on-plan references to the non-tidal parcels excluded from the declared FHA and refer to the revised Plan FHA-007.

The revocation proposal to exclude and define the locations of the harbour and infrastructure areas will remove the areas from the Bowling Green Bay declared FHA management A area to directly benefit AIMS as the principal research provider that is required to operate and manage marine scientific research facilities at the Cape Ferguson research facility.

Exclusion of the areas from the declared FHA allows the future potential development planning necessary to maintain the harbour and research infrastructure to support the capacity to deliver research and provides benefits to the scientific community.

The department has reviewed the report of the revocation assessment study undertaken for the proposed revocation sites, the proposed spatial boundary changes to the declared FHA, and the results of the targeted stakeholder and public consultation submitted by AIMS.

Following the department's consideration of the location and size of the nominated exclusion zones, there are no potential impacts of the revocation proposal on existing fishing. The three (3) zones around Cape Ferguson are each located within a Scientific Research Zone where commercial and recreational fishing is not permitted. Entry to the Scientific Research Zone is access by permit only (i.e. the zone is not publicly accessible).

The proposed declared FHA boundary amendment for the three (3) excluded zones would directly benefit the AIMS Cape Ferguson facility allowing planning for future works to be undertaken. Requirements for development approvals for any future works proposed within the three (3) excluded zones that may be subject to future planning and environmental assessments would not be impacted by the proposed amendment.


## Impact assessment

### All proposals – complete [do not delete]:

	First full year	First 10 years**
<b>Direct costs – Compliance costs*</b>	N/A	
<b>Direct costs – Government costs</b>	N/A	

\* The *direct costs calculator tool* (available at [gpc.qld.gov.au/best-practice-regulation](http://gpc.qld.gov.au/best-practice-regulation)) should be used to calculate direct costs of regulatory burden. If the proposal has no costs, report as zero. \*\*Agency to note where a longer or different timeframe may be more appropriate.

### Signed

  
Graeme Bolton  
Director-General

Date: 25/03/2025

  
Anthony Perrett MP  
Minister for Primary Industries

Date: 30/03/2026