



Queensland

Primary Industries and Other Legislation Amendment Regulation (No. 1) 2008

Subordinate Legislation 2008 No. 38

made under the

Agricultural Chemicals Distribution Control Act 1966

Apiaries Act 1982

Exotic Diseases in Animals Act 1981

Fisheries Act 1994

Land Protection (Pest and Stock Route Management) Act 2002

Plant Protection Act 1989

Rural and Regional Adjustment Act 1994

Stock Act 1915

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[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Primary Industries and Other Legislation Amendment Regulation (No. 1) 2008*.

2 Commencement

This regulation commences on 15 March 2008.

Part 2 Amendment of Agricultural Chemicals Distribution Control Regulation 1998

3 Regulation amended in pt 2

This part amends the *Agricultural Chemicals Distribution Control Regulation 1998*.

4 Amendment of s 3 (Parts of State excluded—Act, s 3)

(1) Section 3, ‘the parts described’—

omit, insert—

‘shown on the map’.

(2) Section 3—

insert—

‘(2) The exact location of the boundary of the parts of the State to which the Act does not apply is held in digital electronic form by the department.

- ‘(3) A map showing the exact location of the boundary of the parts of the State to which the Act does not apply can be accessed, free of charge, on the department’s website.

Editor’s note—

The department’s website address is <www.dpi.qld.gov.au>.

- ‘(4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.’.

5 Replacement of s 33 (Hazardous areas—Act, s 28(1))

Section 33—

omit, insert—

‘33 Hazardous areas—Act, s 28(1)

- ‘(1) For section 28 of the Act, each of the following is declared to be a hazardous area—

- (a) the area shown on the map in schedule 1A (*hazardous area No. 1*);
- (b) the area shown on the map in schedule 1B (*hazardous area No. 2*);
- (c) the area shown on the map in schedule 1C (*hazardous area No. 3*).

- ‘(2) The exact location of the boundary of each of the hazardous areas is held in digital electronic form by the department.

- ‘(3) Maps showing the exact location of the boundary of each of the hazardous areas can be accessed, free of charge, on the department’s website.

Editor’s note—

The department’s website address is <www.dpi.qld.gov.au>.

- ‘(4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.’.

6 Replacement of sch 1 (Areas excluded from Act)

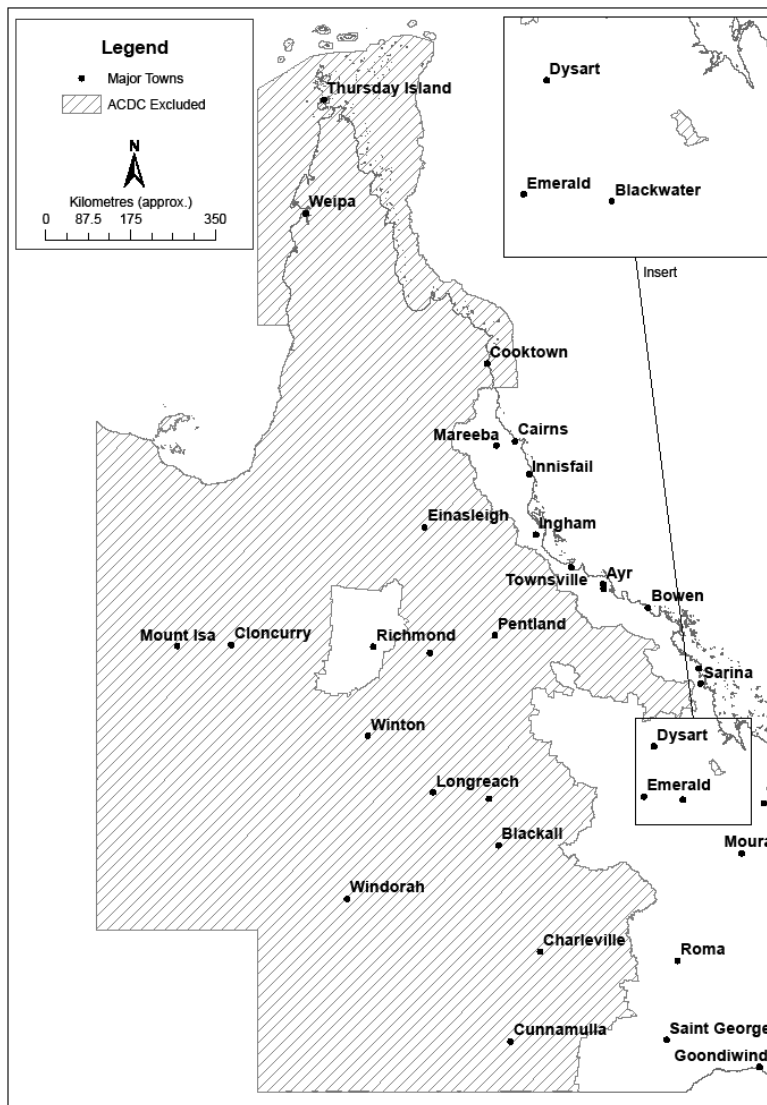
Schedule 1—

[s 6]

omit, insert—

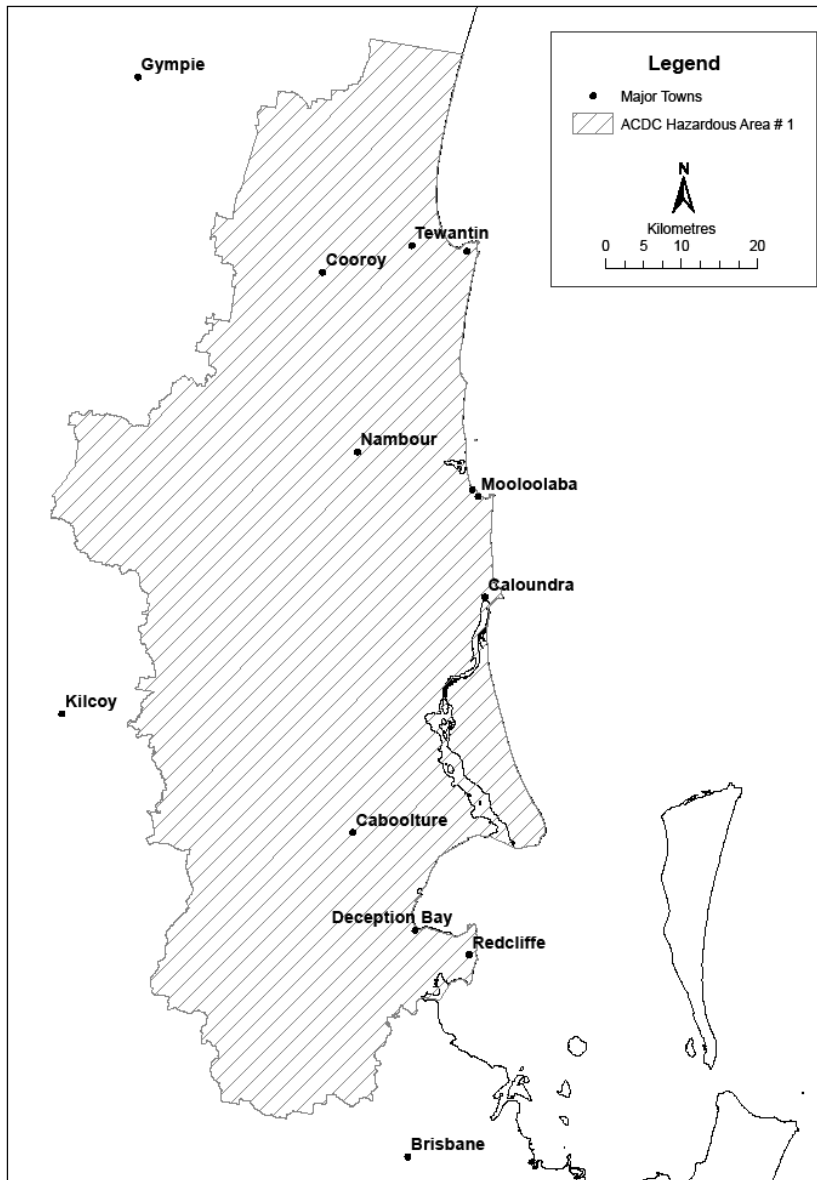
'Schedule 1 Areas excluded from Act

section 3



'Schedule 1A Hazardous area No. 1

section 33(1)(a)



[s 6]

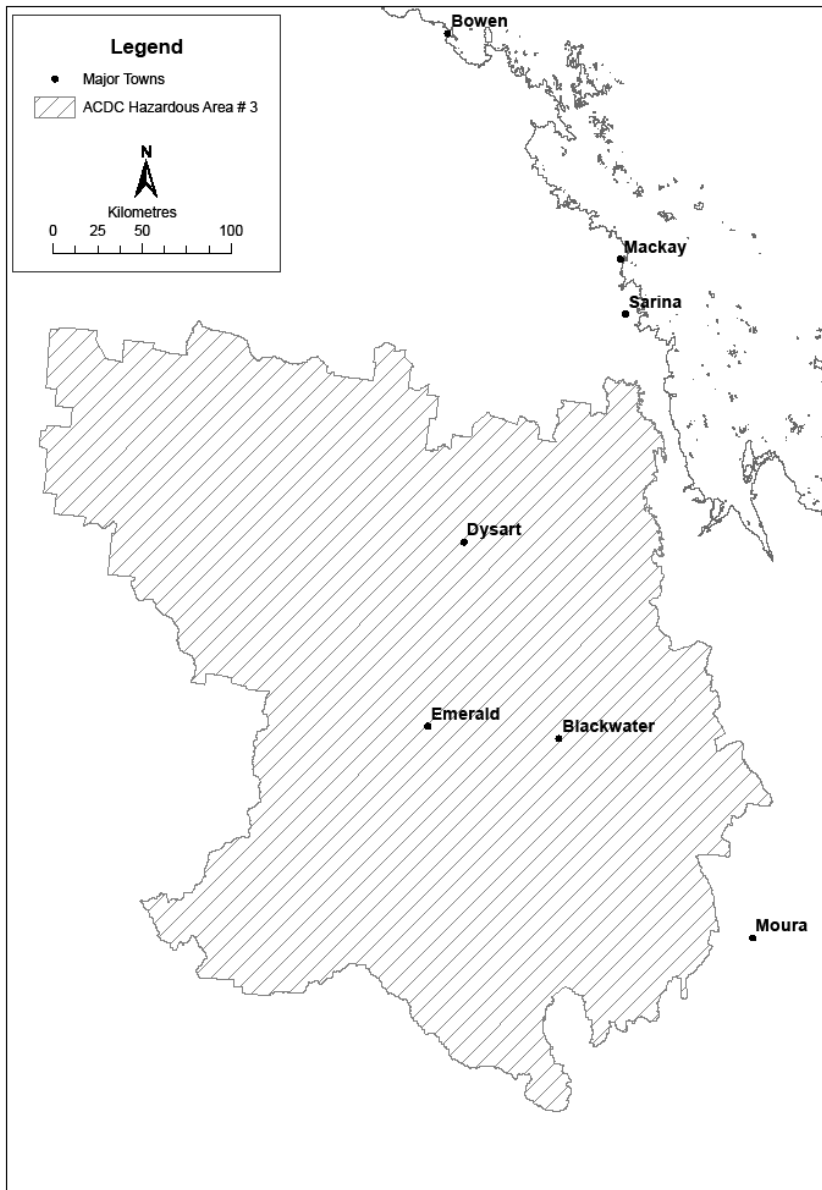
'Schedule 1B Hazardous area No. 2

section 33(1)(b)



'Schedule 1C Hazardous area No. 3

section 33(1)(c)



Part 3

Amendment of Apiaries Regulation 1998

7 Regulation amended in pt 3

This part amends the *Apiaries Regulation 1998*.

8 Amendment of s 4 (Exclusion of parts of State)

(1) Section 4, heading, ‘parts’—

omit, insert—

‘part’.

(2) Section 4, ‘parts of the State stated in schedule 2’—

omit, insert—

‘part of the State shown on the map in schedule 2 (the *excluded part of the State*)’.

(3) Section 4—

insert—

‘(2) The exact location of the boundary of the excluded part of the State is held in digital electronic form by the department.

‘(3) A map showing the exact location of the boundary of the excluded part of the State can be accessed, free of charge, on the department’s website.

Editor’s note—

The department’s website address is <www.dpi.qld.gov.au>.

‘(4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundary.’.

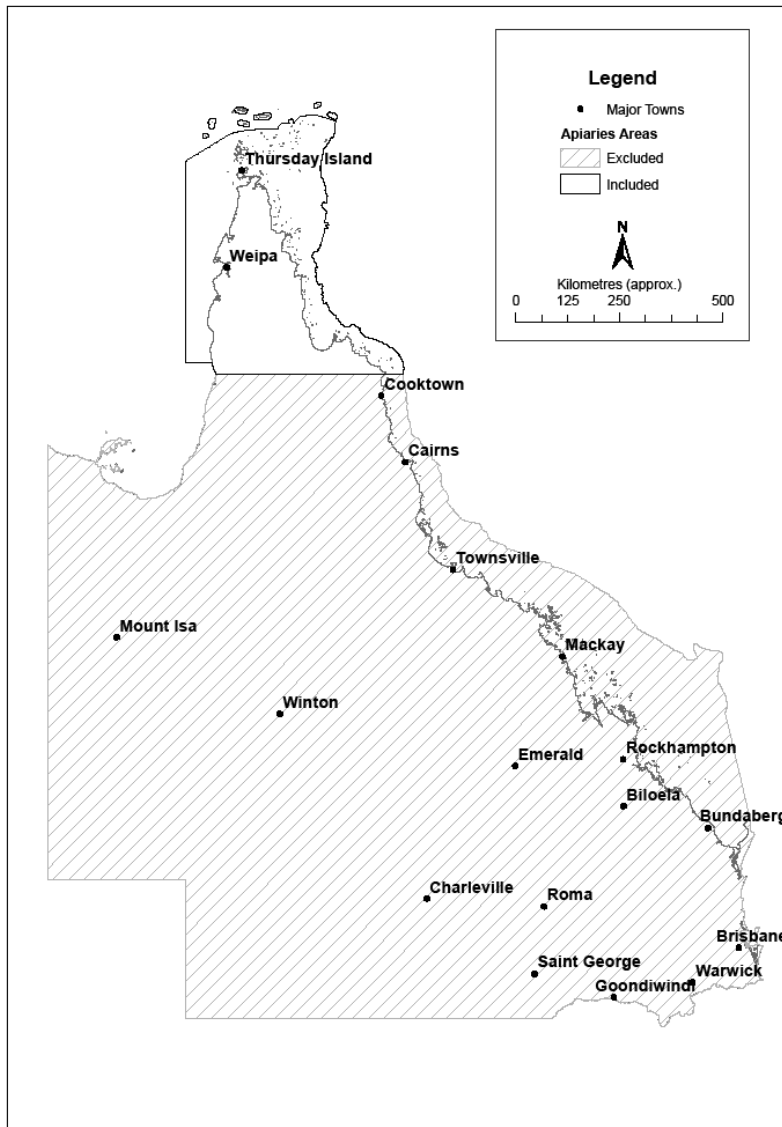
9 Replacement of sch 2 (Parts of State excluded)

Schedule 2—

omit, insert—

'Schedule 2 Excluded part of the State

section 4



[s 10]

Part 4 **Amendment of Exotic Diseases in Animals (Acarine and Varroa Mites) Notice 2007**

10 **Notice amended in pt 4**

This part amends the *Exotic Diseases in Animals (Acarine and Varroa Mites) Notice 2007*.

11 **Replacement of s 5 (Notification of restricted area—Act, s 10)**

Section 5—

omit, insert—

‘5 **Notification of restricted area—Act, s 10**

‘(1) The area shown on the map in the schedule is the restricted area for the exotic disease.

‘(2) The exact location of the boundary of the restricted area is held in digital electronic form by the department.

‘(3) A map showing the exact location of the boundary of the restricted area can be accessed, free of charge, on the department’s website at <www.dpi.qld.gov.au>.

Editor’s note—

The department’s website address is <www.dpi.qld.gov.au>.

‘(4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundary.’.

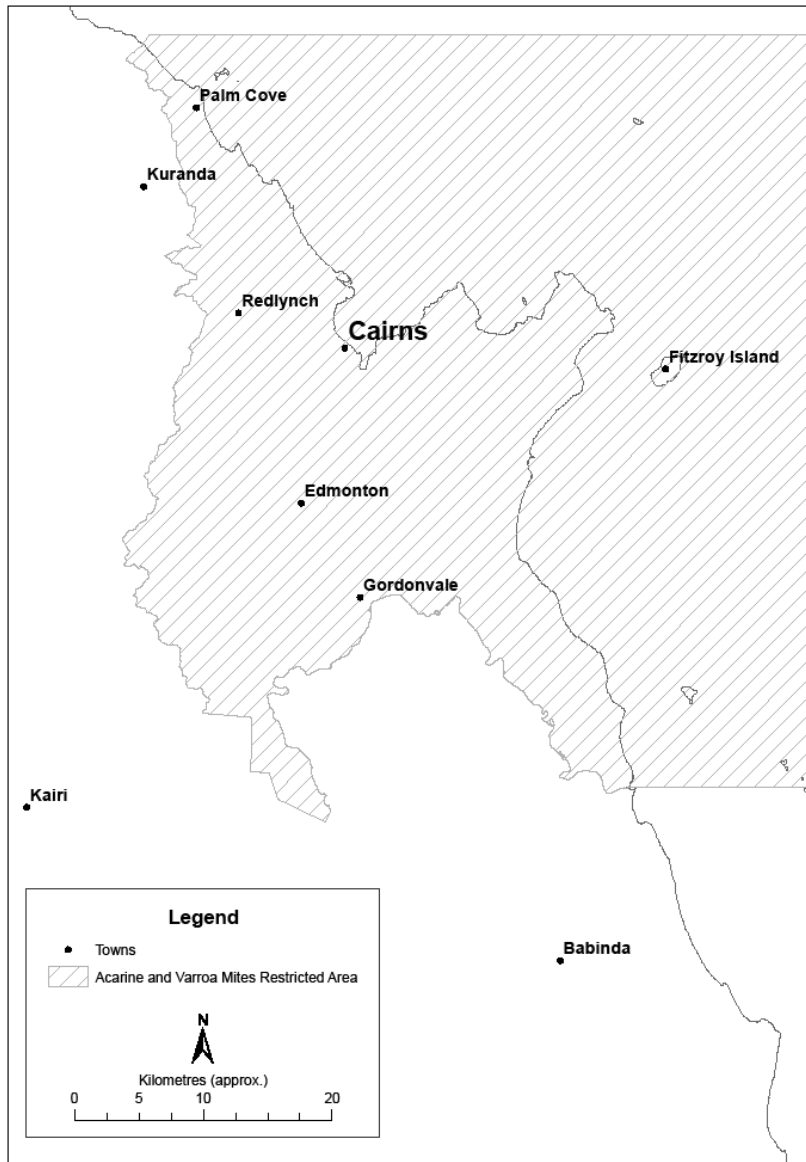
12 **Insertion of new schedule**

After section 7—

insert—

'Schedule Restricted area

section 5



[s 13]

13 Omission of attachment (Restricted area)

Attachment—

omit.

Part 5 Amendment of Fisheries (East Coast Trawl) Management Plan 1999

14 Management plan amended in pt 5

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

15 Amendment of sch 3 (Specific closed waters)

Schedule 3, section 78, ‘Miriam Vale Shire Council Caravan Park’—

omit, insert—

‘1770 Camping Grounds, Captain Cook Drive,’

Part 6 Amendment of Fisheries Regulation 1995

16 Regulation amended in pt 6

This part amends the *Fisheries Regulation 1995*.

17 Amendment of sch 2 (Closed waters—commercial fishing)

Schedule 2, section 92, ‘Miriam Vale Shire Council Caravan Park’—

omit, insert—

‘1770 Camping Grounds, Captain Cook Drive,’

Part 7 Amendment of Land Protection (Pest and Stock Route Management) Regulation 2003

18 Regulation amended in pt 7

This part amends the *Land Protection (Pest and Stock Route Management) Regulation 2003*.

19 Replacement of s 6A (Local governments that may build declared pest fence—Act, s 48)

Section 6A—

omit, insert—

‘6A Local governments that may build declared pest fence—Act, s 48

‘The following local governments are prescribed for section 48 of the Act—

- (a) Dalby Regional Council;
- (b) Goondiwondi Regional Council;
- (c) Southern Downs Regional Council;
- (d) Toowoomba Regional Council.’

20 Amendment of s 9 (Stock routes)

- (1) Section 9, ‘department’—

omit, insert—

‘department in which chapter 3 of the Act is administered’.

- (2) Section 9—

insert—

Editor’s note—

chapter 3 (Stock route network management) of the Act’.

21 Amendment of s 14 (Annual payments by local governments)

Section 14(2), definitions *R* and *X*—

omit, insert—

‘**R** means the average annual amount of general rates levied for all parcels of rateable land in the area that is or becomes the local government’s local government area for the 3 most recent financial years for which the chief executive has information about the amount of general rates levied for parcels of rateable land in the area.

rateable land has the meaning given by the *Local Government Act 1993*, section 957.

X, for each of the following local governments, means the percentage stated for the local government—

- (a) a very large urban local government whose area is entirely or partly in the rabbit district or benefited by a declared pest fence—0.4%;
- (b) a very large urban local government whose area is not entirely or partly in the rabbit district or benefited by a declared pest fence—0.2%;
- (c) a large urban local government whose area is entirely or partly in the rabbit district or benefited by a declared pest fence—1.3%;

- (d) a large urban local government whose area is not entirely or partly in the rabbit district or benefited by a declared pest fence—0.3%;
- (e) a small urban local government whose area is entirely or partly in the rabbit district or benefited by a declared pest fence—4%;
- (f) a small urban local government whose area is not entirely or partly in the rabbit district or benefited by a declared pest fence—1%;
- (g) a rural local government whose area is entirely or partly in the rabbit district or benefited by a declared pest fence—15%;
- (h) a rural local government whose area is not entirely or partly in the rabbit district or benefited by a declared pest fence—8%.’.

22 Amendment of s 16 (Inspecting maps and other information)

- (1) Section 16(2), ‘, stock route’—
omit.
- (2) Section 16—
insert—
(2A) The exact location of the stock route is also held in digital electronic form by the department in which chapter 3 of the Act is administered.
Editor’s note—
chapter 3 (Stock route network management) of the Act’.
- (3) Section 16(4)(a)—
omit, insert—
(a) inspect a map mentioned in section 6 or 12, or the information held in digital electronic form, free of charge, at the department’s head office when the office is open to the public; and

Editor's note—

The department's head office is at Primary Industries Building,
80 Ann Street, Brisbane.

- '(aa) inspect a map mentioned in section 9, or the information held in digital electronic form, free of charge, at the head office of the department in which chapter 3 of the Act is administered, when the office is open to the public; and

Editor's note—

As the commencement of this section, the head office of the department in which chapter 3 of the Act is administered is at Mineral House, 41 George Street, Brisbane.'

- (4) Section 16(4)(b), 'department'—

omit, insert—

'department, or the department in which chapter 3 of the Act is administered,'

- (5) Section 16(4)(aa) and (b), as amended—

renumber as section 16(4)(b) and (c).

23 Replacement of sch 4 (Local governments required to prepare stock route network management plans)

Schedule 4—

omit, insert—

'Schedule 4 Local governments required to prepare stock route network management plans

section 10

Balonne Shire Council

Banana Shire Council

Barcaldine Regional Council
Barcoo Shire Council
Blackall Tambo Regional Council
Boulia Shire Council
Bulloo Shire Council
Central Highlands Regional Council
Charters Towers Regional Council
Cloncurry Shire Council
Dalby Regional Council
Diamantina Shire Council
Flinders Shire Council
Goondiwindi Regional Council
Isaac Regional Council
Longreach Regional Council
McKinlay Shire Council
Mount Isa City Council
Murweh Shire Council
Paroo Shire Council
Quilpie Shire Council
Richmond Shire Council
Roma Regional Council
Winton Shire Council’.

24 Amendment of sch 6 (Dictionary)

(1) Schedule 6—

insert—

‘very large urban local government means a local government that has a population of at least 200001.’.

[s 25]

- (2) Schedule 6, definition *large urban local government*, ‘at least 70001’—

omit, insert—

‘more than 70000 but fewer than 200001’.

Part 8 Amendment of Plant Protection Regulation 2002

25 Regulation amended in pt 8

This part amends the *Plant Protection Regulation 2002*.

26 Replacement of s 18 (Declaration of pest quarantine areas)

Section 18—

omit, insert—

‘18 Declaration of pest quarantine areas

- ‘(1) Each area shown on a map in schedule 3 is declared to be a pest quarantine area for pests of banana plants.
- ‘(2) The exact location of the boundary of each of the pest quarantine areas is held in digital electronic form by the department.
- ‘(3) Maps showing the exact location of the boundary of each of the pest quarantine areas can be accessed, free of charge, on the department’s website.

Editor’s note—

The department’s website address is <www.dpi.qld.gov.au>.

- ‘(4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.’.

27 Replacement of s 76 (Declaration of pest quarantine areas)

Section 76—

omit, insert—

‘76 Declaration of pest quarantine areas

- ‘(1) Each area shown on the map in schedule 7A is declared to be a pest quarantine area for mango leafhopper.
- ‘(2) The exact location of the boundary of each of the pest quarantine areas is held in digital electronic form by the department.
- ‘(3) A map showing the exact location of the boundary of each of the pest quarantine areas can be accessed, free of charge, on the department’s website.

Editor’s note—

The department’s website address is <www.dpi.qld.gov.au>.

- ‘(4) The information held in digital electronic form can be reduced or enlarged to show the details of the boundaries.’.

28 Amendment of s 155 (Declaration of pest quarantine area)

Section 155(1), ‘City’—

omit, insert—

‘Regional’.

29 Amendment of s 162 (Declaration of restricted area)

Section 162(2), ‘City’—

omit, insert—

‘Regional’.

30 Replacement of sch 3 (Pest quarantine areas for pests of banana plants)

Schedule 3—

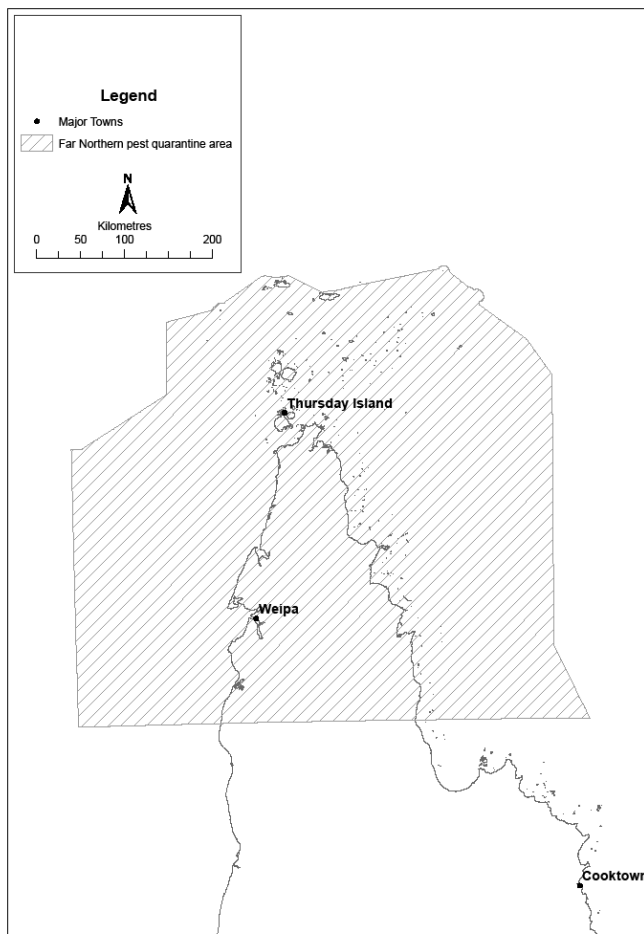
[s 30]

omit, insert—

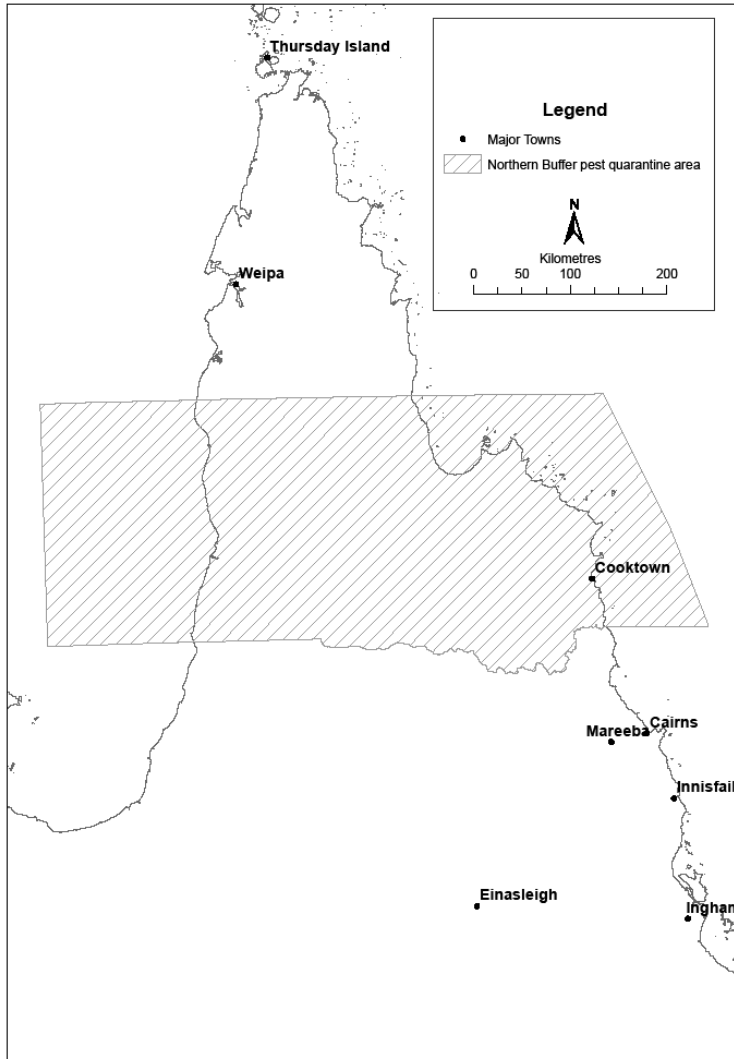
‘Schedule 3 Pest quarantine areas for pests of banana plants

section 18

‘Part 1 Far northern pest quarantine area

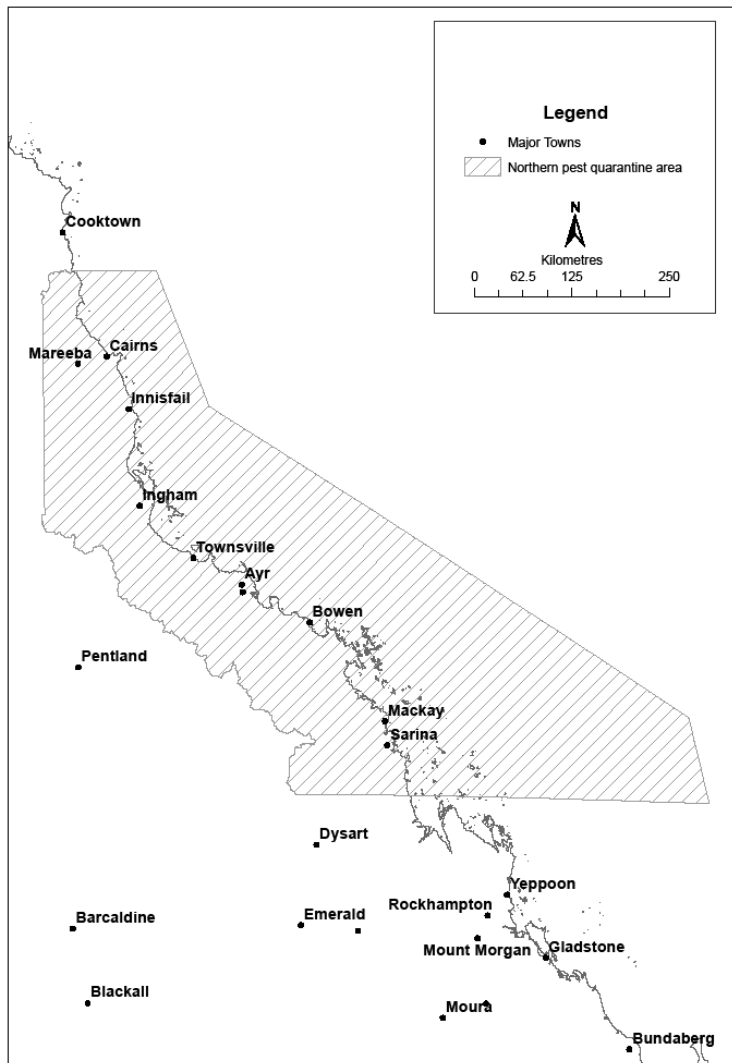


'Part 2 Northern buffer pest quarantine area



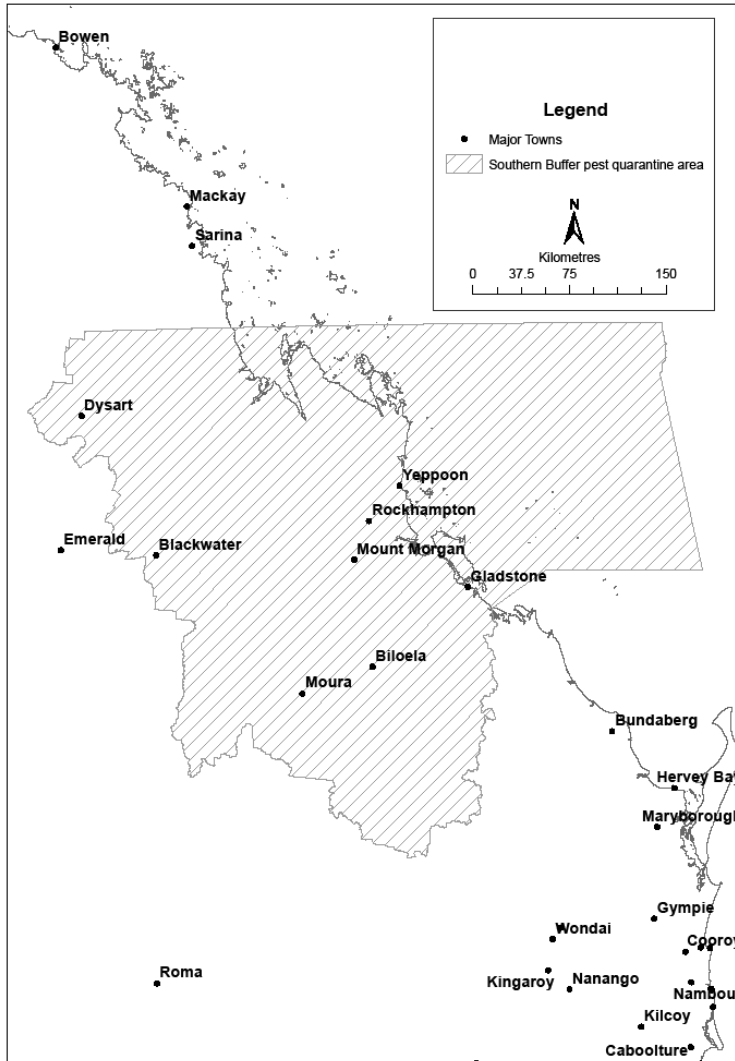
[s 30]

'Part 3 Northern pest quarantine area



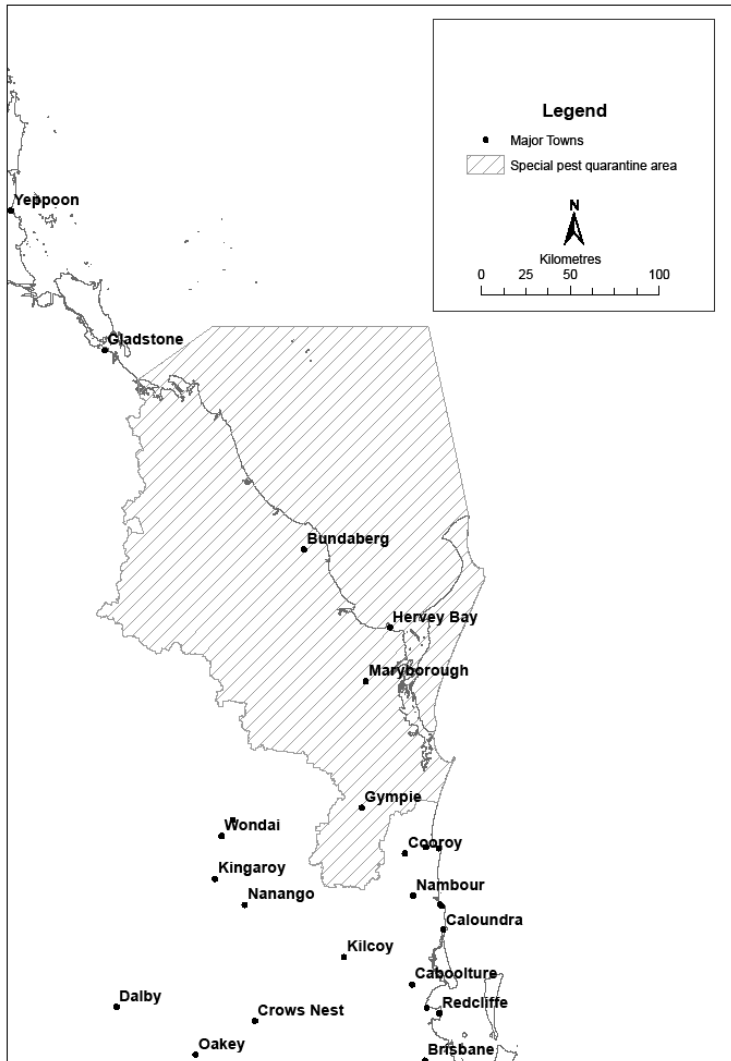
Part 4

Southern buffer pest quarantine area

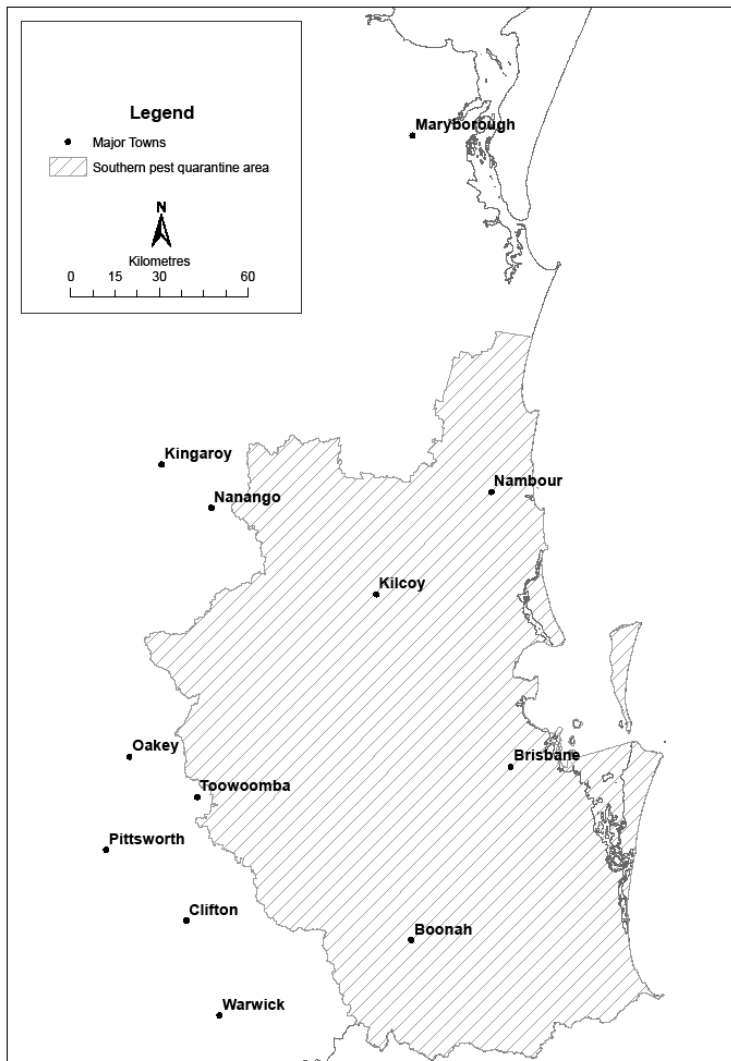


[s 30]

'Part 5 Special pest quarantine area



'Part 6 Southern pest quarantine area



31 Insertion of new sch 7A

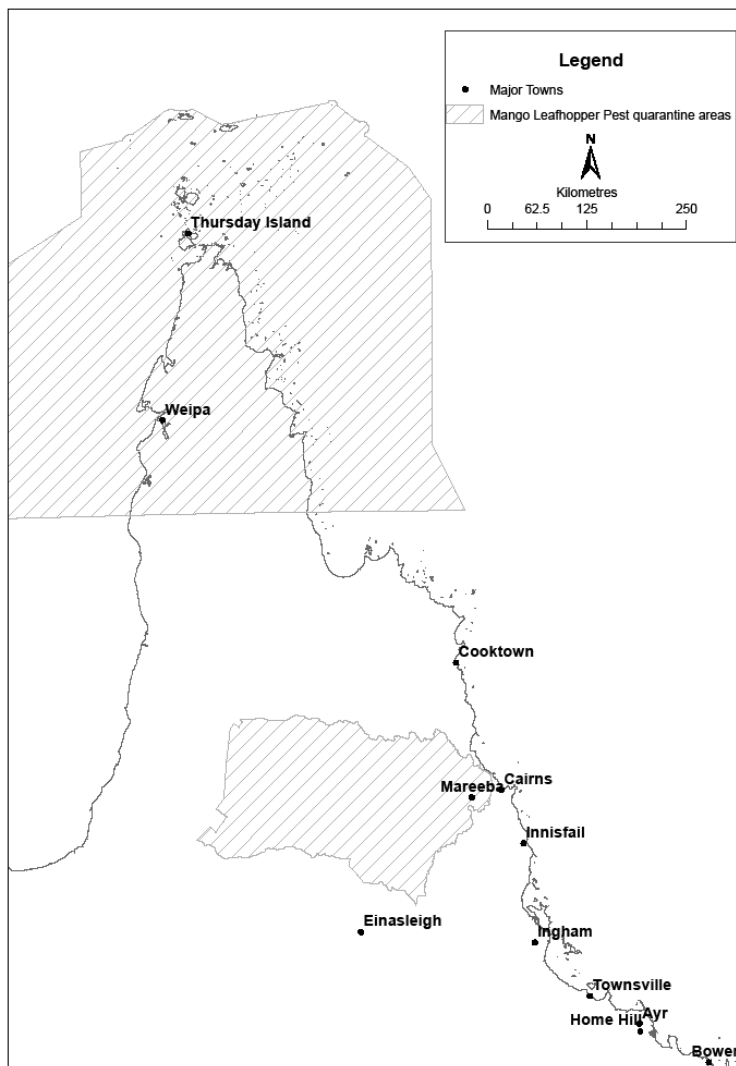
After schedule 7—

[s 31]

insert—

‘Schedule 7A Pest quarantine areas for mango leafhopper

section 76



32 Omission of attachment 1

Attachment 1—

omit.

**Part 9 Amendment of Rural and
Regional Adjustment
Regulation 2000**

33 Regulation amended in pt 9

This part amends the *Rural and Regional Adjustment Regulation 2000*.

34 Amendment of schedule (Approved assistance schemes)

Schedule, section 76, definition *permitted local government area*, ‘Shire of Bauhinia, Shire of Emerald or Shire of Peak Downs’—

omit, insert—

‘Central Highlands Regional Council’.

**Part 10 Amendment of Stock
Identification Regulation 2005**

35 Regulation amended in pt 10

This part amends the *Stock Identification Regulation 2005*.

[s 36]

36 Amendment of s 21 (Provisions for the PIC for registrable place)

(1) Section 21(4) and (5)—

omit, insert—

‘(4) For subsections (2) and (3), places are in the same locality if the centroid of each secondary place is no more than 50km from the centroid of the primary place.’.

(2) Section 21(6)—

renumber as section 21(5).

ENDNOTES

- 1 Made by the Governor in Council on 28 February 2008.
- 2 Notified in the gazette on 29 February 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Primary Industries and Fisheries.

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