



Queensland

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

Subordinate Legislation 2008 No. 314

made under the

Agricultural Chemicals Distribution Control Act 1966

Animal Care and Protection Act 2001

Apiaries Act 1982

Brands Act 1915

Chemical Usage (Agricultural and Veterinary) Control Act 1988

Drugs Misuse Act 1986

Fisheries Act 1994

Food Production (Safety) Act 2000

Land Protection (Pest and Stock Route Management) Act 2002

Stock Act 1915

Timber Utilisation and Marketing Act 1987

Veterinary Surgeons Act 1936

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[s 1]

Part 1 Preliminary

1 Short title

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

2 Commencement

Part 9 of this regulation commences on 1 January 2009.

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 Replacement of sch 2 (Fees)

Schedule 2—

omit, insert—

'Schedule 2 Fees

section 45

	\$
1 Examination fee for commercial operator's licence or pilot chemical rating licence	26.35
2 Issue of aerial distribution contractor licence, commercial operator's licence, ground distribution contractor's licence or pilot chemical rating licence—	
(a) for 1 year	23.85
(b) for 3 years	56.05
3 Renewal of aerial distribution contractor licence, commercial operator's licence, ground distribution contractor's licence or pilot chemical rating licence—	
(a) for 1 year	16.10
(b) for 3 years	48.30'.

Part 3 Amendment of Animal Care and Protection Regulation 2002

5 Regulation amended in pt 3

This part amends the *Animal Care and Protection Regulation 2002*.

6 Replacement of sch 2 (Fees)

Schedule 2—
omit, insert—

[s 7]

‘Schedule 2 Fees

section 32

	\$
1 Application for registration (Act, s 52(2)(d))—	
(a) for an individual.	583.35
(b) for the State, to the extent the application relates to all State Schools.	284.55
(c) for a corporation or corporation sole that carries on, or is the governing body of, a primary or secondary school.	284.55
(d) for another corporation—	
(i) with fewer than 10 employees	583.35
(ii) with 10 to 50 employees	875.60
(iii) with more than 50 employees	1 166.75
2 Copy of register (Act, s 62(c)).	34.95
3 Application for replacement registration certificate (Act, s 88(2)).	58.25
4 Application for approval to use animal for unlawful scientific purpose (Act, s 93(2))	583.35’.

Part 4 Amendment of Apiaries Regulation 1998

7 Regulation amended in pt 4

This part amends the *Apiaries Regulation 1998*.

8 Amendment of s 25 (Registration fee)

Section 25, '\$11.70'—

omit, insert—

'\$12.25'.

Part 5 Amendment of Brands Regulation 1998

9 Regulation amended in pt 5

This part amends the *Brands Regulation 1998*.

10 Replacement of sch 7 (Fees)

Schedule 7—

omit, insert—

'Schedule 7 Fees

section 9

	\$
1 Registration of a 3-piece horse and cattle brand	75.45
2 Registration of a cattle earmark	75.45
3 Registration of a symbol brand	218.80
4 Transfer of a 3-piece horse and cattle brand	36.25
5 Transfer of a symbol brand	36.25
6 Registration of a pig brand	36.25
7 Transfer of a pig brand	36.25
8 Registration of a letter or numeral fire brand	75.45
9 Registration of a letter or numeral paint brand	75.45

[s 11]

	\$
10 Registration of a symbol fire brand	81.95
11 Registration of a symbol paint brand.	81.95
12 Registration of a sheep earmark	75.45
13 Transfer of a letter or numeral fire brand.	36.25
14 Transfer of a letter or numeral paint brand	36.25
15 Transfer of a symbol fire brand	36.25
16 Transfer of a symbol paint brand.	36.25
17 Transfer of a sheep earmark.	36.25’.

Part 6 Amendment of Chemical Usage (Agricultural and Veterinary) Control Regulation 1999

11 Regulation amended in pt 6

This part amends the *Chemical Usage (Agricultural and Veterinary) Control Regulation 1999*.

12 Amendment of s 27 (Hourly fee)

- (1) Section 27(2)(a), ‘34.10’—
omit, insert—
‘\$35.70’.
- (2) Section 27(2)(b), ‘\$51.20’—
omit, insert—
‘\$53.65’.
- (3) Section 27(3), ‘68.25’—
omit, insert—
‘\$71.50’.

Part 7 **Amendment of Drugs Misuse Regulation 1987**

13 **Regulation amended in pt 7**

This part amends the *Drugs Misuse Regulation 1987*.

14 **Amendment of s 28 (Licence fees)**

(1) Section 28(1), '\$334.00'—

omit, insert—

'\$350'.

(2) Section 28(2), '\$133.60'—

omit, insert—

'\$140'.

Part 8 **Amendment of Fisheries Regulation 2008**

15 **Regulation amended in pt 8**

This part amends the *Fisheries Regulation 2008*.

16 **Amendment of s 44 (Prohibited activities and regulated periods)**

Section 44(2)(b)(i), '6 October 2008'—

omit, insert—

'7 October 2008'.

[s 17]

17 Insertion of new ch 2, pt 5, div 9A

After section 58—

insert—

‘Division 9A Tropical spiny rock lobsters

‘58A Prohibited activities and regulated period

- ‘(1) A regulated person must not in the Northern rock lobster regulated waters—
- (a) take tropical spiny rock lobster in the regulated period;
or
 - (b) possess a tropical spiny rock lobster taken in contravention of paragraph (a).
- ‘(2) For this section the regulated period is from midnight on 1 October to midnight on 31 January.’.

18 Amendment of s 75 (Prohibited activities and regulated period—Northern rock lobster regulated waters)

- (1) Section 75(1)—

omit.

- (2) Section 75(2), ‘subsection (3), a regulated person must not in the waters’—

omit, insert—

‘subsection (2), a regulated person must not in the Northern rock lobster regulated waters’.

- (3) Section 75(2) to (4)—

renumber as section 75(1) to (3).

19 Amendment of s 87 (Regulated waters for div 2)

Section 87, after entry for Calliope River (upstream from Farmers Island)—

insert—

- Fitzroy River (town reach netting)’.

20 Amendment of s 90 (Regulated waters and regulated periods for div 3)

Section 90, table, column 1, ‘Fitzroy River and waters near its mouth’—

omit, insert—

‘Fitzroy River mouth’.

21 Amendment of s 116 (Prohibited activities)

Section 116(1)(a), ‘115m’—

omit, insert—

‘115mm’.

22 Amendment of s 496 (What fish may be taken)

Section 496, ‘barramundi or’—

omit.

23 Amendment of s 511 (What fish may be taken)

Section 511, ‘barramundi or’—

omit.

24 Amendment of s 709 (What is the *relevant assessment fee*)

- (1) Section 709(1)(a), ‘\$412.60’—

omit, insert—

‘\$432.40’.

- (2) Section 709(1)(b), ‘\$1270.80’—

[s 25]

omit, insert—

‘\$1331.75’.

- (3) Section 709(1)(c), ‘\$2435.60’—

omit, insert—

‘\$2552.50’.

- (4) Section 709(1)(d), ‘\$4976.20’—

omit, insert—

‘\$5215.05’.

- (5) Section 709(1)(e), ‘\$12388.10’—

omit, insert—

‘\$12982.70’.

25 Amendment of sch 1 (Regulated waters)

- (1) Schedule 1, part 1, entry for Northern rock lobster waters, column 3, ‘section 75’—

omit, insert—

‘part 5, division 9A and section 75’.

- (2) Schedule 1, part 2, entry for Fitzroy River and waters near its mouth—

omit, insert—

‘Fitzroy River mouth	waters near the banks of Fitzroy River within the following boundary— <ul style="list-style-type: none"> • from Cardigan Point, Balaclava Island • to Cattle Point • to Sea Hill Point, Curtis Island • to Cardigan Point, Balaclava Island 	part 9, division 3
Fitzroy River (town reach netting)	Fitzroy River and waterways joining it between Fitzroy River Barrage and the shortest line across the river at the southern bank of Gavial Creek	part 9, division 2’.

26 Amendment of sch 4 (Declared diseases)

Schedule 4, part 5—

insert—

‘white spot syndrome virus
yellowhead disease virus’.

27 Amendment of sch 8 (Fees relating to development under Planning Act)

(1) Schedule 8, part 1—

omit, insert—

‘Part 1 Resource allocation authorities

	\$
1 assessment of application for resource allocation authority relating to—	
(a) prescribed declared fish habitat area development	relevant assessment fee
(b) development mentioned in the Planning Act, schedule 8, part 2, table 1, item 3(d) or table 4, item 3(d) or (e)	432.40
(c) prescribed aquaculture development	relevant assessment fee
(d) development mentioned in the Planning Act, schedule 8, part 2, table 4, item 4(a)	432.40
2 assessment of application for renewal of resource allocation authority	432.40’.

(2) Schedule 8, part 4—

omit, insert—

[s 28]

‘Part 4 **Other fees relating to development applications**

	\$
1 assessment of request to extend, under the Planning Act, section 3.5.22, a period mentioned in section 3.5.21 of that Act	432.40
2 assessment of request to change a development approval under the Planning Act, section 3.5.24 or 3.5.33	relevant assessment fee
3 for administering, as assessment manager, the application and notification stages of IDAS for a development application, other than assessing the application—	
(a) if there is no referral agency or only 1 referral agency for the application	1 331.75
(b) if there are 2 or more referral agencies for the application	2 552.50’.

Part 9 **Amendment of Food Production (Safety) Regulation 2002**

28 Regulation amended in pt 9

This part amends the *Food Production (Safety) Regulation 2002*.

29 Replacement of sch 1 (Fees)

Schedule 1—
omit, insert—

‘Schedule 1 Fees

sections 26, 27 and 28

‘Part 1 Accreditation

	\$
1 Application fee.	116.60
2 Accreditation fee—	
(a) for a wild animal harvester or person who has a game box	210.00
(b) for a retailer, other than a delicatessen owner	373.35
(c) for a delicatessen owner.	210.00
(d) for a person who transports eggs, egg products, meat or meat products by using a vehicle.	210.00
(e) for a person who has a cold store.	210.00
(f) for a producer.	291.65
(g) for a processor	1 166.75
(h) for an exporter	5 835.15
(i) for a person other than a person mentioned in paragraphs (a) to (h).	198.25

Note—

See, however, section 27A (Exemptions from fees for accreditation) in relation to item 2(f).

[s 30]

‘Part 2 Approval as auditor

	\$
1 Application fee.	116.60
2 Auditor approval fee	408.35’.

**Part 10 Amendment of Land Protection
 (Pest and Stock Route
 Management) Regulation 2003**

30 Regulation amended in pt 10

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

31 Replacement of sch 5 (Fees)

Schedule 5—

omit, insert—

‘Schedule 5 Fees

section 17

	\$
1 Declared pest permit (Act, s 58(2)(b))—	
(a) for a purpose mentioned in schedule 3, part 1, 4 or 5—	
(i) application fee	235.45
(ii) permit fee	176.55
(b) for another purpose mentioned in schedule 3—	

	\$
(i) application fee	35.25
(ii) permit fee	70.60
2 Inspecting register of pest control and entry notices (Act, s 86(3))	11.65
3 Permit fee for stock route agistment permit (Act, s 116(5))—	
(a) for large stock—	
(i) minimum fee, for each head, for each week .	0.86
(ii) maximum fee, for each head, for each week	2.10
(b) for small stock—	
(i) minimum fee, for each head, for each week .	0.10
(ii) maximum fee, for each head, for each week	0.33
4 Permit fee for stock route travel permit (Act, s 134(3))—	
(a) for large stock—for each kilometre, for each 20 head or part of 20 head	0.02
(b) for small stock—for each kilometre, for each 100 head or part of 100 head	0.02
5 Inspecting register of water facility agreements (Act, s 164(3)(a))	11.65
6 Request to extend compliance period under a pest control notice	58.75 [*]

Part 11 Amendment of Stock Regulation 1988

32 Regulation amended in pt 11

This part amends the *Stock Regulation 1988*.

[s 33]

33 Replacement of sch 7 (Fees)

Schedule 7—

omit, insert—

‘Schedule 7 Fees

section 68

	\$
1 Dipping stock for cattle tick at a dip operated by the State—	
(a) cattle or horses, for each animal	0.75
(b) sheep, calves, goats or deer, for each animal	0.50
(c) minimum fee for each consignment	10.00
2 For an inspector supervising the treatment of horses for cattle tick using equipment and acaricide supplied by the State—	
(a) at the inspector’s office, for each horse	9.20
(b) not more than 16km from the inspector’s office—	
(i) first or only horse in the consignment	14.85
(ii) next 4 horses in the consignment, for each horse	10.00
(iii) each additional horse in the consignment	8.40
(c) more than 16km from the inspector’s office—	
(i) first or only horse in the consignment	18.35
(ii) next 4 horses in the consignment, for each horse	11.20
(iii) each additional horse in the consignment	10.00
3 For an inspector supervising the treatment of alpacas, buffalo, camels, cattle, deer, goats, guanacos, llamas, sheep or vicunas for cattle tick using equipment and acaricide supplied by the State—	
(a) at the inspector’s office—	
(i) for each animal	3.55
(ii) minimum fee for each consignment	10.80

	\$
(b) not more than 16km from the inspector's office—	
(i) first or only animal in the consignment	6.55
(ii) next 4 animals in the consignment, for each animal	4.80
(iii) each additional animal in the consignment.	2.90
(iv) minimum fee for each consignment	20.55
(c) more than 16km from the inspector's office—	
(i) first or only animal in the consignment	10.00
(ii) next 4 animals in the consignment, for each animal	4.80
(iii) each additional animal in the consignment.	2.90
(iv) minimum fee for each consignment	27.00
4 For an inspector supervising the treatment (using equipment and acaricide not supplied by the State) or making a manual or visual inspection, for cattle tick of alpacas, buffalo, camels, cattle, deer, goats, guanacos, llamas, sheep or vicunas outside the Queensland cattle tick infected zone—	
(a) at the inspector's office—	
(i) for each animal	1.55
(ii) minimum fee for each consignment	4.80
(b) not more than 16km from the inspector's office—	
(i) first or only animal in the consignment	2.90
(ii) next 4 animals in the consignment, for each animal	1.55
(iii) each additional animal in the consignment.	1.20
(iv) minimum fee for each consignment	10.00
(c) more than 16km from the inspector's office—	
(i) first or only animal in the consignment	3.55
(ii) next 4 animals in the consignment, for each animal	2.35
(iii) each additional animal in the consignment.	1.40
(iv) minimum fee for each consignment	16.95

[s 34]

	\$
5 For an inspector supervising the disinfection of a vehicle to prevent or avoid the spread of disease using acaricide supplied by the State—	
(a) if the vehicle's tare is not over 1t.	9.20
(b) if the vehicle's tare is over 1t—	
(i) for 1 deck of the vehicle	18.85
(ii) for each additional deck	9.20'

Part 12 Amendment of Timber Utilisation and Marketing Regulation 1998

34 Regulation amended in pt 12

This part amends the *Timber Utilisation and Marketing Regulation 1998*.

35 Replacement of sch 5 (Fees)

Schedule 5—

omit, insert—

‘Schedule 5 Fees

section 12

	\$
1 Application for approval of preservative treatment (Act, s 16)	122.40
2 Application for authorisation to use approved preservative treatment and registration of brand for the authorisation (Act, s 19)	183.65
3 Application for registration of brand for imported timber previously treated with an approved preservative treatment (Act, s 20)	88.95
4 Application for registration of brand for remilled timber previously treated with an approved preservative treatment (Act, s 21)	88.95
5 Application for renewal of authorisation to use an approved preservative treatment and of registration of brand registered for the authorisation (Act, s 25(3))	88.95
6 Application for renewal of registration of brand for imported or remilled timber, for each brand (Act, s 25(3)).	88.95
7 Application to transfer authorisation and registration of brand registered for the authorisation (Act, s 26(1))	61.15
8 Application to transfer registration of brand for imported or remilled timber, for each brand (Act, s 26(2)).	30.50
9 Application for recognition of brand (Act, s 27)	122.40
10 Search of the register of brands—	
(a) for up to 20 brands searched, for each brand.	6.05
(b) for more than 20 brands searched	122.40’.

[s 36]

Part 13 Amendment of Veterinary Surgeons Regulation 2002

36 Regulation amended in pt 13

This part amends the *Veterinary Surgeons Regulation 2002*.

37 Replacement of sch 3 (Fees)

Schedule 3—

omit, insert—

‘Schedule 3 Fees

section 29

	\$
1 Registration as—	
(a) a veterinary surgeon—	
(i) primary registration	59.80
(ii) secondary registration	29.80
(b) a veterinary specialist—	
(i) primary registration	119.70
(ii) secondary registration	59.80
(c) a veterinary surgeon for a limited period, under section 19B of the Act	23.80
2 Restoration of name, under section 17(5) of the Act, to—	
(a) the register of veterinary surgeons	107.70
(b) the register of veterinary specialists	107.70
3 Duplicate certificate of registration	35.80
4 Approval under section 18A of the Act, for each 12 month period	131.65
5 Special registration as a veterinary surgeon under section 19E of the Act—	

		\$
	(a) initial period.....	179.65
	(b) each renewal.....	89.75
6	Annual fee—	
	(a) for a veterinary surgeon who—	
	(i) is 55 years or older; and	
	(ii) is not engaged in the practice of veterinary science; and	
	(iii) is resident in the Commonwealth.....	43.00
	(b) for another veterinary surgeon—	
	(i) primary registration.....	131.65
	(ii) secondary registration.....	65.80
7	Additional annual fee for a veterinary specialist—	
	(a) primary registration.....	131.65
	(b) secondary registration.....	65.80
8	Application under section 25A of the Act for approval to use premises as veterinary premises—	
	(a) for the application.....	119.70
	(b) if the board requires the premises to be inspected under section 25B(b)—for the inspection.....	239.55’.

ENDNOTES

- 1 Made by the Governor in Council on 18 September 2008.
- 2 Notified in the gazette on 19 September 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Primary Industries and Fisheries.