



Queensland

Primary Industries and Fisheries Legislation Amendment Regulation (No. 2) 2009

Subordinate Legislation 2009 No. 176

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

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. 2) 2009*.

Part 2 Amendment of Agricultural Chemicals Distribution Control Regulation 1998

2 Regulation amended

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

3 Amendment of s 2 (Definitions)

- (1) Section 2, definition *hazardous area No. 1*, ‘section 33(a)’—
omit, insert—
‘section 33(1)(a)’.
- (2) Section 2, definition *hazardous area No. 2*, ‘section 33(b)’—
omit, insert—
‘section 33(1)(b)’.
- (3) Section 2, definition *hazardous area No. 3*, ‘section 33(c)’—
omit, insert—
‘section 33(1)(c)’.

4 Replacement of sch 2 (Fees)

Schedule 2—

[s 7]

‘Schedule 2 Fees

section 32

	\$
‘1 Application for registration (Act, s 52(2)(d))—	
(a) for an individual.	601.43
(b) for the State, to the extent the application relates to all State Schools.	293.37
(c) for a corporation or corporation sole that carries on, or is the governing body of, a primary or secondary school.	293.37
(d) for another corporation—	
(i) with fewer than 10 employees	601.43
(ii) with 10 to 50 employees	902.74
(iii) with more than 50 employees	1 202.92
2 Copy of register (Act, s 62(c)).	36.03
3 Application for replacement registration certificate (Act, s 88(2)).	60.06
4 Application for approval to use animal for unlawful scientific purpose (Act, s 93(2))	601.43’.

Part 4 Amendment of Apiaries Regulation 1998

7 Regulation amended

This part amends the *Apiaries Regulation 1998*.

8 Amendment of s 6 (Apiary class A, B or C certificates)

Section 6(2)—

insert—

‘Note—

For apiary class D certificates and their cancellation or reclassification, see section 11(5) and (6) (Classification of apiaries) of the Act.’

9 Amendment of s 7 (Cancelling certificates)

Section 7, ‘(1)’—

omit.

10 Amendment of s 25 (Registration fee)

Section 25, ‘\$12.25’—

omit, insert—

‘\$12.63’.

Part 5 Amendment of Brands Regulation 1998

11 Regulation amended

This part amends the *Brands Regulation 1998*.

12 Amendment of s 2 (Districts under Act, s 4(2))

(1) Section 2, heading, ‘Act, s 4(2)’—

omit, insert—

‘Act, s 34(3)’.

(2) Section 2, ‘section 4(2)(a)’—

[s 13]

omit, insert—
'section 34(3)'.

13 Replacement of sch 7 (Fees)

Schedule 7—

omit, insert—

'Schedule 7 Fees

section 9

	\$
'1 Registration of a 3-piece horse and cattle brand	77.79
2 Registration of a cattle earmark	77.79
3 Registration of a symbol brand	225.58
4 Transfer of a 3-piece horse and cattle brand	37.37
5 Transfer of a symbol brand	37.37
6 Registration of a pig brand	37.37
7 Transfer of a pig brand	37.37
8 Registration of a letter or numeral fire brand	77.79
9 Registration of a letter or numeral paint brand	77.79
10 Registration of a symbol fire brand	84.49
11 Registration of a symbol paint brand	84.49
12 Registration of a sheep earmark	77.79
13 Transfer of a letter or numeral fire brand	37.37
14 Transfer of a letter or numeral paint brand	37.37
15 Transfer of a symbol fire brand	37.37
16 Transfer of a symbol paint brand	37.37
17 Transfer of a sheep earmark	37.37'.

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

14 **Regulation amended**

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

15 **Amendment of s 27 (Hourly fee)**

- (1) Section 27(2)(a), '\$35.70'—
omit, insert—
'\$36.80'.
- (2) Section 27(2)(b), '\$53.65'—
omit, insert—
'\$55.30'.
- (3) Section 27(3), '\$71.50'—
omit, insert—
'\$73.70'.

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

16 **Regulation amended**

This part amends the *Drugs Misuse Regulation 1987*.

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

- (1) Section 28(1), '\$350'—

21 Amendment of s 562 (Unloaded fish notice is evidence of use of entitlement)

Section 562(3)(b), ‘schedule 11, section 10(2)’—

omit, insert—

‘schedule 11, part 1, section 11(2)’.

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

Section 709(1)—

omit, insert—

‘(1) For schedule 8, the *relevant assessment fee* for an assessment of an application is, for an application requiring—

- (a) a level 1 assessment—\$445.80; or
- (b) a level 2 assessment—\$1373.03; or
- (c) a level 3 assessment—\$2631.63; or
- (d) a level 4 assessment—\$5376.72; or
- (e) a level 5 assessment—\$13385.16’.

23 Amendment of s 710 (Applicable fee if application relates to more than 1 development)

(1) Section 710, example, ‘\$12388.10’—

omit, insert—

‘\$13385.16’.

(2) Section 710, example, ‘\$2435.60’—

omit, insert—

‘\$2631.63’.

[s 24]

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

Section 711(7), second occurring—
renumber as section 711(8).

25 Amendment of sch 1 (Regulated waters)

- (1) Schedule 1, heading, ‘section 27(1)’—
omit, insert—
‘section 27’.
- (2) Schedule 1, part 1, entry for Spanner crab waters, column 2, ‘the tidal waters’—
omit, insert—
‘tidal waters’.
- (3) Schedule 1, part 2, entry for jetties in, or south of, the Noosa River, column 2, ‘the’—
omit.
- (4) Schedule 1, part 2, entry for Barwon River, column 2, ‘the’—
omit.
- (5) Schedule 1, part 2, entry for Macintyre River, column 2, ‘the’—
omit.
- (6) Schedule 1, part 2, entry for Brisbane River (netting), column 2, item 1, ‘the Brisbane River’—
omit, insert—
‘Brisbane River’.
- (7) Schedule 1, part 2, entry for Noosa River (ocean foreshore), column 2, ‘the Noosa River’—
omit, insert—
‘Noosa River’.

-
- (8) Schedule 1, part 2, entry for Lake Como, Kin Kin Creek, the upper Noosa River and Lake Cootharaba, column 1, ‘the upper Noosa River’—
omit, insert—
‘upper Noosa River’.
- (9) Schedule 1, part 2, entry for Lake Como, Kin Kin Creek, the upper Noosa River and Lake Cootharaba, column 2, ‘the Noosa River’—
omit, insert—
‘Noosa River’.
- (10) Schedule 1, part 2, entry for Hervey Bay–Tin Can Bay (greater dugong protection area), column 2, item 2, ‘the Mary River’—
omit, insert—
‘Mary River’.
- (11) Schedule 1, part 2, entry for Burnett River at Paradise Dam, Claude Wharton, Ned Churchward and Kirar weirs, column 2, ‘the Burnett River’—
omit, insert—
‘Burnett River’.
- (12) Schedule 1, part 2, entry for Port of Gladstone and The Narrows, column 2, ‘the Boyne River’—
omit, insert—
‘Boyne River’.
- (13) Schedule 1, part 2, entry for Great Keppel Island, column 2, ‘north western’—
omit, insert—
‘north-western’.
- (14) Schedule 1, part 2, entry for Great Keppel Island, column 2, ‘south western’—
omit, insert—

[s 25]

‘south-western’.

- (15) Schedule 1, part 2, entry for Causeway Lake, Shoal Bay, column 2, ‘the’—

omit.

- (16) Schedule 1, part 2, entry for Cape Edgecumbe, column 2, ‘the waters’—

omit, insert—

‘waters’.

- (17) Schedule 1, part 2, entry for Queens Bay, column 2, ‘the Don River’—

omit, insert—

‘Don River’.

- (18) Schedule 1, part 2, entry for Burdekin River Anabranche mouth, column 2, ‘the Burdekin River’—

omit, insert—

‘Burdekin River’.

- (19) Schedule 1, part 2, entry for Haughton River and the Short Cut, column 2, item 2, ‘the Haughton River’—

omit, insert—

‘Haughton River’.

- (20) Schedule 1, part 2, entry for Herbert River, column 2, ‘the Herbert River’—

omit, insert—

‘Herbert River’.

- (21) Schedule 1, part 2, entry for Barron River area (netting), column 2, ‘the Barron River’—

omit, insert—

‘Barron River’.

- (22) Schedule 1, part 2, entry for Endeavour River, column 2, ‘the No. 1’—

omit, insert—

‘No. 1’.

- (23) Schedule 1, part 2, entry for Bizant River, Princess Charlotte Bay, column 2, paragraph (b), ‘the waters of the Bizant River’—

omit, insert—

‘waters of Bizant River’.

- (24) Schedule 1, part 2, entry for Bizant River, North Kennedy River and Normanby River, column 2, ‘waters of the’—

omit, insert—

‘waters of’.

- (25) Schedule 1, part 2, entry for Gulf of Carpentaria waters, column 2, first dot point, ‘the tidal waters’—

omit, insert—

‘tidal waters’.

- (26) Schedule 1, part 2, entry for Gulf of Carpentaria waters, column 2, second dot point, ‘the waterways’—

omit, insert—

‘waterways’.

- (27) Schedule 1, part 2, entry for Port Musgrave and Wenlock River, column 2, ‘the Wenlock River’—

omit, insert—

‘Wenlock River’.

- (28) Schedule 1, part 2, entry for Norman River (downstream), column 2, item 2, second dot point, ‘the Bynoe River’—

omit, insert—

‘Bynoe River’.

[s 26]

26 Amendment of sch 5 (Glossary of scientific names for particular coral reef fin fish species)

Schedule 5, heading, 'schedule 11'—

omit, insert—

'schedule 11, part 2'.

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

(1) Schedule 8, part 1, '432.40'—

omit, insert—

'445.80'.

(2) Schedule 8, part 4, item 1, '432.40'—

omit, insert—

'445.80'.

(3) Schedule 8, part 4, item 3(a), '1 331.75'—

omit, insert—

'1 373.03'.

(4) Schedule 8, part 4, item 3(b), '2 552.50'—

omit, insert—

'2 631.63'.

28 Amendment of sch 10 (Defined port areas)

Schedule 10, heading, 'schedule 11'—

omit, insert—

'schedule 11, part 2'.

29 Amendment of sch 11 (Dictionary)

Schedule 11, part 2, definitions *redclaw waters, regulated by form, regulated by gender, regulated by number, regulated by*

[s 32]

omit, insert—

- ‘6 Request to extend compliance period under a pest control notice 60.57’.

Part 10 Amendment of Stock Regulation 1988

32 Regulation amended

This part amends the *Stock Regulation 1988*.

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 | 10.30 |
| 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 | 9.45 |
| (b) not more than 16km from the inspector’s office— | |
| (i) first or only horse in the consignment | 15.30 |

	\$
(ii) next 4 horses in the consignment, for each horse.....	10.30
(iii) each additional horse in the consignment	8.65
(c) more than 16km from the inspector's office—	
(i) first or only horse in the consignment	18.90
(ii) next 4 horses in the consignment, for each horse.....	11.50
(iii) each additional horse in the consignment	10.30
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.....	3.65
(ii) minimum fee for each consignment.....	11.10
(b) not more than 16km from the inspector's office—	
(i) first or only animal in the consignment.....	6.75
(ii) next 4 animals in the consignment, for each animal	4.90
(iii) each additional animal in the consignment	2.95
(iv) minimum fee for each consignment.....	21.15
(c) more than 16km from the inspector's office—	
(i) first or only animal in the consignment.....	10.30
(ii) next 4 animals in the consignment, for each animal	4.90
(iii) each additional animal in the consignment	2.95
(iv) minimum fee for each consignment.....	27.80
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

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	\$
(ii) minimum fee for each consignment.	4.90
(b) not more than 16km from the inspector's office—	
(i) first or only animal in the consignment	2.95
(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.	10.30
(c) more than 16km from the inspector's office—	
(i) first or only animal in the consignment	3.65
(ii) next 4 animals in the consignment, for each animal	2.40
(iii) each additional animal in the consignment	1.40
(iv) minimum fee for each consignment.	17.45
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.	9.45
(b) if the vehicle's tare is over 1t—	
(i) for 1 deck of the vehicle.	19.40
(ii) for each additional deck.	9.45'

Part 11 Amendment of Timber Utilisation and Marketing Regulation 1998

34 Regulation amended

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

-
- 35 Amendment of s 4 (Exclusions from *lyctid susceptible timber*)**
Section 4, '*lyctid susceptible*'—
omit, insert—
'*lyctid-susceptible*'.
- 36 Amendment of s 7 (Prescribed manners for determining moisture content—Act pt 5)**
(1) Section 7, heading, 'Act pt 5'—
omit, insert—
'**Act, pt 5**'.
- (2) Section 7, 'type timber'—
omit, insert—
'type of timber'.
- 37 Amendment of s 8 (Standards for moisture content—Act, pt 5 and s 36)**
Section 8, 'type timber'—
omit, insert—
'type of timber'.
- 38 Replacement of sch 5 (Fees)**
Schedule 5—
omit, insert—

[s 38]

‘Schedule 5 Fees

section 12

	\$
‘1 Application for approval of preservative treatment (Act, s 16(2)(b))	126.19
2 Application for authorisation to use approved preservative treatment and registration of brand for the authorisation (Act, s 19(2)(b)).	189.34
3 Application for registration of brand for imported timber previously treated with an approved preservative treatment (Act, s 20(2)(b)).	91.71
4 Application for registration of brand for remilled timber previously treated with an approved preservative treatment (Act, s 21(2)(b)).	91.71
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))	91.71
6 Application for renewal of registration of brand for imported or remilled timber, for each brand (Act, s 25(3)).	91.71
7 Application to transfer authorisation and registration of brand registered for the authorisation (Act, s 26(1))	63.05
8 Application to transfer registration of brand for imported or remilled timber, for each brand (Act, s 26(2)).	31.45
9 Application for recognition of brand (Act, s 27(2)(b))	126.19
10 Search of the register of brands—	
(a) for up to 20 brands searched, for each brand.	6.24
(b) for more than 20 brands searched	126.19’.

Part 12 **Amendment of Veterinary Surgeons Regulation 2002**

39 **Regulation amended**

This part amends the *Veterinary Surgeons Regulation 2002*.

40 **Amendment of s 4 (Definitions for pt 3)**

Section 4, definition *election day*, ‘section 8(1A)’—
omit, insert—
‘section 8(2)’.

41 **Replacement of sch 3 (Fees)**

Schedule 3—
omit, insert—

‘Schedule 3 Fees

section 29

	\$
‘1 Registration as—	
(a) a veterinary surgeon—	
(i) primary registration	61.65
(ii) secondary registration	30.72
(b) a veterinary specialist—	
(i) primary registration	123.41
(ii) secondary registration	61.65
(c) a veterinary surgeon for a limited period, under section 19B of the Act	24.54
2 Restoration of name, under section 17(5) of the Act, to—	
(a) the register of veterinary surgeons	111.04

[s 41]

	\$
(b) the register of veterinary specialists	111.04
3 Duplicate certificate of registration	36.91
4 Approval under section 18A of the Act, for each 12 month period	135.73
5 Special registration as a veterinary surgeon under section 19E of the Act—	
(a) initial period	185.22
(b) each renewal	92.53
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	44.33
(b) for another veterinary surgeon—	
(i) primary registration	135.73
(ii) secondary registration	67.84
7 Additional annual fee for a veterinary specialist—	
(a) primary registration	135.73
(b) secondary registration	67.84
8 Application under section 25A of the Act for approval to use premises as veterinary premises—	
(a) for the application	123.41
(b) if the board requires the premises to be inspected under section 25B(b)—for the inspection	246.98’

ENDNOTES

- 1 Made by the Governor in Council on 27 August 2009.
- 2 Notified in the gazette on 28 August 2009.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Employment, Economic
Development and Innovation.

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