



Queensland

Fisheries Amendment Regulation (No. 1) 2011

Subordinate Legislation 2011 No. 106

made under the

Fisheries Act 1994

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1 Short title

This regulation may be cited as the *Fisheries Amendment Regulation (No. 1) 2011*.

2 Commencement

This regulation commences on 1 July 2011.

3 Regulation amended

This regulation amends the *Fisheries Regulation 2008*.

4 Amendment of s 35 (Regulated waters for div 3)

Section 35, first and second dot points—

omit, insert—

- Flat Rock (grey nurse shark protection area)
- Cherub's Cave (grey nurse shark protection area)'.

5 Amendment of s 51 (Regulated waters for div 5)

(1) Section 51, seventh dot point—

omit.

(2) Section 51 as amended under this regulation, after 17th dot point—

insert—

- Balonne River at Surat Weir'.

(3) Section 51, seventh last to third last dot points—

omit, insert—

- Boyne River (Boyne River Basin) at Awoonga Dam
- Fitzroy River at Eden Bann Weir
- Thomson River at Fairmount Weir

[s 6]

- Fitzroy River at Wattlebank Control Weir
- Nogoia River at Fairbairn Dam’.

6 Amendment of s 77 (Regulated waters for sdiv 1)

Section 77, first and second dot points—

omit, insert—

- Hervey Bay (recreational netting)
- Rodds Harbour (recreational netting)’.

7 Amendment of s 80 (Regulated waters for sdiv 3)

(1) Section 80, after 14th dot point—

insert—

- Dunk Island’.

(2) Section 80, third last dot point—

omit.

8 Amendment of s 96 (Prohibited activities)

Section 96, table, entries for Hervey Bay (scallop ranching area) and Fraser Island (rivers and creeks)—

omit, insert—

‘Fraser Island (rivers and creeks)	a general purpose mesh net, of a type, and used in a way, mentioned in section 482(3) or a set mesh net of a type, and used in a way, mentioned in section 499
Hervey Bay (scallop ranching area)	a trawl net’.

9 Amendment of s 188 (Using crab apparatus)

Section 188(1)(b), ‘subsections (5) and (6)’—

omit, insert—

‘subsection (5)’.

10 Amendment of s 222A (Restriction on issue of licence for commercial spanner crab fishery (managed area A))

Section 222A(2), editor's note—

omit, insert—

'Note—

See chapter 11, part 1A (Commercial spanner crab fishery (managed area A) ('C2')), section 600C (Fishery area).'

11 Amendment of s 222B (Restriction on issue of licence for commercial spanner crab fishery (managed area B))

Section 222B, editor's note—

omit, insert—

'Note—

See chapter 11, part 1B (Commercial spanner crab fishery (managed area B) ('C3')), section 600Z (Fishery area).'

12 Amendment of s 250 (Particular fishery symbols included in particular management plans)

Section 250(1), 'Subsections (2) to (6)'—

omit, insert—

'Subsections (2) to (4)'.

13 Amendment of s 521 (VMS equipment requirements)

Section 521, editor's note, '*Editor's note*'—

omit, insert—

'Note'.

14 Amendment of s 566 (Notices to chief executive)

Section 566(2), editor's note—

omit, insert—

[s 15]

Note—

See chapter 14 (Reporting), part 6 (Automated interactive voice response system).’.

15 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—\$472.90; or
 - (b) a level 2 assessment—\$1456.60; or
 - (c) a level 3 assessment—\$2791.85; or
 - (d) a level 4 assessment—\$5704.10; or
 - (e) a level 5 assessment—\$14200.30.’.

16 Amendment of sch 1 (Regulated waters)

Schedule 1, part 2, entry for jetties in, or south of, the Noosa River, column 1, ‘the’—

omit.

17 Amendment of sch 2 (Regulated fish declarations)

Schedule 2, part 2, entry for saucer scallop, column 4, paragraph (a), ‘schedule 6’—

omit, insert—

‘schedule 3’.

18 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 Regulation, schedule 3, part 2, table 1, item 3(d) or table 4, item 3(d) or (e) or 4(a)	472.90
(c) prescribed aquaculture development	relevant assessment fee
2 assessment of application for renewal of resource allocation authority	472.90’.

(2) Schedule 8, part 4—

omit, insert—

‘Part 4 Other fees relating to development applications

	\$
1 assessment of request to extend, under the Planning Act, section 383, a period mentioned in section 341 of that Act	472.90
2 assessment of request to change a development approval under the Planning Act, section 369	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—	

[s 19]

	\$
(a) for a development application for which there is no or only 1 referral agency	1 456.60
(b) for a development application for which there are 2 or more referral agencies	2 791.85’.

19 Replacement of sch 9 (Other fees)

Schedule 9—

omit, insert—

‘Schedule 9 Other fees

sections 256(3) and 711

Table 1—Fees for fishery symbols or authorities under regulation		
	Fishery symbol or authority	\$
	Commercial harvest fisheries	
1	A1	298.70
2	A2	97.85
3	B1	10.30/unit
4	D	5.15/unit
5	E	97.85
6	F	97.85
7	G	97.85
8	H	97.85

Table 1—Fees for fishery symbols or authorities under regulation		
	Fishery symbol or authority	\$
9	J1 where a unit equals each whole 100kg entitled to be taken under the licence on which the symbol is written	10.30/unit
10	JE	97.85
11	O	51.50/area
12	P	298.70
13	W1	97.85
14	W2	97.85
15	Y	97.85
	Commercial line fisheries	
1	L1	298.70
2	L2	298.70
3	L3	298.70
4	L4	875.50
5	L6	298.70
6	L7	298.70
7	L8	875.50
	Commercial net fisheries	
1	K1	597.40
2	K2	597.40

[s 19]

Table 1—Fees for fishery symbols or authorities under regulation		
	Fishery symbol or authority	\$
3	K3	597.40
4	K4	597.40
5	K5	597.40
6	K6	597.40
7	K7	597.40
8	K8	597.40
9	N1	298.70
10	N2	597.40
11	N4	2266.00
12	N10	875.50
13	N11	154.50
Other commercial fisheries under regulation		
1	SM unit	.1545
2	C1	298.70
3	C2	0
4	C3	298.70
5	ITQ unit	0.7725
6	R where a unit equals each 1kg of (whole weight) fish entitled to be taken under the licence on which the symbol is written	.31/unit

	Fishery symbol or authority	\$
7	S	597.40
8	T4	8085.50
9	Carrier boat licence	257.50
10	Charter fishing licence	257.50

	Fishery symbol or authority	\$
	Coral Reef Plan	
1	RQ	0
2	CT line unit	.31
3	OS line unit	.1545
4	RTE line unit	.1545
	East Coast Trawl Plan	
1	M1	0
2	M2	875.50
3	T1	0
4	T2	0
6	T5	298.70

[s 19]

Table 2—Fees for fishery symbols or authorities under management plans		
	Fishery symbol or authority	\$
7	T6	298.70
8	T7	298.70
9	T8	298.70
10	T9	298.70
11	‘T1’ effort unit	.31
12	‘T2’ effort unit	.31
	Gulf Plan	
1	N3	1133.00
2	N9	16171.00

Table 3—Registration fees for particular licences		
	Licence	\$
1	Carrier boat licence	257.50
2	Charter fishing licence	257.50
3	Commercial fisher licence	257.50
4	Commercial fishing boat licence	257.50
5	Commercial harvest fishing licence	257.50

[s 20]

Table 4—Other fees		
		\$
9	for an application to register transfer of an authority (Act, s 65A)	128.75
10	for an application to register temporary transfer of an authority (Act, ss 65A and 65C)	25.75
11	for a replacement authority application (Act, s 71)	25.75
12	for inspecting, or obtaining a copy of details in, the register (Act, s 73)	at reasonable cost, but no more than actual cost
13	for an application for a certificate under section 74 of the Act.	128.75’.

20 Amendment of sch 11 (Dictionary)

- (1) Schedule 11, part 2, definition *east coast trawl fishery area*, note, ‘section 2’—
omit, insert—
‘section 3’.
- (2) Schedule 11, part 2, definition *East Coast Trawl Plan*, ‘1999’—
omit, insert—
‘2010’.
- (3) Schedule 11, part 2, definition *Fisher PIN*, paragraph (a), ‘61A or’—
omit.

ENDNOTES

- 1 Made by the Governor in Council on 23 June 2011.
- 2 Notified in the gazette on 24 June 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Employment, Economic Development and Innovation.

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