



Queensland

Fisheries Amendment Regulation (No. 1) 2013

Subordinate Legislation 2013 No. 27

made under the

Fisheries Act 1994

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[s 1]

1 Short title

This regulation may be cited as the *Fisheries Amendment Regulation (No. 1) 2013*.

2 Regulation amended

This regulation amends the *Fisheries Regulation 2008*.

3 Insertion of new s 707A

Chapter 15, part 4, division 1—

insert—

‘707A Definition for div 1

‘In this division—

‘*development approval change request* means a request to change a fisheries development approval under the Planning Act, section 369.’.

4 Amendment of s 708 (Fees relating to development under Planning Act)

Section 708, ‘sections 709 and 710’—

omit, insert—

‘section 710’.

5 Replacement of s 709 (What is the *relevant assessment fee*)

Section 709—

omit, insert—

‘709 What is the *relevant assessment fee* for a development application or development approval change request

‘(1) For schedule 8, parts 1 to 4, the *relevant assessment fee* for assessing a development application or development approval change request requiring a level of assessment stated in

schedule 8, part 5, column 1, is the fee stated opposite the level of assessment in schedule 8, part 5, column 2.

‘(2) In this section—

assessing, a development application, does not include the chief executive satisfying himself or herself of the matters mentioned in the Planning Act, section 346A(2), for the development to which the development application relates.

‘709A What is the *offset assessment fee* for a development application

‘(1) The *offset assessment fee* for a development application is the fee for the chief executive to satisfy himself or herself of the matters mentioned in the Planning Act, section 346A(2), for a development to which the development application relates.

‘(2) For schedule 8, part 3, the offset assessment fee for a development application requiring a level of assessment stated in schedule 8, part 5, column 1, is the fee stated opposite the level of assessment in schedule 8, part 5, column 3.

‘709B What is the level of assessment required for a development application or development approval change request

‘For sections 709 and 709A and schedule 8, part 5, a development application or development approval change request requires a level 1, 2, 3, 4 or 5 assessment if the chief executive considers the application or request will reasonably require the relevant level of assessment having regard to each of the following—

- (a) the number of hours, and number of persons, that will be involved in assessing the application or request;
- (b) the complexity of assessing the development or activity the subject of the application or request against the Act;
- (c) the number of site inspections that will be required for assessing the application or request;

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- (d) whether an environmental impact statement has been, or is required under an Act to be, prepared for the development or activity the subject of the application or request.’.

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

- (1) Section 710, heading, ‘fee if’—

omit, insert—

‘fees if development’.

- (2) Section 710, from ‘If a development’ to ‘for the developments.’—

omit, insert—

‘(1) This section applies if a development application is for more than 1 development mentioned in schedule 8.

‘(2) The relevant assessment fee for the development application is the higher of the applicable relevant assessment fees stated in the schedule for the developments.

‘(3) The offset assessment fee for the development application is the higher of the applicable offset assessment fees stated in the schedule for the developments.’.

- (3) Section 710, example, ‘fee payable for assessment of’—

omit, insert—

‘relevant assessment fee for’.

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

- (1) Schedule 8, heading, ‘709’—

omit, insert—

‘709, 709A, 709B’.

(2) Schedule 8, part 3, after ‘relevant assessment fee’—

insert—

‘and offset assessment fee’.

(3) Schedule 8, part 4, item 2—

omit, insert—

‘2 assessment of development approval change
request relevant assessment
fee’.

(4) Schedule 8—

insert—

‘Part 5 Relevant assessment fees and offset assessment fees

Column 1	Column 2	Column 3
level of assessment	relevant assessment fee	offset assessment fee
1	489.45	146.84
2	1507.55	452.27
3	2889.55	866.87
4	5903.70	1 771.11
5	14697.30	4 409.19’.

8 Amendment of s 11 (Dictionary)

(1) Schedule 11, part 2, definition ‘*relevant assessment fee*’—

omit.

(2) Schedule 11, part 2—

insert—

‘*development* see the Planning Act, section 7.

development approval change request, for chapter 15, part 4,
division 1 and schedule 8, see section 707A.

[s 8]

level of assessment, required for a development application or development approval change request, means a level 1, 2, 3, 4 or 5 assessment required under section 709B for the application or request.

offset assessment fee, for chapter 15, part 4, division 1 and schedule 8, see section 709A.

relevant assessment fee, for chapter 15, part 4, division 1 and schedule 8, see section 709(1).’.

ENDNOTES

- 1 Made by the Governor in Council on 7 March 2013.
- 2 Notified in the gazette on 8 March 2013.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Agriculture, Fisheries and Forestry.

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Authorised by the Parliamentary Counsel