



New South Wales

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2015

under the

Fisheries Management Act 1994

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fisheries Management Act 1994*.

NIALL BLAIR, MLC
Minister for Primary Industries

Explanatory note

The object of this Regulation is to increase certain fees, charges and contributions payable under the *Fisheries Management Act 1994*.

This Regulation is made under the *Fisheries Management Act 1994*, including sections 34E (2), 34I (4), 37 (6), 40 (2) (d1) and (m), 70 (5), 76 (3), 84 (4), 91 (3) (d), 97 (1), 104 (8), 108 (8), 110 (7), 115A (3), 118 (2), 127C (8) (b), 145 (2) (c), 156 (1) (a) and (2), 165 (5), 167 (7), 172 (2), 173 (2), 174 (2), 191 and 289 (the general regulation-making power).

Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2015

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Fisheries Management Act 1994

1 Name of Regulation

This Regulation is the *Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2015*.

2 Commencement

This Regulation commences on 1 July 2015 and is required to be published on the NSW legislation website.

Schedule 1 Amendments relating to fees, charges and contributions

1.1 Fisheries Management (Abalone Share Management Plan) Regulation 2000

[1] Appendix

Omit "\$296" from clause 9 (2) (a). Insert instead "\$300".

[2] Appendix, clause 9 (2) (b)

Omit "\$519". Insert instead "\$526".

[3] Appendix, clause 19 (2) (b)

Omit "\$222". Insert instead "\$225".

[4] Appendix, clause 36 (1)

Omit "\$370". Insert instead "\$375".

1.2 Fisheries Management (Aquaculture) Regulation 2012

Schedule 3

Omit the Schedule. Insert instead:

Schedule 3 Fees, charges and contributions

| Column 1 | Column 2 | Column 3 |
|----------|--|----------|
| Item | Matter for which fee, charge or contribution is payable | Amount |
| 1 | Application for an aquaculture permit (clause 6 (1)) | |
| | (a) for a class A permit | \$300 |
| | (b) for a class B permit | \$300 |
| | (c) for a class C permit | \$452 |
| | (d) for a class D permit | \$752 |
| | (e) for a class E permit | \$601 |
| | (f) for a class F permit | \$452 |
| | (g) for a class G permit | \$752 |
| | (h) for a class H permit | \$752 |
| 2 | Each additional application for an aquaculture permit (clause 6 (2)) | \$150 |
| 3 | Annual contribution for industry administration costs (clause 8 (1)) | \$526 |

| Column 1 | Column 2 | Column 3 |
|-----------------|--|---|
| Item | Matter for which fee, charge or contribution is payable | Amount |
| 4 | Annual contribution for research (clause 10 (1)) | |
| | (a) for a class A permit | \$42 for each hectare (or part of a hectare) of the area to which the permit relates |
| | (b) for a class B permit | \$42 for each hectare (or part of a hectare) of the area to which the permit relates |
| | (c) for a class C permit | \$150 |
| | (d) for a class D permit | The greater of \$150, or \$31 for each hectare (or part of a hectare) of the total water area available for aquaculture (not including any water storage or effluent storage areas) to which the permit relates |
| | (e) for a class E permit | \$150 |
| | (f) for a class F permit | \$150 |
| | (g) for a class H permit | The greater of \$150, or \$31 for each hectare (or part of a hectare) of the total water area available for aquaculture (not including any water storage or effluent storage areas) to which the permit relates |
| 5 | Required amount for financial arrangements to provide security (clause 15 (4)) | \$1,000 for each hectare (or part of a hectare) of the leased area or areas to which the permit relates |
| 6 | Class A annual contribution (clause 19) | \$40 for each hectare (or part of a hectare) of the leased area or areas to which the permit relates |
| 7 | Application for an aquaculture lease (clause 25 (1) (b)) | |
| | (a) for a class 1 lease | \$752 |
| | (b) for a class 2 lease | \$752 |
| | (c) for a class 3 lease | \$752 |
| | (d) for a class 4 lease | \$1,201 |
| 8 | Application for renewal of an aquaculture lease (clause 32 (1) (b)) | |
| | (a) for a class 1 lease | \$601 |
| | (b) for a class 2 lease | \$452 |

| Column 1 | Column 2 | Column 3 |
|-----------------|--|---|
| Item | Matter for which fee, charge or contribution is payable | Amount |
| | (c) for a class 3 lease | \$752 |
| | (d) for a class 4 lease | \$452 |
| 9 | Minimum rent payable per year for aquaculture lease (clause 34 (1)) | The greater of \$150, or \$56 for each hectare (or part of a hectare) of the leased area or areas |
| 10 | Application for consent to sublet (clause 38 (1)) | \$526 |
| 11 | Application for consent to transfer aquaculture lease (clause 39 (2) (c)) | \$826 |
| 12 | Each additional application for consent to transfer aquaculture lease lodged on same day (clause 39 (2) (c)) | \$76 |
| 13 | Transmission of aquaculture lease on lessee's death (clause 40 (b)) | \$526 |
| 14 | Each additional application for transmission of aquaculture lease lodged on same day (clause 40 (b)) | \$76 |
| 15 | Application to surrender aquaculture lease (clause 41 (1) (b)) | \$376 |
| 16 | Each additional application to surrender aquaculture lease lodged on same day (clause 41 (1) (b)) | \$76 |
| 17 | Application to surrender part of a leased area (clause 41 (2) (d)) | \$526 |
| 18 | Application for consolidation of aquaculture leases (clause 42 (2) (c)) | \$601 |
| 19 | Application for subdivision of aquaculture lease (clause 43 (2) (c)) | \$601 |
| 20 | Certified copy of lease or plan (clause 44 (1) (a)) | \$76 |
| 21 | Copy of a survey plan or map (clause 44 (3) (c)) | \$76 |
| 22 | Permit or renewal of permit to gather marine vegetation for commercial purposes (clause 56 (5)) | \$150 |
| 23 | Application for permit under section 37 of the Act for aquaculture (clause 57) | \$225 |

1.3 Fisheries Management (General) Regulation 2010

Schedule 8

Omit the Schedule. Insert instead:

Schedule 8 Fees and contributions

| Column 1 | Column 2 | Column 3 |
|----------|--|--|
| Item | Matter for which fee or contribution is payable | Amount |
| 1 | Permit or renewal of permit to use explosives (clause 71 (5)) | \$336 |
| 2 | Permit or renewal of permit to use electrical devices (clause 73 (5)) | \$336 |
| 3 | Fishing fee (clause 81): | |
| | (a) for a period of 3 days | \$7 |
| | (b) for a period of 1 month | \$14 |
| | (c) for a period of 12 months | \$35 |
| | (d) for a period of 3 years | \$85 |
| 4 | Issue of replacement receipt (clause 84 (2)) | \$7 |
| 5 | Fishing fee exemption certificates: | |
| | (a) one year exemption certificate under clause 87 (1) (a) | \$140 |
| | (b) one year exemption certificate under clause 87 (1) (b) | \$2,800 |
| | (c) one year exemption certificate under clause 87 (1) (c) (i) | \$140 |
| | (d) one year exemption certificate under clause 87 (1) (c) (ii) | \$140 plus \$35 for the fifth and each additional passenger to be exempted |
| | (e) one year exemption certificate under clause 87 (1) (c) (iii) | \$350 |
| 6 | Application for amendment of exemption certificate (clause 88 (3) (a)) | \$13 |
| 7 | Marine park permit (clause 98) | \$76 |
| 8 | Application for approval by Secretary of transfer of endorsement or share (clause 114 (5)) | \$300 |
| 9 | Special endorsement to take fish in share management fishery (clause 119) | \$150 |
| 10 | Lodgment of appeal to Share Appeal Panel (clause 122 (1) (c)) | \$275 |
| 11 | Application for registration of transaction under clause 123 (1) (a) | \$300 |

| Column 1 | Column 2 | Column 3 |
|-----------------|--|--|
| Item | Matter for which fee or contribution is payable | Amount |
| 12 | Application for registration of transaction under clause 123 (1) (b) | \$526 |
| 13 | Inspection of entry in the Share Register conducted with assistance of officer of the Department (clause 124 (a) (i)) | \$17 |
| 14 | Inspection of registered document retained by Director-General (clause 124 (b)) | \$76 |
| 15 | Application for issue of Class 1 commercial fishing licence (clause 127 (2)) | \$601 |
| 16 | Application for renewal of Class 1 commercial fishing licence (clause 130 (3)) | \$300 |
| 17 | Contribution by participant in southern fish trawl restricted fishery (clause 132 (2)) | \$1,109 |
| 18 | Contribution by participant in sea urchin and turban shell restricted fishery (clause 133 (2)) | \$1,109 |
| 19 | Contribution by owner of inland restricted fishing business, a component of which is a class A endorsement (clause 133A (2)) | \$1,109 |
| 20 | Contribution by owner of inland restricted fishing business, a component of which is a class B endorsement (clause 133A (2)) | \$376 |
| 21 | Contribution by owner of inland restricted fishing business, a component of which is a class D endorsement (clause 133A (2)) | \$376 |
| 22 | Application for issue of fishing boat licence under clause 135 (2) (a) | \$210 |
| 23 | Application for issue of fishing boat licence under clause 135 (2) (b) | \$210 plus \$31 for each metre (or part of a metre) by which the boat exceeds 3 metres |
| 24 | Application for renewal of fishing boat licence under clause 139 (3) (a) | \$59 |
| 25 | Application for renewal of fishing boat licence under clause 139 (3) (b) | \$59 plus \$31 for each metre (or part of a metre) by which the boat exceeds 3 metres |
| 26 | Application for approval of transfer of right to fishing boat licence (clause 143 (3)) | \$376 |
| 27 | Application for registration of crew members (clause 147) | \$150 |
| 28 | Application for approval of transfer of quota (clause 164 (2) (c)) | \$225 |
| 29 | Approval of transfer of endorsement (clause 190 (1)) | \$300 |
| 30 | Application for registration as Class A Registered Fish Receiver (clause 209 (2)) | \$1,125 |

| Column 1 | Column 2 | Column 3 |
|-----------------|---|--|
| Item | Matter for which fee or contribution is payable | Amount |
| 31 | Application for registration as Class B Registered Fish Receiver (clause 209 (2)) | \$3,669 for one or two premises at which the fish receiver receives fish plus \$1,834 for each additional premises |
| 32 | Issue or renewal of charter fishing boat licence (clause 226 (1)) | \$563 |
| 33 | Authorised activity specified on charter fishing boat licence (clause 226 (1)) | \$113 |
| 34 | Application for approval of transfer of right to transferable licence (clause 229 (2)) | \$376 |
| 35 | Application for approval of boat replacement (clause 231 (1) (b)) | \$376 |
| 36 | Additional licence fee for application for renewal of charter fishing boat licence (clause 233 (5)) | \$150 |
| 37 | Application for a permit under Part 7 of the Act (clause 258 (2) (a)) | \$168 |
| 38 | Minor assessment (clause 258 (4) (a)) | \$168 |
| 39 | Moderate assessment (clause 258 (4) (b)) | \$392 |
| 40 | Major assessment (clause 258 (4) (c)) | \$1,402 |
| 41 | Complex assessment (clause 258 (4) (d)) | \$3,644 |
| 42 | Additional assessment (clause 258 (8)) | \$70 |

1.4 Fisheries Management (Lobster Share Management Plan) Regulation 2000

[1] Appendix Lobster Share Management Plan

Omit "\$296" from clause 9 (2) (a). Insert instead "\$300".

[2] Appendix, clause 9 (2) (b)

Omit "\$519". Insert instead "\$526".

[3] Appendix, clause 19 (2) (b)

Omit "\$222". Insert instead "\$225".

[4] Appendix, clause 53 (1)

Omit "\$91". Insert instead "\$92".

1.5 Fisheries Management (Supporting Plan) Regulation 2006

[1] Appendix

Omit "\$1,095" wherever occurring in clause 10A (2) (a) and (b) and (3) (a) and the note to clause 10A (3A).

Insert instead "\$1,109".

[2] Appendix, clause 10A (3) (a)

Omit "\$657". Insert instead "\$665".