



New South Wales

# Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2016

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 22 (1), 34E (2), 34I (4), 37 (6), 40 (2) (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 2016**

under the

Fisheries Management Act 1994

### **1 Name of Regulation**

This Regulation is the *Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2016*.

### **2 Commencement**

This Regulation commences on 1 July 2016 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 "\$300" from clause 9 (2) (a). Insert instead "\$304".

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

Omit "\$526". Insert instead "\$533".

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

Omit "\$225". Insert instead "\$228".

**[4] Appendix, clause 36 (1)**

Omit "\$375". Insert instead "\$380".

### 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	\$304
	(b) for a class B permit	\$304
	(c) for a class C permit	\$458
	(d) for a class D permit	\$762
	(e) for a class E permit	\$609
	(f) for a class F permit	\$458
	(g) for a class G permit	\$762
	(h) for a class H permit	\$762
2	Each additional application for an aquaculture permit (clause 6 (2))	\$152
3	Request for variation of an aquaculture permit (clause 6A (1))	
	(a) for a class A permit	\$152
	(b) for a class B permit	\$152
	(c) for a class C permit	\$229

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which fee, charge or contribution is payable</b>	<b>Amount</b>
	(d) for a class D permit	\$381
	(e) for a class E permit	\$305
	(f) for a class F permit	\$229
	(g) for a class G permit	\$381
	(h) for a class H permit	\$381
4	Each additional request for variation of an aquaculture permit (clause 6A (2) (c))	\$76
5	Annual contribution for industry administration costs (clause 8 (1))	\$533
6	Annual contribution for research (clause 10 (1))	
	(a) for a class A permit	\$43 for each hectare (or part of a hectare) of the area to which the permit relates
	(b) for a class B permit	\$43 for each hectare (or part of a hectare) of the area to which the permit relates
	(c) for a class C permit	\$152
	(d) for a class D permit	The greater of \$152, or \$32 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	\$152
	(f) for a class F permit	\$152
	(g) for a class H permit	The greater of \$152, or \$32 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
7	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
8	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

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which fee, charge or contribution is payable</b>	<b>Amount</b>
9	Application for an aquaculture lease (clause 25 (1) (b))	
	(a) for a class 1 lease	\$762
	(b) for a class 2 lease	\$762
	(c) for a class 3 lease	\$762
	(d) for a class 4 lease	\$1,217
10	Application for renewal of an aquaculture lease (clause 32 (1) (b))	
	(a) for a class 1 lease	\$609
	(b) for a class 2 lease	\$458
	(c) for a class 3 lease	\$762
	(d) for a class 4 lease	\$458
11	Minimum rent payable per year for aquaculture lease (clause 34 (1))	The greater of \$152, or \$57 for each hectare (or part of a hectare) of the leased area or areas
12	Application for consent to sublet (clause 38 (1))	\$533
13	Each additional application for consent to sublet lodged on same day (clause 38 (1))	\$77
14	Application for consent to transfer aquaculture lease (clause 39 (2) (c))	\$837
15	Each additional application for consent to transfer aquaculture lease lodged on same day (clause 39 (2) (c))	\$77
16	Transmission of aquaculture lease on lessee's death (clause 40 (b))	\$533
17	Each additional application for transmission of aquaculture lease lodged on same day (clause 40 (b))	\$77
18	Application to surrender aquaculture lease (clause 41 (1) (b))	\$381
19	Each additional application to surrender aquaculture lease lodged on same day (clause 41 (1) (b))	\$77
20	Application to surrender part of a leased area (clause 41 (2) (d))	\$533
21	Application for consolidation of aquaculture leases (clause 42 (2) (c))	\$609
22	Application for subdivision of aquaculture lease (clause 43 (2) (c))	\$609
23	Certified copy of lease or plan (clause 44 (1) (a))	\$77
24	Copy of a survey plan or map (clause 44 (3) (c))	\$77
25	Request for endorsement (clause 45 (6))	\$152

Column 1	Column 2	Column 3
Item	Matter for which fee, charge or contribution is payable	Amount
26	Permit or renewal of permit to gather marine vegetation for commercial purposes (clause 56 (5))	\$180
27	Application for permit under section 37 of the Act for aquaculture (clause 57)	\$228

### 1.3 Fisheries Management (Estuary General Share Management Plan) Regulation 2006

#### Appendix

Omit “\$28” from clause 35C (4). Insert instead “\$29”.

### 1.4 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))	\$340
2	Permit or renewal of permit to use electrical devices (clause 73 (5))	\$340
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

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which fee or contribution is payable</b>	<b>Amount</b>
6	Application for amendment of exemption certificate (clause 88 (3) (a))	\$13
7	Marine park permit (clause 98 (a))	\$77
8	Permit or renewal of permit for research purposes (clause 98 (b))	\$380
9	Permit or renewal of permit for aquarium collection purposes (clause 98 (c))	\$180
10	Permit or renewal of permit for a purpose approved by the Minister (clause 98 (d))	\$380
11	Application for approval by Director-General of transfer of endorsement or share (clause 114 (5))	\$304
12	Special endorsement to take fish in share management fishery (clause 119)	\$152
13	Lodgment of appeal to Share Appeal Panel (clause 122 (1) (c))	\$275
14	Application for registration of transaction under clause 123 (1) (a)	\$304
15	Application for registration of transaction under clause 123 (1) (b)	\$533
16	Inspection of entry in the Share Register conducted with assistance of officer of the Department (clause 124 (a) (i))	\$17
17	Inspection of registered document retained by Director-General (clause 124 (b))	\$77
18	Application for issue of Class 1 commercial fishing licence (clause 127 (2))	\$609
19	Application for renewal of Class 1 commercial fishing licence (clause 130 (3))	\$304
20	Contribution by participant in southern fish trawl restricted fishery (clause 132 (2))	\$1,123
21	Contribution by participant in sea urchin and turban shell restricted fishery (clause 133 (2))	\$1,123
22	Contribution by owner of inland restricted fishing business, a component of which is a class A endorsement (clause 133A (2))	\$1,123
23	Contribution by owner of inland restricted fishing business, a component of which is a class B endorsement (clause 133A (2))	\$381
24	Contribution by owner of inland restricted fishing business, a component of which is a class D endorsement (clause 133A (2))	\$381
25	Application for issue of fishing boat licence under clause 135 (2) (a)	\$213
26	Application for issue of fishing boat licence under clause 135 (2) (b)	\$213 plus \$32 for each metre (or part of a metre) by which the boat exceeds 3 metres

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which fee or contribution is payable</b>	<b>Amount</b>
27	Application for renewal of fishing boat licence under clause 139 (3) (a)	\$60
28	Application for renewal of fishing boat licence under clause 139 (3) (b)	\$60 plus \$32 for each metre (or part of a metre) by which the boat exceeds 3 metres
29	Application for approval of transfer of right to fishing boat licence (clause 143 (3))	\$381
30	Application for registration of crew members (clause 147)	\$152
31	Application for approval of transfer of quota (clause 164 (2) (c))	\$228
32	Approval of transfer of endorsement (clause 190 (1))	\$304
33	Application for registration as Class A Registered Fish Receiver (clause 209 (2))	\$1,140
34	Application for registration as Class B Registered Fish Receiver (clause 209 (2))	\$3,717 for one or two premises at which the fish receiver receives fish plus \$1,858 for each additional premises
35	Issue or renewal of charter fishing boat licence (clause 226 (1))	\$570
36	Authorised activity specified on charter fishing boat licence (clause 226 (1))	\$114
37	Application for approval of transfer of right to transferable licence (clause 229 (2))	\$381
38	Application for approval of boat replacement (clause 231 (1) (b))	\$381
39	Additional licence fee for application for renewal of charter fishing boat licence (clause 233 (5))	\$152
40	Application for a permit under Part 7 of the Act (clause 258 (2) (a))	\$170
41	Minor assessment (clause 258 (4) (a))	\$170
42	Moderate assessment (clause 258 (4) (b))	\$397
43	Major assessment (clause 258 (4) (c))	\$1,420
44	Complex assessment (clause 258 (4) (d))	\$3,691
45	Additional assessment (clause 258 (8))	\$71

## **1.5 Fisheries Management (Lobster Share Management Plan) Regulation 2000**

### **[1] Appendix Lobster Share Management Plan**

Omit "\$300" from clause 9 (2) (a). Insert instead "\$304".

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

Omit "\$526". Insert instead "\$533".



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

Omit "\$225". Insert instead "\$228".

**[4] Appendix, clause 53 (1)**

Omit "\$92". Insert instead "\$93".

**1.6 Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006**

**Appendix**

Omit "\$28" from clause 13G (4). Insert instead "\$29".

**1.7 Fisheries Management (Supporting Plan) Regulation 2006**

**[1] Appendix**

Omit "\$1,109" wherever occurring in clause 10A (2) (a) and (b) and (3) (a) and the note to clause 10A (3A).

Insert instead "\$1,123".

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

Omit "\$665". Insert instead "\$674".