



New South Wales

# **Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2019**

under the

Fisheries Management Act 1994

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

ADAM MARSHALL, MP  
Minister for Agriculture and Western New South Wales

## **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 section 289 (the general regulation-making power).

## **Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2019**

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### **1 Name of Regulation**

This Regulation is the *Fisheries Management Legislation Amendment (Fees, Charges and Contributions) Regulation 2019*.

### **2 Commencement**

This Regulation commences on the day on which it is 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**

#### **Appendix**

Omit “\$395” from clause 36 (1). Insert instead “\$400”.

### **1.2 Fisheries Management (Aquaculture) Regulation 2017**

#### **Schedule 3**

Omit the Schedule. Insert instead:

### **Schedule 3 Fees, charges and contributions**

<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>
1	Application for aquaculture permit (clause 6 (1))	
	(a) class A permit	\$320
	(b) class B permit	\$320
	(c) class C permit	\$483
	(d) class D permit	\$803
	(e) class E permit	\$642
	(f) class F permit	\$483
	(g) class G permit	\$803
	(h) class H permit	\$803
2	Additional application for aquaculture permit (clause 6 (2))	\$160
3	Request for variation of aquaculture permit (clause 7 (1))	
	(a) class A permit	\$160
	(b) class B permit	\$160
	(c) class C permit	\$241
	(d) class D permit	\$401
	(e) class E permit	\$321
	(f) class F permit	\$241
	(g) class G permit	\$401
	(h) class H permit	\$401
4	Additional request for variation of aquaculture permit (clause 7 (2) (c))	\$80
5	Annual contribution for industry administration costs (clause 14 (1))	\$561

<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>
6	Annual contribution for research (clause 16 (1)):	
	(a) class A permit—for each hectare (or part of a hectare) of area to which permit relates	\$46
	(b) class B permit—for each hectare (or part of a hectare) of area to which permit relates	\$46
	(c) class C permit	\$160
	(d) class D permit—the greater of:	
	(i) minimum contribution, or	\$160
	(ii) for each hectare (or part of a hectare) of total water area available for aquaculture (not including any water storage or effluent storage areas) to which permit relates	\$34
	(e) class E permit	\$160
	(f) class F permit	\$160
	(g) class H permit—the greater of:	
	(i) minimum contribution, or	\$160
	(ii) for each hectare (or part of a hectare) of total water area available for aquaculture (not including any water storage or effluent storage areas) to which permit relates	\$34
7	Required amount for financial arrangements to provide security (clause 21 (4))—for each hectare (or part of a hectare) of leased area or areas to which permit relates	\$1,000
8	Class A annual contribution (clause 25)—for each hectare (or part of a hectare) of leased area or areas to which permit relates	\$40
9	Application for aquaculture lease (clause 31 (1) (b)):	
	(a) class 1 lease	\$803
	(b) class 2 lease	\$803
	(c) class 3 lease	\$803
	(d) class 4 lease	\$1,283
10	Application for renewal of aquaculture lease (clause 38 (1) (b)):	
	(a) class 1 lease	\$642
	(b) class 2 lease	\$483
	(c) class 3 lease	\$803
	(d) class 4 lease	\$483
11	Minimum rent payable per year for aquaculture lease (clause 40 (1))—the greater of:	
	(a) minimum amount, or	\$160
	(b) for each hectare (or part of a hectare) of leased area or areas	\$60

<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>
12	Application for consent to sublet (clause 44 (1))	\$561
13	Additional application for consent to sublet lodged on same day (clause 44 (1))	\$82
14	Application for consent to transfer aquaculture lease (clause 45 (2) (c))	\$882
15	Additional application for consent to transfer aquaculture lease lodged on same day (clause 45 (2) (c))	\$82
16	Transmission of aquaculture lease on lessee's death (clause 46 (b))	\$561
17	Additional application for transmission of aquaculture lease lodged on same day (clause 46 (b))	\$82
18	Application to surrender aquaculture lease (clause 47 (1) (b))	\$401
19	Additional application to surrender aquaculture lease lodged on same day (clause 47 (1) (b))	\$82
20	Application to surrender part of leased area (clause 47 (2) (d))	\$561
21	Application for consolidation of aquaculture leases (clause 48 (2) (c))	\$642
22	Application for subdivision of aquaculture lease (clause 49 (2) (c))	\$642
23	Certified copy of lease or plan (clause 50 (1) (a))	\$82
24	Copy of survey plan or map (clause 50 (3) (c))	\$82
25	Request for endorsement (clause 51 (6))	\$160
26	Permit or renewal of permit to gather marine vegetation for commercial purposes (clause 63 (5))	\$189
27	Application for permit under section 37 of the Act for aquaculture (clause 64)	\$240

### 1.3 Fisheries Management (General) Regulation 2010

#### Schedules 8 and 9

Omit the Schedules. Insert instead:

#### Schedule 8 Fees

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which fee is payable</b>	<b>Amount</b>
1	Permit or renewal of permit to use explosives (clause 71 (5))	\$359
2	Permit or renewal of permit to use electrical devices (clause 73 (5))	\$359
3	Fishing fee (clause 81):	
	(a) for period of 3 days	\$7
	(b) for period of 1 month	\$14
	(c) for period of 12 months	\$35
	(d) for period of 3 years	\$85

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which fee is payable</b>	<b>Amount</b>
4	Issue of replacement receipt (clause 84 (2))	\$8
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):	
	(i) base fee, and	\$140
	(ii) for the fifth and each additional passenger to be exempted	\$35
	(e) one year exemption certificate under clause 87 (1) (c) (iii)	\$350
6	Application for amendment of exemption certificate (clause 88 (3) (a))	\$14
7	Application for marine park permit or renewal of permit (clause 98 (a))	\$82
8	Application for permit or renewal of permit for research purposes (clause 98 (b))	\$400
9	Application for permit or renewal of permit for aquarium collection purposes (clause 98 (c))	\$189
10	Application for permit or renewal of permit for purpose approved by Minister (clause 98 (d))	\$400
11	Application for approval by Secretary of transfer of endorsement or share (clause 114 (5))	\$320
12	Special endorsement to take fish in share management fishery (clause 119)	\$160
13	Application for registration of transaction under clause 123 (1) (a)	\$320
14	Application for registration of transaction under clause 123 (1) (b)	\$561
15	Inspection of entry in Share Register conducted with assistance of officer of Department (clause 124 (a) (i))	\$19
16	Inspection of registered document retained by Secretary (clause 124 (b))	\$82
17	Application for issue of Class 1 commercial fishing licence (clause 127 (2))	\$642
18	Application for renewal of Class 1 commercial fishing licence (clause 130 (3))	\$320
19	Application for issue of fishing boat licence under clause 135 (1):	
	(a) base fee, and	\$224
	(b) for each metre (or part of a metre rounded to nearest centimetre) by which maximum boat length specified on licence exceeds 3 metres	\$34

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which fee is payable</b>	<b>Amount</b>
20	Application for renewal of fishing boat licence under clause 139 (2):	
	(a) base fee, and	\$63
	(b) for each metre (or part of a metre rounded to nearest centimetre) by which maximum boat length specified on licence exceeds 3 metres	\$34
21	Application for approval of transfer of fishing boat licence (clause 143 (3))	\$401
22	Manual transfer of quota (clause 164A (3))	\$240
23	Approval of transfer of endorsement (clause 190 (1))	\$320
24	Application for registration as Class A Registered Fish Receiver (clause 209 (2))	\$1,201
25	Application for registration as Class B Registered Fish Receiver (clause 209 (2)):	
	(a) for one or two premises at which fish receiver receives fish, and	\$3,917
	(b) for each additional premises	\$1,958
26	Issue or renewal of charter fishing boat licence (clause 226 (1))	\$601
27	Authorised activity specified on charter fishing boat licence (clause 226 (1))	\$120
28	Application for approval of transfer of right to transferable licence (clause 229 (2))	\$401
29	Application for approval of boat replacement (clause 231 (1) (b))	\$401
30	Additional licence fee for application for renewal of charter fishing boat licence (clause 233 (5))	\$160
31	Application for permit under Part 7 of the Act (clause 258 (2) (a))	\$179
32	Minor assessment (clause 258 (4) (a))	\$179
33	Moderate assessment (clause 258 (4) (b))	\$418
34	Major assessment (clause 258 (4) (c))	\$1,497
35	Complex assessment (clause 258 (4) (d))	\$3,891
36	Additional assessment (clause 258 (8))—for each hour (or part of an hour) of work performed	\$74

## **Schedule 9 Maximum contributions by participants in restricted fisheries**

(Clause 132)

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which contribution is payable</b>	<b>Maximum amount</b>
1	Contribution by participant and owner of fishing business in southern fish trawl restricted fishery (clause 132 (a))	\$1,184

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Matter for which contribution is payable</b>	<b>Maximum amount</b>
2	Contribution by participant and owner of fishing business in sea urchin and turban shell restricted fishery (clause 132 (b))	\$1,184
3	Contribution by participant and owner of fishing business in inland restricted fishery, a component of which is a class A endorsement (clause 132 (c))	\$1,184
4	Contribution by participant and owner of fishing business in inland restricted fishery, a component of which is a class B endorsement (clause 132 (c))	\$401
5	Contribution by participant and owner of fishing business in inland restricted fishery, a component of which is a class D endorsement (clause 132 (c))	\$401

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

##### **Appendix Lobster Share Management Plan**

Omit "\$97" from clause 53 (1). Insert instead "\$98".

#### **1.5 Fisheries Management (Supporting Plan) Regulation 2006**

##### **[1] Appendix**

Omit "\$386" from clause 4A (2) (c). Insert instead "\$391".

##### **[2] Appendix, clause 4C (4)**

Omit "\$237". Insert instead "\$240".

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

Omit "\$1,169" wherever occurring. Insert instead "\$1,184".

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

Omit "\$701". Insert instead "\$710".