

# Guide to using the IDAS development application forms

## Guide 21—Aquaculture development and the *Fisheries Act 1994*—v1.5 October 2009

This guide has been prepared to assist when making an IDAS development application for aquaculture when the activity requires assessment against the *Fisheries Act 1994* (Fisheries Act).



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# Definitions

**Aquaculture**—is defined in the Act as the cultivation of live fisheries resources for sale. Fisheries resources includes fish and marine plants.

**Australian Height Datum (AHD)<sup>1</sup>**—is the datum adopted by the National Mapping Council to which all vertical control for mapping is to be referred.

**Fish**—is defined in the Act to include, but is not limited to, an animal (whether living or dead) of a species that throughout its life cycle usually lives:

- in water (whether fresh or salt)
- in or on foreshores
- in or on land under water.

However, 'fish' does not include:

- crocodiles
- protected animals under the *Nature Conservation Act 1992*, or
- animals prescribed under a regulation not to be fish.

**Gross floor area**—the total floor area bound by the outside length and breadth of the area where the tanks are situated (e.g. a 6 metre by 6 metre double garage is 36 square metres).

**Q100 level**—the level to which floodwaters will rise during a flood event with an average recurrence interval (ARI) of 1 in 100 years.

**Highest Astronomical Tide<sup>1</sup> (HAT)**—is the highest tide level that can be predicted to occur under average meteorological conditions and any combination of astronomical conditions. This level may not be reached every year, nor is HAT the highest extreme that can be reached, as storm surges may cause considerably higher levels to occur. Therefore 'below HAT can be considered as the area below the high tide mark, and extends into the ocean.

**Waterways**—include watercourses, creeks, rivers, streams, lakes, and wetlands, inlets of the sea and estuaries or watercourses that flow directly to these waters (e.g. stormwater drains). An aspect of development that is exempt from assessment does not require the lodgement of an IDAS application and is not required to comply with any development standards.

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<sup>1</sup> Definitions are as stated in the Queensland Department of Transport Tide Tables 2002



# The Queensland legislative framework

In Queensland, there are numerous Acts that regulate development by setting out minimum standards aimed at managing and protecting the environment. These Acts are usually topic specific e.g. the *Fisheries Act 1994* which aims to manage and protect fisheries resources and fish habitats. *The Integrated Planning Act 1997* (the IPA) provides these Acts with a framework for the regulation of land use and associated development<sup>2</sup>.

Under the IPA, an aspect of development may be assessable, self-assessable or exempt from assessment. Assessable development requires the lodgement of an application which is assessed and decided using the integrated development assessment system (IDAS). Self-assessable development does not require the lodgement of an application but must comply with applicable development standards.

An aspect of development that is exempt from assessment does not require the lodgement of an IDAS application and is not required to comply with any development standards.

## The *Fisheries Act 1994* and the IPA

The Act, which has regulated certain fish matters since its commencement in 1994, was 'rolled-in' to the IPA and IDAS framework on 1 March 2005. Under schedule 8 of the IPA all development for aquaculture is regulated to some extent by the Act and may also be regulated by a council's planning scheme. Therefore, before commencing aquaculture, it is first necessary to determine whether the facility is 'assessable' or 'self-assessable' development and what standards apply to the use. Contact the relevant council directly to determine if aquaculture is regulated by the council's planning scheme.

## Assessable and self-assessable aquaculture against the Act

### Aquaculture that is assessable against the Act

Aquaculture development that generates (or has potential to generate) significant costs/negative impacts to publicly owned resources is assessable against the Act and requires development approval by QPIF (Queensland Primary Industries and Fisheries) prior to the use commencing. Aquaculture that is not self-assessable development under schedule 8 of the IPA is also assessable development. An IDAS application is required to be lodged for assessable development.

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<sup>2</sup> These Acts may also deal with other matters including licensing and resource allocation which are not regulated through the IPA and IDAS framework.



## Aquaculture that is self-assessable against the Act

Aquaculture development that is self-assessable against the Act will not need a development approval from QPIF. However, the use must meet the standards set out in the QPIF self-assessable codes for aquaculture. Aquaculture development that is self-assessable against the Fisheries Act may still require the lodgement of a development application if the development is assessable against a Council's planning scheme.

The self-assessable codes under the Act are mainly for developments that have low ecological, economic and social impacts. A copy of these self-assessable codes can be obtained by phoning the QPIF Call Centre on 13 25 23.

If you cannot comply with these self-assessable codes, the aquaculture development becomes assessable against the Act and you will need to lodge an IDAS application.

The self-assessable codes under the Act can potentially apply to the culture of:

1. Native Queensland freshwater fish in ponds or in below ground tanks in accordance with schedule 6 of the *Fisheries (Freshwater) Management Plan 1999*, or a species that is indigenous to the particular catchment of the development (see glossary for definition of fish) with total ponded surface area used for aquaculture not exceeding 5 hectares.
2. Non-indigenous fish species as listed in the *Fisheries Regulation 2008*—(schedule 6 Non-indigenous Fisheries Resources), using above ground tanks housed in a facility with a roof impervious to rain water and with a gross floor area not exceeding 50 square metres (excluding storage water areas).
3. Native Queensland marine fish species using above ground tanks and with a gross floor area not exceeding 50 square metres (excluding storage water areas).
4. Native Queensland freshwater fish farmed in above ground tanks housed in a facility with a roof impervious to rain water and with a gross floor area not exceeding 50 square metres (excluding storage water areas).

To qualify as self-assessable development against the Act, no untreated water or effluent used in the aquaculture activity is to be released from the facility to waterways. However, additional limitations also apply to self-assessable aquaculture. Please refer to the Code for Self-Assessable Development for Low Impact Aquaculture (AQUA01) for further information.

## Is a Resource Allocation Authority (RAA) required?

A RAA is required under the Act for the allocation of public resources such as unallocated state lands, waters and fisheries resources for any aquaculture carried out below the level of HAT. Obtaining a RAA is a mandatory requirement for marine aquaculture activities below HAT.

A RAA is not an IDAS development application. However, if a RAA is required, the IDAS application cannot be accepted as properly made until the RAA is obtained.



An RAA application form can be obtained from a regional fisheries office (QPIF). For further information contact the QPIF Call Centre on 13 25 23.

## Completing the IDAS Application Form 1

Parts A and O<sub>1</sub> of the IDAS Form 1 Development Application and the IDAS Assessment Checklist are required to be completed if the development application involves aquaculture necessitating assessment against the Act. If the aquaculture also requires assessment against the council's planning scheme, other parts of Form 1 (e.g. Part D) may also need to be completed. The IDAS Assessment Checklist will assist in identifying if other parts of Form 1 are required. These forms are available at: [www.dip.qld.gov.au](http://www.dip.qld.gov.au).

An IDAS development approval does not authorise the taking of any species from the wild. If the proposed development requires collection from the wild of culture stock for growout or brood stock for breeding purposes you will need to obtain a separate approval under the Act. However, if the stock is purchased from an existing licence holder who has authorisation to sell to you (e.g. commercial fisher) a separate approval is not required.

### Identify the type of aquaculture proposed

- Aquaculture activities may significantly differ depending on the species farmed, location of the development and the farming methods used. Therefore, when completing Part O<sub>1</sub> of Form 1 you are required to identify whether the proposed aquaculture facility is:
  - land based marine aquaculture
  - freshwater aquaculture
  - marine or freshwater aquaculture in Queensland waters or on unallocated tidal land.
- Land based marine aquaculture:
  - aquaculture that uses seawater, diluted seawater or artesian water to grow Queensland marine and/or brackish water species such as prawns, estuary cod, mullet, coral or shellfish in ponds or tanks, on land situated above the HAT level. If land-based aquaculture is proposed, please specify the type of system (e.g. ponds, tanks etc).
- Freshwater aquaculture:
  - Aquaculture that uses freshwater, brackish water or artesian water to grow freshwater species.
- Marine or freshwater aquaculture in Queensland waters or on unallocated tidal land:
  - Aquaculture that is undertaken in tidal areas below the level of HAT or in Queensland waters including freshwater streams or lakes. Examples include oyster culture, pearl oyster culture, sea ranching and cage culture. If tidal aquaculture is proposed, please provide details of the proposed methods and techniques you intend to use e.g. cage culture, longlines, racks and trays, sea ranching.



## Identify the species of interest

- When making an IDAS Development Application for assessment against the Act, you must identify the species of fish you intend to farm. To do this you must nominate the group/s (ML1, F1 etc.) that contains the species of interest. However, if the species you would like to farm is not listed in any of the groups, provide the scientific and common names of the species.

You must also submit details of the number of the relevant group (ML1, F1 etc.) and/or the scientific names and common names of the species you wish to nominate along with your application.

Contact QPIF's call centre if you require assistance to determine which category the species you propose to culture belongs to.

## Groups of species for marine aquaculture (land based)

### ML 1—Common marine finfish

|  |                                  |
|--|----------------------------------|
| Barramundi Cod                           | <i>Cromileptes altivelis</i>     |
| Barred-cheek coral trout                 | <i>Plectropomus maculatus</i>    |
| Blue-spot coral trout                    | <i>Plectropomus laevis</i>       |
| Cobia                                    | <i>Rachycentron canadum</i>      |
| Common coral trout                       | <i>Plectropomus leopardus</i>    |
| Estuary cod (rock cod)                   | <i>Epinephelus coioides</i>      |
| Flowery cod                              | <i>Epinephelus fuscoguttatus</i> |
| Golden Snapper                           | <i>Lutjanus johnii</i>           |
| Mahi Mahi                                | <i>Coryphaena hippurus</i>       |
| Mangrove Jack                            | <i>Lutjanus argentimaculatus</i> |
| Mulloway (jewfish, kingfish, school jew) | <i>Argyrosomus japonicus</i>     |
| Passionfruit trout                       | <i>Plectropomus areolatus</i>    |
| Queensland groper                        | <i>Epinephelus lanceolatus</i>   |
| Sand whiting (summer whiting)            | <i>Sillago ciliata</i>           |
| Snapper                                  | <i>Pagrus auratus</i>            |





## ML 2—Prawn culture

|                   |                           |
|-------------------|---------------------------|
| Kuruma Prawn      | <i>Penaeus japonicus</i>  |
| Banana Prawn      | <i>Penaeus merguensis</i> |
| Black Tiger Prawn | <i>Penaeus monodon</i>    |
| Brown Tiger Prawn | <i>Penaeus esculentus</i> |

## ML 3—Crab culture

|                   |                                |
|-------------------|--------------------------------|
| Mud Crab          | <i>Scylla serrata</i>          |
| Blue Swimmer Crab | <i>Portunus pelagicus</i>      |
| Three spot Crab   | <i>Portunus sanguinolentus</i> |

## ML 4—Marine bait species

|                                 |                       |
|---------------------------------|-----------------------|
| Blood worm                      | <i>Marphysa</i> spp   |
| Sand and mangrove wriggler worm | <i>Perinereis</i> spp |
| Tube worm                       | <i>Diapatra</i> spp   |

# Groups of species for freshwater aquaculture

## F 1—Common freshwater finfish

|  |                                     |
|--|-------------------------------------|
| Murray Cod   | <i>Maccullochella peelii peelii</i> |
| Silver Perch<br>(other than as identified in Appendix 1)                             | <i>Bidyanus bidyanus</i>            |
| Barramundi except inland catchments (Murray-Darling, Lake Eyre and Bulloo-Bancannia) | <i>Lates calcarifer</i>             |
| Golden Perch   | <i>Macquaria ambigua</i>            |



|                                      |                           |
|--------------------------------------|---------------------------|
| Golden perch (Cooper Creek strain)   | Macquaria ambigua n.sp    |
| Golden perch (Dawson River strain)   | Macquaria ambigua oriens  |
| Golden perch (Murray-Darling strain) | Macquaria ambigua ambigua |
| Australian Bass                      | Macquaria novemaculeata   |
| Sleepy Cod                           | Oxyeleotris lineolatus    |
| Saratoga                             | Scleropages jardini       |
| Saratoga                             | Scleropages leichardti    |
| Barcoo Grunter/<br>Jade Perch        | Scortum barcoo            |
| Eel Tail Catfish                     | Tandanus tandanus         |

## F 2—Exotic ornamental (aquarium) species

These species are prescribed in schedule 6 of the *Fisheries Regulation 2008* and are listed in Appendix 2 to this guide for your convenience.

## F 3—Barramundi farming within inland catchments

Barramundi (*Lates calcarifer*) within inland catchments (i.e. the Murray-Darling, Lake Eyre and Bulloo- Bancannia catchments) are subject to strict management controls. Please discuss with extension officer.

## F 4—Queensland freshwater prawns and crayfish

|                   |                           |
|-------------------|---------------------------|
| Freshwater Yabby  | Cherax destructor         |
| Redclaw Crayfish  | Cherax quadricarinatus    |
| Freshwater Shrimp | Macrobrachium rosenbergii |

## F 5—Eel culture

|                |                      |
|----------------|----------------------|
| Short Fin Eels | Anguilla australis   |
| Long Fin Eels  | Anguilla reinhardtii |

## F 6—Freshwater bait species

|                   |                             |
|-------------------|-----------------------------|
| Freshwater shrimp | Macrobrachium australiensis |
|-------------------|-----------------------------|



# Groups of species for marine (tidal) aquaculture

## MT 1—Pearl oysters

|                        |                               |
|------------------------|-------------------------------|
| Akoya Pearl Oyster     | <i>Pinctada imbricata</i>     |
| Gold lip Pearl Oyster  | <i>Pinctada maxima</i>        |
| Black lip Pearl Oyster | <i>Pinctada margaritifera</i> |
| Penguin Pearl Oyster   | <i>Pteria penguin</i>         |

## MT 2—Edible oysters

|              |                             |
|--------------|-----------------------------|
| Rock Oysters | <i>Saccostrea glomerata</i> |
|--------------|-----------------------------|

Be aware that some species may belong to a ‘Special Management Group’ and that additional restrictions may therefore apply. Special Management Groups includes those species listed under:

- *The Environment Protection and Biodiversity Conservation Act 1999* (Cwlth)
  - Threatened Species and Ecological Communities  
[www.deh.gov.au/biodiversity/threatened/species/index.html](http://www.deh.gov.au/biodiversity/threatened/species/index.html)
  - CITES (Convention On International Trade In Endangered Species Of Wild Fauna And Flora)  
[www.deh.gov.au/biodiversity/trade-use/cites](http://www.deh.gov.au/biodiversity/trade-use/cites)
- *The Nature Conservation Act 1992*
  - *Nature Conservation (Wildlife) Regulation 1994*  
[www.epa.qld.gov.au/about\\_the\\_epa/legislation/nature\\_conservation](http://www.epa.qld.gov.au/about_the_epa/legislation/nature_conservation)
- *The Fisheries Act 1994*
  - *Fisheries (Freshwater) Management Plan 1999*, Section 26(1) Freshwater fish regulated by species.

**Note:** Noxious fisheries resources will not generally be approved but under certain circumstances may be authorised for the purpose of conducting research.



## Provide a location plan (i.e. scaled survey plan or chart) showing the location of the activity and important features in the area surrounding the proposed site

A broad-scale plan of the general area where the activity is to be conducted is required to identify features and land uses adjacent to the proposed aquaculture site. A location plan is particularly important if the application is over land without a lot or plan number (e.g. road reserve, beds and banks of a water course, or land below the highest astronomical tide).

Include any information that may assist in identifying the location of the proposed site. Information may include but is not restricted to geographical features of the site such as islands, river, creeks, coral reefs, sand dunes and mangrove colonies, man-made structures such as navigation channel markers.

For areas below the Highest Astronomical Tide level—provide a chart (maritime/boating/navigation chart) of the general area of the proposed site, identifying the boundary of the proposed aquaculture site and the latitude and longitude coordinates. Include important features adjacent to the site, for example navigation marks, marine park boundaries, commercial fishing areas, islands, recreation areas, towns, etc.

For land-based aquaculture activities—provide a map of the local area identifying the property boundaries and surrounding landmarks. Include features such as the location of any towns, main roads, waterways (see definition) and Highest Astronomical Tide level where applicable.

When describing the land on the application, identify any land or easement over which access is to be obtained.

## Provide a scaled site plan showing details of all structures and works associated with the activity

The site plan (either a map or chart of suitable scale) is required to provide details of any works, aquaculture furniture, or other structures that are to be placed on the site. The site plan is also necessary to describe any potential development constraints (such as flood-prone land, protected marine vegetation etc.). The site plan must also indicate all proposed works, structures, excavations etc.



## The site plan should include, but not be limited to:

- For areas below the Highest Astronomical Tide level or in Queensland waters:
  - provide physical characteristics of the site including water depth, description of the substrate (sandy, muddy, rocky etc.), existence of seagrass meadows
  - indicate any aquaculture furniture to be placed on the area, including racks/trays, platforms, rafts, cages, buoys, pontoons, anchoring devices, service vessels.
- For land based aquaculture activities:
  - physical characteristics of the site including the nature and extent of any marine plants, watercourses etc.
  - contour lines (showing the Q100 flood event level) and other topographic features on the property like gullies and waterways. (Note: QPIF policy does not support aquaculture activities in gullies or watercourses)
  - The depth of expected excavation in relation to the 5 metre Australian Height Datum (AHD) contour level. Any works at or below the 5 metre AHD level may trigger referral for acid sulfate soils assessment and treatment. Refer to the Queensland State Planning Policy 2/02: Planning and Managing Development Involving Acid Sulfate Soils
  - Water intake and discharge structures, including water storage ponds and water distribution channels, nursery, brood stock and grow-out ponds, water treatment ponds and aquaculture furniture and hatchery facilities.

### Note:

1. Farm dams are not considered acceptable aquaculture structures unless they comply with the requirements set down for assessable aquaculture and authorised under either a development approval or a self-assessable code for aquaculture. Refer to the relevant policies and aquaculture on tidal lands.
  2. Total water surface area—this refers to maximum water surface area in hectares for all ponds and tanks used for aquaculture activities, or the total area below HAT that is the subject of the application.
- Total water surface area:
    - This refers to maximum water surface area in hectares for all ponds and tanks used for aquaculture activities, or the total area below HAT that is the subject of the application.

## Details of the proposed use

Provide an Operations Management Plan (OMP) incorporating:

- Operational considerations. Provide details of your proposed aquaculture operating procedures, including:
  - production ponds
  - water supply system
  - water storage
  - water distribution system
  - drainage
  - water treatment
  - discharge system
  - storage of feed etc.



- Details of measures to prevent fish escape. Under the Fisheries Act it is an offence to cause non-indigenous fisheries resources to be released into Queensland waters. Provide details of escape prevention practices you will adopt to avoid or minimise escape of aquaculture resources. This may include, but is not limited to:
  - fencing of ponds (a requirement for crayfish ponds)
  - screening of outlet and intake pipes
  - enclosed facilities
  - treatment of water before discharging it
  - maintaining a freeboard on pond and tank walls
  - predator exclusion systems
  - daily monitoring of equipment
  - surface water runoff management.
- Details of your disease management practices. Under the Fisheries Act, it is an offence to communicate a disease to live fisheries resources or fish habitats, to sell diseased fisheries resources, or to leave diseased fisheries resources and products in place. Under Section 100 of the Fisheries Act, 'a person who knows or reasonably suspects fisheries resources or a fish habitat is showing signs of disease, or knows or reasonably suspects disease may be in fisheries resources or a fish habitat, must immediately notify the Chief Executive or an Inspector'. You need to provide details of disease prevention and management practices you will adopt to avoid or minimise disease impact of the aquaculture development. This should include:
  - how you intend to monitor for disease
  - what quarantine practices are proposed for new stock introduced to the farm
  - veterinary monitoring of stock
  - the control measures you will implement both on a day-to-day basis and in the event of a natural disaster
  - culture of bivalve mollusks. All bivalve molluscs feed by taking in water and filtering out minute food particles which can include harmful bacteria, viruses and other contaminants. You need to provide details of what health precautions and quality assurance practices you will adopt to ensure there are no public health risks associated with the operation. This should include water and meat testing for faecal coliforms and meat testing for heavy metals and marine biotoxins.
- Source of broodstock or culture stock. Advise where you intend to obtain broodstock or culture stock. Note that if you intend to take broodstock or culture stock from the wild, you will need to apply for a separate Authority for culture stock collection.

## Details of any structures to be built on areas below Highest Astronomical Tide

Provide details of all aquaculture furniture (e.g. oyster trays, cages, jetty, boat ramp etc.), dimensions (size), use and construction materials, and how aquaculture furniture is to be anchored or secured to the sea floor.

**Note:** You are also required to identify on the scaled site plan (see above) where the aquaculture furniture will be placed.



## Details of any disturbance to wetlands within or adjacent to the activity

Provide details of any on and off farm impacts that may be caused to wetlands during construction, operation or subsequent maintenance practices of the proposed aquaculture facility and activities e.g. damage that may result from installing power lines.

## Details of any buffers proposed between the aquaculture activities and all freshwater or marine areas or systems

Provide details of any proposed setbacks/buffer zones. This should include discussion of intended use, development and future long-term management of the proposed setbacks. You should also identify them on your site plan.

**Note:** QPIF recommends that ponds and tanks be located a minimum of 50 metres from any fresh waterway and 100 metres from any marine waterway.

## Details of any proposed hatchery

Provide details of any hatchery facilities you intend to develop. This should include design and capacity of the hatchery, the species to be propagated, water intake and discharge facilities, hygiene and disease control, escape prevention, and feed source (natural or artificial).

## Details of any apparatus that will be used for harvesting aquaculture product

Provide details (use diagrams if necessary) of the techniques and equipment you intend to use for harvesting, including dimensions and materials of the gear.

The IDAS approval, if issued, will authorise you to possess and use regulated apparatus (as per schedule 8 of the Fisheries Act and the Fisheries (Freshwater) Management Plan 1999) at the authorised site for the purpose of conducting aquaculture activities.



## Details of any boat or vessel to be used for aquaculture operations (relevant to activities below HAT i.e. oyster, pearl oyster and marine cage aquaculture)

Authorisation is required if vessels are used to transport aquaculture product. A maximum of three (3) boats or vessels may be authorised.

## An Aquaculture Site Management Plan

Provides details of environmental management practices that are to be adopted to avoid or minimise environmental impact of the aquaculture development. These may include:

- rehabilitation of marine plant environment
- restoration of the area following construction
- feeding regimes to reduce nutrient loading
- nutrient dispersal or disposal
- controlled administration of chemicals
- ensuring area is maintained and free of rubbish
- ensuring aquaculture furniture is not placed in positions which would cause damage to fisheries resources
- ensuring aquaculture furniture used for aquaculture would not cause a navigational or environmental hazard
- settlement and/or waste water treatment ponds
- overland discharge and land-based irrigation of discharge waters
- nutrient stripping of effluent prior to discharge.

## Variations to the IPA process—modified notification process

Chapter 5, Part 8A of the IPA introduces a statutory notification process for development applications dealing with certain aquaculture development. This modified notification process replaces the notification stage of IDAS under Chapter 3, Part 4 of the IPA and applies to the following applications:

- a material change of use for land-based aquaculture developments that will involve the discharge of waste water
- that is assessable development under IPA and assessable against both the Fisheries Act and the *Environmental Protection Act 1994* (EP Act) (i.e. aquaculture that is an Environmentally Relevant Activity within the meaning in the EPA)
- that is proposed within a specified zone area adjacent to the land side boundary of the Great Barrier Reef Marine Park





- that is a hatchery or is for another aquaculture purpose in ponds with a total surface area of more than 5 hectares.

However, aquaculture development that has already been subject to the EIS process under Chapter 5, Part 8 of the IPA will not require notification under Chapter 5, Part 8A. Similarly, if a preliminary approval for the development was issued under IDAS and included the modified notification process before the decision stage, the subsequent development permit does not have to be re-notified before consideration or decision.

## When can the notification start?

The applicant may commence public notification under the modified notification stage, after the completion of the information and referral stage under IDAS.

## Public notice of proposed development

To fulfil the requirements of section 5.8A.4 of the IPA with respect to the notification of the proposed special aquaculture development, the applicant<sup>3</sup> must:

- publish a notice at least once in a newspaper circulating generally in the locality of the land
- place a notice on the land in the way prescribed in section 18 of the *Integrated Planning Regulation 1998*
- give a notice to the owners of all land adjoining the land.

This notice must in the approved form (Form 7<sup>4</sup>).

For the purpose of public notification, roads, land below high-water mark and the beds and banks of rivers are taken not to be adjoining land. For the definition of owner, see section 3.4.4(5) of the IPA.

## Notification period

Under the modified notification stage, the period for which applications for special aquaculture development must be notified is 30 business days, as opposed to 15 business days as per the general rules for IDAS, as set out in section 3.4.5 of the IPA. This period reflects existing Commonwealth requirements under the *Great Barrier Reef Marine Park (Aquaculture) Regulation 2000* (Cwlth).

## Requirements for certain notices

Notice on the land—the notice on the land must remain on the land for the whole of the notification period.

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<sup>3</sup> Or the assessment manager, where acting on behalf of the applicant and at their request.

<sup>4</sup> Available from the IPA website.



Notice to each adjoining owner—this notice must be given at about the same time as the notice is published in the newspaper and placed on the land.

All actions must be completed within 5 business days after the first action is carried out.

## Notice of compliance to be given to the assessment manager

The post-notification requirements of an applicant provided under section 5.8A.7 correspond with the equivalent section 3.4.7 of the IPA. However, the provision additionally requires notice, that the applicant has complied with the notification obligations, to be given to the chief executive administering the Act and the chief executive administering the EP Act, as well as the assessment manager<sup>5</sup>.

## Making a submission

Interested persons may make a submission about an application for a special aquaculture development during the notification period. For a submission to be properly made, it must:

- be in writing
- state the name and address and be signed by each person making the submission
- be received by the local government responsible for assessing and deciding the application by the date specified on the public notice, and state the reason why the submission is being made.

The assessment manager for the application is obliged to forward any properly made submissions to the chief executive administering the Fisheries Act and the chief executive administering the EP Act.

# Variations to the IPA process—changed referral agency provisions

## Referral agency response

When the chief executive administering the Fisheries Act and the chief executive administering the EP Act are a concurrence agency for the application, the agency must not give its response for the aquaculture development before the modified notification stage for the application ends. This ensures all properly made submissions are taken into account when these agencies are discharging their concurrence agency roles.

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<sup>5</sup> If it is the assessment manager contracted by the applicant to discharge notification requirements, the assessment manager must give the notices to the necessary chief executives.



## Adjusted referral agency assessment period

To accommodate the inclusion of the modified notification stage for special aquaculture development, section 5.8A.13 of the IPA modifies the general rules for when a concurrence agency referral period starts. The period starts on the day after the receipt of the notice that notification was complied with and a copy of all properly made submissions. As with the referral agency assessment period under Chapter 3, Part 5 of the IPA, the referral agency assessment period for these applications is 30 business days and is subject to all the normal extension provisions under Chapter 3, Part 3.

## Details of any waterway barrier works or disturbance to marine plants or declared fish habitat area

If the proposed activity also requires undertaking waterway barrier works or disturbance to marine plants or involves a declared Fish Habitat Area, Parts O<sub>2</sub> and O<sub>3</sub> of the IDAS Application Form 1 will also need to be completed.

## QPIF as assessment manager

Under schedule 8A of the IPA, QPIF will be the assessment manager for aquaculture in the following instances:

- For an application involving:
  - assessment against the Fisheries Act (i.e. a matter necessitating the completion of Form 1: Part A, Part O<sub>1</sub>, O<sub>2</sub>, or O<sub>3</sub> and the IDAS Assessment Checklist)
  - no other assessable development.
  
- For an application involving:
  - aquaculture assessable against the Fisheries Act
  - assessment against the *Environmental Protection Act 1994* for ERA 1 (aquaculture)
  - operational work that is tidal work or work carried out completely or partly in a coastal management district under the *Coastal Protection and Management Act 1995*
  - no other assessable development (e.g. against the Council's planning scheme).

When QPIF is assessment manager, the application is lodged directly with the agency.



## QPIF as concurrence agency

If an application involves aquaculture and QPIF is not the assessment manager for the application, QPIF will be a referral agency. This will involve the application being lodged with another entity (e.g. the local government), who will act as assessment manager. The applicant will then be required to refer the application to QPIF (and any other relevant referral agencies as indicated on the acknowledgement notice) for their assessment.

## Application fees

Section 709 of the *Fisheries Regulation 2008* sets out the fees for that part of an application requiring assessment against the Fisheries Act. For more information, see the 'Guide to assessment fees for fisheries development', available at [www.dpi.qld.gov.au](http://www.dpi.qld.gov.au).

## Contacts

For more information, contact the relevant departmental office

### **Northern region**

(North of Sarina, inclusive)

Northern Fisheries Centre

PO Box 5396

Cairns Qld 4870

Phone: (07) 4057 3700

Fax: (07) 4057 3811

QPIF Phone: 13 25 23

### **Southern region**

(South of Sarina, exclusive)

Southern Fisheries Centre

PO Box 76

Deception Bay Qld 4508

Phone: (07) 3817 9531

Fax: (07) 3817 9522

[www.dpi.qld.gov.au/fishweb](http://www.dpi.qld.gov.au/fishweb)



# Appendix 1

## Special Management Group—Fisheries (Freshwater) Management Plan 1999

### Division 6—Freshwater fish regulated by species

#### 26 Lungfish and Mary River cod

- Lungfish and Mary River cod are regulated fish
- However, no more than 1 Mary River cod of a size more than 50 centimetres may be taken in waters upstream of the following dams
  - Bill Gunn Dam
  - Cressbrook Dam
  - Hinze Dam
  - Lake Clarendon Dam
  - Maroon Dam
  - Moogerah Dam
  - North Pine Dam
  - Somerset Dam
  - Wivenhoe Dam.

#### 26A River blackfish

- River blackfish are regulated fish.

#### 26B Bloomfield River cod

- Bloomfield River cod are regulated fish.

#### 26C Spiny crayfish

- Spiny crayfish are regulated fish.

#### 26D Prohibited activities

- Taking or possessing fish mentioned in this division is prohibited.

### Division 6—Freshwater fish regulated by species

#### 26E Silver perch

- Despite sections 18 and 23(1)(j), silver perch is a fish regulated by species in the waters of the Paroo River Basin and the Warrego River Basin, other than waters that are privately owned. Example of privately owned water—Water in a dam on privately owned land, if the dam is not built across a waterway.
- The following is prohibited:
  - (a) taking silver perch from the waters of Paroo River Basin or Warrego River Basin
  - (b) possessing silver perch taken in contravention of paragraph (a).



| Common name          | Scientific name       |
|----------------------|-----------------------|
| Lungfish             | Neocerodotus forsteri |
| Mary River Cod       | Maccullochella peelii |
| River Blackfish      | Gadopsis marmoratus   |
| Bloomfield River Cod | Guyu wujalwujalensis  |
| Spiny Crayfish       | Euastacus spp.        |
| Silver Perch         | Bidyanus bidyanus     |

## Appendix 2

### (F2) Species listed under the Fisheries Regulation 2008—schedule 6 ‘Non-Indigenous Fisheries Resources’

| Common name                | Scientific name                                 |
|----------------------------|---|
| Headstander                | Abramites hypselonotus                          |
| Blue acara                 | Aequidens pulcher                               |
| Headstander                | Anostomus spp                                   |
| Argentine bloodfin (tetra) | Aphyocharax anisitsi                            |
| Killie fish                | Aphyosemion spp                                 |
| Dwarf cichlid              | Apistogramma spp                                |
| Panchax                    | Aplocheilus spp                                 |
| Black ghost knife fish     | Apteronotus albifrons                           |
| Oscar                      | Astronotus ocellatus                            |
| Blind cave tetra           | Astyanax mexicanus                              |
| Tricolor shark             | Balantiocheilos melanopterus                    |
| Betta                      | Betta spp                                       |
| Cochu’s blue tetra         | Boehlkea fredcochui                             |
| Microbrycon                | Boehlkea fredcochui<br>(Microbrycon fredcochui) |
| Spotted rasbora            | Boraras maculatus<br>(Rasbora maculata)         |
| Clown loach                | Botia macracanthus                              |
| Dwarf loach                | Botia sidthimunki                               |
| Pearl danio                | Brachydanio albolineatus                        |
| Kerr’s danio               | Brachydanio kerri                               |
| Bumblebee fish             | Brachygobius spp                                |
| Common brochis             | Brochis splendens                               |
| Long-finned African tetra  | Brycinus longipinnis                            |
| Goldfish                   | Carassius auratus                               |
| Hatchetfish                | Carnegiella spp                                 |



| Common name                    | Scientific name                                     |
|--------------------------------|---|
| Chalinochromis                 | Chalinochromis spp                                  |
| Glass fish                     | Chanda spp  |
| Indian hatchetfish             | Chela laubuca                                       |
| Rainbow fish                   | Chilatherinaspp                                     |
| Black-banded headstander       | Chilodus punctatus                                  |
| Keyhole cichlid                | Cleithracara maroni (Aequidens maronii)             |
| Little giant gourami           | Colisa fasciatus                                    |
| Dwarf gourami                  | Colisa lalia  |
| Armoured (cory) catfish        | Corydoras spp                                       |
| Siamese flying fox             | Crossocheilus siamensis (Epalzeorhynchus siamensis) |
| Giant danio                    | Danio aequipinnatus                                 |
| Leopard danio                  | Danio frankei (Brachydanio frankei)                 |
| Spotted danio                  | Danio nigrofasciatus (Brachydanio nigrofasciatus)   |
| Zebra danio                    | Danio rerio (Brachydanio rerio)                     |
| Malayan halfbeak               | Dermogenys pusillus                                 |
| Flagtail porthole catfish      | Dianema urostriatum                                 |
| Red-finned black shark         | Epalzeorhynchos bicolor (Labeo bicolor)             |
| Red-finned shark               | Epalzeorhynchos frenatus (Labeo frenatus)           |
| Rainbow shark                  | Epalzeorhynchos munense (Labeo erythrurus)          |
| Flying fox                     | Epalzeorhynchus kalopterus                          |
| Panchax                        | Epiplatys spp                                       |
| Malayan flying barb            | Esomus malayensis                                   |
| Twig catfish                   | Farlowella acus                                     |
| Black-line silver hatchet fish | Gasteropelecus spp                                  |
| Hatchetfish                    | Gasteropelecus spp                                  |
| Rainbow fish                   | Glossolepis spp                                     |
| Elephantnose                   | Gnathonemus macrolepidotus                          |
| Elephantnose (Peter's)         | Gnathonemus petersii                                |
| Black tetra                    | Gymnocorymbus ternetzi                              |
| Chinese algae eater            | Gyrinocheilos aymonieri                             |
| Kissing gourami                | Helostoma temmincki                                 |
| Tetra                          | Hemigrammus spp                                     |
| Saddled hillstream loach       | Homaloptera orthogoniata                            |



| Common name             | Scientific name  |
|-------------------------|--|
| Black phantom tetra     | Hyphessobrycon megalopterus<br>(Megalampodus megalopterus) |
| Tetra                   | Hyphessobrycon spp   |
| Swegle's tetra          | Hyphessobrycon sweglesi<br>(Megalampodus sweglesi)         |
| Julie                   | Julidochromis spp  |
| Glass catfish           | Kryptopterus bicirrhis                                     |
| Poorman's glass catfish | Kryptopterus macrocephalus                                 |
| Black shark             | Labeo chrysophekadion<br>(Morulius chrysophekadion)        |
| Variiegated shark       | Labeo variegatus   |
| Dwarf flag cichlid      | Laetacara curviceps<br>(Aequidens curviceps)               |
| Lipstick leporinus      | Leporinus arcus  |
| Banded leporinus        | Leporinus fasciatus  |
| Frideric's leporinus    | Leporinus friderici  |
| Spotted leporinus       | Leporinus maculatus  |
| Spot-tailed leporinus   | Leporinus melanopleura                                     |
| Multi-banded leporinus  | Leporinus multifasciatus                                   |
| Striped leporinus       | Leporinus striatus   |
| Latticed cichlid        | Limnotilapia dardennii                                     |
| Whiptail catfish        | Loricaria filamentosa                                      |
| Spiny eel               | Macrognathus aculeatus                                     |
| Paradise fish (males)   | Macropodus opercularis                                     |
| Auratus                 | Melanochromis auratus                                      |
| Melanochromis           | Melanochromis simulans                                     |
| Rainbow fish            | Melanotaenia spp   |
| Celebes rainbow         | Merosatherina ladigesi<br>(Telmatherina ladigesi)          |
| Flag cichlid            | Mesonauta festivus<br>(Cichlasoma festivum)                |
| Ram                     | Mikrogeophagus ramirezi<br>(Microgeophagus ramirezi)       |
| Tetra                   | Moenkhausia spp  |
| Mono                    | Monodactylus argenteus                                     |
| African mono            | Monodactylus sebae   |
| Golden dwarf cichlid    | Nannacara anomola  |
| Dwarf lattice cichlid   | Nannacara spp  |
| Pencil fish             | Nannostomus spp  |
| Emperor tetra           | Nematobrycon palmeri                                       |
| Brichardi               | Neolamprologus brichardi                                   |






| Common name              | Scientific name   |
|--------------------------|---|
|                          | ( <i>Lamprologus brichardi</i> )                            |
| Javene rice fish         | <i>Oryzias javanicus</i>                                    |
| Medaka                   | <i>Oryzias latipes</i>                                      |
| Hard lipped barb         | <i>Osteochilus hasseltii</i>                                |
| Black-banded osteochilus | <i>Osteochilus vittatus</i>                                 |
| Sucker catfish           | <i>Otocinclus flexilis</i><br>( <i>Otocinclus arnoldi</i> ) |
| Kuhli loach              | <i>Pangio kuhli</i><br>( <i>Acanthopthalmus kuhli</i> )     |
| Butterfly fish           | <i>Pantodon buchholzi</i>                                   |
| Cardinal tetra           | <i>Paracheirodon axelrodi</i>                               |
| Neon tetra               | <i>Paracheirodon innesi</i>                                 |
| Dusky krib               | <i>Pelvicachromis pulcher</i>                               |
| Gold-cheek krib          | <i>Pelvicachromis subocellatus</i>                          |
| Striped kribensis        | <i>Pelvicachromis taeniatus</i>                             |
| Black-finned rummy-nose  | <i>Petitella georgiae</i>                                   |
| Congo tetra              | <i>Phenacogrammus interruptus</i>                           |
| Ornate pimelodus         | <i>Pimelodus ornatus</i>                                    |
| Sailfin mollie           | <i>Poecilia latipinna</i>                                   |
| Guppy                    | <i>Poecilia reticulata</i>                                  |
| Sphenops mollie          | <i>Poecilia sphenops</i>                                    |
| Yucatan mollie           | <i>Poecilia velifera</i>                                    |
| pencil fish              | <i>Poecilibrycon</i> Spp.                                   |
| Glass bloodfin           | <i>Prionobrama filigera</i>                                 |
| Pristella                | <i>Pristella maxillaris</i>                                 |
| Myers's hillstream loach | <i>Pseudogastromyzon myersi</i>                             |
| Angel fish               | <i>Pterophyllum</i> spp                                     |
| Longfin barb             | <i>Puntius arulius</i><br>( <i>Capoeta arulis</i> )         |
| Asoka barb               | <i>Puntius asoka</i>  |
| Red-striped barb         | <i>Puntius bimaculatus</i>                                  |
| Rosy barb                | <i>Puntius conchoni</i>                                     |
| Cumming's barb           | <i>Puntius cumingii</i>                                     |
| Clown barb               | <i>Puntius everetti</i><br>( <i>Barbodes everetti</i> )     |
| Black-spot filament barb | <i>Puntius filamentosus</i>                                 |
| Striped barb             | <i>Puntius lineatus</i>                                     |
| Black ruby barb          | <i>Puntius nigrofasciatus</i>                               |
| Checkerboard barb        | <i>Puntius oligolepis</i><br>( <i>Capoeta oligolepis</i> )  |
| Banded barb              | <i>Puntius pentazona</i><br>( <i>Barbodes pentozona</i> )   |
| Glass barb               | <i>Puntius puellus</i>                                      |
| Thin-banded barb         | <i>Puntius semifasciolatus</i>                              |



| Common name                      | Scientific name   |
|----------------------------------|---|
|                                  | ( <i>Capoeta semifasciolatus</i> )                        |
| Tiger barb                       | <i>Puntius tetrazona</i><br>( <i>Capoeta tetrazona</i> )  |
| Tic-tac-toe barb                 | <i>Puntius ticto</i>                                      |
| Cherry barb                      | <i>Puntius titteya</i><br>( <i>Capoeta titteya</i> )      |
| Kooli barb                       | <i>Puntius vittatus</i>                                   |
| Silver rasbora                   | <i>Rasbora argyrotaenia</i>                               |
| False magnificent rasbora        | <i>Rasbora borapetensis</i>                               |
| Spot-tailed rasbora              | <i>Rasbora caudimaculata</i>                              |
| Hi-spot rasbora                  | <i>Rasbora dorsiocellata</i>                              |
| Yellow tail rasbora              | <i>Rasbora dusonensis</i>                                 |
| Long-band rasbora                | <i>Rasbora einthovenii</i>                                |
| Elegant rasbora                  | <i>Rasbora elegans</i>                                    |
| Harlequin rasbora                | <i>Rasbora heteromorpha</i>                               |
| Big-spot rasbora                 | <i>Rasbora kalochroma</i>                                 |
| Copper striped rasbora           | <i>Rasbora leptosoma</i>                                  |
| Red line rasbora                 | <i>Rasbora pauciperforata</i>                             |
| Sarawak rasbora                  | <i>Rasbora sarawakensis</i>                               |
| Gold line rasbora                | <i>Rasbora steineri</i>                                   |
| Blue line rasbora                | <i>Rasbora taeniata</i>                                   |
| Scissortail rasbora              | <i>Rasbora trilineata</i>                                 |
| Orange-finned rasbora            | <i>Rasbora vaterifloris</i>                               |
| Bitterling                       | <i>Rhodeus amarus</i>                                     |
| Bitterling                       | <i>Rhodeus sericeus</i>                                   |
| Silver prochilodus               | <i>Semaprochilodus insignis</i>                           |
| Chocolate gourami                | <i>Sphaerichthys osphromenoides</i>                       |
| Discus                           | <i>Symphysodon</i> spp                                    |
| Black-spotted upsidedown catfish | <i>Synodontis nigriventris</i>                            |
| White cloud mountain minnow      | <i>Tanichthys albonubes</i>                               |
| Penguin fish                     | <i>Thayeria</i> spp                                       |
| Hatchetfish                      | <i>Thoracocharax</i> spp                                  |
| Archer fish                      | <i>Toxotes jaculatrix</i>                                 |
| Honey dwarf gourami              | <i>Trichogaster chuna</i><br>( <i>Colisa chuna</i> )      |
| Thick-lipped gourami             | <i>Trichogaster labiosus</i><br>( <i>Colisa labiosa</i> ) |
| Pearl gourami                    | <i>Trichogaster leerii</i>                                |
| Moonlight gourami                | <i>Trichogaster microlepis</i>                            |
| Blue gourami                     | <i>Trichogaster trichopterus</i>                          |
| Pygmy gourami                    | <i>Trichopsis pumila</i>                                  |
| Croaking gourami                 | <i>Trichopsis vittatus</i>                                |
| Freshwater flounder              | <i>Trinectes maculatus</i>                                |
| Duboisii                         | <i>Tropheus duboisi</i>                                   |



| <b>Common name</b> | <b>Scientific name</b> |
|--------------------|------------------------|
| Moorii             | Tropheus moorii        |
| Swordtail          | Xiphophorus helleri    |
| Platy              | Xiphophorus maculatus  |
| Platy variatus     | Xiphophorus variatus   |



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