

LEASES

Where aquaculture operations are proposed in State waters, an aquaculture lease is required in addition to a licence to authorise the aquaculture activities, including location, term and conditions applying to the lease and licence. There are four types of leases:

Pilot Lease

Should an aquaculture operator wish to conduct aquaculture in an area outside of an aquaculture zone established under the *Aquaculture Act 2001*, a pilot lease application process is followed. Should the application be approved, a pilot lease is granted and has the following characteristics:

- Is issued for a term of up to one year;
- Is renewable on application for a total maximum time of three years;
- Cannot be transferred to another party;
- Cannot be moved to another location (a new pilot lease application would be required to achieve this);
- The corresponding licence holder must be the same as the lease holder.

Development Lease

In an area where an aquaculture zone has been established under the *Aquaculture Act 2001*, aquaculture development leases are issued via a competitive allocation process following a decision by the Minister to release tenure. The successful applicants will be granted a development lease which has the following characteristics:

- Is issued for a term of up to three years;
- Is renewable on application for a total maximum time of nine years;
- Can be transferred to another party;
- Can be moved to another location (on application within certain criteria);
- The corresponding licence holder can be a different party to the lease holder.

A development lease can also be obtained following a successful conversion application of a pilot lease.

Production Lease

A production lease can only be granted through a successful conversion application of a development lease. Production leases have the following characteristics:

- Is issued for a term of up to twenty years;
- Is renewable on application;
- Can be transferred to another party;
- Can be moved to another location (on application within certain criteria);
- The corresponding licence holder can be a different party to the lease holder.

LICENCES

Corresponding Licences

A corresponding licence refers to a licence that is granted in conjunction with a lease within State waters. These licences are also commonly known as marine licences. There are six types of marine licences.

Intertidal Mollusc Licence

An intertidal mollusc licence authorises aquaculture activities in State waters close to the shore where the stock on the site is periodically submerged and periodically exposed. The main species authorised on intertidal mollusc licences include (but are not limited to) oysters and algae. The types of farming structures commonly used on intertidal mollusc sites are baskets on racks and rails and also longlines.

Subtidal Mollusc Licence

A subtidal mollusc licence authorises aquaculture activities in State waters off-shore where the stock on the site is always submerged. The main species authorised on subtidal mollusc licences include (but are not limited to) mussels, scallops, oysters and algae. The types of farming structures commonly used on subtidal mollusc sites are longlines.

Abalone Licence

An abalone licence authorises aquaculture activities in State waters off-shore where the stock on the site is always submerged. The main species authorised on abalone licences include (but are not limited to) abalone and algae. The types of farming structures commonly used on abalone sites are sea cages and longlines.

Finfish Licence

A finfish licence authorises aquaculture activities in State waters off-shore where the stock on the site is always submerged. The main species authorised on finfish licences include (but are not limited to) yellow tail kingfish, mulloway, King George Whiting, snapper, salmon and bream. The types of farming structures commonly used on finfish sites are sea cages.

Tuna Licence

A tuna licence authorises aquaculture activities in State waters off-shore where the stock on the site is always submerged. The main species authorised on tuna licences include (but is not limited to) wild-caught southern bluefin tuna. The types of farming structures commonly used on tuna sites are sea cages.

Miscellaneous Licence

A miscellaneous licence authorises aquaculture activities in State waters off-shore where the site is always submerged. The miscellaneous sites authorise the holding of empty aquaculture farming structures or the temporary holding of stock in structures. Where the licence permits the temporary holding of stock, there is to be no feeding of the stock on the site. The main type of farming structures contained on miscellaneous sites are sea cages.

Non-corresponding Licences

Aquaculture licences that are not located within State waters are non-corresponding licences but are better known as landbased licences. These licences are generally issued over private property and authorise the licence holder to conduct aquaculture according to the conditions contained on the licence and within the requirements of the *Aquaculture Act 2001* and the *Aquaculture Regulations 2005*. There are four types of landbased licences.

The Minister must classify each licence other than a corresponding licence individually. These licences will be classified as either a low risk (*category A*), medium risk (*category B*) or high risk (*category C*) licence having regard to factors affecting the ecological sustainability of aquaculture authorised by the licence, including:

- any discharge of water from the licence area and the treatment of that water prior to discharge.
- whether or not the species to be farmed are native to the locality of the licence area.
- the susceptibility of the species to be farmed to notifiable disease within the definition under the *Livestock Act 2007*.

Landbased Licence Category A (Low risk)

As determined by the Minister

Landbased Licence Category B (Medium risk)

As determined by the Minister

Landbased Licence Category C (High risk)

As determined by the Minister

Landbased Licence Miscellaneous

A miscellaneous landbased licence permits the activity of aquaculture for the purpose of business, trade or research outside the constraints of standard landbased licences (category A, B, C), but is still classed as a landbased facility. Licensed miscellaneous landbased facilities to date are found where the venture consists of a live transport vessel that is not constrained to one location, with the permitted farming methods being contained within the vessel itself. Additional licence conditions will be put in place as part of such licences to address any risks posed by the approved farming methods. The conditions placed on miscellaneous licences are applied on a case by case basis as prescribed by the Minister.