

South Australia

Aquaculture (Zones—Ceduna) Policy 2015

under the *Aquaculture Act 2001*

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Part 1—Preliminary**1—Short title**

This policy may be cited as the *Aquaculture (Zones—Ceduna) Policy 2015*.

2—Interpretation

- (1) In this policy, unless the contrary intention appears—
- Act* means the *Aquaculture Act 2001*;
 - algae* means eukaryotic macroalgae;
 - bivalve molluscs* includes clams, cockles, mussels, oysters, razorfish, pipis and scallops;
 - finfish* means all members of the classes *Actinopterygii*, *Elasmobranchii* and *Myxini*;
 - lease* means an aquaculture lease;
 - leased area*, in an aquaculture zone, means the total area in the zone subject to lease;
 - licence* means an aquaculture licence.
- (2) For the purposes of the descriptions of aquaculture zones or aquaculture exclusion zones in this policy, unless the contrary intention appears, all lines are geodesics based on the *Geocentric Datum of Australia 1994* (GDA94) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995 and all co-ordinates are expressed in terms of GDA94.
- (3) The point references given in a description identifying an aquaculture zone or aquaculture exclusion zone in Schedule 1 are references to the corresponding points in the map of that zone in Schedule 2.

Note—

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

3—Object of policy

Pursuant to section 11 of the Act, this policy—

- (a) identifies aquaculture zones and aquaculture exclusion zones; and
- (b) designates aquaculture zones as public call areas; and
- (c) specifies for an aquaculture zone—
 - (i) the classes of aquaculture permitted in the zone; and
 - (ii) prescribed criteria to be taken into account in the determination of applications for licences or in the making of other decisions under the Act in relation to the zone.

4—Prescription of criteria does not limit matters that may be taken into account

This policy does not limit the matters that may be taken into account in the determination of applications for licences or in the making of other decisions under the Act.

Part 2—Bosanquet aquaculture exclusion zone**5—Identification of aquaculture exclusion zone**

The Bosanquet aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 1.

Part 3—Decres Bay aquaculture zone**6—Identification of aquaculture zone**

The Decres Bay aquaculture zone comprises the State waters described in Schedule 1 clause 2.

7—Designation of aquaculture zone as public call area

The Decres Bay aquaculture zone is designated as a public call area.

8—Class of permitted aquaculture

The classes of aquaculture permitted in the Decres Bay aquaculture zone are—

- (a) in the case of an area used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of a business constituted of education—such classes of aquaculture as may be approved by the Minister; and
- (b) in any other case—
 - (i) the farming of aquatic animals (other than mussels or finfish) in a manner that does not involve regular feeding; and

- (ii) the farming of algae.

9—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Decres Bay aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 40 hectares.

Part 4—Denial Bay aquaculture zone

10—Identification of aquaculture zone

The Denial Bay aquaculture zone comprises the State waters described in Schedule 1 clause 3.

11—Designation of aquaculture zone as public call area

The Denial Bay aquaculture zone is designated as a public call area.

12—Class of permitted aquaculture

The classes of aquaculture permitted in the Denial Bay aquaculture zone are—

- (a) in the case of an area used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of a business constituted of education—such classes of aquaculture as may be approved by the Minister; and
- (b) in any other case—
 - (i) the farming of aquatic animals (other than mussels or finfish) in a manner that does not involve regular feeding; and
 - (ii) the farming of algae.

13—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Denial Bay aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 169 hectares.

Part 5—Horseshoe aquaculture exclusion zone

14—Identification of aquaculture exclusion zone

The Horseshoe aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 4.

Part 6—St Peter Island (north) aquaculture zone

15—Identification of aquaculture zone

The St Peter Island (north) aquaculture zone comprises the State waters described in Schedule 1 clause 5.

16—Designation of aquaculture zone as public call area

The St Peter Island (north) aquaculture zone is designated as a public call area.

17—Class of permitted aquaculture

The classes of aquaculture permitted in the St Peter Island (north) aquaculture zone are—

- (a) in the case of an area used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of a business constituted of education—such classes of aquaculture as may be approved by the Minister; and
- (b) in any other case—
 - (i) the farming of aquatic animals (other than mussels or finfish) in a manner that does not involve regular feeding; and
 - (ii) the farming of algae.

18—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the St Peter Island (north) aquaculture zone, the following criteria must be taken into account:

- (a) the leased area in the zone must not exceed 20 hectares;
- (b) before granting a lease, or varying a lease involving the substitution of the area leased (in whole or in part), in an area that has not previously been subject to a lease, the Minister must consult with, and consider the views of, the Minister responsible for the administration of the *National Parks and Wildlife Act 1972*.

Part 7—St Peter Island (south) aquaculture zone**19—Identification of aquaculture zone**

The St Peter Island (south) aquaculture zone comprises the State waters described in Schedule 1 clause 6.

20—Designation of aquaculture zone as public call area

The St Peter Island (south) aquaculture zone is designated as a public call area.

21—Class of permitted aquaculture

The classes of aquaculture permitted in the St Peter Island (south) aquaculture zone are—

- (a) in the case of an area used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of a business constituted of education—such classes of aquaculture as may be approved by the Minister; and
- (b) in any other case—
 - (i) the farming of aquatic animals (other than mussels or finfish) in a manner that does not involve regular feeding; and
 - (ii) the farming of algae.

22—Prescribed criteria

- (1) In the determination of applications for licences and in the making of other decisions under the Act in relation to the St Peter Island (south) aquaculture zone, the following prescribed criteria must be taken into account:
 - (a) the leased area in the zone must not exceed 110 hectares;
 - (b) in the prescribed area—
 - (i) the leased area must not exceed the total area that was, immediately before the commencement of this policy, subject to a lease; and
 - (ii) before granting a lease, or varying a lease involving the substitution of the area leased (in whole or part), in an area that has not previously been subject to a lease, the Minister must consult with, and consider the views of, the Minister responsible for the administration of the *National Parks and Wildlife Act 1972*.

- (2) In this clause—

prescribed area means the area of the St Peter Island (south) aquaculture zone that falls within 1000 metres of the Franklin Harbor Conservation Park.

Part 8—St Peter Island aquaculture exclusion zone

23—Identification of aquaculture exclusion zone

The St Peter Island aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 7.

Part 9—Wittelbee Point aquaculture exclusion zone

24—Identification of aquaculture exclusion zone

The Wittelbee Point aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 8.

Part 10—Miscellaneous

25—Prescribed criteria for all aquaculture zones—area set aside for research purposes

In the determination of applications for licences and in the making of other decisions under the Act in relation to the aquaculture zones identified in this policy, it must be taken into account that, of the area leased or available for lease in those zones, 5 hectares must be used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of trade, or a business, established for educational purposes.

Schedule 1—Description of zones

1—Description of Bosanquet aquaculture exclusion zone

The Bosanquet aquaculture exclusion zone comprises the State waters contained within and bounded by a line commencing at the line of mean high water springs closest to 32°11'16.62" South, 133°40'56.70" East (Point 18), then beginning southerly following the line of mean high water springs to the location closest to 32°12'10.40" South, 133°40'48.22" East (Point 19), then westerly to 32°12'10" South, 133°40'10" East (Point 20), then northerly to 32°11'16" South, 133°40'10" East (Point 21), then easterly to the point of commencement.

2—Description of Decres Bay aquaculture zone

The Decres Bay aquaculture zone comprises the State waters contained within and bounded by a line commencing at the line of mean high water springs closest to 32°11'45.51" South, 133°43'10.67" East (Point 22), then south-westerly to 32°12'20" South, 133°43'00" East (Point 23), then north-westerly to 32°12'05" South, 133°41'55" East (Point 24), then northerly to the line of mean high water springs closest to 32°11'55.60" South, 133°41'56.64" East (Point 25), then beginning north-easterly along the line of mean high water springs to the point of commencement.

3—Description of Denial Bay aquaculture zone

The Denial Bay aquaculture zone comprises the State waters contained within and bounded by a line commencing at the line of mean high water springs closest to 32°05'05.89" South, 133°36'27.71" East (Point 1), then southerly to 32°05'42" South, 133°36'25" East (Point 2), then south-westerly to 32°06'08" South, 133°35'22" East (Point 3), then southerly to 32°07'24" South, 133°35'20" East (Point 4), then south-easterly to 32°08'05" South, 133°35'33" East (Point 5), then south-westerly to 32°08'33" South, 133°35'27" East (Point 6), then south-westerly to 32°09'50" South, 133°34'30" East (Point 7), then south-westerly to 32°09'55" South, 133°33'35" East (Point 8), then north-westerly to the line of mean high water springs closest to 32°09'51.50" South, 133°33'17" East (Point 9), then beginning north-easterly along the line of mean high water springs to the point of commencement.

4—Description of Horseshoe aquaculture exclusion zone

The Horseshoe aquaculture exclusion zone comprises the State waters contained within and bounded by a line commencing at 32°08'50" South, 133°37'30" East (Point 10), then south-easterly to 32°09'05" South, 133°37'55" East (Point 11), then south-westerly to 32°10'55" South, 133°37'20" East (Point 12), then north-westerly to 32°10'35" South, 133°36'20" East (Point 13), then south-westerly to 32°10'55" South, 133°35'05" East (Point 14), then north-easterly to 32°10'00" South, 133°35'50" East (Point 15), then northerly to 32°09'30" South, 133°35'50" East (Point 16), then south-easterly to 32°09'40" South, 133°36'40" East (Point 17), then north-easterly to the point of commencement.

5—Description of St Peter Island (north) aquaculture zone

The St Peter Island (north) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 1000 metres seaward of Nuyts Archipelago Conservation Park boundary closest to 32°12'34.85" South, 133°42'04.37" East (Point 26), then south-easterly to 32°13'08" South, 133°42'11" East (Point 27), then south-westerly to 32°13'30" South, 133°41'46" East (Point 28), then north-westerly to a line 1000 metres seaward of Nuyts Archipelago Conservation Park boundary closest to 32°13'11.84" South, 133°41'12.23" East (Point 29), then generally north-easterly along the line 1000 metres seaward of Nuyts Archipelago Conservation Park boundary to the point of commencement.

6—Description of St Peter Island (south) aquaculture zone

The St Peter Island (south) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 1000 metres seaward of Nuyts Archipelago Conservation Park boundary closest to 32°14'33.24" South, 133°41'46.43" East (Point 30), then south-easterly to 32°15'35" South, 133°42'15" East (Point 31), then south-westerly to a line 1000 metres seaward of Nuyts Archipelago Conservation Park boundary closest to 32°16'04.79" South, 133°40'00.08" East (Point 32), then beginning northerly along the line 1000 metres seaward of Nuyts Archipelago Conservation Park boundary closest to 32°15'31.59" South, 133°39'50.97" East (Point 33), then westerly to 32°15'30" South, 133°39'30" East (Point 34), then north-easterly to 32°15'08" South, 133°39'33" East (Point 35), then easterly to a line 1000 metres seaward of Nuyts Archipelago Conservation Park boundary closest to 32°15'09.74" South, 133°39'56.75" East (Point 36), then beginning north-easterly along the line 1000 metres seaward of Nuyts Archipelago Conservation Park boundary to the point of commencement.

7—Description of St Peter Island aquaculture exclusion zone

The St Peter Island aquaculture exclusion zone comprises the State waters contained within and bounded by a line 1000 metres seaward of Nuyts Archipelago Conservation Park and the boundary of the Nuyts Archipelago Conservation Park, but excluding the waters within the St Peter Island (north) aquaculture zone and the St Peter Island (south) aquaculture zone.

8—Description of Wittelbee Point aquaculture exclusion zone

The Wittelbee Point aquaculture exclusion zone comprises the State waters contained within and bounded by a line commencing at the intersection of the mean high water springs and a line 1000 metres seaward and north-westerly of the Wittelbee Conservation Park, then beginning south-easterly along the line of the mean high water springs to the western boundary of the Wittelbee Conservation Park, then south-easterly along the boundary of the Wittelbee Conservation Park to a line of mean high water springs, then south-easterly along the mean high water springs line to a line 1000 metres seaward of the conservation park, then south-westerly along the line 1000 metres seaward of the Wittelbee Conservation Park to the point of commencement.

Schedule 2—Maps of zones

