

South Australia

## **Aquaculture (Standard Lease Conditions) Policy 2005**

under the *Aquaculture Act 2001*

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### **Contents**

- |   |  |
|---|--|
| 1 | Short title                              |
| 2 | Standard conditions of aquaculture lease |
| 3 | Variation of lease or lease conditions   |
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#### **1—Short title**

This policy may be cited as the *Aquaculture (Standard Lease Conditions) Policy 2005*.

#### **2—Standard conditions of aquaculture lease**

The provisions of this policy constitute conditions of an aquaculture lease.

#### **3—Variation of lease or lease conditions**

- (1) Subject to this clause, an aquaculture lease or its conditions may be varied, at the request or with the consent of the lessee, by the Minister by written notice to the lessee.
- (2) The variation must not extend the area of the lease or the class of aquaculture that may be carried on in the area (see section 25(2)(c) of the *Aquaculture Act 2001*).
- (3) If the variation consists of or involves the substitution of the area leased:
  - (a) the variation may not be made if the lease is registered under the *Real Property Act 1886*; and
  - (b) if the original area leased was within an aquaculture zone or prospective aquaculture zone, the new area leased must not be within a different aquaculture zone or prospective aquaculture zone; and
  - (c) the variation may not be made unless the holder of each corresponding licence has requested or consented to a variation of the conditions of the licence by substitution of the licence area and the EPA has approved the variation (to take effect on the variation of the lease).