

South Australia

## **Aquaculture (Fees) Variation Regulations 2013**

under the *Aquaculture Act 2001*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Aquaculture Regulations 2005***

- 4 Substitution of Schedule 1
  - Schedule 1—Fees
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Aquaculture (Fees) Variation Regulations 2013*.

#### **2—Commencement**

These regulations will come into operation 1 July 2013.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Aquaculture Regulations 2005***

#### **4—Substitution of Schedule 1**

Schedule 1—delete the Schedule and substitute:

#### **Schedule 1—Fees**

##### **Fees relating to aquaculture leases**

- 1 Application fee for variation of an aquaculture lease or its conditions (section 25A(5) of Act)—
  - (a) for a variation consisting of or involving—
    - (i) the substitution of the lease area (within or outside of an aquaculture zone) where at least 80% of the lease area will remain the same—

	(A)	if the corresponding licence relating to the lease authorises the farming of prescribed wild caught tuna	\$2 191
	(B)	in any other case	\$2 916
	(ii)	the substitution of the lease area within an aquaculture zone (other than a variation of a kind referred to in subparagraph (i))—	
	(A)	if the farming of prescribed wild caught tuna is a permitted class of aquaculture in the zone	\$2 537
	(B)	in any other case	\$3 619
	(iii)	the substitution of the lease area outside of an aquaculture zone (other than a variation of a kind referred to in subparagraph (i))	\$4 340
	(b)	for a variation of any other kind	\$766
2		Application fee for consent to transfer a production lease (section 39(2) of Act)—	
	(a)	for the transfer of 1 lease	\$669
	(b)	for the transfer of each additional lease if the parties involved in the transfer are the same as for the first transfer	\$568
3		Application fee for division of a production lease area into separate lease areas (regulation 29)	\$937
4		Application fee for amalgamation of 2 or more production lease areas into a single lease area (regulation 30)	\$1 150
<b>Fees relating to aquaculture licences</b>			
5		Application fee for a corresponding licence (section 22(2d) of Act)—	
	(a)	in the case of a corresponding licence within an aquaculture zone—	
	(i)	administrative component	\$2 207
	(ii)	advertising component	\$1 382
	(b)	in the case of a corresponding licence outside of an aquaculture zone—	
	(i)	administrative component	\$3 396
	(ii)	advertising component	\$1 382
6		Application fee for a licence other than a corresponding licence (section 49 of Act)—	
	(a)	for a low risk ( <i>category A</i> ) licence—	
	(i)	administrative component	\$2 058
	(ii)	advertising component	\$1 382
	(b)	for a medium risk ( <i>category B</i> ) licence—	
	(i)	administrative component	\$2 462
	(ii)	advertising component	\$1 382

(c)	for a high risk ( <i>category C</i> ) licence—	
(i)	administrative component	\$3 881
(ii)	advertising component	\$1 382
7	Application fee for renewal of an aquaculture licence other than a corresponding licence (section 50A of Act)—	
(a)	for the renewal of 1 licence	\$669
(b)	for the renewal of each additional licence if the parties to the licence are the same as for the first renewal	\$608
	<b>Note—</b>	
	A corresponding licence is, under section 22(2b) of the Act, renewed on the renewal of the relevant lease without the requirement for an application.	
8	Application fee for variation of conditions of an aquaculture licence (section 52(6) of Act)—	
(a)	in the case of a corresponding licence—	
(i)	for a simple variation	\$1 356
(ii)	for a standard variation	\$1 793
(iii)	for a complex variation	\$3 396
(b)	in the case of a licence other than a corresponding licence—	
(i)	for a simple variation	\$594
(ii)	for a standard variation	\$697
(iii)	for a complex variation	\$1 783
9	Application fee for consent to transfer an aquaculture licence (section 55(4) of Act)—	
(a)	in the case of a corresponding licence—	
(i)	for the transfer of 1 licence	\$669
(ii)	for the transfer of each additional licence if the parties involved in the transfer are the same as for the first transfer	\$568
(b)	in the case of a licence other than a corresponding licence—	
(i)	for the transfer of 1 licence	\$669
(ii)	for the transfer of each additional licence if the parties involved in the transfer are the same as for the first transfer	\$568
10	Application fee for consent to surrender an aquaculture licence other than a corresponding licence (section 56(3)(c) of Act)	\$524
11	Application fee for division of a licence area into separate licence areas (regulation 31)	\$901
12	Application fee for amalgamation of 2 or more licence areas into a single licence area (regulation 32)	\$1 150

13	Annual fee for a corresponding licence (section 53(1) of Act) for the financial year 2013/14 and for each subsequent financial year—	
	(a) for an aquaculture licence to farm prescribed wild caught tuna	\$9 854
	(b) for an aquaculture licence to farm finfish other than prescribed wild caught tuna	\$3 733
	(c) for an aquaculture licence to farm abalone in a subtidal area	\$4 207
	(d) for an aquaculture licence to farm mussels in a subtidal area	\$2 105
	(e) for an aquaculture licence to farm molluscs (other than abalone and mussels) in a subtidal area	\$1 972
	(f) for an aquaculture licence to farm molluscs (including abalone, but not including oysters) in an intertidal area	\$1 938
	(g) for an aquaculture licence to farm oysters in an intertidal area	\$384 plus \$204 for each hectare (rounded to 2 decimal places) in the licence area
	(h) for an aquaculture licence to farm algae	\$1 799
	(i) for an aquaculture licence authorising the storage of sea cages	\$1 799
14	Annual fee for a licence other than a corresponding licence (section 53(1) of Act) for the financial year 2013/14 and for each subsequent financial year—	
	(a) for a low risk ( <i>category A</i> ) licence	\$530
	(b) for a medium risk ( <i>category B</i> ) licence—	
	(i) in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail	\$1 655
	(ii) in any other case	\$1 655
	(c) for a high risk ( <i>category C</i> ) licence—	
	(i) in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail	\$4 857
	(ii) in any other case	\$2 796
	<b>Miscellaneous fees</b>	
15	Application fee for a notation on the register that a specified person has an interest in a lease or licence (section 80(2a) of Act)	\$172

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 27 June 2013

No 169 of 2013

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