

South Australia

# **Aquaculture (Oyster) (Fees) Variation Regulations 2018**

under the *Aquaculture Act 2001*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Aquaculture (Oyster) (Fees) Variation Regulations 2018*.

### **2—Commencement**

These regulations will come into operation on 1 July 2018, immediately after the commencement of the *Aquaculture (Fees 2018) Variation Regulations 2017*.

### **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 2016***

### **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—
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### Part 2—Variation of *Aquaculture Regulations 2016*

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	(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	\$2 448
	(B) in any other case	\$3 257
	(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	\$2 834
	(B) in any other case	\$4 043
	(iii) the substitution of the lease area outside of an aquaculture zone (other than a variation of a kind referred to in subparagraph (i))	\$4 848
	(b) for a variation of any other kind	\$856
2	Application fee for consent to transfer a production lease (section 39(2) of Act)—	
	(a) for the transfer of 1 lease	\$747
	(b) for the transfer of each additional lease if the parties involved in the transfer are the same as for the first transfer	\$635
3	Application fee for division of a production lease area into separate lease areas (regulation 32)	\$1 047
4	Application fee for amalgamation of 2 or more production lease areas into a single lease area (regulation 33)	\$1 285

#### **Fees relating to aquaculture licences**

5	Application fee for a corresponding licence (section 22(2d) of Act)—	
	(a) in the case of a corresponding licence authorising activities other than research within an aquaculture zone—	
	(i) administrative component	\$2 465
	(ii) advertising component	\$1 544
	(b) in the case of a corresponding licence authorising research within an aquaculture zone—	
	(i) administrative component	\$3 794
	(ii) advertising component	\$1 544
	(c) in the case of any corresponding licence outside of an aquaculture zone—	
	(i) administrative component	\$3 794
	(ii) advertising component	\$1 544

6	Application fee for a licence other than a corresponding licence (section 49 of Act)—	
	(a) for a category A licence—	
	(i) administrative component	\$2 750
	(ii) advertising component	\$1 544
	(b) for a category B licence—	
	(i) administrative component	\$2 750
	(ii) advertising component	\$1 544
	(c) for a category C licence—	
	(i) administrative component	\$4 335
	(ii) advertising component	\$1 544
	(d) for a category D licence—	
	(i) administrative component	\$4 335
	(ii) advertising component	\$1 544
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	\$747
	(b) for the renewal of each additional licence if the parties to the licence are the same as for the first renewal	\$679
	<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	\$1 515
	(ii) for a standard variation	\$2 003
	(iii) for a complex variation	\$3 794
	(b) in the case of a licence other than a corresponding licence—	
	(i) for a simple variation	\$664
	(ii) for a standard variation	\$779
	(iii) for a complex variation	\$1 992
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	\$747
	(ii) for the transfer of each additional licence if the parties involved in the transfer are the same as for the first transfer	\$635

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### Part 2—Variation of *Aquaculture Regulations 2016*

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	(b) in the case of a licence other than a corresponding licence—	
	(i) for the transfer of 1 licence	\$747
	(ii) for the transfer of each additional licence if the parties involved in the transfer are the same as for the first transfer	\$635
10	Application fee for consent to surrender an aquaculture licence other than a corresponding licence (section 56(3)(c) of Act)	\$585
11	Application fee for exemption from environmental reporting requirements (regulation 31)	\$148
12	Application fee for division of a licence area into separate licence areas (regulation 34)	\$1 007
13	Application fee for amalgamation of 2 or more licence areas into a single licence area (regulation 35)	\$1 285
14	Annual fee for a corresponding licence (section 53(1) of Act) for the financial year commencing on 1 July 2018 and for each subsequent financial year—	
	(a) for an aquaculture licence to farm prescribed wild caught tuna	\$16 624
	(b) for an aquaculture licence to farm finfish other than prescribed wild caught tuna	\$7 691
	(c) for an aquaculture licence to farm abalone in a subtidal area	\$8 027
	(d) for an aquaculture licence to farm mussels in a subtidal area	\$1 154
	(e) for an aquaculture licence to farm molluscs (other than abalone, mussels and oysters) in a subtidal area	\$2 203
	(f) for an aquaculture licence to farm molluscs (including abalone, but not including oysters) in an intertidal area	\$2 165
	(g) for an aquaculture licence to farm oysters in an intertidal area	nil
	(h) for an aquaculture licence to farm algae	\$2 009
	(i) for an aquaculture licence authorising the storage of sea cages	\$2 009
	(j) for an aquaculture licence for tourism purposes	\$2 009
15	Annual fee for a licence other than a corresponding licence (section 53(1) of Act) for the financial year commencing on 1 July 2018 and for each subsequent financial year—	
	(a) for a category A licence	\$555
	(b) for a category B licence	\$1 160
	(c) for a category C licence	\$2 782
	(d) for a category D licence	\$5 553
	<b>Miscellaneous fees</b>	
16	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)	\$192

**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 21 June 2018

No 168 of 2018

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