

South Australia

Aquaculture (Zones—Anxious Bay) Policy 2007

under the *Aquaculture Act 2001*

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Legislative history

Part 1—Preliminary

1—Short title

This policy may be cited as the *Aquaculture (Zones—Anxious Bay) Policy 2007*.

2—Interpretation

- (1) In this policy—

Act means the *Aquaculture Act 2001*;

algae means eukaryotic macroalgae;

leased area means an area subject to an aquaculture lease;

licence means an aquaculture licence.

- (2) For the purposes of the descriptions identifying 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.

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 an aquaculture zone and an aquaculture exclusion zone; and
- (ab) designates an aquaculture zone as a public call area; and
- (b) specifies, for the 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—Anxious Bay aquaculture zone

5—Identification of aquaculture zone

The Anxious Bay aquaculture zone comprises the state waters described in Schedule 1 Part 1.

5A—Designation of aquaculture zone as public call area

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

6—Class of permitted aquaculture

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

- (a) the farming of molluscs other than mussels or oysters; and
- (b) the farming of algae.

7—Prescribed criteria

- (1) In the determination of applications for licences and in the making of other decisions under the Act in relation to the Anxious Bay aquaculture zone, it must be taken into account that—
 - (a) the zone must not contain more than 120 hectares of leased area for the farming of molluscs other than mussels or oysters; and
 - (b) the aggregate biomass of molluscs other than mussels or oysters being farmed in the waters in the zone at any 1 time must not exceed 1 200 tonnes or, if some other amount is specified by the Minister by notice in the Gazette, that other amount.
- (2) This clause 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.
- (3) The Minister may vary or revoke a notice in the Gazette made under subclause (1)(b) by subsequent notice in the Gazette.

Part 3—Anxious Bay aquaculture exclusion zone

8—Identification of aquaculture exclusion zone

The Anxious Bay aquaculture exclusion zone comprises the state waters described in Schedule 1 Part 2.

Schedule 1—Descriptions of zones

Part 1—Anxious Bay aquaculture zone

1—Description of Anxious Bay aquaculture zone

The Anxious Bay aquaculture zone comprises the state waters contained within and bounded by a line commencing at 33°34'13.59" South, 134°46'26.91" East (Point 1), then easterly to 33°34'12.68" South, 134°48'40.69" East (Point 2), then southerly to 33°34'56.42" South, 134°48'40.71" East (Point 3), then westerly to 33°35'00.01" South, 134°47'51.24" East (Point 4), then westerly to 33°34'55.99" South, 134°47'21.21" East (Point 5), then westerly to 33°34'55.96" South, 134°47'03.48" East (Point 6), then westerly to 33°34'56.44" South, 134°46'37.08" East (Point 7), then northerly to the point of commencement.

Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Anxious Bay aquaculture zone.

Part 2—Anxious Bay aquaculture exclusion zone

2—Description of Anxious Bay aquaculture exclusion zone

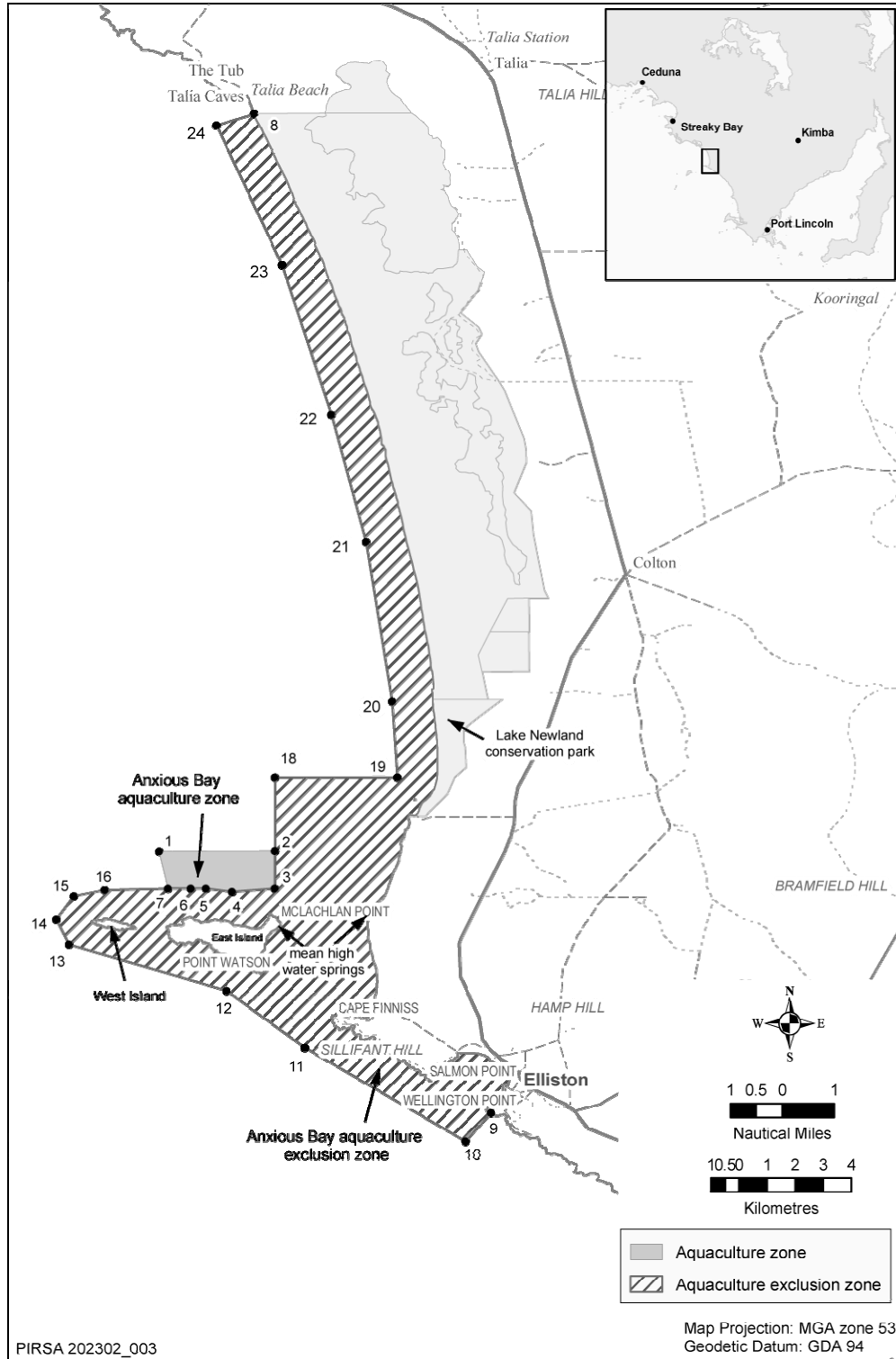
The Anxious Bay aquaculture exclusion zone comprises the state waters contained within and bounded by a line commencing at 33°20'16" South, 134°47'33" East (Point 24), then easterly to the line of mean high water springs closest to 33°20'03" South, 134°48'17" East (Point 8), then generally southerly along the line of mean high water springs to the location closest to 33°39'14.95" South, 134°52'50.2" East (Point 9), then south-westerly to 33°39'48" South, 134°52'21" East (Point 10), then north-westerly to 33°38' South, 134°49'15" East (Point 11), then north-westerly to 33°36'54" South, 134°47'45" East (Point 12), then north-westerly to 33°36'01" South, 134°44'43" East (Point 13), then north-westerly to 33°35'32" South, 134°44'28" East (Point 14), then north-easterly to 33°35'05" South, 134°44'48" East (Point 15), then easterly to 33°34'58" South, 134°45'24" East (Point 16), then easterly to 33°34'56.44" South, 134°46'37.08" East (Point 7), then easterly to 33°34'55.96" South, 134°47'03.48" East (Point 6), then easterly to 33°34'55.99" South, 134°47'21.21" East (Point 5), then easterly to 33°35'00.01" South, 134°47'51.24" East (Point 4), then easterly to 33°34'56.42" South, 134°48'40.71" East (Point 3), then northerly to 33°34'12.68" South, 134°48'40.69" East (Point 2), then northerly to 33°32'47.89" South, 134°48'40.62" East (Point 18), then easterly to 33°32'48" South, 134°51'02" East (Point 19), then northerly to 33°31'20" South, 134°50' 56" East (Point 20), then northerly to 33°28'16" South, 134°50'26" East (Point 21), then northerly to 33°25'49" South, 134°49'46" East (Point 22), then northerly to 33°22'57" South, 134°48'49" East (Point 23), then northerly to the point of commencement, but excludes state waters landward of the line of mean high water springs of East Island and West Island.

Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Anxious Bay aquaculture exclusion zone.

Schedule 2—Map of zones

The following map is provided for convenience of reference only.



Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal policy and amendments

New entries appear in bold.

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 8.11.2007 p4202	s 12	<i>Gazette 8.11.2007 p4203</i>	8.11.2007
Gazette 30.1.2014 p412	s 14	—	30.1.2014: cl 2

Provisions amended

New entries appear in bold.

Provision	How varied	Commencement
Pt 1		
cl 3	varied by 30.1.2014 p412 cl 4	30.1.2014
Pt 2		
cl 5A	inserted by 30.1.2014 p412 cl 5	30.1.2014