

South Australia

## **Aquaculture (Zones—Arno Bay) Policy 2011**

under the *Aquaculture Act 2001*

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### **Part 1—Preliminary**

#### **1—Short title**

This policy may be cited as the *Aquaculture (Zones—Arno Bay) Policy 2011*.

#### **2—Interpretation**

- (1) In this policy—

*Act* means the *Aquaculture Act 2001*;

*Arno Bay (inner) sector* means the area within the Arno Bay aquaculture zone described in Schedule 1 clause 1(a);

*Arno Bay (outer) sector* means the area within the Arno Bay aquaculture zone described in Schedule 1 clause 1(b);

*finfish* means all members of the classes *Actinopterygii*, *Elasmobranchii* and *Myxini*;

*lease* means an aquaculture lease;

*leased area*, in an aquaculture zone or sector in an aquaculture zone, means the total area in the zone or sector subject to lease;

*licence* means an aquaculture licence;

*prescribed wild caught tuna* means members of the genera *Allothunnus*, *Auxis*, *Euthunnus*, *Katsuwonus*, and *Thunnus* that have been taken from the wild;

*prescribed wild caught tuna broodstock* means prescribed wild caught tuna farmed for breeding purposes only.

- (2) For the purposes of identification of 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 the aquaculture 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 an aquaculture zone; 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—Arno Bay aquaculture zone**

### **5—Identification of aquaculture zone**

The Arno Bay aquaculture zone (consisting of the Arno Bay (inner) sector and Arno Bay (outer) sector) comprises the State waters described in Schedule 1.

### **6—Class of permitted aquaculture**

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

- (a) the farming of aquatic animals (other than prescribed wild caught tuna) in a manner that involves regular feeding; and

- (b) the farming of prescribed wild caught tuna broodstock.

## **7—Prescribed criteria**

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Arno Bay aquaculture zone, the following prescribed criteria must be taken into account:

- (a) the leased area in the zone must not exceed 280 hectares;
- (b) in the Arno Bay (inner) sector—
  - (i) the leased area must not exceed 200 hectares;
  - (ii) the biomass of aquatic animals (other than prescribed wild caught tuna) being farmed in a manner that involves regular feeding must not exceed—
    - (A) an amount that would, in the opinion of the Minister, have an environmental impact on the sector equivalent to the environmental impact that 2 900 tonnes of finfish would have on the sector; or
    - (B) if some other amount is specified by the Minister by notice in the Gazette, that other amount;
  - (iii) the biomass of prescribed wild caught tuna broodstock being farmed must not exceed 100 tonnes or, if some other amount is specified by the Minister by notice in the Gazette, that other amount;
- (c) in the Arno Bay (outer) sector—
  - (i) the leased area must not exceed 80 hectares;
  - (ii) the biomass of aquatic animals (other than prescribed wild caught tuna) being farmed in a manner that involves regular feeding must not exceed—
    - (A) an amount that would, in the opinion of the Minister, have an environmental impact on the sector equivalent to the environmental impact that 1 200 tonnes of finfish would have on the sector; or
    - (B) if some other amount is specified by the Minister by notice in the Gazette, that other amount.

## **8—Variation or revocation of Gazette notice**

- (1) The Minister may vary or revoke a notice in the Gazette made under clause 7 by subsequent notice in the Gazette.
- (2) The power to vary or revoke a notice under subclause (1) is exercisable in the same way, and subject to the same conditions, as the power to make the notice.

## **Schedule 1—Description of zones**

### **1—Description of Arno Bay aquaculture zone**

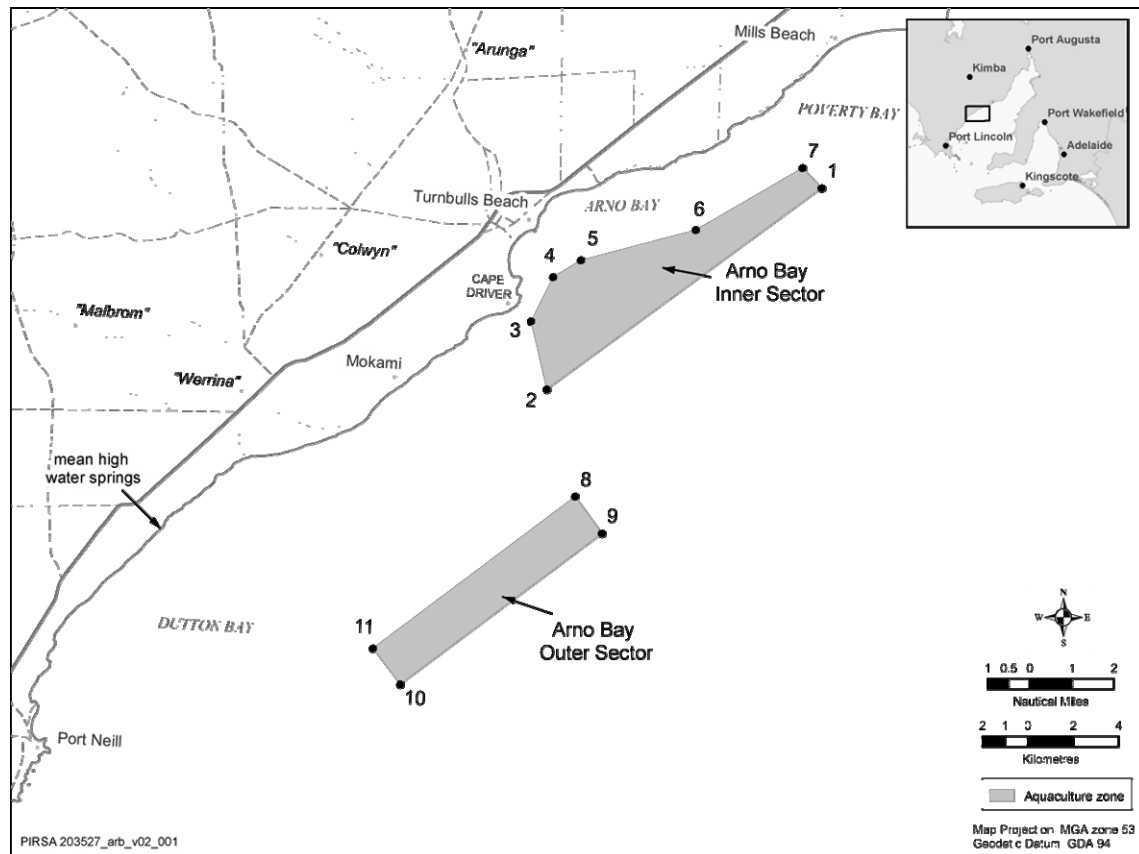
The Arno Bay aquaculture zone comprises sectors as follows:

- (a) the Arno Bay (inner) sector, comprising the State waters contained within and bounded by a line commencing at 33°53'38" South, 136°43'14" East (Point 1), then south-westerly to 33°58'32" South, 136°35'29" East (Point 2), then north-westerly to 33°56'55" South, 136°34'60" East (Point 3), then north-easterly to 33°55'51" South, 136°35'36" East (Point 4), then north-easterly to 33°55'27" South, 136°36'24" East (Point 5), then north-easterly to 33°54'41" South, 136°39'40" East (Point 6), then north-easterly to 33°53'10" South, 136°42'41" East (Point 7), then south-easterly to the point of commencement; and
- (b) the Arno Bay (outer) sector, comprising the State waters contained within and bounded by a line commencing at 34°01'05" South, 136°36'20" East (Point 8), then south-easterly to 34°01'57" South, 136°37'07" East (Point 9), then south-westerly to 34°05'37" South, 136°31'25" East (Point 10), then north-westerly to 34°04'46" South, 136°30'37" East (Point 11), then north-easterly to the point of commencement.

## Schedule 2—Map of zone

The map in this Schedule is provided for convenience of reference only.

### Arno Bay aquaculture zone



## Schedule 3—Revocation of *Arno Bay Aquaculture Management Policy*

The *Arno Bay Aquaculture Management Policy* (see *Gazette 19.5.2005 p1272*) is revoked.

## 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](http://www.legislation.sa.gov.au).

### Principal policy

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 29.9.2011 p4114	s 12	<i>Gazette 29.9.2011 p4115</i>	29.9.2011