

South Australia

Aquaculture (Zones—Coffin Bay) Policy 2008

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—Coffin Bay) Policy 2008*.

2—Interpretation

(1) In this policy, unless the contrary intention appears—

Act means the *Aquaculture Act 2001*;

algae means eukaryotic macroalgae;

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

lease means an aquaculture lease;

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

licence means an aquaculture licence.

- (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.

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 aquaculture zones and an aquaculture exclusion zone; and
- (b) specifies for an 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.

5—Certain amendments may be made by Gazette notice only

Pursuant to section 14 of the Act, the Minister may, by notice in the Gazette, amend this policy as prescribed in Schedule 3.

Part 2—Coffin Bay aquaculture exclusion zone

6—Identification of aquaculture exclusion zone

The Coffin Bay aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 1.

Part 2A—Frenchman Bluff aquaculture zone

6A—Identification of aquaculture zone

The Frenchman Bluff aquaculture zone comprises the State waters described in Schedule 1 clause 1A.

6B—Class of permitted aquaculture

The classes of aquaculture permitted in the Frenchman Bluff aquaculture zone are—

- (a) the farming of aquatic animals (other than finfish) in a manner that involves regular feeding; and

- (b) the farming of algae.

6C—Prescribed criteria

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

- (a) the leased area in the zone must not exceed 90 hectares, of which—
 - (i) 85 hectares must be used or available for use for the farming of aquatic animals; and
 - (ii) 5 hectares must be used or available for use for the farming of algae;
- (b) the biomass of the aquatic animals (other than finfish) being farmed in the zone in a manner that involves regular feeding must not exceed 680 tonnes or, if some other amount is specified by the Minister by notice in the Gazette, that other amount.

6D—Variation or revocation of Gazette notice

- (1) The Minister may vary or revoke a notice in the Gazette made under clause 6C 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.

Part 3—Kellidie Bay aquaculture zone

7—Identification of aquaculture zone

The Kellidie Bay aquaculture zone comprises the State waters described in Schedule 1 clause 2.

8—Class of permitted aquaculture

The class of aquaculture permitted in the Kellidie Bay aquaculture zone is the farming of bivalve molluscs other than mussels.

9—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Kellidie Bay aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 23 hectares, of which 3 hectares must be used or available for use for the storage, for a period not exceeding 2 weeks, of bivalve molluscs other than mussels—

- (a) before being farmed in another aquaculture zone identified in this policy; or
- (b) as part of the harvesting process after being farmed in another aquaculture zone identified in this policy,

by the holder of a licence authorised to farm molluscs in that other zone.

Part 4—Mount Dutton Bay aquaculture zone

10—Identification of aquaculture zone

The Mount Dutton Bay aquaculture zone comprises the State waters described in Schedule 1 clause 3.

11—Class of permitted aquaculture

The class of aquaculture permitted in the Mount Dutton Bay aquaculture zone is the farming of bivalve molluscs other than mussels.

12—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Mount Dutton Bay aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 32 hectares.

Part 5—Point Longnose aquaculture zone

13—Identification of aquaculture zone

The Point Longnose aquaculture zone comprises the State waters described in Schedule 1 clause 4.

14—Class of permitted aquaculture

The classes of aquaculture permitted in the Point Longnose aquaculture zone are—

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

15—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Point Longnose aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 63 hectares, of which—

- (a) 61 hectares must be used or available for use for the farming of bivalve molluscs; and
- (b) 2 hectares must be used or available for use for the farming of algae.

Part 6—Port Douglas (central) aquaculture zone

16—Identification of aquaculture zone

The Port Douglas (central) aquaculture zone comprises the State waters described in Schedule 1 clause 5.

17—Class of permitted aquaculture

The class of aquaculture permitted in the Port Douglas (central) aquaculture zone is the farming of bivalve molluscs other than mussels.

18—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Port Douglas (central) aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 50 hectares.

Part 7—Port Douglas (east) aquaculture zone

19—Identification of aquaculture zone

The Port Douglas (east) aquaculture zone comprises the State waters described in Schedule 1 clause 6.

20—Class of permitted aquaculture

The class of aquaculture permitted in the Port Douglas (east) aquaculture zone is the farming of bivalve molluscs other than mussels.

21—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Port Douglas (east) aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 4 hectares.

Part 8—Port Douglas (west) aquaculture zone

22—Identification of aquaculture zone

The Port Douglas (west) aquaculture zone comprises the State waters described in Schedule 1 clause 7.

23—Class of permitted aquaculture

The class of aquaculture permitted in the Port Douglas (west) aquaculture zone is the farming of bivalve molluscs other than mussels.

24—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Port Douglas (west) aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 10 hectares.

Part 9—Miscellaneous

25—Prescribed criteria for all aquaculture zones—area set aside for research purposes

In the determination of applications for licences and in the making of other decisions under the Act in relation to the aquaculture zones identified in this policy, it must be taken into account that, of the area leased or available for lease in those zones, 5 hectares must be used or available for use for the farming of aquatic organisms for the purposes of research or for the purposes of trade, or a business, established for educational purposes.

Schedule 1—Descriptions of zones

1—Description of Coffin Bay aquaculture exclusion zone

The Coffin Bay aquaculture exclusion zone comprises the State waters contained within and bounded by a line commencing at the location on mean high water springs closest to 34°25'45.56" South, 135°12'19.92" East (Point 88), then north-easterly to 34°25'08.02" South, 135°12'28.83" East (Point 89), then south-easterly to 34°25'29.71" South, 135°13'47.99" East (Point 90), then southerly to 34°29'14.62" South, 135°13'53.69" East (Point 91), then north-westerly to 34°29'09.37" South, 135°13'37.05" East (Point 92), then south-westerly to 34°29'16.04" South, 135°13'33.98" East (Point 93), then south-easterly to 34°29'21.29" South, 135°13'50.62" East (Point 94), then easterly to 34°29'20.88" South, 135°14'41.54" East (Point 95), then south-easterly to 34°30'17.76" South, 135°20'14.9" East (Point 96), then north-easterly to 34°29'49.31" South, 135°21'13.31" East (Point 97), then northerly to 34°28'56.85" South, 135°21'13.1" East (Point 98), then easterly to 34°28'56.15" South, 135°22'37.36" East (Point 99), then north-westerly to 34°26'36.6" South, 135°22'19.61" East (Point 100), then north-easterly to the location on mean high water springs closest to 34°26'02.64" South, 135°22'51.12" East (Point 101), then beginning southerly following the line of mean high water springs to the point of commencement, but does not include the aquaculture zones identified in this policy.

Note—

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

1A—Description of Frenchman Bluff aquaculture zone

The Frenchman Bluff aquaculture zone comprises the State waters contained within and bounded by a line commencing at 34°25'39" South, 135°21'05" East (Point 1), then easterly to 34°25'39" South, 135°21'35" East (Point 2), then south-easterly to 34°27'57.94" South, 135°21'46.11" East (Point 3), then westerly to 34°27'58" South, 135°21'05" East (Point 4), 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 Frenchman Bluff aquaculture zone.

2—Description of Kellidie Bay aquaculture zone

The Kellidie Bay aquaculture zone comprises the State waters contained within and bounded by—

- (a) a line commencing at mean high water springs closest to 34°35'55.4" South, 135°30'01.73" East (Point 77), then southerly to 34°36'10.19" South, 135°30'00.07" East (Point 78), then south-westerly to the location on mean high water springs closest to 34°36'30.69" South, 135°27'49.01" East (Point 79), then beginning north-westerly following the line of mean high water springs to the point of commencement; and

- (b) a line commencing at 34°36'30.72" South, 135°28'26.03" East (Point 80), then easterly to 34°36'30.5" South, 135°29'23.01" East (Point 81), then southerly to 34°36'43.1" South, 135°29'23.09" East (Point 82), then westerly to 34°36'43.32" South, 135°28'26.41" East (Point 83), then northerly to the point of commencement; and
- (c) a line commencing at 34°37'11.43" South, 135°28'31.31" East (Point 84), then south-easterly to 34°37'15.86" South, 135°28'36.23" East (Point 85), then south-westerly to 34°37'20.54" South, 135°28'28.67" East (Point 86), then north-westerly to 34°37'16.71" South, 135°28'24.74" East (Point 87), then north-easterly 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 Kellidie Bay aquaculture zone.

3—Description of Mount Dutton Bay aquaculture zone

The Mount Dutton Bay aquaculture zone comprises the State waters contained within and bounded by—

- (a) a line commencing at 34°31'30.76" South, 135°24'25.99" East (Point 52), then south-easterly to 34°31'38.35" South, 135°24'35.13" East (Point 53), then south-westerly to 34°31'44.12" South, 135°24'27.21" East (Point 54), then north-westerly to 34°31'36.8" South, 135°24'17.9" East (Point 55), then north-easterly to the point of commencement; and
- (b) a line commencing at mean high water springs closest to 34°31'39.37" South, 135°23'50.07" East (Point 56), then south-easterly to 34°31'40.87" South, 135°24'05.55" East (Point 57), then south-easterly to 34°32'25.64" South, 135°24'27.21" East (Point 58), then south-easterly to 34°32'30.73" South, 135°24'50.87" East (Point 59), then easterly to 34°32'29.96" South, 135°25'10.96" East (Point 60), then south-easterly to 34°32'38.94" South, 135°25'19.68" East (Point 61), then south-westerly to the location on mean high water springs closest to 34°32'45.92" South, 135°25'11.99" East (Point 62), then beginning north-westerly following the line of mean high water springs to the point of commencement; and
- (c) a line commencing at mean high water springs closest to 34°33'06.74" South, 135°24'29.91" East (Point 63), then easterly to 34°33'06.78" South, 135°25'15.51" East (Point 64), then southerly to 34°34'54.21" South, 135°25'16.06" East (Point 65), then westerly to the location on mean high water springs closest to 34°34'51.03" South, 135°24'39.96" East (Point 66), then generally northerly following the line of mean high water springs to the point of commencement; and
- (d) a line commencing at mean high water springs closest to 34°35'04.31" South, 135°24'36.89" East (Point 67), then north-easterly to 34°35'01.43" South, 135°24'40.77" East (Point 68), then south-easterly to 34°35'08.6" South, 135°24'48.89" East (Point 69), then south-westerly to the location on mean high water springs closest to 34°35'11.48" South, 135°24'44.33" East (Point 70), then generally north-westerly following the line of mean high water springs to the point of commencement; and

- (e) a line commencing at 34°35'27.19" South, 135°24'39.89" East (Point 71), then south-easterly to the location on mean high water springs closest to 34°35'29.02" South, 135°24'45.99" East (Point 72), then beginning southerly following the line of mean high water springs to the location closest to 34°35'29.43" South, 135°24'47.35" East (Point 73), then south-easterly to 34°35'37.77" South, 135°25'15.13" East (Point 74), then south-westerly to 34°35'53.54" South, 135°25'00.44" East (Point 75), then north-westerly to 34°35'42.79" South, 135°24'25.4" East (Point 76), then north-easterly 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 Mount Dutton Bay aquaculture zone.

4—Description of Point Longnose aquaculture zone

The Point Longnose aquaculture zone comprises the State waters contained within and bounded by—

- (a) a line commencing at 34°31'59.94" South, 135°19'23.73" East (Point 5), then easterly to 34°31'59.92" South, 135°19'32.29" East (Point 6), then southerly to 34°32'07.77" South, 135°19'32.32" East (Point 7), then easterly to 34°32'07.70" South, 135°19'48.95" East (Point 8), then north-easterly to 34°31'59.44" South, 135°20'26.82" East (Point 9), then easterly to 34°31'59.45" South, 135°20'44.56" East (Point 10), then southerly to 34°32'07.43" South, 135°20'44.43" East (Point 11), then south-easterly to 34°32'11.26" South, 135°20'57.02" East (Point 12), then northerly to 34°32'02.84" South, 135°20'56.99" East (Point 13), then easterly to 34°32'02.86" South, 135°21'04.56" East (Point 14), then southerly to 34°32'10.67" South, 135°21'04.67" East (Point 15), then easterly to 34°32'10.48" South, 135°21'17.21" East (Point 16), then southerly to 34°32'14.65" South, 135°21'17" East (Point 17), then easterly to 34°32'14.56" South, 135°21'41.93" East (Point 18), then southerly to 34°32'23.15" South, 135°21'41.93" East (Point 19), then westerly to 34°32'23.84" South, 135°21'16.78" East (Point 20), then south-westerly to 34°33'02.24" South, 135°19'20" East (Point 21), then northerly to 34°32'38.12" South, 135°19'20" East (Point 22), then north-easterly to 34°32'25.02" South, 135°19'33.19" East (Point 23), then northerly to 34°32'13.57" South, 135°19'33.14" East (Point 24), then westerly to 34°32'13.59" South, 135°19'23.89" East (Point 25), then northerly to the point of commencement; and
- (b) a line commencing at 34°32'52.52" South, 135°20'50.81" East (Point 102), then southerly to 34°33'02.50" South, 135°20'50.93" East (Point 103), then south-westerly to 34°33'08.83" South, 135°20'20.98" East (Point 104), then north-westerly to 34°33'04.70" South, 135°20'19.35" East (Point 105), then north-easterly to the point of commencement; and
- (c) a line commencing at 34°32'48.03" South, 135°21'17.80" East (Point 106), then south-westerly to 34°33'02.25" South, 135°21'06.46" East (Point 107), then north-westerly to 34°32'55.80" South, 135°20'58.88" East (Point 108), then northerly to 34°32'47.78" South, 135°20'59.74" East (Point 109), then easterly 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 Point Longnose aquaculture zone.

5—Description of Port Douglas (central) aquaculture zone

The Port Douglas (central) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 34°32'57.68" South, 135°21'55.55" East (Point 36), then north-easterly to 34°32'28.3" South, 135°22'48.39" East (Point 39), then south-easterly to 34°32'55.61" South, 135°23'06.66" East (Point 40), then south-easterly to 34°33'04.06" South, 135°23'12.32" East (Point 41), then south-westerly to 34°33'09.74" South, 135°23'08.22" East (Point 42), then south-westerly to 34°33'14.96" South, 135°23'00.39" East (Point 43), then south-westerly to 34°33'16.31" South, 135°22'58.13" East (Point 44), then southerly to 34°33'28.83" South, 135°22'57.47" East (Point 45), then easterly to 34°33'28.81" South, 135°23'04.38" East (Point 46), then southerly to 34°33'39.62" South, 135°23'04.43" East (Point 47), then westerly to 34°33'39.64" South, 135°22'57.52" East (Point 48), then south-easterly to 34°34'07.79" South, 135°23'02.66" East (Point 49), then north-westerly to 34°33'49.68" South, 135°21'40.12" East (Point 37), then north-easterly 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 Port Douglas (central) aquaculture zone.

6—Description of Port Douglas (east) aquaculture zone

The Port Douglas (east) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 34°32'28.3" South, 135°22'48.39" East (Point 39), then north-easterly to 34°32'13.67" South, 135°22'54.21" East (Point 50), then south-easterly to 34°32'18.69" South, 135°23'06.49" East (Point 51), then southerly to 34°32'55.61" South, 135°23'06.66" East (Point 40), then north-westerly 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 Port Douglas (east) aquaculture zone.

7—Description of Port Douglas (west) aquaculture zone

The Port Douglas (west) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 34°33'12.93" South, 135°21'13.64" East (Point 35), then north-easterly to 34°32'57.68" South, 135°21'55.55" East (Point 36), then south-westerly to 34°33'49.68" South, 135°21'40.12" East (Point 37), then north-westerly to 34°33'30.26" South, 135°21'16.46" East (Point 38), then north-westerly to the point of commencement.

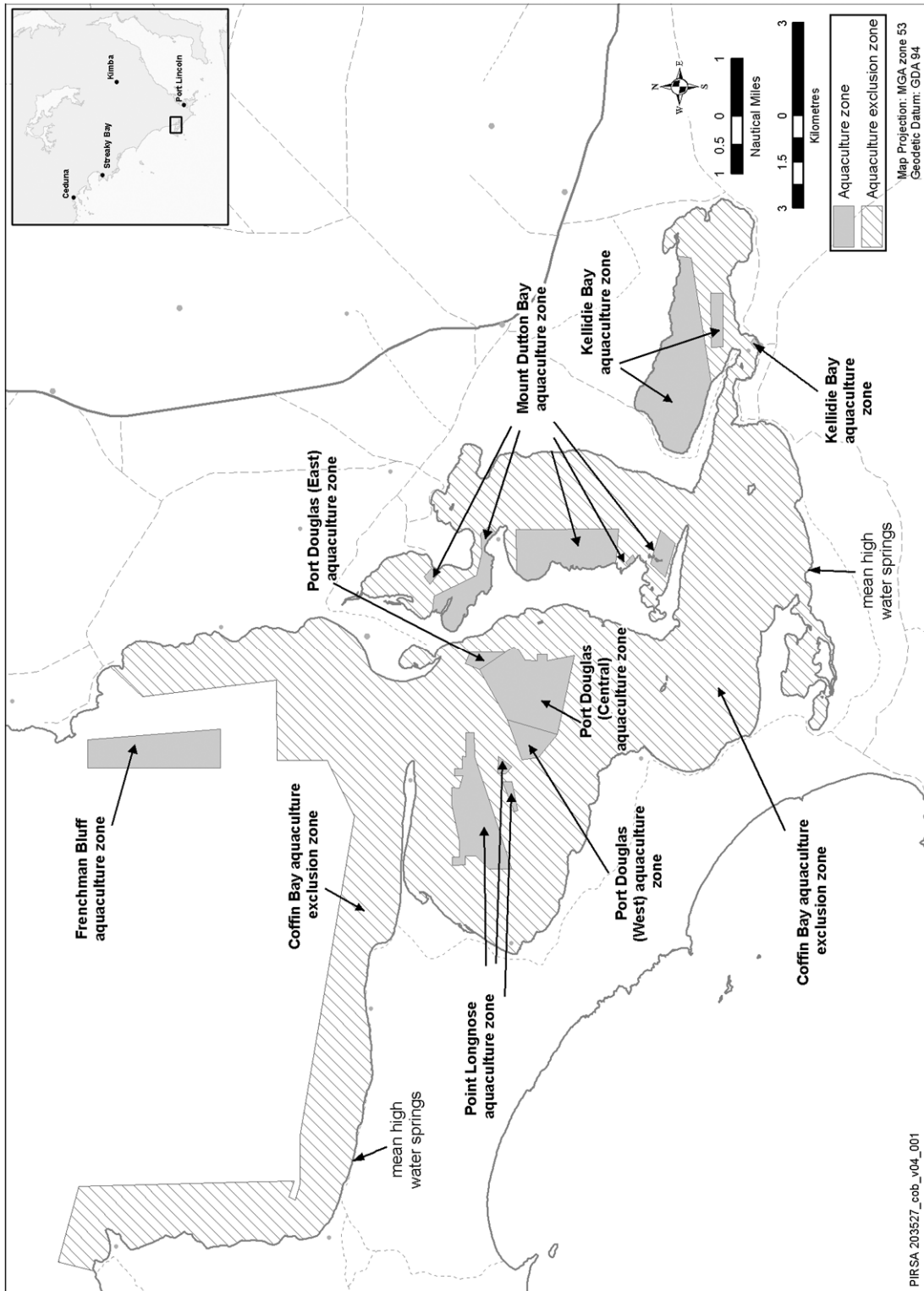
Note—

The point references in this description are references to the corresponding points in the map in Schedule 2 showing the Port Douglas (west) aquaculture zone.

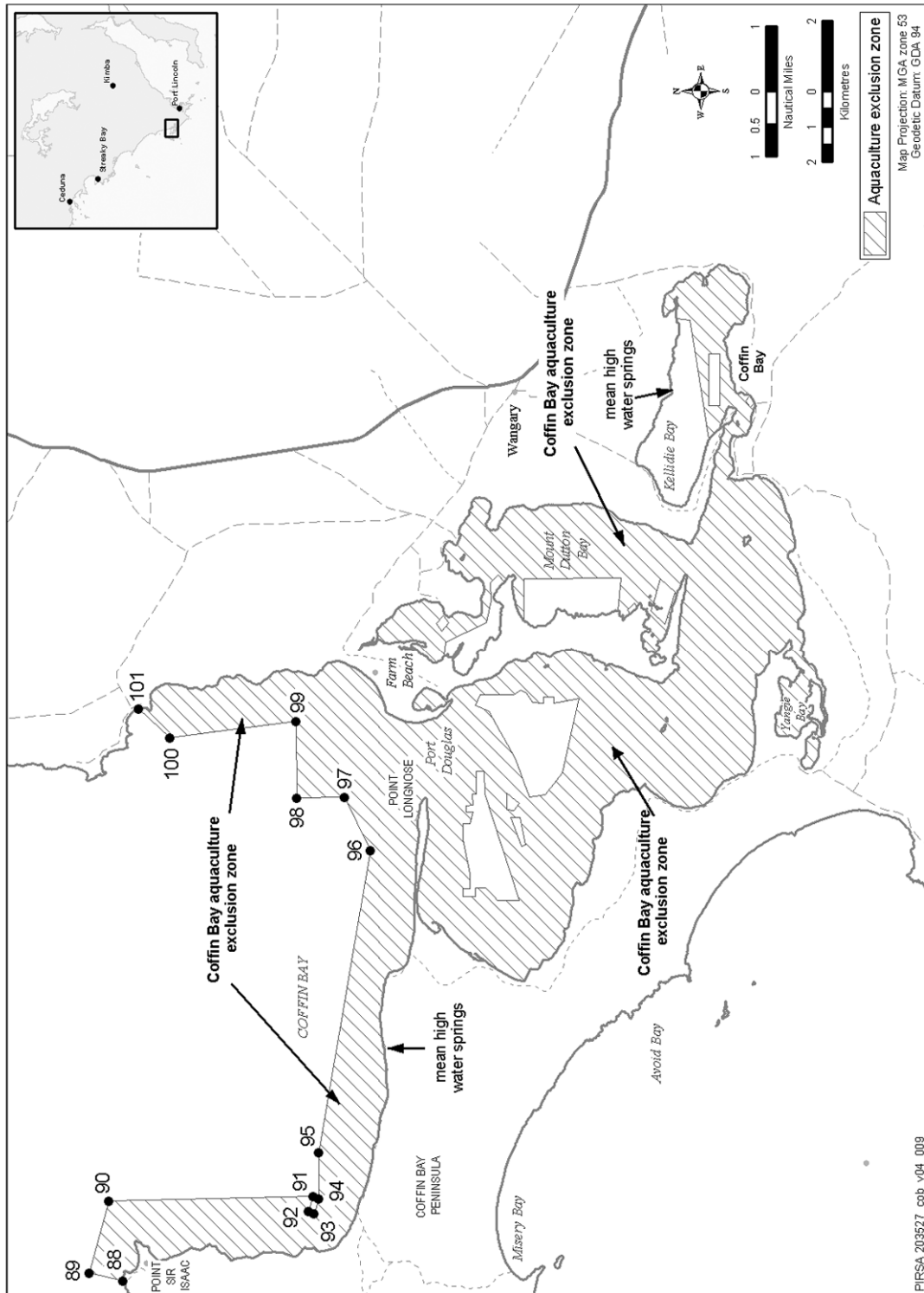
Schedule 2—Maps of zones

The maps in this Schedule are provided for convenience of reference only.

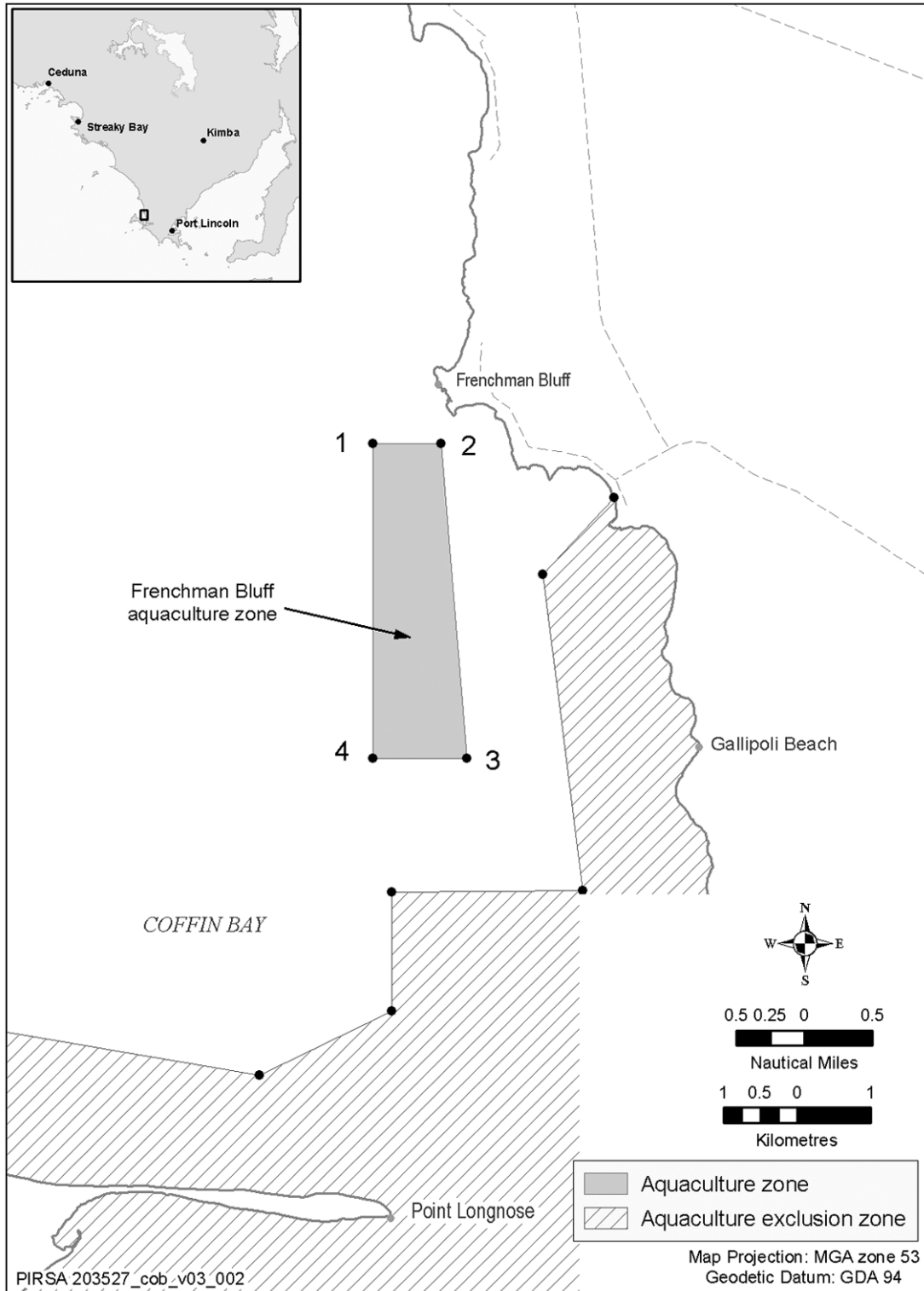
Overview



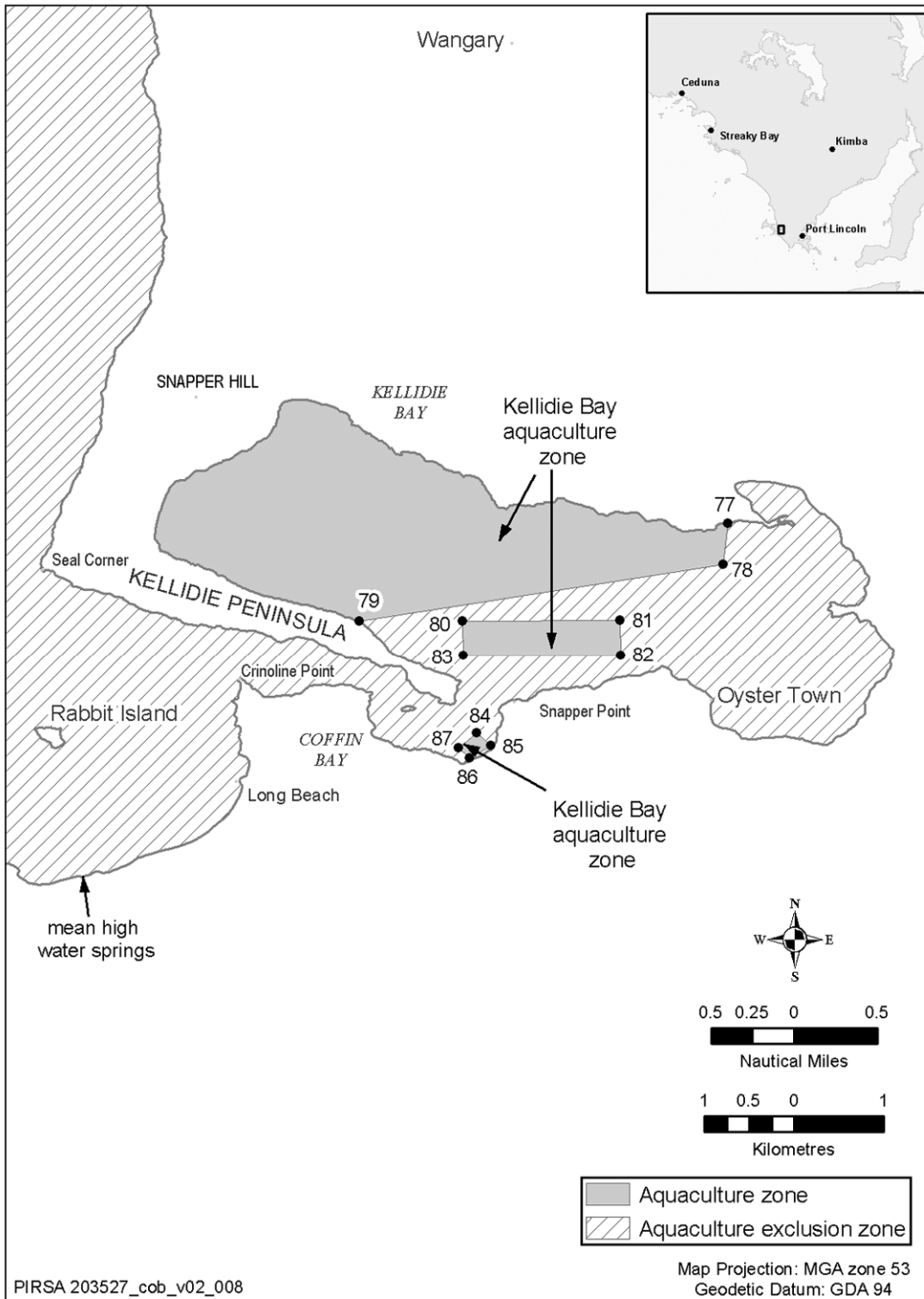
Coffin Bay aquaculture exclusion zone



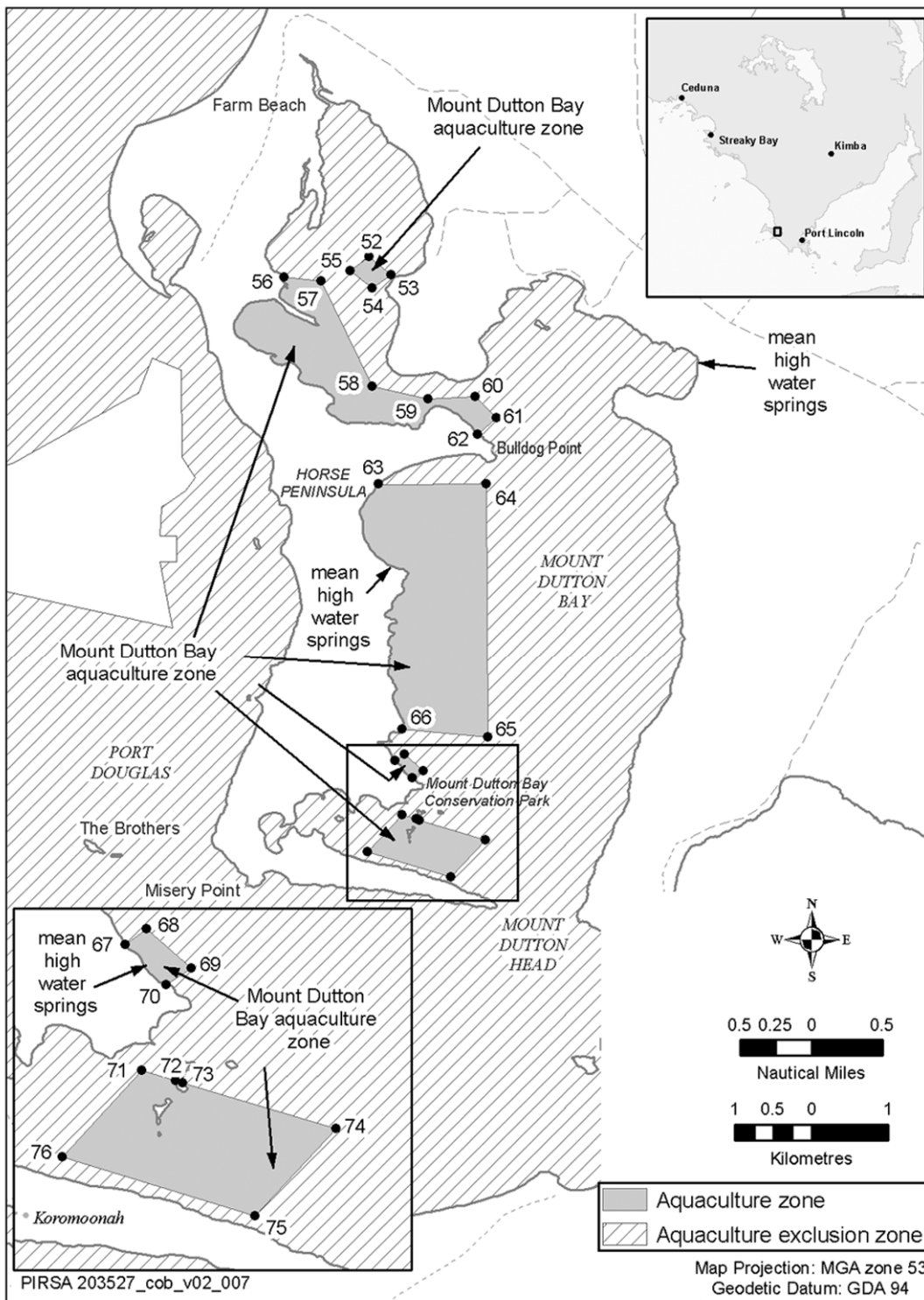
Frenchman Bluff aquaculture zone



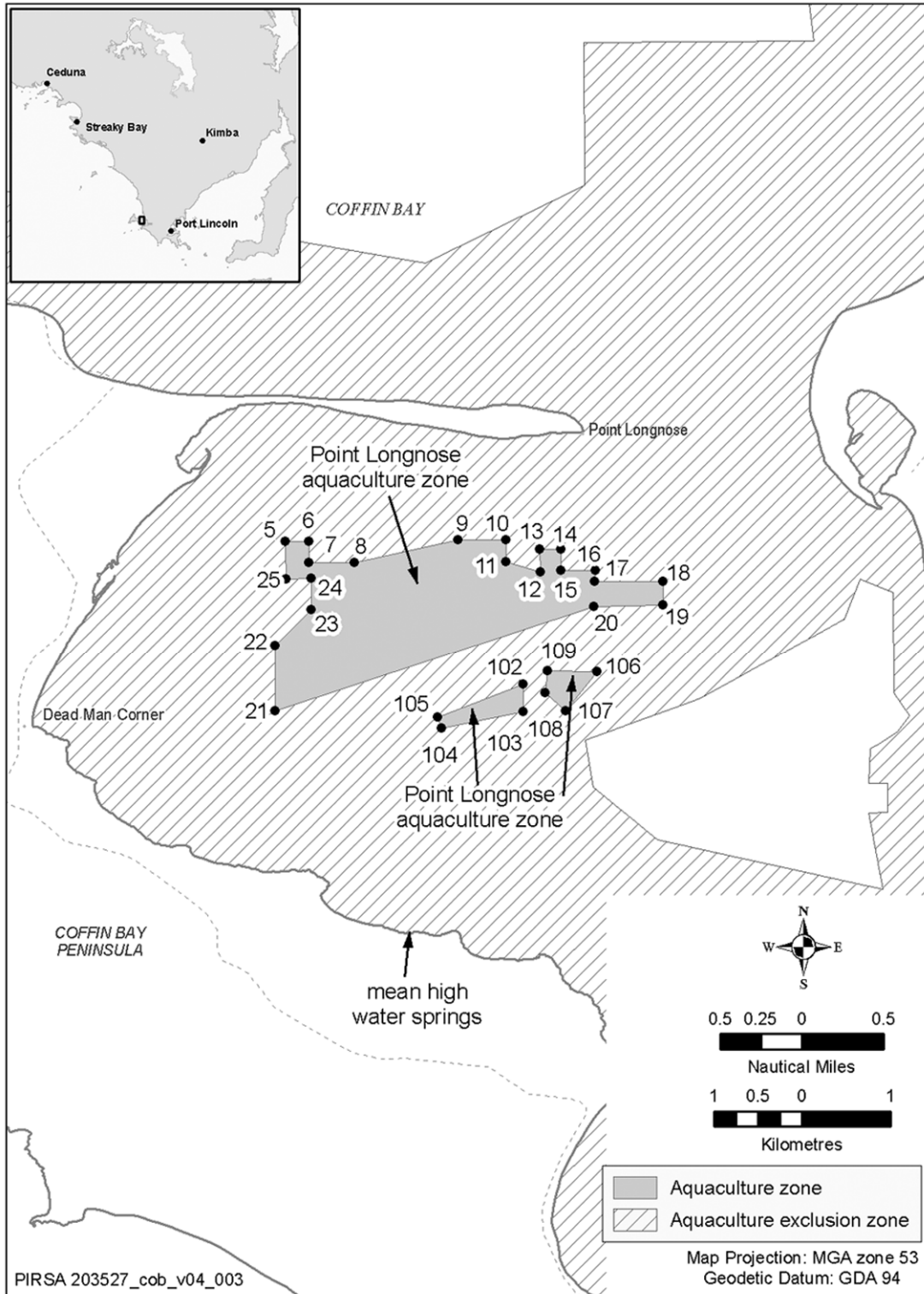
Kellidie Bay aquaculture zone



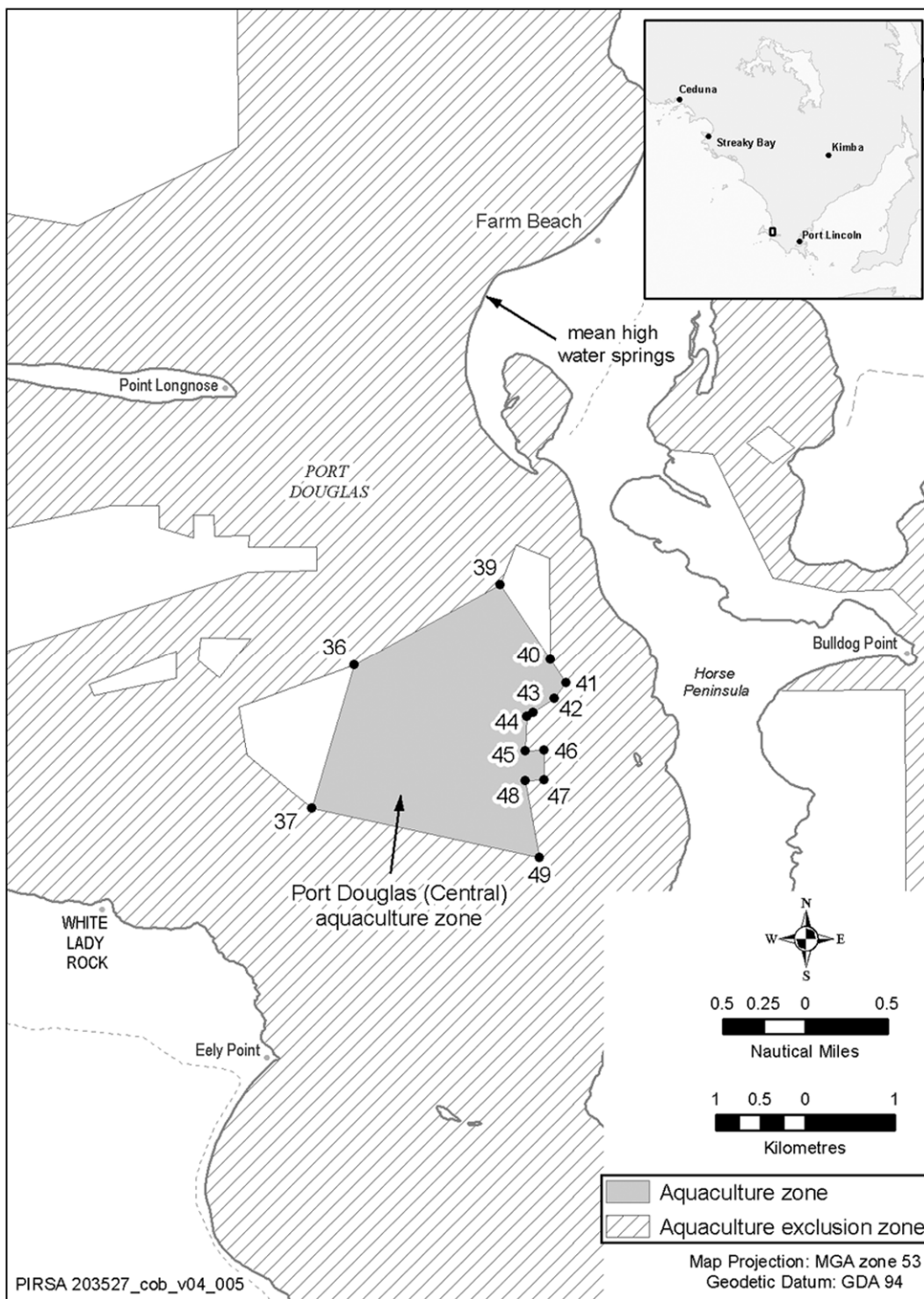
Mount Dutton Bay aquaculture zone



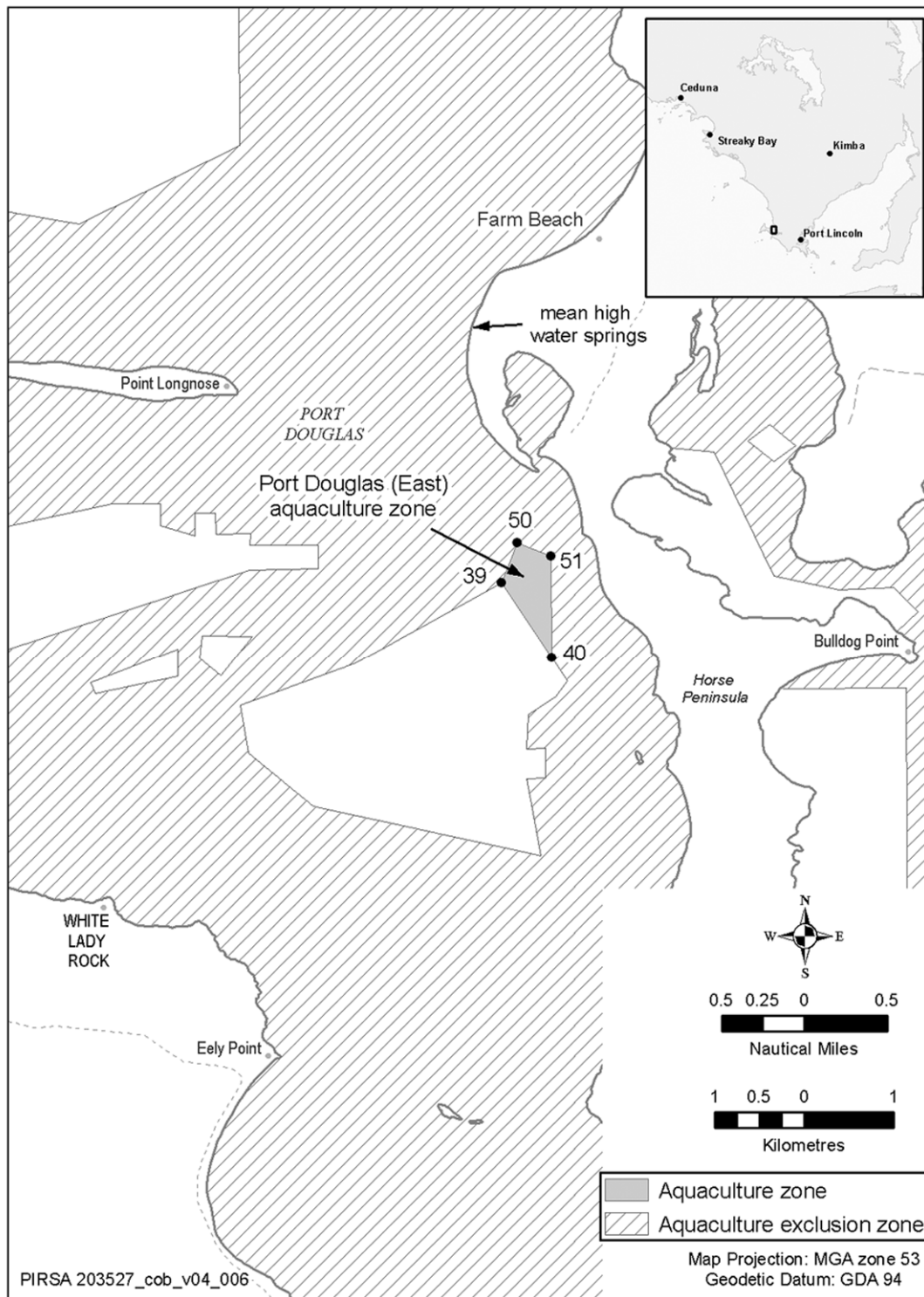
Point Longnose aquaculture zone



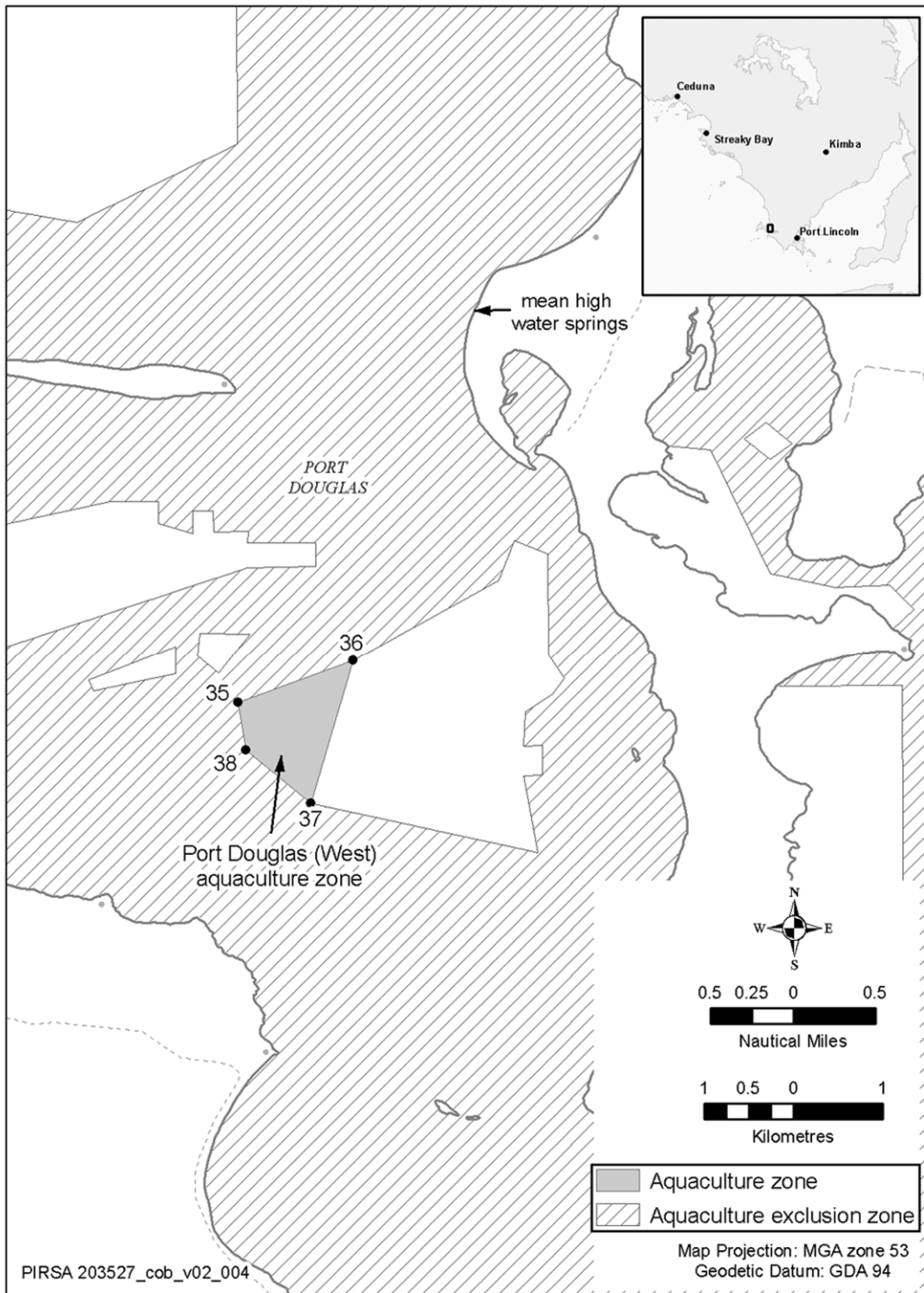
Port Douglas (central) aquaculture zone



Port Douglas (east) aquaculture zone



Port Douglas (west) aquaculture zone



Schedule 3—Amendment of policy by Gazette notice

1—Insertion of Part 2A

After Part 2 insert:

Part 2A—Frenchman Bluff aquaculture zone

6A—Identification of aquaculture zone

The Frenchman Bluff aquaculture zone comprises the State waters described in Schedule 1 clause 2A.

6B—Class of permitted aquaculture

The classes of aquaculture permitted in the Frenchman Bluff aquaculture zone are—

- (a) the farming of aquatic animals (other than finfish) in a manner that involves regular feeding; and
- (b) the farming of algae.

6C—Prescribed criteria

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

- (a) the leased area in the zone must not exceed 90 hectares, of which—
 - (i) 85 hectares must be used or available for use for the farming of aquatic animals; and
 - (ii) 5 hectares must be used or available for use for the farming of algae;
- (b) the biomass of the aquatic animals (other than finfish) being farmed in the zone in a manner that involves regular feeding must not exceed 680 tonnes or, if some other amount is specified by the Minister by notice in the Gazette, that other amount.

6D—Variation or revocation of Gazette notice

- (1) The Minister may vary or revoke a notice in the Gazette made under clause 6C 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.

2—Amendment of Schedule 1

Schedule 1—after clause 1 insert:

2A—Description of Frenchman Bluff aquaculture zone

The Frenchman Bluff aquaculture zone comprises the State waters contained within and bounded by a line commencing at 34°25'39" South, 135°21'05" East (Point 1), then easterly to 34°25'39" South, 135°21'35" East (Point 2), then south-easterly to 34°27'57.94" South, 135°21'46.11" East (Point 3), then westerly to 34°27'58" South, 135°21'05" East (Point 4), then northerly to the point of commencement.

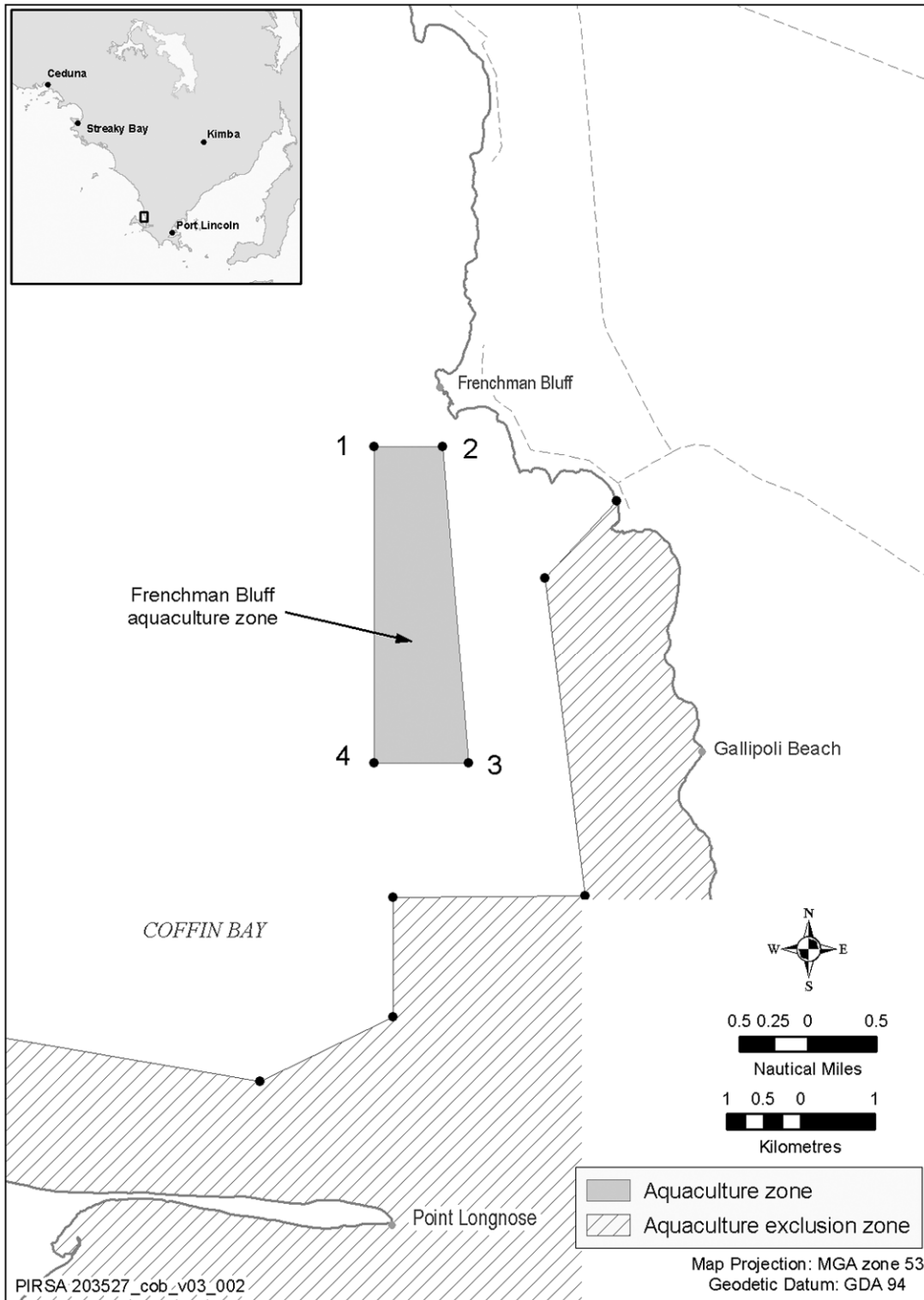
Note—

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

3—Amendment of Schedule 2

Schedule 2—after the map titled **Coffin Bay aquaculture exclusion zone** insert:

Frenchman Bluff aquaculture zone



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 2.10.2008 p4728	s 12	<i>Gazette 2.10.2008 p4729</i>	2.10.2008
Gazette 22.10.2009 p4911	s 14	—	22.10.2009: cl 2

Provisions amended

New entries appear in bold.

Provision	How varied	Commencement
Pt 2A	inserted by 22.10.2009 p4911 cl 4	22.10.2009
Sch 1		
cl 1A	inserted by 22.10.2009 p4911 cl 5	22.10.2009
Sch 2		
Frenchman Bluff— Map	inserted by 22.10.2009 p4911 cl 6	22.10.2009