

South Australia

Aquaculture (Zones—Eastern Spencer Gulf) Policy 2005

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—Eastern Spencer Gulf) Policy 2005*.

2—Interpretation

In this policy—

Act means the *Aquaculture Act 2001*;

filter-feeding molluscs includes cockles, mussels, oysters and scallops;

leased area means an area subject to an aquaculture lease;

licence means an aquaculture licence.

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—Zones

- (1) Pursuant to section 11 of the Act, this policy—
 - (a) identifies aquaculture zones, prospective aquaculture zones and aquaculture exclusion zones; and
 - (b) specifies—
 - (i) for an aquaculture zone—the classes of aquaculture permitted in the zone; and
 - (ii) for a prospective aquaculture zone—the period for which the zone has effect; and
 - (c) specifies 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 particular zones.
- (2) 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.

4—Prescribed criteria for all aquaculture zones

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

5—Map of all zones

The map in Schedule 1 indicates all the aquaculture, prospective aquaculture and aquaculture exclusion zones in Eastern Spencer Gulf and is provided for information purposes only.

Part 2—Hardwicke Bay aquaculture zones

Division 1—Hardwicke Bay (inner) subtidal aquaculture zone

6—Identification of aquaculture zone

The Hardwicke Bay (inner) subtidal aquaculture zone is comprised of the waters delineated in the map in Schedule 2 as the Hardwicke Bay (inner) subtidal aquaculture zone.

7—Class of permitted aquaculture

The class of aquaculture permitted in the Hardwicke Bay (inner) subtidal aquaculture zone is the farming of molluscs.

8—Prescribed criteria

- (1) In the determination of applications for licences and in the making of other decisions under the Act in relation to the Hardwicke Bay (inner) subtidal aquaculture zone, the following prescribed criteria must be taken into account:
 - (a) the zone must not contain more than 60 hectares of leased area;
 - (b) aquaculture should be successfully and substantially developed in the Hardwicke Bay (inner) subtidal aquaculture zone before aquaculture is developed in the Hardwicke Bay (middle) subtidal aquaculture zone;
 - (c) aquaculture should be successfully and substantially developed in the Hardwicke Bay (middle) subtidal aquaculture zone before aquaculture is developed in the Hardwicke Bay (outer) subtidal aquaculture zone.
- (2) However—
 - (a) subclause (1)(b) may be disregarded if the type of aquaculture proposed is more suited to the conditions in the Hardwicke Bay (middle) subtidal aquaculture zone; and
 - (b) subclause (1)(b) and (c) may be disregarded if the type of aquaculture proposed is more suited to the conditions in the Hardwicke Bay (outer) subtidal aquaculture zone.

Division 2—Hardwicke Bay (middle) subtidal aquaculture zone

9—Identification of aquaculture zone

The Hardwicke Bay (middle) subtidal aquaculture zone is comprised of the waters delineated in Schedule 2 as the Hardwicke Bay (middle) subtidal aquaculture zone.

10—Class of permitted aquaculture

The class of aquaculture permitted in the Hardwicke Bay (middle) subtidal aquaculture zone is the farming of molluscs.

11—Prescribed criteria

- (1) In the determination of applications for licences and in the making of other decisions under the Act in relation to the Hardwicke Bay (middle) subtidal aquaculture zone, the following prescribed criteria must be taken into account:
 - (a) the zone must not contain more than 60 hectares of leased area;
 - (b) aquaculture should be successfully and substantially developed in the Hardwicke Bay (inner) subtidal aquaculture zone before aquaculture is developed in the Hardwicke Bay (middle) subtidal aquaculture zone;
 - (c) aquaculture should be successfully and substantially developed in the Hardwicke Bay (middle) subtidal aquaculture zone before aquaculture is developed in the Hardwicke Bay (outer) subtidal aquaculture zone.
- (2) However—
 - (a) subclause (1)(b) may be disregarded if the type of aquaculture proposed is more suited to the conditions in the Hardwicke Bay (middle) subtidal aquaculture zone; and
 - (b) subclause (1)(b) and (c) may be disregarded if the type of aquaculture proposed is more suited to the conditions in the Hardwicke Bay (outer) subtidal aquaculture zone.

Division 3—Hardwicke Bay (outer) subtidal aquaculture zone

12—Identification of aquaculture zone

The Hardwicke Bay (outer) subtidal aquaculture zone is comprised of the waters delineated in Schedule 2 as the Hardwicke Bay (outer) subtidal aquaculture zone.

13—Class of permitted aquaculture

The class of aquaculture permitted in the Hardwicke Bay (outer) subtidal aquaculture zone is the farming of molluscs.

14—Prescribed criteria

- (1) In the determination of applications for licences and in the making of other decisions under the Act in relation to the Hardwicke Bay (outer) subtidal aquaculture zone, the following prescribed criteria must be taken into account:
 - (a) the zone must not contain more than 60 hectares of leased area;
 - (b) aquaculture should be successfully and substantially developed in the Hardwicke Bay (inner) subtidal aquaculture zone before aquaculture is developed in the Hardwicke Bay (middle) subtidal aquaculture zone;
 - (c) aquaculture should be successfully and substantially developed in the Hardwicke Bay (middle) subtidal aquaculture zone before aquaculture is developed in the Hardwicke Bay (outer) subtidal aquaculture zone.

(2) However—

- (a) subclause (1)(b) may be disregarded if the type of aquaculture proposed is more suited to the conditions in the Hardwicke Bay (middle) subtidal aquaculture zone; and
- (b) subclause (1)(b) and (c) may be disregarded if the type of aquaculture proposed is more suited to the conditions in the Hardwicke Bay (outer) subtidal aquaculture zone.

Part 3—Point Pearce prospective aquaculture zone

15—Identification of prospective aquaculture zone

The Point Pearce prospective aquaculture zone is comprised of the waters delineated in Schedule 3 as the Point Pearce prospective aquaculture zone.

16—Period for which zone has effect

The Point Pearce prospective aquaculture zone has effect for a period of 3 years from the commencement of this policy.

17—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Point Pearce prospective aquaculture zone, it must be taken into account that the zone must not contain more than 22 hectares of leased area.

Part 4—Point Riley aquaculture exclusion zone

18—Identification of aquaculture exclusion zone

The Point Riley aquaculture exclusion zone is comprised of the waters delineated in Schedule 4 as the Point Riley aquaculture exclusion zone.

Part 5—Port Broughton intertidal aquaculture zone and aquaculture exclusion zone

Division 1—Port Broughton intertidal aquaculture zone

19—Identification of aquaculture zone

The Port Broughton intertidal aquaculture zone is comprised of the waters delineated in Schedule 5 as the Port Broughton intertidal aquaculture zone.

20—Class of permitted aquaculture

The class of aquaculture permitted in the Port Broughton intertidal aquaculture zone is the farming of filter-feeding molluscs.

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 Broughton intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 65 hectares of leased area.

Division 2—Port Broughton aquaculture exclusion zone

22—Identification of aquaculture exclusion zone

The Port Broughton aquaculture exclusion zone is comprised of the waters delineated in Schedule 5 as the Port Broughton aquaculture exclusion zone.

Part 6—Port Hughes aquaculture exclusion zone

23—Identification of aquaculture exclusion zone

The Port Hughes aquaculture exclusion zone is comprised of the waters delineated in the map in Schedule 4 as the Port Hughes aquaculture exclusion zone.

Part 7—Tickera aquaculture zones

Division 1—Tickera intertidal aquaculture zone

24—Identification of aquaculture zone

The Tickera intertidal aquaculture zone is comprised of the waters delineated in Schedule 5 as the Tickera intertidal aquaculture zone.

25—Class of permitted aquaculture

The class of aquaculture permitted in the Tickera intertidal aquaculture zone is the farming of filter-feeding molluscs.

26—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Tickera intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 40 hectares of leased area.

Division 2—Tickera subtidal aquaculture zone

27—Identification of aquaculture zone

The Tickera subtidal aquaculture zone is comprised of the waters delineated in the map in Schedule 5 as the Tickera subtidal aquaculture zone.

28—Class of permitted aquaculture

The class of aquaculture permitted in the Tickera subtidal aquaculture zone is the farming of filter-feeding molluscs.

29—Prescribed criteria

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

- (a) the zone must not contain more than 60 hectares of leased area;

- (b) the holder of a licence authorising aquaculture in the zone must also hold a licence authorising aquaculture in the Tickera intertidal aquaculture zone or the Port Broughton intertidal aquaculture zone.

Part 8—Wallaroo subtidal aquaculture zone and Wallaroo aquaculture exclusion zone

Division 1—Wallaroo subtidal aquaculture zone

30—Identification of aquaculture zone

The Wallaroo subtidal aquaculture zone is comprised of the waters delineated in the map in Schedule 4 as the Wallaroo subtidal aquaculture zone.

31—Class of permitted aquaculture

The class of aquaculture permitted in the Wallaroo subtidal aquaculture zone is the farming of molluscs.

32—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Wallaroo subtidal aquaculture zone, it must be taken into account that the zone must not contain more than 320 hectares of leased area.

Division 2—Wallaroo aquaculture exclusion zone

33—Identification of aquaculture exclusion zone

The Wallaroo aquaculture exclusion zone is comprised of the waters delineated in the map in Schedule 4 as the Wallaroo aquaculture exclusion zone.

Part 9—Woods Point prospective aquaculture zone

34—Identification of prospective aquaculture zone

The Woods Point prospective aquaculture zone is comprised of the waters delineated in the map in Schedule 6 as the Woods Point prospective aquaculture zone.

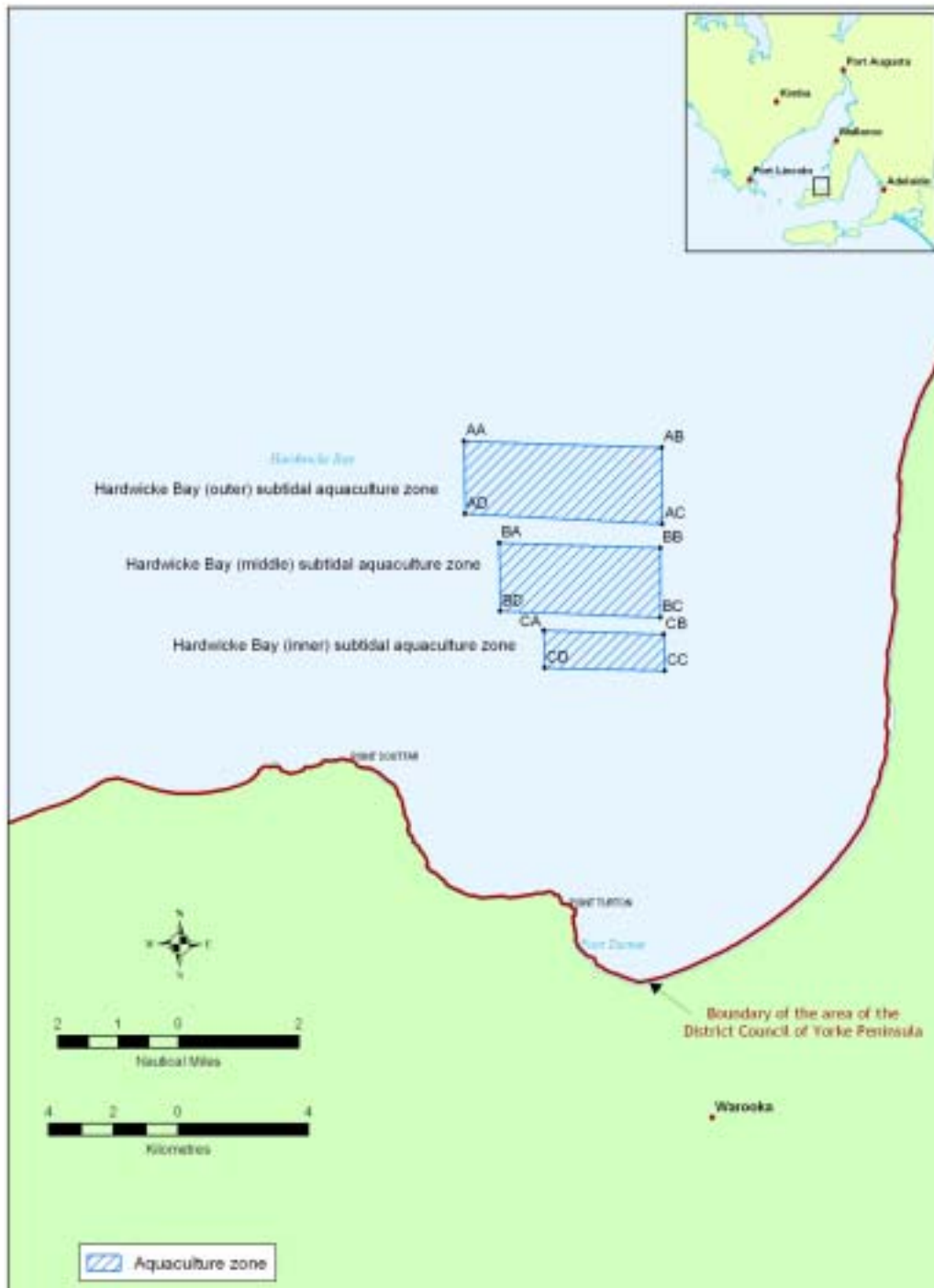
35—Period for which zone has effect

The Woods Point prospective aquaculture zone has effect for a period of 3 years from the commencement of this policy.

36—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Woods Point prospective aquaculture zone, it must be taken into account that the zone must not contain more than 10 hectares of leased area.

Schedule 2—Map of Hardwicke Bay (inner), (middle) and (outer) subtidal aquaculture zones



Coordinates—Hardwicke Bay (outer) subtidal aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| AA | 137°18'43.52" east | 34°48'14.16" south |
| AB | 137°22'43.13" east | 34°48'16.02" south |
| AC | 137°22'46.42" east | 34°49'32.54" south |
| AD | 137°18'46.7" east | 34°49'27.05" south |

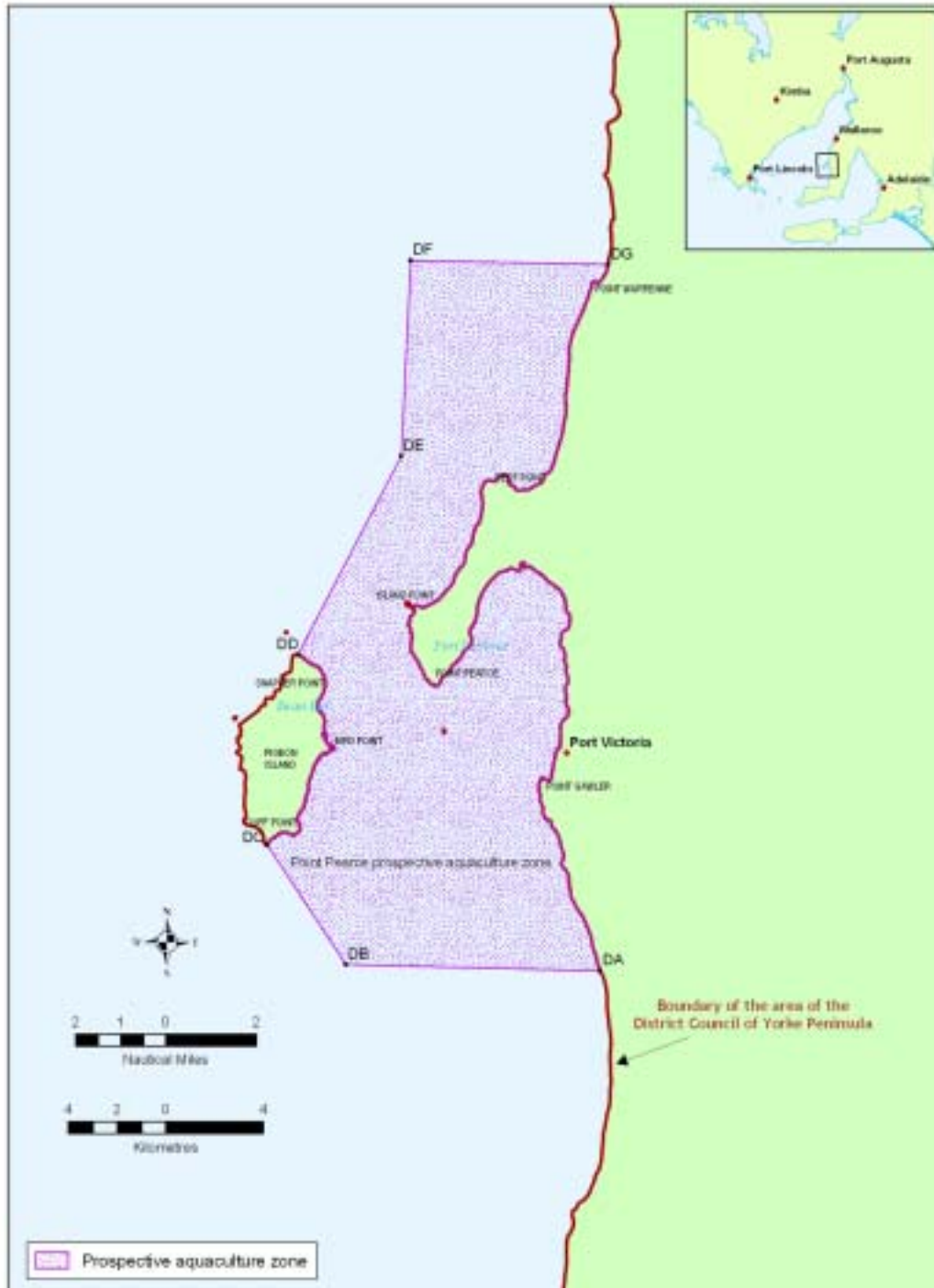
Coordinates—Hardwicke Bay (middle) subtidal aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| BA | 137°19'28.86" east | 34°49'55.31" south |
| BB | 137°22'44.25" east | 34°49'56.24" south |
| BC | 137°22'46.14" east | 34°51'06.09" south |
| BD | 137°19'32.16" east | 34°51'03.61" south |

Coordinates—Hardwicke Bay (inner) subtidal aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| CA | 137°20'25.54" east | 34°51'21.87" south |
| CB | 137°22'50.94" east | 34°51'22.77" south |
| CC | 137°22'53.12" east | 34°51'59.23" south |
| CD | 137°20'27.86" east | 34°51'59.24" south |

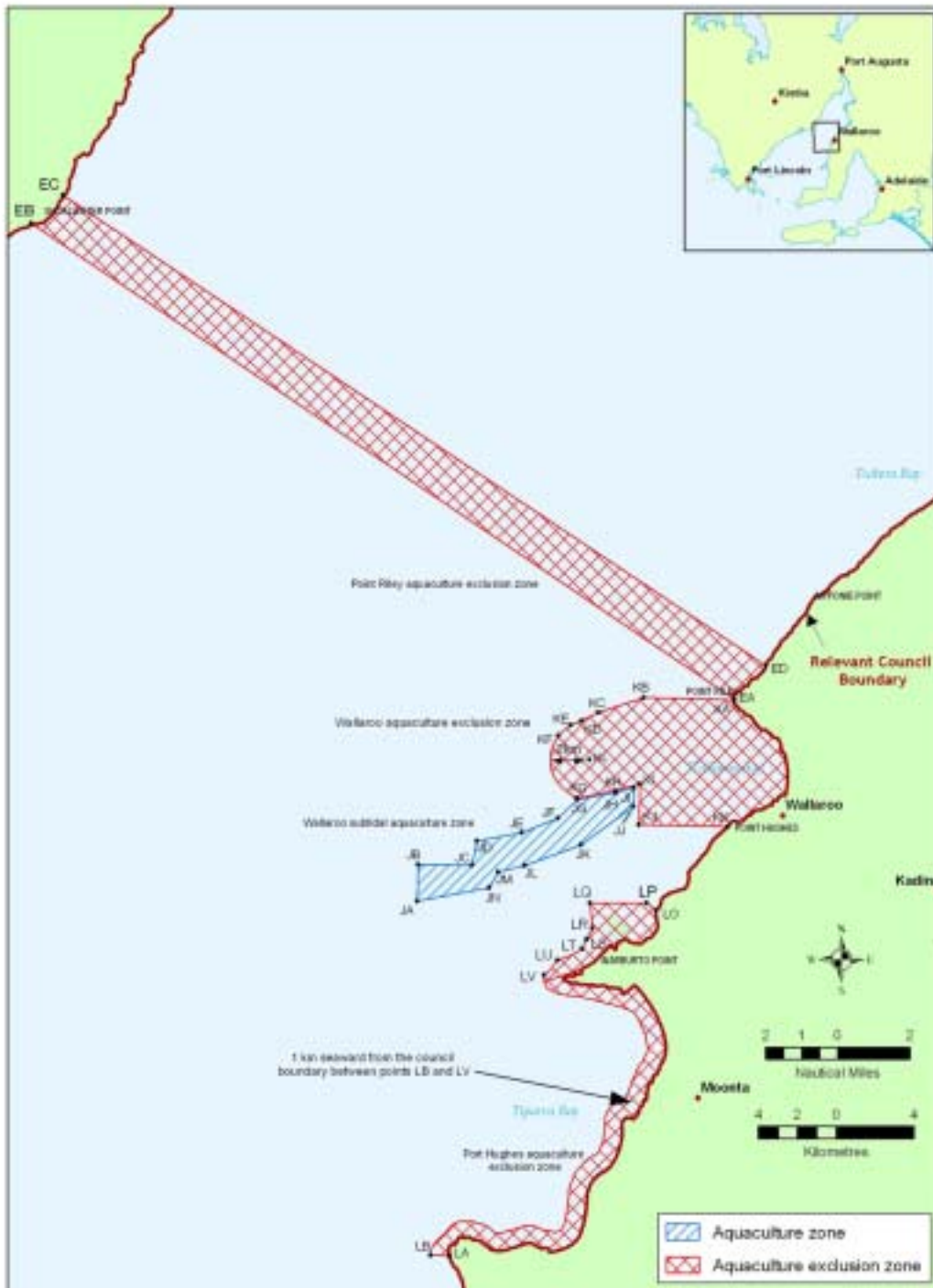
Schedule 3—Map of Point Pearce prospective aquaculture zone



Coordinates—Point Pearce prospective aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| DA | 137°30'09.47" east | 34°34'39.11" south |
| DB | 137°23'19.12" east | 34°34'39.16" south |
| DC | 137°21'08.05" east | 34°32'02.2" south |
| DD | 137°21'51.2" east | 34°27'47.53" south |
| DE | 137°24'29.33" east | 34°23'19.38" south |
| DF | 137°24'36.43" east | 34°18'57.87" south |
| DG | 137°29'53.98" east | 34°18'57.24" south |

Schedule 4—Map of Point Riley aquaculture exclusion zone, Port Hughes aquaculture exclusion zone, Wallaroo subtidal aquaculture zone and Wallaroo aquaculture exclusion zone



15.12.2005 to 14.2.2007—Aquaculture (Zones—Eastern Spencer Gulf) Policy 2005

Map of Point Riley aquaculture exclusion zone, Port Hughes aquaculture exclusion zone, Wallaroo subtidal aquaculture zone and Wallaroo aquaculture exclusion zone—Schedule 4

Coordinates—Point Riley aquaculture exclusion zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| EA | 137°36'00.15" east | 33°52'41.3" south |
| EB | 137°12'12.99" east | 33°39'52.43" south |
| EC | 137°13'15.24" east | 33°39'05.07" south |
| ED | 137°37'01.38" east | 33°51'43.62" south |

Coordinates—Wallaroo subtidal aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| JA | 137°25'35.26" east | 33°58'31.44" south |
| JB | 137°25'35.85" east | 33°57'30.67" south |
| JC | 137°27'23.38" east | 33°57'29.21" south |
| JD | 137°27'32.24" east | 33°56'49.03" south |
| JE | 137°29'01.92" east | 33°56'33.11" south |
| JF | 137°30'12.84" east | 33°56'07.95" south |
| JG | 137°30'51.87" east | 33°55'35.85" south |
| JH | 137°32'07.69" east | 33°55'22.15" south |
| JI | 137°32'43.36" east | 33°55'13.32" south |
| JJ | 137°32'44.14" east | 33°55'45.02" south |
| JK | 137°31'01.03" east | 33°56'51.47" south |
| JL | 137°29'09.72" east | 33°57'27.73" south |
| JM | 137°28'15.96" east | 33°57'39.5" south |
| JN | 137°27'59.41" east | 33°58'06.45" south |

Coordinates—Wallaroo aquaculture exclusion zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|---------------------|
| KA | 137°35'59.98" east | 33°52'42.35" south |
| KB | 137°32'59.3" east | 33°52'42.3" south |
| KC | 137°31'29" east | 33°53'09.16" south |
| KD | 137°30'56.12" east | 33°53'23.3" south |
| KE | 137°30'34.28" east | 33°53'31.67" south |
| KF | 137°30'09.99" east | 33°53'49.28" south |
| KG | 137°30'49.98" east | 33°55'33.06" south |
| KH | 137°32'07.26" east | 33°55'18.79" south |
| KI | 137°32'55.79" east | 33°55'06.3" south |
| KJ | 137°32'55.61" east | 33°56'14.82" south |
| KK | 137°35'53.14" east | 33°56'14.73" south |
| KL | 137°31'13.44" east | 33° 54'28.37" south |

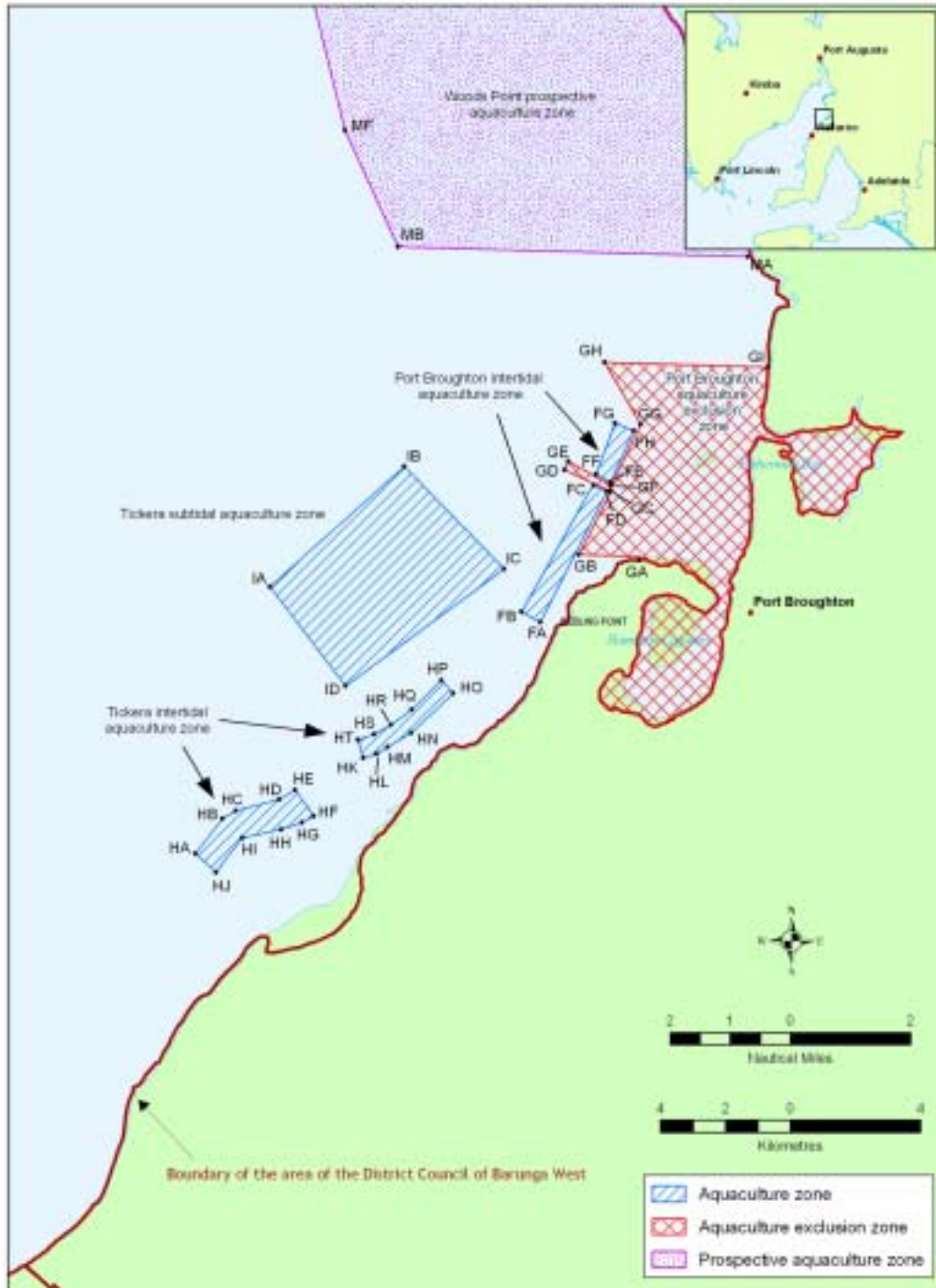
Aquaculture (Zones—Eastern Spencer Gulf) Policy 2005—15.12.2005 to 14.2.2007

Schedule 4—Map of Point Riley aquaculture exclusion zone, Port Hughes aquaculture exclusion zone, Wallaroo subtidal aquaculture zone and Wallaroo aquaculture exclusion zone

Coordinates—Port Hughes aquaculture exclusion zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| LA | 137°26'58.03" east | 34°08'22.96" south |
| LB | 137°26'18.94" east | 34°08'22.96" south |
| LO | 137°33'34.84" east | 33°58'37.94" south |
| LP | 137°33'15.65" east | 33°58'25.62" south |
| LQ | 137°31'21.78" east | 33°58'28.15" south |
| LR | 137°31'28.16" east | 33°59'09.65" south |
| LS | 137°31'16.6" east | 33°59'28.98" south |
| LT | 137°31'08.22" east | 33°59'44.69" south |
| LU | 137°30'18.94" east | 34°00'04.82" south |
| LV | 137°29'53.03" east | 34°00'29.96" south |

Schedule 5—Map of Port Broughton intertidal aquaculture zone, Port Broughton aquaculture exclusion zone and Tickera intertidal and subtidal aquaculture zones



Aquaculture (Zones—Eastern Spencer Gulf) Policy 2005—15.12.2005 to 14.2.2007

Schedule 5—Map of Port Broughton intertidal aquaculture zone, Port Broughton aquaculture exclusion zone and Tickera intertidal and subtidal aquaculture zones

Coordinates—Port Broughton intertidal aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| FA | 137°51'58.33" east | 33°36'17.94" south |
| FB | 137°51'35.45" east | 33°36'07.95" south |
| FC | 137°52'57.72" east | 33°33'59.5" south |
| FD | 137°53'13.87" east | 33°34'05.07" south |
| FE | 137°53'17.58" east | 33°33'55.62" south |
| FF | 137°52'59.96" east | 33°33'48.47" south |
| FG | 137°53'20.83" east | 33°32'56.11" south |
| FH | 137°53'43.7" east | 33°33'03.49" south |

Coordinates—Port Broughton aquaculture exclusion zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| GA | 137°53'54.39" east | 33°35'13.13" south |
| GB | 137°52'42.17" east | 33°35'09.12" south |
| GC | 137°53'18.58" east | 33°34'05.06" south |
| GD | 137°52'22.43" east | 33°33'44.78" south |
| GE | 137°52'26.65" east | 33°33'36.01" south |
| GF | 137°53'19.09" east | 33°33'59.09" south |
| GG | 137°53'51.38" east | 33°32'56.98" south |
| GH | 137°53'06.55" east | 33°31'55.67" south |
| GI | 137°56'21.69" east | 33°31'55.99" south |

Coordinates—Tickera intertidal aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| HA | 137°45'13.51" east | 33°40'19.16" south |
| HB | 137°45'45.07" east | 33°39'43.29" south |
| HC | 137°46'00.62" east | 33°39'35.07" south |
| HD | 137°46'52.62" east | 33°39'22.38" south |
| HE | 137°47'11.29" east | 33°39'12.67" south |
| HF | 137°47'34.39" east | 33°39'38.09" south |
| HG | 137°47'20.17" east | 33°39'45.19" south |
| HH | 137°46'55.73" east | 33°39'52.65" south |
| HI | 137°46'09.51" east | 33°40'01.98" south |
| HJ | 137°45'39.28" east | 33°40'37.48" south |
| HK | 137°48'31.75" east | 33°38'38.86" south |
| HL | 137°48'47.28" east | 33°38'34.2" south |
| HM | 137°49'00.17" east | 33°38'27.29" south |

15.12.2005 to 14.2.2007—Aquaculture (Zones—Eastern Spencer Gulf) Policy 2005

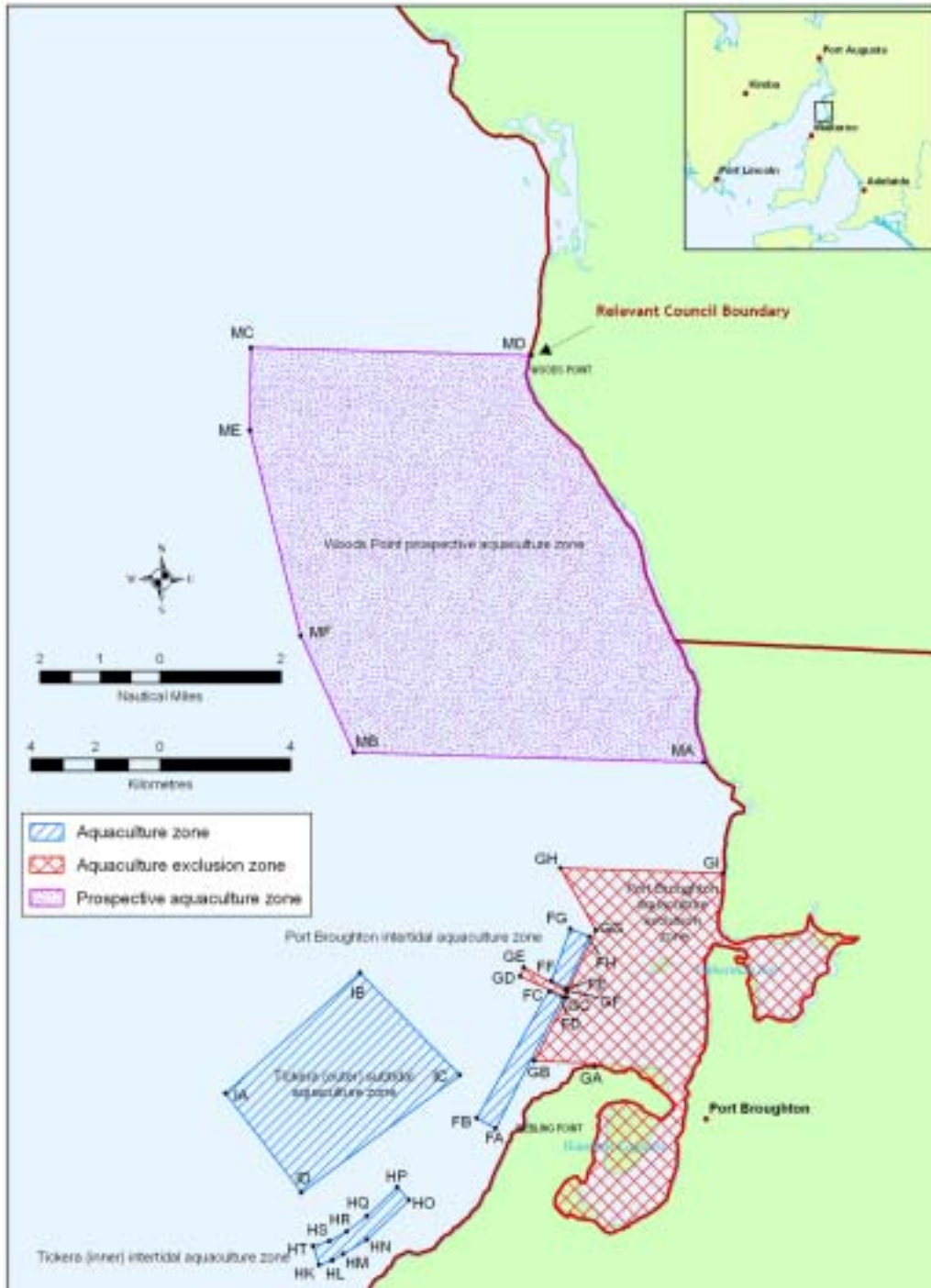
Map of Port Broughton intertidal aquaculture zone, Port Broughton aquaculture exclusion zone and Tickera intertidal and subtidal aquaculture zones—Schedule 5

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| HN | 137°49'28.17" east | 33°38'12.35" south |
| HO | 137°50'17.06" east | 33°37'31.63" south |
| HP | 137°50'02.41" east | 33°37'19.11" south |
| HQ | 137°49'27.74" east | 33°37'48.81" south |
| HR | 137°49'03.73" east | 33°38'05.06" south |
| HS | 137°48'43.46" east | 33°38'14.81" south |
| HT | 137°48'24.35" east | 33°38'20.43" south |

Coordinates—Tickera subtidal aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| IA | 137°46'34.52" east | 33°35'49.87" south |
| IB | 137°49'10.99" east | 33°33'45.84" south |
| IC | 137°51'13.81" east | 33°35'25.47" south |
| ID | 137°48'08.03" east | 33°37'27.25" south |

Schedule 6—Map of Woods Point prospective aquaculture zone



Coordinates—Woods Point prospective aquaculture zone (GDA94)

| Point | Longitude | Latitude |
|--------------|--------------------|--------------------|
| MA | 137°55'54.24" east | 33°30'06.09" south |
| MB | 137°48'56.28" east | 33°30'05.8" south |
| MC | 137°46'41.12" east | 33°23'23.61" south |
| MD | 137°52'15.89" east | 33°23'23.6" south |
| ME | 137°46'42.29" east | 33°24'46.19" south |
| MF | 137°47'49.61" east | 33°28'10.58" south |

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

| Notice | Provision under which notice is made | Publication of policy in Gazette | Commencement |
|------------------|--------------------------------------|----------------------------------|--------------|
| 15.12.2005 p4303 | s 12 | <i>Gazette 15.12.2005 p4304</i> | 15.12.2005 |