

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;

GDA94 means the Geocentric Datum of Australia 1994;

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 and aquaculture exclusion zones; and
 - (b) designates aquaculture zones as public call areas; and
 - (c) 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 particular zone.
- (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 zones 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.

6A—Designation of aquaculture zone as public call area

The Hardwicke Bay (inner) subtidal aquaculture zone is designated as a public call area.

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.

9A—Designation of aquaculture zone as public call area

The Hardwicke Bay (middle) subtidal aquaculture zone is designated as a public call area.

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.

12A—Designation of aquaculture zone as public call area

The Hardwicke Bay (outer) subtidal aquaculture zone is designated as a public call area.

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 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.

19A—Designation of aquaculture zone as public call area

The Port Broughton intertidal aquaculture zone is designated as a public call area.

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.

24A—Designation of aquaculture zone as public call area

The Tickera intertidal aquaculture zone is designated as a public call area.

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.

27A—Designation of aquaculture zone as public call area

The Tickera subtidal aquaculture zone is designated as a public call area.

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.

30A—Designation of aquaculture zone as public call area

The Wallaroo subtidal aquaculture zone is designated as a public call area.

31—Class of permitted aquaculture

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

32—Prescribed criteria

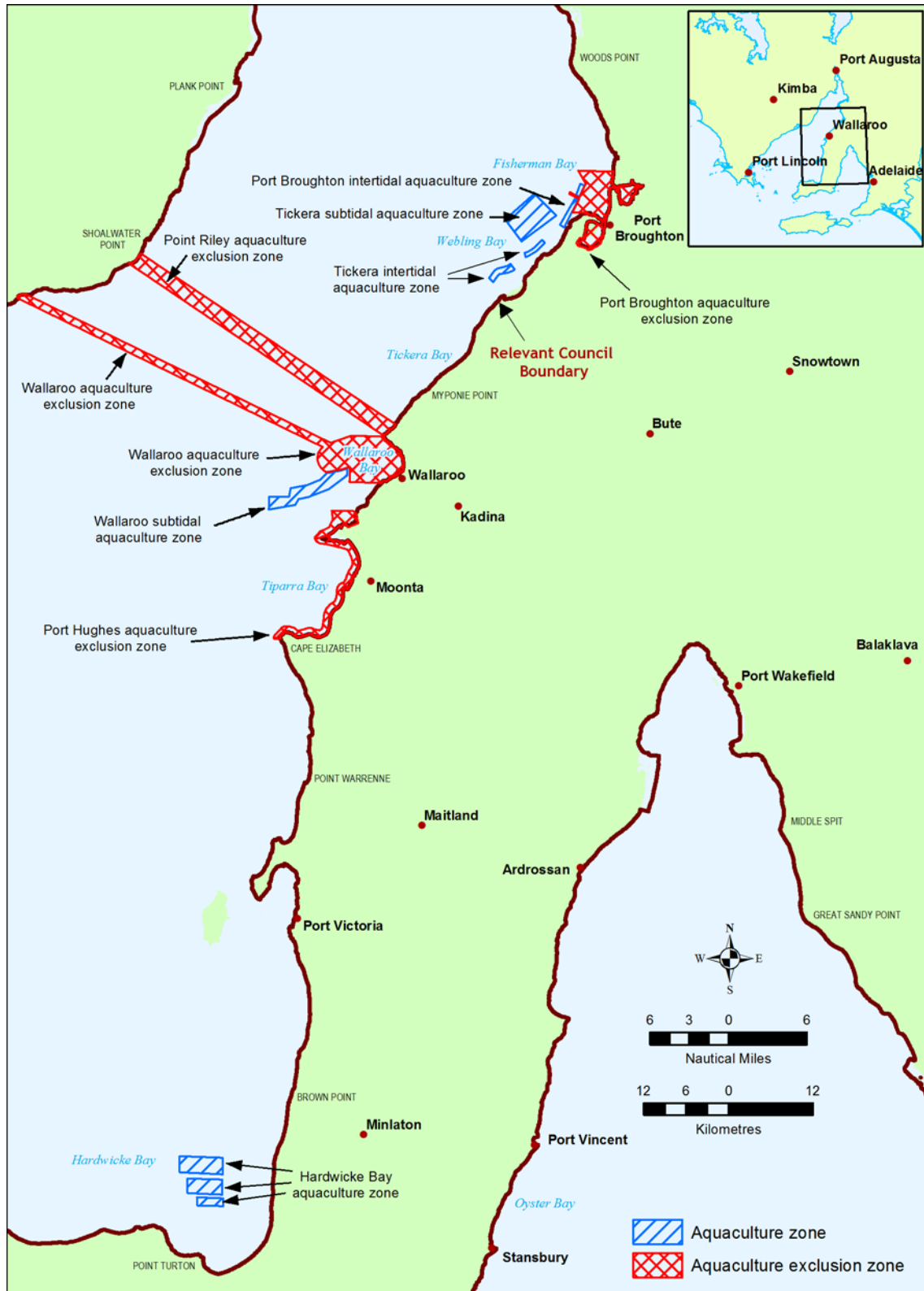
In the determination of applications for licences and in the making of other decisions under the Act in relation to the Wallaroo subtidal aquaculture zone, it must be taken into account that the zone must not contain more than 300 hectares of leased area.

Division 2—Wallaroo aquaculture exclusion zone

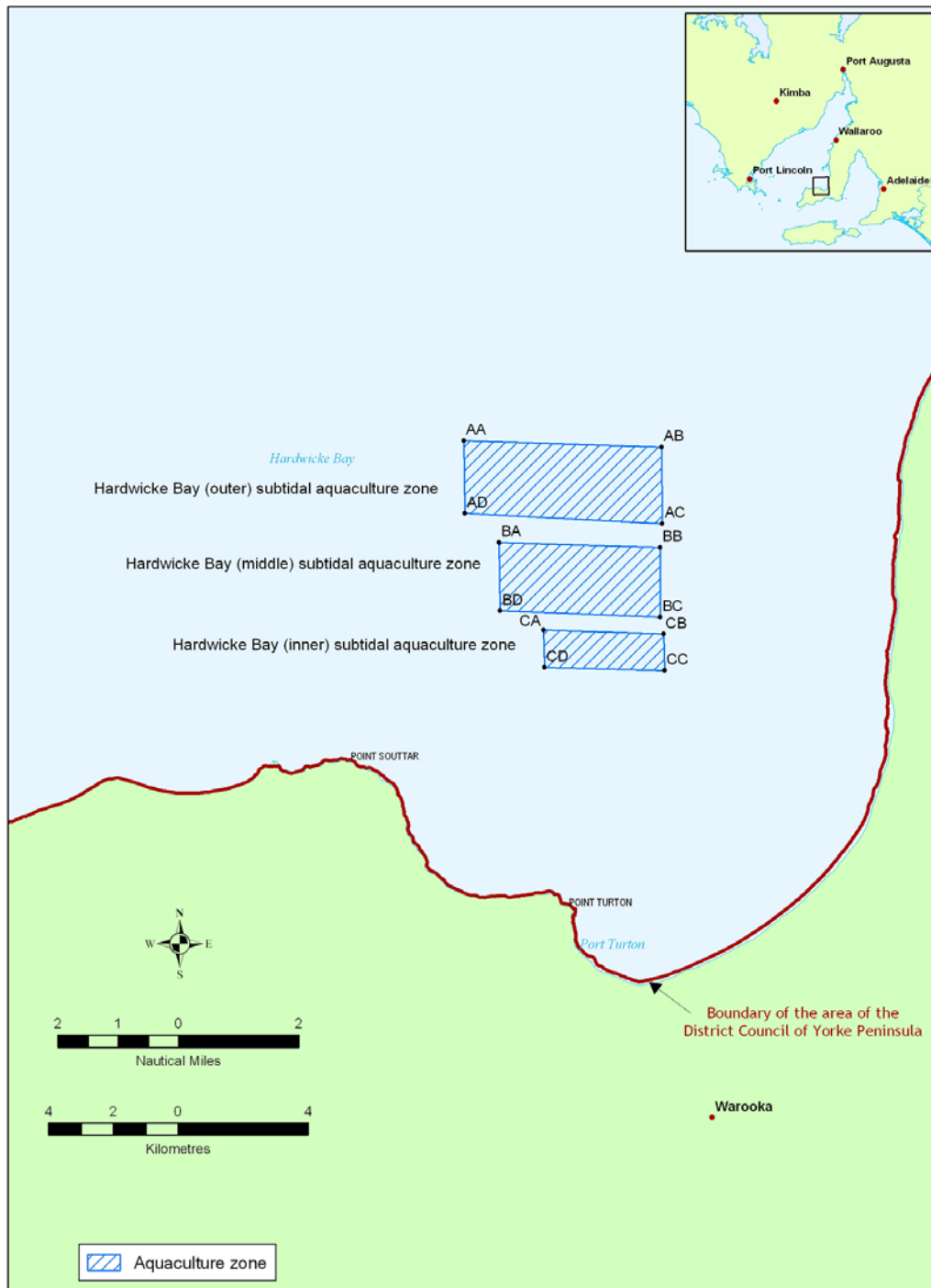
33—Identification of aquaculture exclusion zone

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

Schedule 1—Map of all zones (overview)



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



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

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

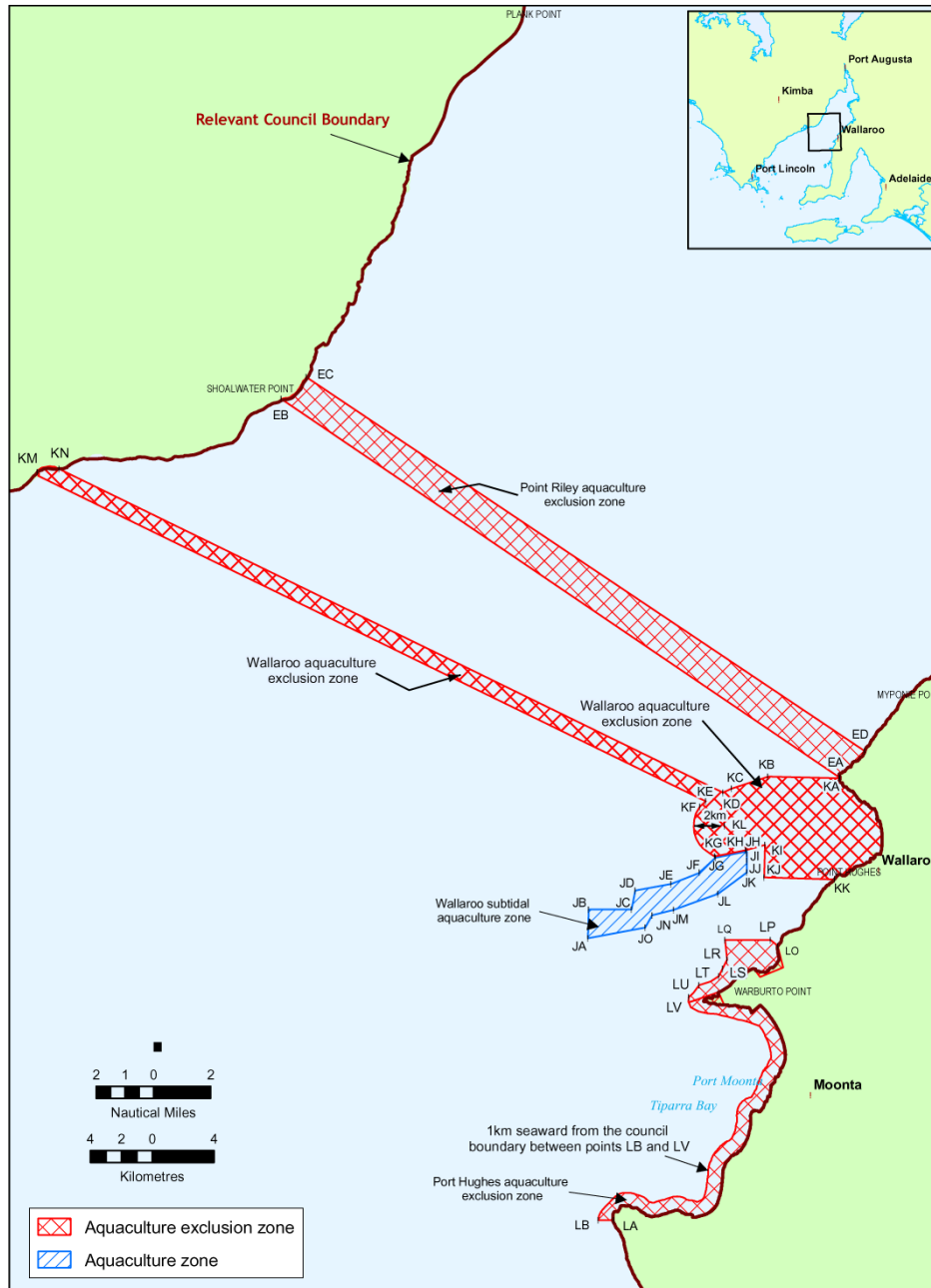
Coordinates—Hardwicke Bay (middle) subtidal aquaculture zone (GDA94)

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

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

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

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



26.3.2015 to 19.6.2017—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	Latitude	Longitude
EA	33°52'41.3" south	137°36'00.15" east
EB	33°39'52.43" south	137°12'12.99" east
EC	33°39'05.07" south	137°13'15.24" east
ED	33°51'43.62" south	137°37'01.38" east

Coordinates—Wallaroo subtidal aquaculture zone (GDA94)

Point	Latitude	Longitude
JA	33°58'31.44" south	137°25'35.26" east
JB	33°57'30.67" south	137°25'35.85" east
JC	33°57'29.21" south	137°27'23.38" east
JD	33°56'49.03" south	137°27'32.24" east
JE	33°56'33.11" south	137°29'01.92" east
JF	33°56'07.95" south	137°30'12.84" east
JG	33°55'35.85" south	137°30'51.87" east
JH	33°55'21.29" south	137°32'11.22" east
JI	33°55'28.52" south	137°32'11.42" east
JJ	33°55'41.5" south	137°32'11.81" east
JK	33°56'05.15" south	137°32'12.55" east
JL	33°56'51.47" south	137°31'01.03" east
JM	33°57'27.73" south	137°29'09.72" east
JN	33°57'39.5" south	137°28'15.96" east
JO	33°58'06.45" south	137°27'59.41" east

Coordinates—Wallaroo aquaculture exclusion zone (GDA94)

Point	Latitude	Longitude
KA	33°52'42.35" south	137°35'59.98" east
KB	33°52'42.3" south	137°32'59.3" east
KC	33°53'09.16" south	137°31'29" east
KD	33°53'18.54" south	137°31'07.19" east
KE	33°53'37.73" south	137°30'24.24" east
KF	33°53'49.28" south	137°30'09.99" east
KG	33°55'33.06" south	137°30'49.98" east
KH	33°55'18.79" south	137°32'07.26" east
KI	33°55'06.3" south	137°32'55.79" east
KJ	33°56'14.82" south	137°32'55.61" east
KK	33°56'14.73" south	137°35'53.14" east

Aquaculture (Zones—Eastern Spencer Gulf) Policy 2005—26.3.2015 to 19.6.2017

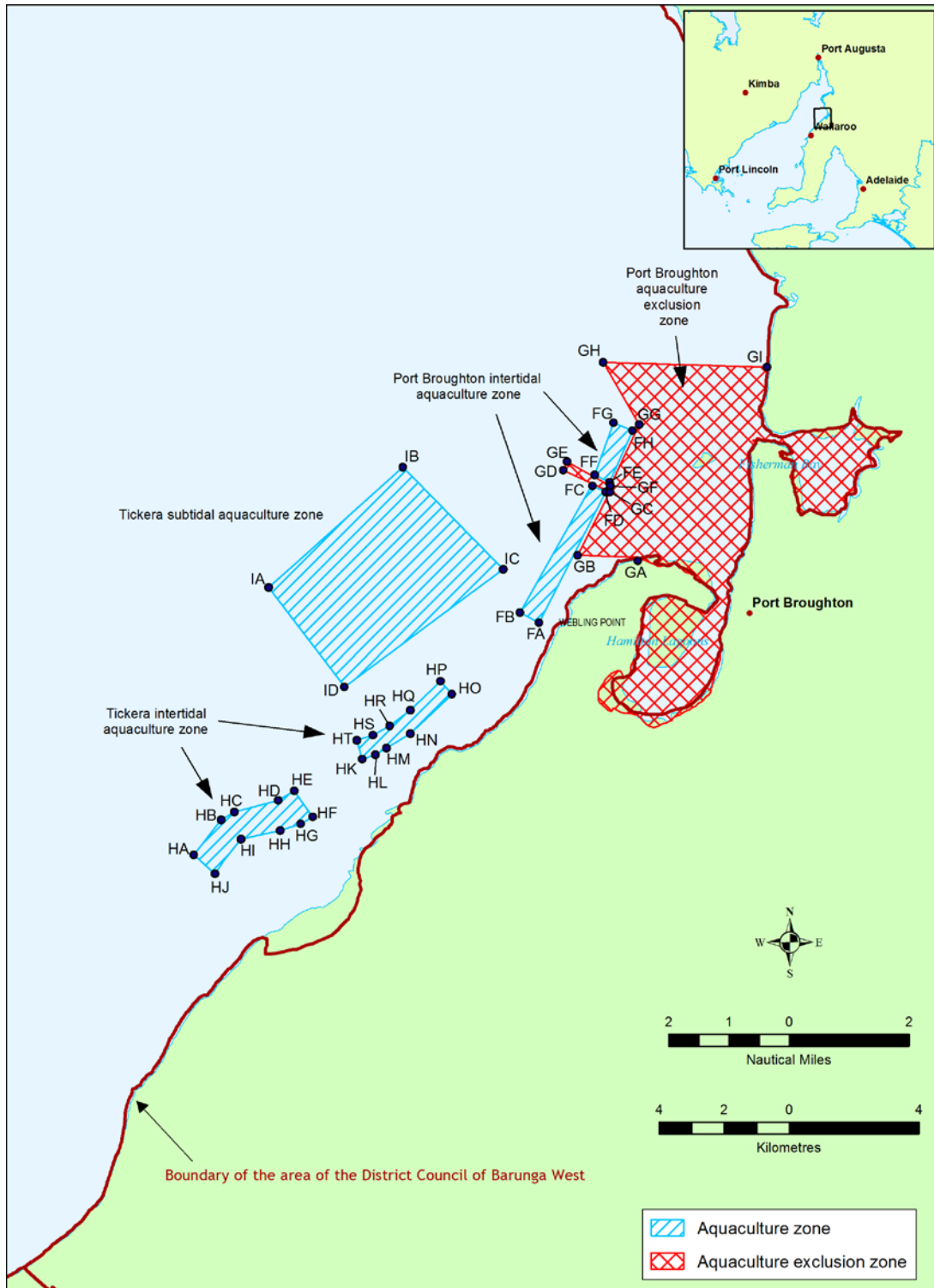
Schedule 4—Map of Point Riley aquaculture exclusion zone, Port Hughes aquaculture exclusion zone, Wallaroo subtidal aquaculture zone and Wallaroo aquaculture exclusion zone

Point	Latitude	Longitude
KL	33°54'28.37" south	137°31'13.44" east
KM	33°42'36.66" south	137°02'04.58" east
KN	33°42'28.83" south	137°02'59.39" east

Coordinates—Port Hughes aquaculture exclusion zone (GDA94)

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

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—26.3.2015 to 19.6.2017

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

Coordinates—Port Broughton aquaculture exclusion zone (GDA94)

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

Coordinates—Tickera intertidal aquaculture zone (GDA94)

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

26.3.2015 to 19.6.2017—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	Latitude	Longitude
HN	33°38'12.35" south	137°49'28.17" east
HO	33°37'31.63" south	137°50'17.06" east
HP	33°37'19.11" south	137°50'02.41" east
HQ	33°37'48.81" south	137°49'27.74" east
HR	33°38'05.06" south	137°49'03.73" east
HS	33°38'14.81" south	137°48'43.46" east
HT	33°38'20.43" south	137°48'24.35" east

Coordinates—Tickera subtidal aquaculture zone (GDA94)

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

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this policy (historical versions) are listed at the end of the legislative history.
- 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 15.12.2005 p4303	s 12	<i>Gazette 15.12.2005 p4304</i>	15.12.2005
Gazette 15.2.2007 p503	s 12	<i>Gazette 15.2.2007 p504</i>	15.2.2007
Gazette 26.3.2015 p1317	s 14	—	26.3.2015: cl 2

Provisions amended

New entries appear in bold.

Provision	How varied	Commencement
Pt 1		
cl 2		
GDA94	inserted by 15.2.2007 p504 cl 3	15.2.2007
cl 3		
cl 3(1)	amended by 26.3.2015 p1317 cl 4(1), (2)	26.3.2015
cl 5	amended by 26.3.2015 p1317 cl 5	26.3.2015
Pt 2		
cl 6A	inserted by 26.3.2015 p1317 cl 6	26.3.2015
cl 9A	inserted by 26.3.2015 p1317 cl 7	26.3.2015
cl 12A	inserted by 26.3.2015 p1317 cl 8	26.3.2015
Pt 3	<i>deleted by 26.3.2015 p1317 cl 9</i>	26.3.2015
Pt 5		
cl 19A	inserted by 26.3.2015 p1317 cl 10	26.3.2015
Pt 7		
cl 24A	inserted by 26.3.2015 p1317 cl 11	26.3.2015
cl 27A	inserted by 26.3.2015 p1317 cl 12	26.3.2015
Pt 8		
cl 30A	inserted by 26.3.2015 p1317 cl 13	26.3.2015
cl 32	amended by 15.2.2007 p504 cl 4	15.2.2007

<i>Pt 9</i>	<i>deleted by 26.3.2015 p1317 cl 14</i>	26.3.2015
Sch 1	substituted by 15.2.2007 p504 cl 5	15.2.2007
Map	substituted by 26.3.2015 p1317 cl 15	26.3.2015
Sch 2	amended by 15.2.2007 p504 cl 6	15.2.2007
<i>Sch 3</i>	<i>substituted by 15.2.2007 p504 cl 7</i>	<i>15.2.2007</i>
	<i>deleted by 26.3.2015 p1317 cl 16</i>	26.3.2015
Sch 4	substituted by 15.2.2007 p504 cl 8	15.2.2007
Sch 5	amended by 15.2.2007 p504 cl 9	15.2.2007
Map	substituted by 26.3.2015 p1317 cl 17	26.3.2015
<i>Sch 6</i>	<i>amended by 15.2.2007 p504 cl 10</i>	<i>15.2.2007</i>
	<i>deleted by 26.3.2015 p1317 cl 18</i>	26.3.2015

Historical versions

15.2.2007