

South Australia

Aquaculture (Zones—Smoky Bay) Policy 2007

under the *Aquaculture Act 2001*

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Part 1—Preliminary

1—Short title

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

2—Interpretation

- (1) In this policy—

Act means the *Aquaculture Act 2001*;

bivalve molluscs includes clams, cockles, mussels, oysters, pipis and scallops;

leased area means an area subject to an aquaculture 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
- (ab) designates aquaculture zones as public call areas; and
- (b) specifies, for an aquaculture zone, the classes of aquaculture permitted in the zone; 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.

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—Eyre Island intertidal aquaculture zone and Eyre Island aquaculture exclusion zone

Division 1—Eyre Island intertidal aquaculture zone

5—Identification of aquaculture zone

The Eyre Island intertidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Eyre Island intertidal aquaculture zone.

5A—Designation of aquaculture zone as public call area

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

6—Class of permitted aquaculture

The class of aquaculture permitted in the Eyre Island intertidal aquaculture zone is the farming of bivalve molluscs other than mussels.

7—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Eyre Island intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 21 hectares of leased area of which 1 hectare must be leased or available for lease for the farming of aquatic organisms for the purposes of research.

Division 2—Eyre Island aquaculture exclusion zone

8—Identification of aquaculture exclusion zone

The Eyre Island aquaculture exclusion zone is comprised of the waters delineated in the map in Schedule 1 as the Eyre Island aquaculture exclusion zone.

Part 3—Missiessy intertidal aquaculture zone

9—Identification of aquaculture zone

The Missiessy intertidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Missiessy intertidal aquaculture zone.

9A—Designation of aquaculture zone as public call area

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

10—Class of permitted aquaculture

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

11—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Missiessy intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 24 hectares of leased area of which 1 hectare must be leased or available for lease for the farming of aquatic organisms for the purposes of research.

Part 4—Saddle Peak intertidal aquaculture zone

12—Identification of aquaculture zone

The Saddle Peak intertidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Saddle Peak intertidal aquaculture zone.

12A—Designation of aquaculture zone as public call area

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

13—Class of permitted aquaculture

The class of aquaculture permitted in the Saddle Peak intertidal aquaculture zone is the farming of bivalve molluscs other than mussels.

14—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Saddle Peak intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 21 hectares of leased area of which 1 hectare must be leased or available for lease for the farming of aquatic organisms for the purposes of research.

Part 5—Smoky Bay aquaculture zones and aquaculture emergency zone

Division 1—Smoky Bay intertidal aquaculture zone

15—Identification of aquaculture zone

The Smoky Bay intertidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Smoky Bay intertidal aquaculture zone.

15A—Designation of aquaculture zone as public call area

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

16—Class of permitted aquaculture

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

17—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Smoky Bay intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 20.9 hectares of leased area of which 1 hectare must be leased or available for lease for the farming of aquatic organisms for the purposes of research.

Division 2—Smoky Bay (holding) intertidal aquaculture zone

18—Identification of aquaculture zone

The Smoky Bay (holding) intertidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Smoky Bay (holding) intertidal aquaculture zone.

18A—Designation of aquaculture zone as public call area

The Smoky Bay (holding) intertidal aquaculture zone is designated as a public call area.

19—Class of permitted aquaculture

The class of aquaculture permitted in the Smoky Bay (holding) intertidal aquaculture zone is the storage, for a period not exceeding 2 weeks, of bivalve molluscs other than mussels—

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

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

20—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Smoky Bay (holding) intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 0.35 hectares of leased area.

Division 3—Smoky Bay north subtidal aquaculture zone

21—Identification of aquaculture zone

The Smoky Bay north subtidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Smoky Bay north subtidal aquaculture zone.

21A—Designation of aquaculture zone as public call area

The Smoky Bay north subtidal aquaculture zone is designated as a public call area.

22—Class of permitted aquaculture

The class of aquaculture permitted in the Smoky Bay north subtidal aquaculture zone is the farming of molluscs other than bivalve molluscs.

23—Prescribed criteria

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

Division 4—Smoky Bay south subtidal aquaculture zone

24—Identification of aquaculture zone

The Smoky Bay south subtidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Smoky Bay south subtidal aquaculture zone.

24A—Designation of aquaculture zone as public call area

The Smoky Bay south subtidal aquaculture zone is designated as a public call area.

25—Class of permitted aquaculture

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

26—Prescribed criteria

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

Part 6—Vinya intertidal aquaculture zone

29—Identification of aquaculture zone

The Vinya intertidal aquaculture zone is comprised of the waters delineated in the map in Schedule 1 as the Vinya intertidal aquaculture zone.

29A—Designation of aquaculture zone as public call area

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

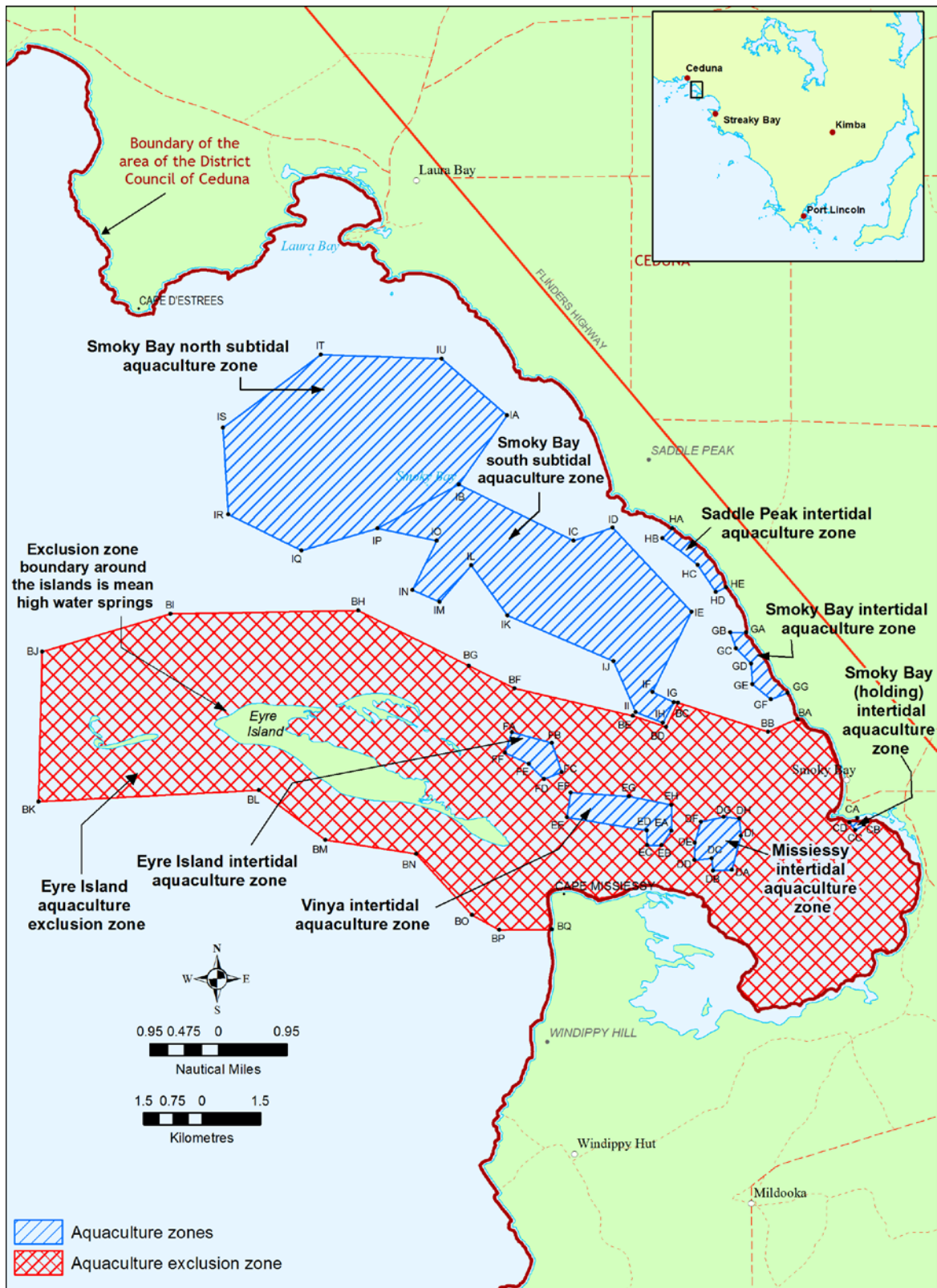
30—Class of permitted aquaculture

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

31—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Vinya intertidal aquaculture zone, it must be taken into account that the zone must not contain more than 62 hectares of leased area of which 1 hectare must be leased or available for lease for the farming of aquatic organisms for the purposes of research.

Schedule 1—Map



Coordinates—Eyre Island intertidal aquaculture zone (GDA94)

Point	Latitude	Longitude
FA	32°21'39.96" south	133°51'26.14" east
FB	32°21'48.95" south	133°51'59.43" east
FC	32°22'13.19" south	133°52'07.59" east
FD	32°22'19.07" south	133°51'52.87" east
FE	32°22'06.28" south	133°51'40.08" east
FF	32°21'56.97" south	133°51'20.42" east

Coordinates—Eyre Island aquaculture exclusion zone (GDA94)

Point	Latitude	Longitude
BA	32°21'28.76" south	133°55'24.11" east
BB	32°21'39.69" south	133°54'59.39" east
BC	32°21'15.2" south	133°53'44.53" east
BD	32°21'35.43" south	133°53'34.6" east
BE	32°21'26.15" south	133°53'06.84" east
BF	32°21'03.34" south	133°51'28.27" east
BG	32°20'44.43" south	133°50'49.96" east
BH	32°19'58.5" south	133°49'18.1" east
BI	32°20'01.18" south	133°46'41.28" east
BJ	32°20'32.74" south	133°44'54.59" east
BK	32°22'37.95" south	133°44'51.37" east
BL	32°22'28.04" south	133°47'54.88" east
BM	32°23'09.5" south	133°48'50.38" east
BN	32°23'21.21" south	133°50'06.1" east
BO	32°24'12.19" south	133°50'53.01" east
BP	32°24'24.68" south	133°51'15.34" east
BQ	32°24'24.3" south	133°51'59.21" east

Coordinates—Missiessy intertidal aquaculture zone (GDA94)

Point	Latitude	Longitude
DA	32°23'34.61" south	133°54'29.31" east
DB	32°23'35.34" south	133°54'13.51" east
DC	32°23'25.21" south	133°54'12.44" east
DD	32°23'26.31" south	133°53'58.37" east
DE	32°23'11.95" south	133°53'58.59" east
DF	32°22'54.65" south	133°54'03.59" east

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Schedule 1—Map

Point	Latitude	Longitude
DG	32°22'50.61" south	133°54'22.42" east
DH	32°22'51.72" south	133°54'35.62" east
DI	32°23'06.26" south	133°54'36.91" east

Coordinates—Saddle Peak intertidal aquaculture zone (GDA94)

Point	Latitude	Longitude
HA	32°18'49.9" south	133°53'39.82" east
HB	32°18'58.2" south	133°53'31.64" east
HC	32°19'20.54" south	133°54'01.09" east
HD	32°19'42.89" south	133°54'16.06" east
HE	32°19'38.97" south	133°54'24.58" east

Coordinates—Smoky Bay intertidal aquaculture zone (GDA94)

Point	Latitude	Longitude
GA	32°20'16.54" south	133°54'41.32" east
GB	32°20'16.68" south	133°54'28.03" east
GC	32°20'30.16" south	133°54'32.75" east
GD	32°20'42.83" south	133°54'45.4" east
GE	32°20'59.73" south	133°54'46.45" east
GF	32°21'12.61" south	133°55'02.05" east
GG	32°21'07.16" south	133°55'15.99" east

Coordinates—Smoky Bay (holding) intertidal aquaculture zone (GDA94)

Point	Latitude	Longitude
CA	32°22'51.47" south	133°56'13.93" east
CB	32°22'57.03" south	133°56'19.21" east
CC	32°23'01.52" south	133°56'12.22" east
CD	32°22'55.25" south	133°56'07.38" east

Coordinates—Smoky Bay north subtidal aquaculture zone (GDA94)

Point	Latitude	Longitude
IA	32°17'15.88" south	133°51'21.9" east
IB	32°18'13.43" south	133°50'42.04" east
IP	32°18'49.9" south	133°49'33.88" east
IQ	32°19'08.32" south	133°48'30.6" east
IR	32°18'38.19" south	133°47'29.57" east
IS	32°17'26.06" south	133°47'25.34" east
IT	32°16'24.87" south	133°48'46.88" east

Point	Latitude	Longitude
IU	32°16'28.45" south	133°50'27.51" east

Coordinates—Smoky Bay south subtidal aquaculture zone (GDA94)

Point	Latitude	Longitude
IB	32°18'13.43" south	133°50'42.04" east
IC	32°19'00.13" south	133°52'17.57" east
ID	32°18'49.23" south	133°52'49.88" east
IE	32°19'59.61" south	133°53'55.75" east
IF	32°21'06.2" south	133°53'23.41" east
IG	32°21'14.86" south	133°53'41.1" east
IH	32°21'32.16" south	133°53'31.8" east
II	32°21'23.13" south	133°53'09.24" east
IJ	32°20'40.6" south	133°52'50.69" east
IK	32°20'02.56" south	133°51'22.23" east
IL	32°19'20.79" south	133°50'52.17" east
IM	32°19'51.25" south	133°50'25.61" east
IN	32°19'41.46" south	133°50'03.05" east
IO	32°19'00.08" south	133°50'23.43" east
IP	32°18'49.9" south	133°49'33.88" east

Coordinates—Vinya intertidal aquaculture zone (GDA94)

Point	Latitude	Longitude
EA	32°23'02" south	133°53'38.9" east
EB	32°23'13.97" south	133°53'30.89" east
EC	32°23'14.15" south	133°53'18.77" east
ED	32°23'01.81" south	133°53'18.34" east
EE	32°22'50.74" south	133°52'12.11" east
EF	32°22'30.13" south	133°52'15.16" east
EG	32°22'33.46" south	133°53'03.64" east
EH	32°22'40.47" south	133°53'38.92" east

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 4.10.2007 p3876	s 12	<i>Gazette 4.10.2007 p3877</i>	4.10.2007
Gazette 26.3.2015 p1312	s 14	—	26.3.2015: cl 2

Provisions amended

New entries appear in bold.

Provision	How varied	Commencement
Pt 1		
cl 3		
cl 3(1)	amended by 26.3.2015 p1312 cl 4(1), (2)	26.3.2015
Pt 2		
cl 5A	inserted by 26.3.2015 p1312 cl 5	26.3.2015
Pt 3		
cl 9A	inserted by 26.3.2015 p1312 cl 6	26.3.2015
Pt 4		
cl 12A	inserted by 26.3.2015 p1312 cl 7	26.3.2015
Pt 5		
Pt 5 Div 1		
cl 15A	inserted by 26.3.2015 p1312 cl 8	26.3.2015
Pt 5 Div 2		
cl 18A	inserted by 26.3.2015 p1312 cl 9	26.3.2015
Pt 5 Div 3		
cl 21A	inserted by 26.3.2015 p1312 cl 10	26.3.2015
Pt 5 Div 4		
cl 24A	inserted by 26.3.2015 p1312 cl 11	26.3.2015
<i>Pt 5 Div 5</i>	<i>deleted by 26.3.2015 p1312 cl 12</i>	26.3.2015
Pt 6		
cl 29A	inserted by 26.3.2015 p1312 cl 13	26.3.2015
Sch 1		
Map	substituted by 26.3.2015 p1312 cl 14(1)	26.3.2015
Coordinates	amended by 26.3.2015 p1312 cl 14(2)	26.3.2015