

South Australia

Aquaculture (Zones—Streaky Bay) Policy 2011

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—Streaky Bay) Policy 2011*.

2—Interpretation

- (1) In this policy, unless the contrary intention appears—
 - abalone* means abalone (*Haliotis* spp.) of all species;
 - Act* means the *Aquaculture Act 2001*;
 - conservation park* has the same meaning as in the *National Parks and Wildlife Act 1972*;
 - 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.
- (3) The point references given in a description identifying an aquaculture zone or aquaculture exclusion 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 aquaculture zones and an aquaculture exclusion zone; and
- (ab) designates aquaculture zones as public call areas; 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.

Part 2—Blanche Port aquaculture zone

5—Identification of aquaculture zone

The Blanche Port aquaculture zone comprises the State waters described in Schedule 1 clause 1.

5A—Designation of aquaculture zone as public call area

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

6—Classes of permitted aquaculture

The class of aquaculture permitted in the Blanche Port 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 Blanche Port aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 77.5 hectares.

Part 3—Haslam (north bank) aquaculture zone

8—Identification of aquaculture zone

The Haslam (north bank) aquaculture zone comprises the State waters described in Schedule 1 clause 2.

8A—Designation of aquaculture zone as public call area

The Haslam (north bank) aquaculture zone is designated as a public call area.

9—Classes of permitted aquaculture

The class of aquaculture permitted in the Haslam (north bank) aquaculture zone is the farming of bivalve molluscs other than mussels.

10—Prescribed criteria

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

Part 4—Perlubie (south bank) aquaculture zone

11—Identification of aquaculture zone

The Perlubie (south bank) aquaculture zone comprises the State waters described in Schedule 1 clause 3.

11A—Designation of aquaculture zone as public call area

The Perlubie (south bank) aquaculture zone is designated as a public call area.

12—Classes of permitted aquaculture

The class of aquaculture permitted in the Perlubie (south bank) aquaculture zone is the farming of bivalve molluscs other than mussels.

13—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Perlubie (south bank) aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 40 hectares.

Part 5—Point Gibson aquaculture zone

14—Identification of aquaculture zone

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

14A—Designation of aquaculture zone as public call area

The Point Gibson aquaculture zone is designated as a public call area.

15—Classes of permitted aquaculture

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

16—Prescribed criteria

In the determination of applications for licences and in the making of other decisions under the Act in relation to the Point Gibson aquaculture zone, it must be taken into account that the leased area in the zone must not exceed 70 hectares.

Part 6—Streaky Bay aquaculture exclusion zone

17—Identification of aquaculture exclusion zone

The Streaky Bay aquaculture exclusion zone comprises the State waters described in Schedule 1 clause 5.

Part 7—Streaky Bay aquaculture zone

18—Identification of aquaculture zone

The Streaky Bay aquaculture zone comprises the State waters described in Schedule 1 clause 6.

18A—Designation of aquaculture zone as public call area

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

19—Classes of permitted aquaculture

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

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

20—Prescribed criteria

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

- (a) the leased area in the zone must not exceed 40 hectares;
- (b) the biomass of abalone being farmed in the zone must not exceed—
 - (i) an amount that would, in the opinion of the Minister, have an environmental impact on the sector equivalent to the environmental impact that 200 tonnes of finfish would have on the zone; or
 - (ii) if some other amount is specified by the Minister by notice in the Gazette, that other amount.

Part 8—Miscellaneous

21—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, at least 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.

22—Variation or revocation of Gazette notice

- (1) The Minister may vary or revoke a notice in the Gazette made under this policy 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 earlier notice.

Schedule 1—Descriptions of zones

1—Description of Blanche Port aquaculture zone

The Blanche Port aquaculture zone comprises the State waters contained within and bounded by a line commencing at the location on mean high water springs closest to 32°44'54.73" South, 134°14'26.12" East (Point 31), then beginning southerly following the line of mean high water springs to the location closest to 32°47'04.24" South, 134°13'20.12" East (Point 33), then westerly to the location on mean high water springs closest to 32°47'03.64" South, 134°11'35.61" East (Point 34), then beginning northerly following the line of mean high water springs to the location on mean high water springs closest to 32°43'51.67" South, 134°12'55.99" East (Point 32), then south-easterly to the point of commencement.

2—Description of Haslam (north bank) aquaculture zone

The Haslam (north bank) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 32°31'26.32" South, 134°12'32.94" East (Point 1), then south-easterly to 32°31'47.22" South, 134°13'07.72" East (Point 2), then south-westerly to 32°33'04.77" South, 134°11'59.59" East (Point 3), then north-westerly to 32°32'41.95" South, 134°11'22.64" East (Point 4), then north-easterly to the point of commencement.

3—Description of Perlubie (south bank) aquaculture zone

The Perlubie (south bank) aquaculture zone comprises the State waters contained within and bounded by a line commencing at 32°37'57.87" South, 134°14'56.80" East (Point 5), then southerly to 32°38'20.87" South, 134°14'57.97" East (Point 6), then westerly to 32°38'20.61" South, 134°12'55.65" East (Point 7), then northerly to 32°37'57.64" South, 134°12'55.77" East (Point 8), then easterly to the point of commencement.

4—Description of Point Gibson aquaculture zone

The Point Gibson aquaculture zone comprises the State waters contained within and bounded by a line commencing at 32°43'28.22" South, 134°13'06.16" East (Point 9), then southerly to 32°43'46.08" South, 134°13'02.81" East (Point 10), then north-westerly to 32°43'01.03" South, 134°10'56.63" East (Point 11), then westerly to 32°43'04.29" South, 134°10'11.42" East (Point 12), then northerly to 32°42'41.62" South, 134°10'11.16" East (Point 13), then easterly to 32°42'42.16" South, 134°10'54.20" East (Point 14), then south-easterly to the point of commencement.

5—Description of Streaky Bay aquaculture exclusion zone

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

- (a) a line commencing at mean high water springs closest to 32°27'46.89" South, 134°08'45.97" East (Point 15), then southerly to a point 1 000 metres seaward of Acraman Creek Conservation Park boundary closest to 32°28'21.95" South, 134°08'48.17" East (Point 16), then beginning easterly following a line 1 000 metres seaward of the conservation park boundary to the location closest to 32°28'52.25" South, 134°05'07.21" East (Point 17), then northerly to the location on mean high water springs closest to 32°28'15.63" South, 134°05'10.92" East (Point 18), then beginning northerly following the line of mean high water springs to the point of commencement; and
- (b) a line commencing at mean high water springs closest to 32°30'59.38" South, 134°13'05.75" East (Point 19), then south-westerly to 32°31'06.15" South, 134°12'55.16" East (Point 20), then westerly to 32°31'06.34" South, 134°12'33.52" East (Point 21), then north-westerly to 32°30'57.01" South, 134°12'13.04" East (Point 22), then north-westerly to 32°30'41.60" South, 134°12'04.26" East (Point 23), then northerly to 32°30'20.94" South, 134°12'02.78" East (Point 24), then north-easterly to the location on mean high water springs closest to 32°30'12.38" South, 134°12'13.65" East (Point 25), then generally south-easterly 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 32°42'24.96" South, 134°16'31.73" East (Point 26), then north-westerly to 32°42'04.61" South, 134°15'30.52" East (Point 27), then north-westerly to 32°40'36.18" South, 134°14'42.30" East (Point 28), then north-easterly to 32°39'17.88" South, 134°15'38.38" East (Point 29), then north-easterly to the location on mean high water springs closest to 32°38'39.03" South, 134°16'44.28" East (Point 30), then beginning southerly 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 32°47'03.64" South, 134°11'35.61" East (Point 34), then easterly to the location on mean high water springs closest to 32°47'04.24" South, 134°13'20.12" East (Point 33), then beginning southerly following the line of mean high water springs to the point of commencement; and
- (e) a line commencing at mean high water springs closest to 32°43'10.94" South, 134°08'39.38" East (Point 35), then north-easterly to 32°42'58" South, 134°08'41.63" East (Point 36), then north-easterly to 32°42'44.86" South, 134°09'06.80" East (Point 37), then easterly to 32°42'46.20" South, 134°09'33.74" East (Point 38), then south-easterly to 32°43'03.05" South, 134°09'53.98" East (Point 39), then southerly to the location on mean high water springs closest to 32°43'15.82" South, 134°9'55.14" East (Point 40), then generally westerly following the line of mean high water springs to the point of commencement.

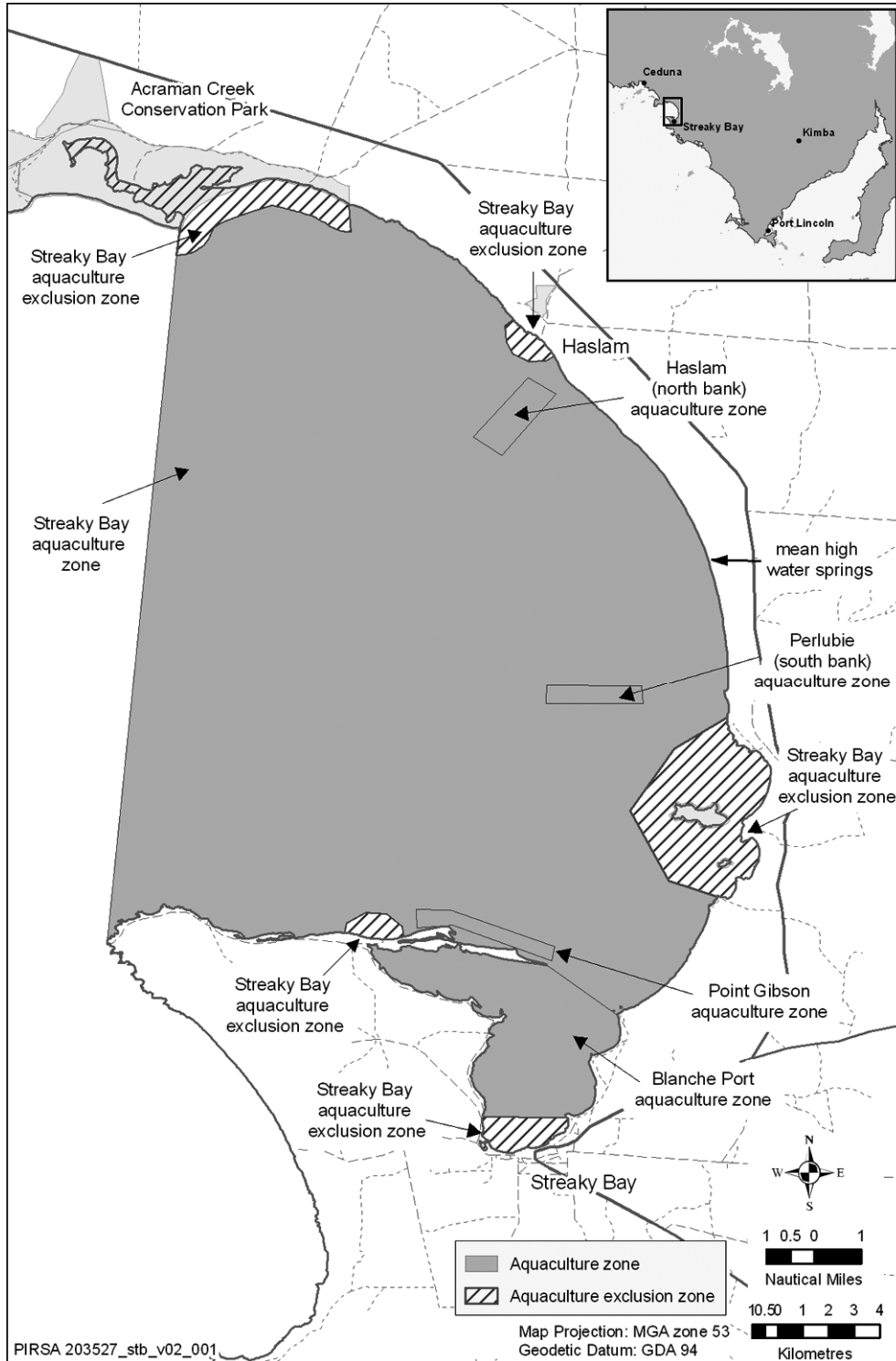
6—Description of Streaky Bay aquaculture zone

The Streaky Bay aquaculture zone comprises the State waters contained within and bounded by a line commencing at the location 1 000 metres seaward of Acraman Creek Conservation Park boundary closest to 32°28'52.25" South, 134°05'07.21" East (Point 17), then generally north-easterly following a line 1 000 metres seaward of the conservation park boundary to the location closest to 32°28'21.95" South, 134°08'48.17" East (Point 16), then northerly to the location on mean high water springs closest to 32°27'46.89" South, 134°08'45.97" East (Point 15), then beginning south-easterly following the line of mean high water springs to the location closest to 32°44'54.73" South, 134°14'26.12" East (Point 31), then north-westerly to the location on mean high water springs closest to 32°43'51.67" South, 134°12'55.99" East (Point 32), then beginning north-westerly following the line of mean high water springs to the location closest to 32°43'20.47" South, 134°03'38.96" East (Point 41), then north-easterly to the point of commencement, but does not include the aquaculture exclusion zone, or any aquaculture zones, identified in this policy.

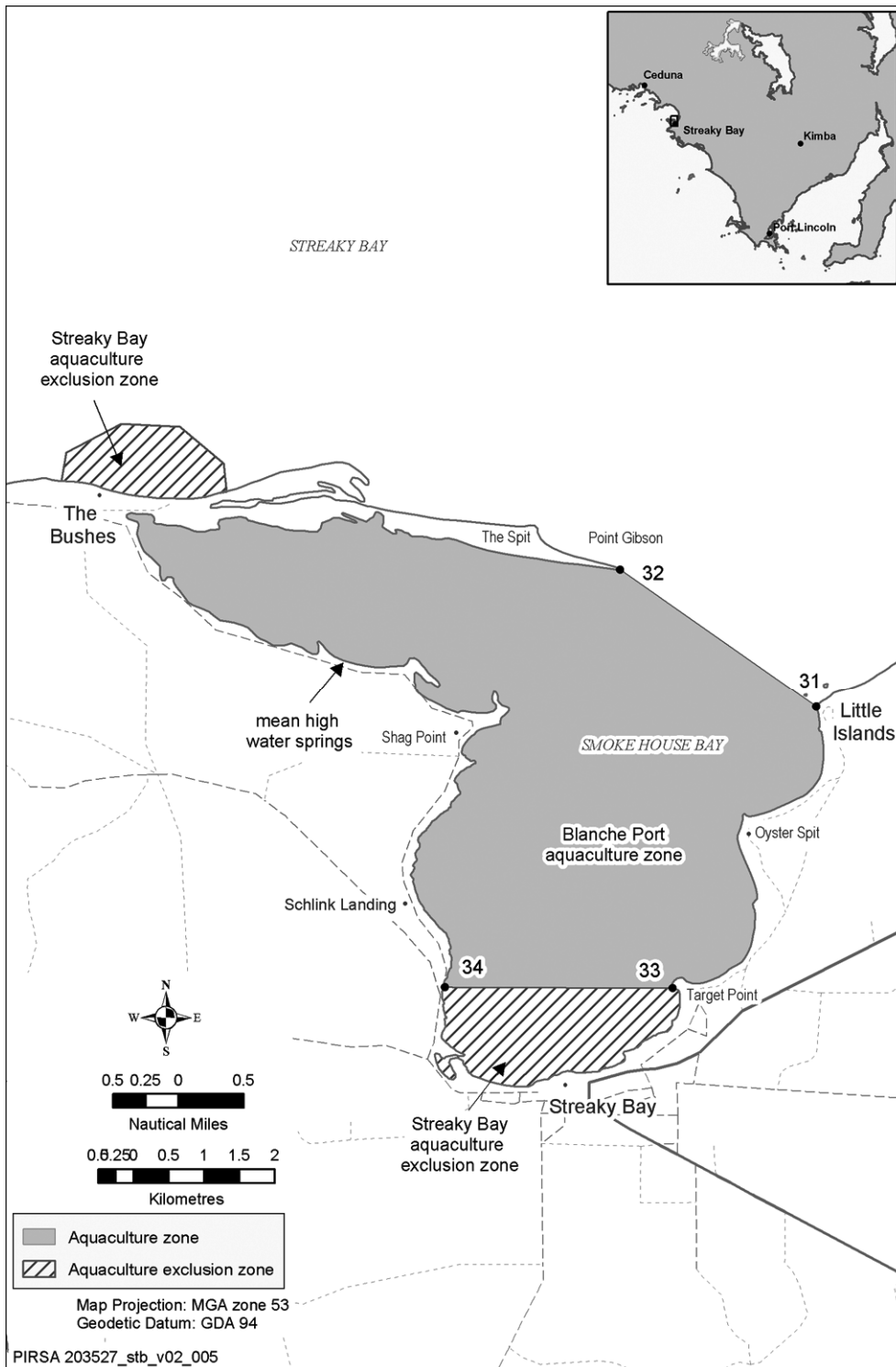
Schedule 2—Maps of zones

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

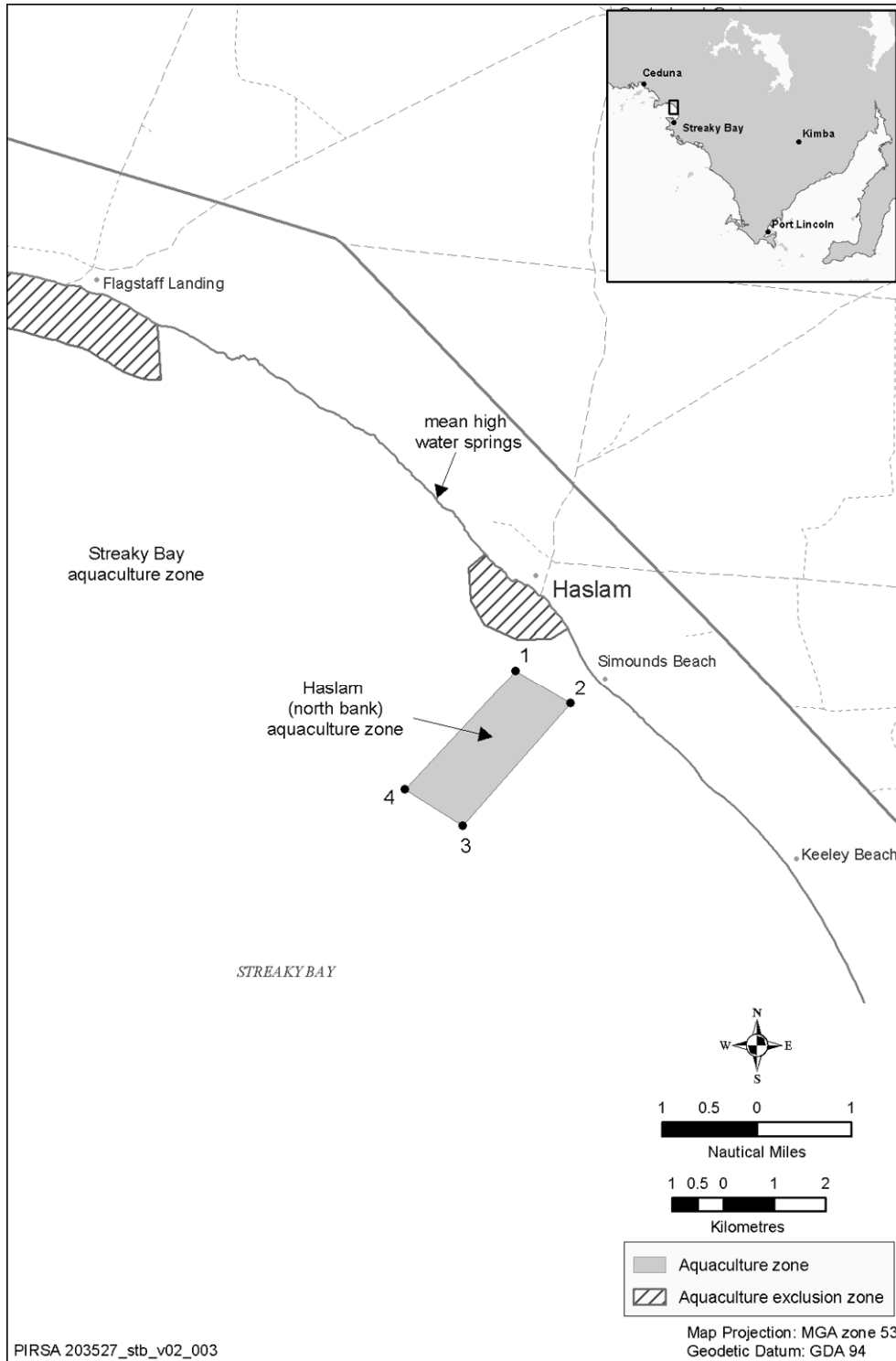
Overview



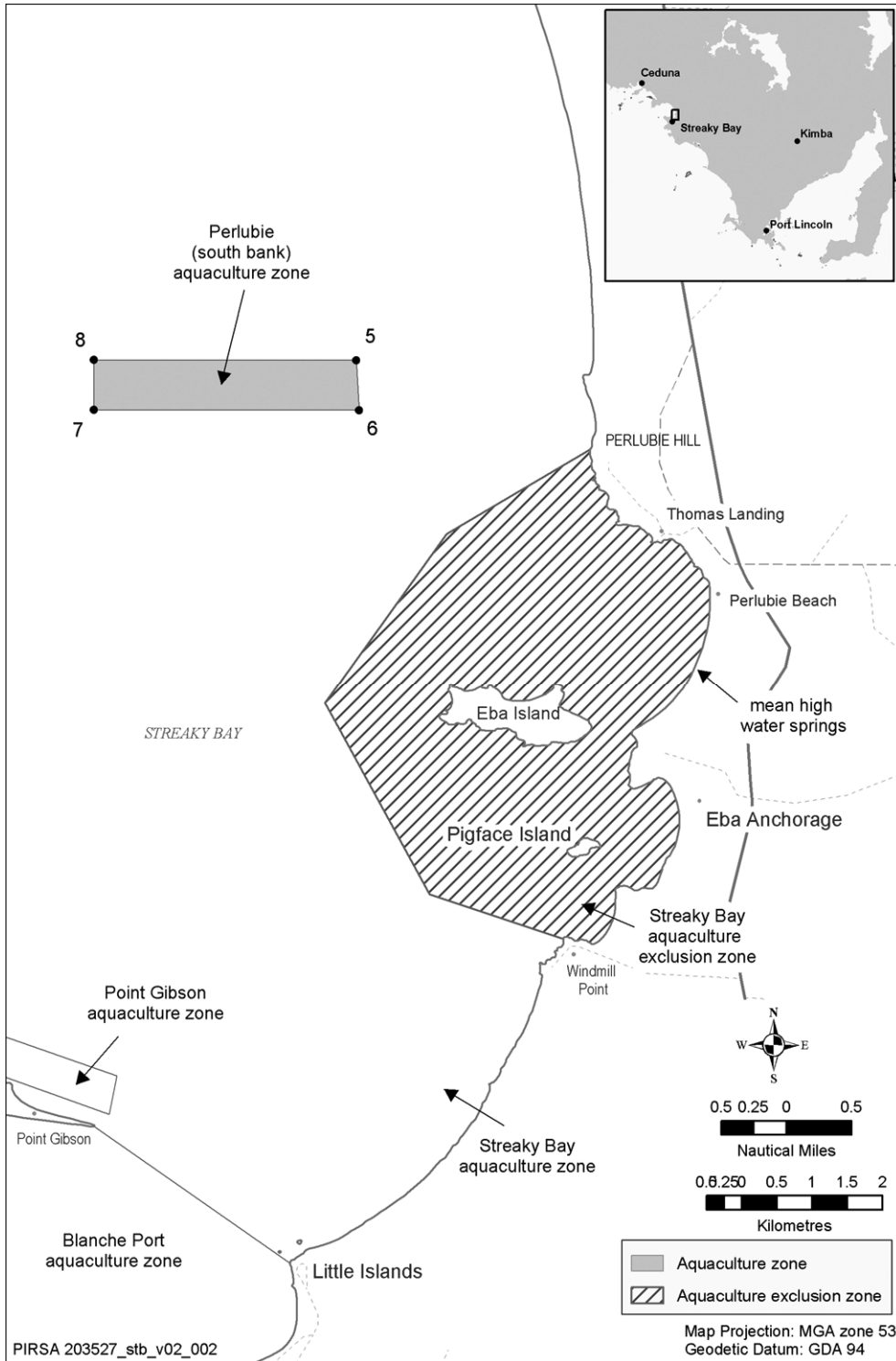
Blanche Port aquaculture zone



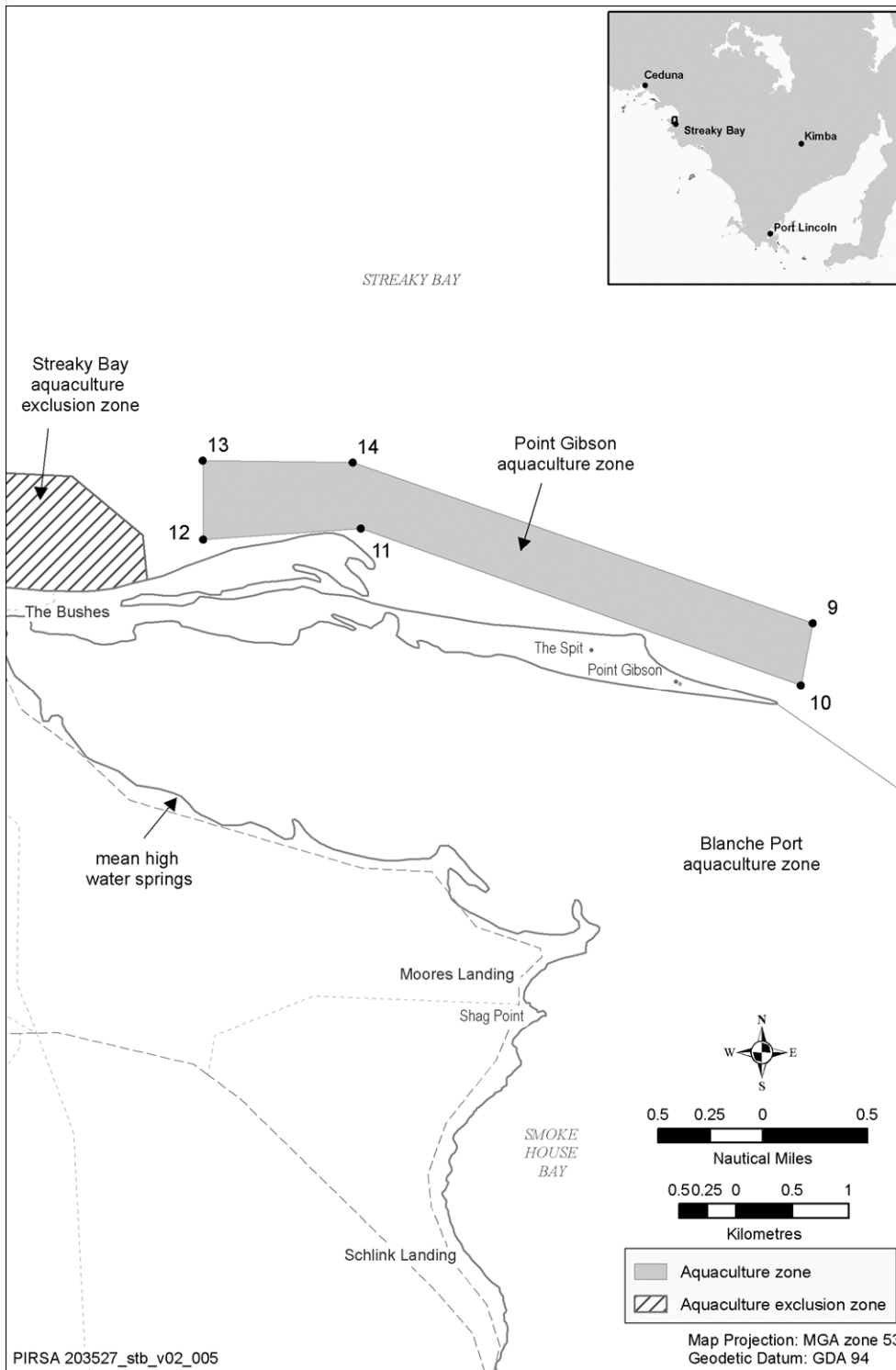
Haslam (north bank) aquaculture zone



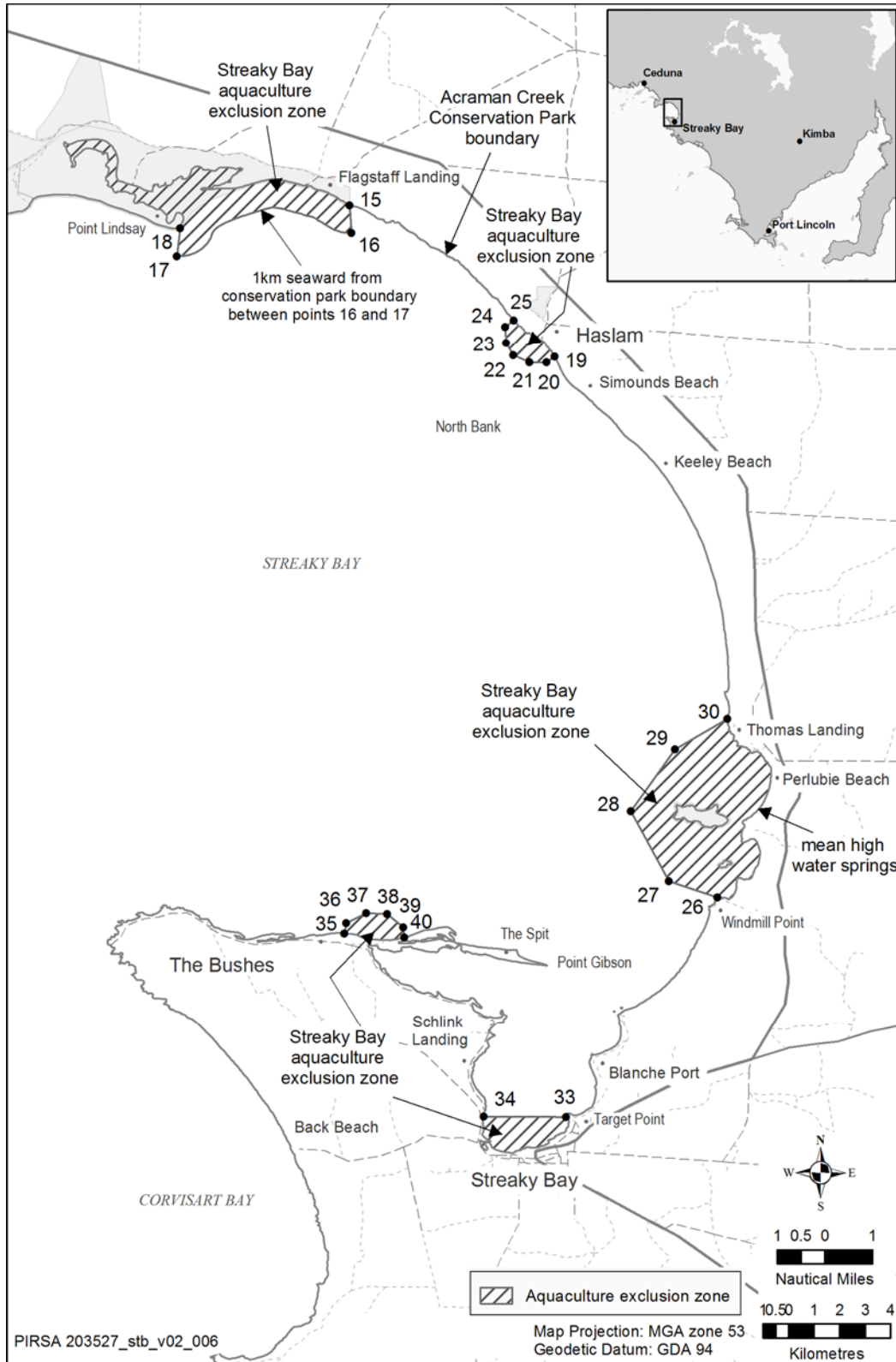
Perlubie (south bank) aquaculture zone



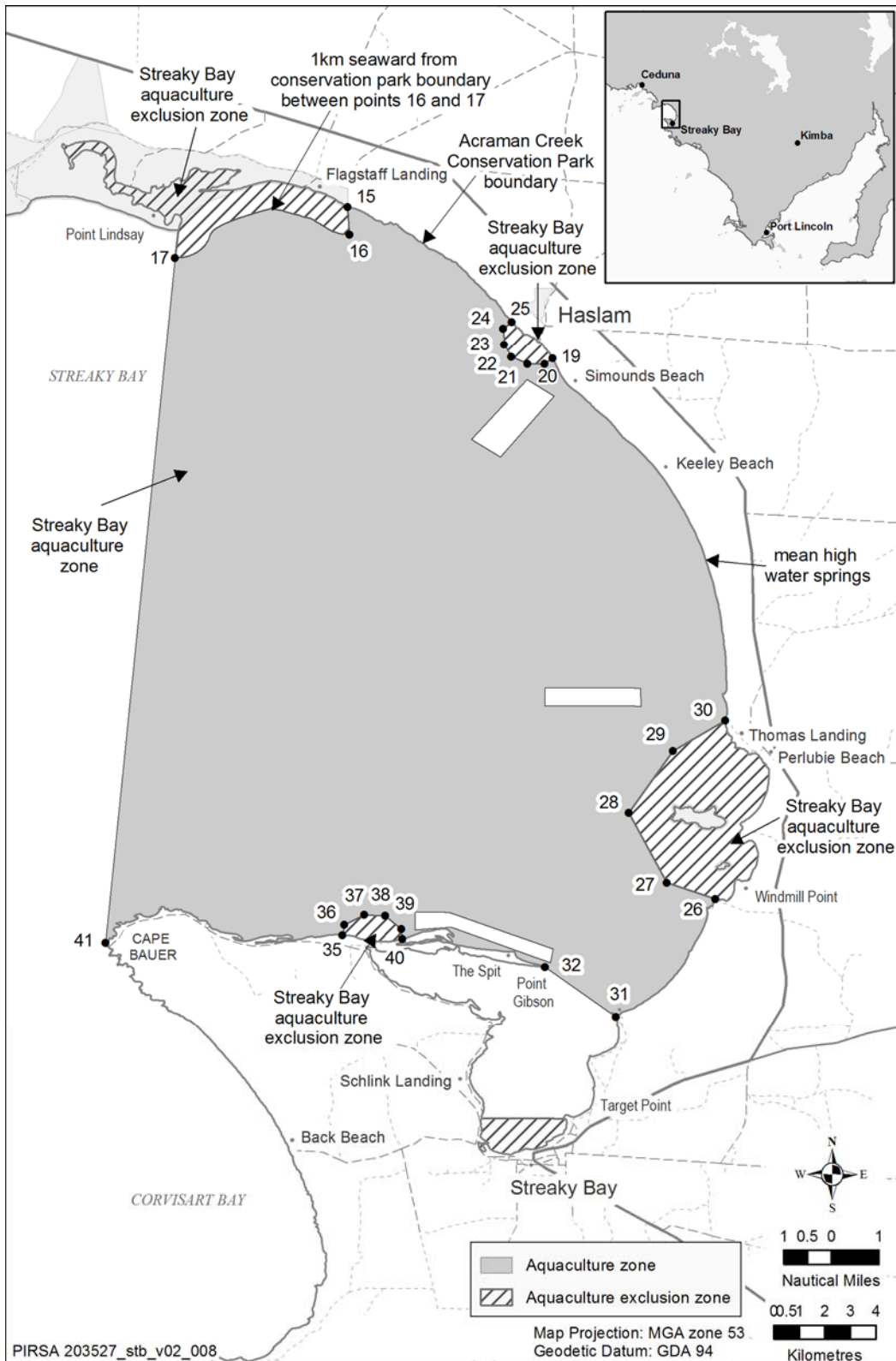
Point Gibson aquaculture zone



Streaky Bay aquaculture exclusion zone



Streaky Bay 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.

Legislation revoked by principal policy

The *Aquaculture (Zones—Streaky Bay) Policy 2011* revoked the following:

Streaky Bay Aquaculture Management Policy

Principal policy and amendments

New entries appear in bold.

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 29.9.2011 p4121	s 12	<i>Gazette 29.9.2011 p4122</i>	29.9.2011
Gazette 30.1.2014 p412	s 14	—	30.1.2014: cl 2

Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
cl 3	varied by 30.1.2014 p412 cl 35	30.1.2014
Pt 2		
cl 5A	inserted by 30.1.2014 p412 cl 36	30.1.2014
Pt 3		
cl 8A	inserted by 30.1.2014 p412 cl 37	30.1.2014
Pt 4		
cl 11A	inserted by 30.1.2014 p412 cl 38	30.1.2014
Pt 5		
cl 14A	inserted by 30.1.2014 p412 cl 39	30.1.2014
Pt 7		
cl 18A	inserted by 30.1.2014 p412 cl 40	30.1.2014
<i>Sch 3</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>30.1.2014</i>