South Australia

Aquaculture (Fees) Variation Regulations 2006

under the *Aquaculture Act 2001*

Contents

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Aquaculture (Fees) Variation Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 July 2006.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Aquaculture Regulations 2005*

4—Variation of Schedule 1—Fees

Schedule 1, clauses 1 and 2—delete the clauses and substitute:

1—Application fees

The following application fees are payable under the Act:

(a)   application for consent to transfer development lease (section 36)—$773;

(b)   application for aquaculture licence authorising aquaculture in a lease area (section 49)—$2 507;

(c)   application for aquaculture licence authorising aquaculture in an area other than a lease area (section 49)—

>> (i) for an aquaculture licence classified by the Minister (by virtue of the low level of intensity of farming to be carried on under the licence) as a class A licence—$711;

>> (ii) for an aquaculture licence classified by the Minister (by virtue of the medium level of intensity of farming to be carried on under the licence) as a class B licence—$1 137;

>> (iii) for an aquaculture licence classified by the Minister (by virtue of the high level of intensity of farming to be carried on under the licence) as a class C licence—$2 159;

> (d) application to vary conditions of aquaculture licence authorising aquaculture in a lease area (section 52)—

>> (i) if the variation relates only to the farming system authorised to be used under the licence—$1 287;

>> (ii) if the variation relates only to the species of aquatic organisms authorised to be farmed under the licence—$1 578;

>> (iii) if the variation relates to both the farming system authorised to be used and the species authorised to be farmed under the licence—$2 097;

>> (iv) in any other case—$353;

> (e) application to vary conditions of aquaculture licence authorising aquaculture in an area other than a lease area (section 52)—$234;

> (f) application for renewal of aquaculture licence (section 53)—no fee;

> (g) application for consent to transfer aquaculture licence (section 55)—

>> (i) in the case of a corresponding licence—$893;

>> (ii) in any other case—$234;

> (h) application for division of lease area into separate lease areas (regulation 28A)—$773;

> (i) application for division of licence area into separate licence areas (regulation 28B)—$773.

2—Periodic fees

(1)   A licensee authorised under the licence to carry on aquaculture in a lease area must, before the payment date fixed by the Minister for the financial year by written notice given to the licensee, pay to the Minister, in respect of each financial year, a fee of the following amount:

  (a)   for a licence to farm tuna—the amount obtained by multiplying $67.50 by the number of hectares in the licence area;

  (b)   for a licence to farm finfish other than tuna—the amount obtained by multiplying $171 by the number of hectares in the licence area;

  (c)   for a licence to farm abalone in a subtidal area—the amount obtained by multiplying $156 by the number of hectares in the licence area;

  (d)   for a licence to farm molluscs other than abalone in a subtidal area—the amount obtained by multiplying $228 by the number of hectares in the licence area;

  (e)   for a licence to farm molluscs (including abalone) in an intertidal area—the amount obtained by multiplying $327 by the number of hectares in the licence area;

  (f)   for a licence to farm algae—the amount obtained by multiplying $41.50 by the number of hectares in the licence area;

  (g)   for a licence authorising the storage of sea cages—the amount obtained by multiplying $41.50 by the number of hectares in the licence area.

(2)   If 2 or more licences are held in respect of the same area—

  (a)   the licensee is only liable for 1 fee under subclause (1); and

  (b)   the fee payable is the higher or highest of the fees that would be payable under subclause (1) but for this subclause.

(3)   A licensee authorised under the licence to carry on aquaculture in an area other than a lease area must, before the payment date fixed by the Minister for the financial year by written notice given to the licensee, pay to the Minister, in respect of each financial year, a fee of the following amount:

  (a)   for an aquaculture licence classified by the Minister (by virtue of the low level of intensity of farming to be carried on under the licence) as a class A licence—$130;

  (b)   for an aquaculture licence classified by the Minister (by virtue of the medium level of intensity of farming to be carried on under the licence) as a class B licence—

         (i)   in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail—$1 391;

         (ii)   in any other case—$171;

    (c)   for an aquaculture licence classified by the Minister (by virtue of the high level of intensity of farming to be carried on under the licence) as a class C licence—

         (i)   in the case of a licence authorising the carrying on of aquaculture on a navigable vessel as it operates within an area of State waters or the use of a farming structure designed to be transported by road or rail—$3 202;

         (ii)   in any other case—$1 687.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 15 June 2006

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