



Out of scope




**7 Cabinet Notes for Information**

Out of scope



705 DEVELOPMENT APPROVAL FOR AQUACULTURE ZONES (Rory McEwen and Patrick Conlon)

Out of scope



105  
MINUTES forming ENCLOSURE to

**TO: THE PREMIER FOR CABINET TO NOTE**

**RE: DEVELOPMENT APPROVAL FOR AQUACULTURE ZONES**

**1. PROPOSAL**

1.1 For Cabinet to note the proposal to apply for development approval for aquaculture zones.

**2. BACKGROUND**

2.1 Currently each marine aquaculture site is subject to an aquaculture lease (to allow access to tenure), an aquaculture licence (authorising the farming activity) and development approval (authorising the placement of structures on the sites).

2.2 Any site movement requires new development approval to be sought which requires interagency referrals under the *Development Regulations 1993*.

2.3 Where these sites exist within an aquaculture zone, the area has already been the subject of extensive consultation.

2.4 The grant of development approval for specific aquaculture zones will assist the Government in meeting red tape reduction targets.

**3. DISCUSSION**

3.1 At present the *Development Regulations 1993* state that any aquaculture development in a zone delineated by a development plan has category 1 development status. Category 1 development approval eliminates public notification for sites within a zone once the zone is gazetted, however interagency referrals are maintained. Additionally, the Minister for Agriculture, Food and Fisheries is still required under section 50(1)(b) of the *Aquaculture Act 2001* (the Act) to advertise his intent to grant an aquaculture licence, inviting interested persons to make a written submission on the proposal.

- 3.2 The ability for a single development approval to be issued for an entire aquaculture zone would result in streamlining of the aquaculture transaction assessment process by eliminating the need to refer these applications to Planning SA and subsequent referrals to other agencies. The assessment within Primary Industries and Resources South Australia (PIRSA) Aquaculture of each individual transaction application will not alter in the sense that an individual evaluation and assessment on every application that is submitted will be completed, and the Environment Protection Authority (EPA) will approve any amendments to licences, consistent with the requirements of Part 8 of the Act. In addition to this referral, each licence application is forwarded to the Department for Environment and Heritage (DEH) for comment, consistent with a Memorandum of Understanding (MOU) between the two agencies and referrals of lease applications to the Department for Transport, Energy and Infrastructure (DTEI) for concurrence are maintained.
- 3.3 It is proposed that the Minister for Transport, Energy and Infrastructure apply to the Minister for Urban Development and Planning for Crown development approval over an entire aquaculture zone, with the conditions of the approval consistent with the aquaculture zone policy. In the first instance the development approval applications would be made in well-developed areas such as Lower Eyre, Fitzgerald Bay and Coffin Bay. It is proposed that the Minister for Transport, Energy and Infrastructure consent to the use of the development approval at the same time as concurring to the grant of an aquaculture lease as required under the Act.
- 3.4 The economic benefits and government efficiencies would be considerable in areas such as Lower Eyre Peninsula, where a significant number of moves are applied for at the commencement of the tuna season each year as companies align leased quota and area to their existing operations. In this case, there is substantial information to suggest there is little variation between sites across the zone.
- 3.5 The key benefits of gaining development approval over entire aquaculture zones include increased transaction efficiencies and reducing red tape across a range of government agencies that would otherwise receive referrals under the *Development Act 1993*.

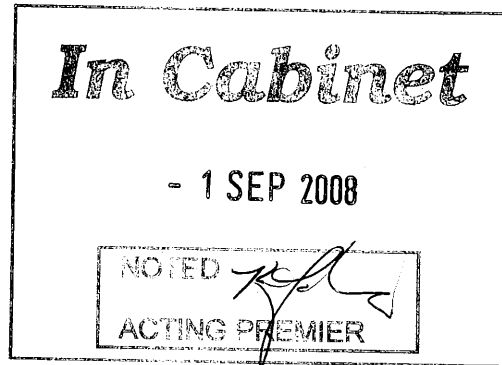
**4. RECOMMENDATIONS**

It is recommended that Cabinet:

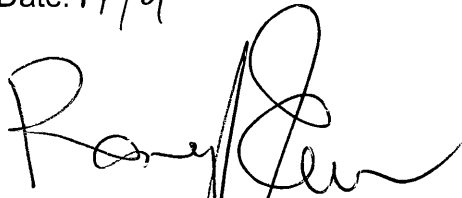
- 4.1 notes the intention of the Minister for Transport, Energy and Infrastructure to apply for development approval over specific aquaculture zones.
- 4.2 approves this document as a document to which access may be given under the *Freedom of Information Act 1991*.



**Hon Patrick Conlon MP**  
MINISTER FOR TRANSPORT  
MINISTER FOR ENERGY  
MINISTER FOR INFRASTRUCTURE

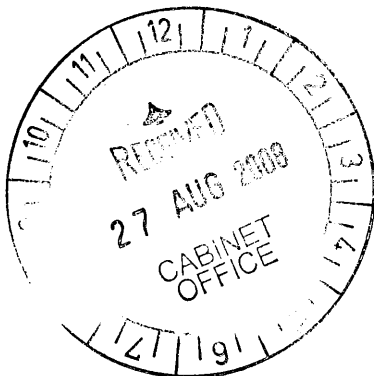


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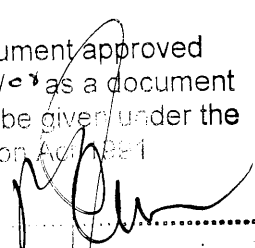


**Hon Rory McEwen MP**  
MINISTER FOR AGRICULTURE, FOOD AND FISHERIES  
MINISTER FOR FORESTS

Date: - 7 MAY 2008



CERTIFIED as a document approved by Cabinet on 1/9/08 as a document to which access may be given under the Freedom of Information Act 1991

Signature of Minister 

Portfolio AGRICULTURE