

Consultation and engagement

The balancing of conservation with resource use is a complex equation, with key stakeholders wanting to be informed and involved in the decision-making process. As such, good consultation and open communication with relevant industries and other stakeholders is of paramount importance to address economic and social issues associated with marine parks.

Thorough planning and pragmatic zoning, incorporating community and industry input, should ensure that South Australia's marine parks have the least possible impact on existing commercial activities – including the aquaculture industry. A number of avenues are available to contribute to this process either through industry associations or as individuals.

A Marine Advisory Committee has been established to provide independent advice to Government on ensuring that all environmental, social and economic issues have been adequately considered – aquaculture expertise has been included on this committee. The Minister for Environment and Conservation has also established a Marine Park Stakeholder Reference Group providing representative and industry based organisations, including the South Australian Aquaculture Council and the Seafood Council (SA) Ltd, direct access to raise and discuss issues relevant to their memberships.

Members of the community may also nominate for local consultative committees that assist in developing draft management plans for marine parks. Individuals and organisations are also encouraged to participate in other consultation activities, such as public information sessions, and provide written submissions on draft management plans to ensure their views and suggestions are formally considered.

Displaced Aquaculture Effort

As far as practical, marine parks will be zoned in a manner that accommodates existing aquaculture developments, as well as proposed developments that have the appropriate licences / authorisations in place, and any adjacent zones required to support these operations. Marine park management plans will also consider and endeavour to accommodate Aquaculture Management Zones established under the *Aquaculture Act 2001*. Following the proclamation of a marine park, new aquaculture developments could also occur in marine park zones that are determined to be suitable for aquaculture.

Notwithstanding the above, situations may potentially arise where existing aquaculture operations are affected by the zoning of a marine park. Accordingly, an effective mechanism is needed to address the effects of any displaced effort.

Rezoning or relocation

In the first instance, the Department for Environment and Heritage (DEH), in consultation with the Department of Primary Industries and Resources, South Australia (PIRSA Aquaculture), will review zoning to determine if alternative locations can be identified to deliver the desired conservation outcomes without displacing existing aquaculture operations.

If suitable areas cannot be identified, DEH would continue to work with PIRSA to identify whether the aquaculture operation could be transferred to another suitable and viable location. Such a transfer would necessarily involve an application for the new site strictly in accordance with the *Aquaculture Act 2001*. Marine aquaculture in South Australia is licensed under a number of categories and these have varying levels of locational requirements to operate successfully. The table on the following page outlines a number of these requirements that would need to be considered in any relocation.

If it were found to be feasible to relocate the aquaculture operation, the Government would facilitate the relocation process as quickly and smoothly as possible, including the application process for the new site and issuing of appropriate licences and leases. In addition, the Government would meet relocation costs, provide a payment to offset loss of income during the relocation and undertake an assessment to determine if the growth rates and variability of the product is affected by relocation to the new site. An underlying principle is that the relocation provides an equivalent, if not better, outcome for the operation.

Table 1: Locational requirements for aquaculture categories

Marine finfish	Intertidal molluscs	Subtidal molluscs (filter feeding)	Subtidal molluscs (non filter feeders)
Water depth	Water depth / tidal range	Water depth	Water depth
Water quality	Water quality	Water quality	Water quality
Water flow	Water flow	Water flow	Productivity of water
Wave height	Productivity of water	Productivity of water	Equivalent ancillary facilities
A degree of protection from the elements	A degree of protection from the elements	A degree of protection from the elements	A degree of protection from the elements
Position in relation to areas of runoff/ pollution	Position in relation to areas of runoff/ pollution	Position in relation to areas of runoff/ pollution	Position in relation to areas of runoff/ pollution
Proximity to other farms	Proximity to other farms	Proximity to other farms	Proximity to other farms
Accessibility	Accessibility	Accessibility	Accessibility
Proximity to essential infrastructure	Proximity to essential infrastructure	Proximity to essential infrastructure	Proximity to essential infrastructure
Assimilative capacity of area	SA Shellfish Quality Assurance Program (SASQAP) accredited area	SA Shellfish Quality Assurance Program (SASQAP) accredited area	Access to markets, processors and other essential services
Proximity to colonies of predators or migratory routes	Proven productivity of the area	Proven productivity of the area	Available Aquaculture (Management) Zone
Access to markets, processors and other essential services	Access to markets, processors and other essential services	Access to markets, processors and other essential services	
Available Aquaculture (Management) Zone	Available Aquaculture (Management) Zone	Available Aquaculture (Management) Zone	

Commercial negotiations

In the unlikely circumstance that rezoning a marine park or relocation of an aquaculture operation are not feasible, displacement of the operation is an option of last resort. Given the tenure rights conferred by aquaculture leases (up to 20 years), level of infrastructure and investment associated with aquaculture developments, the Government would propose to engage an independent valuer with aquaculture experience to commence commercial negotiations. Issues such as value and viability of the operation, condition of the infrastructure, potential loss of earnings for the remainder of the lease entitlement and market impact would need to be considered.

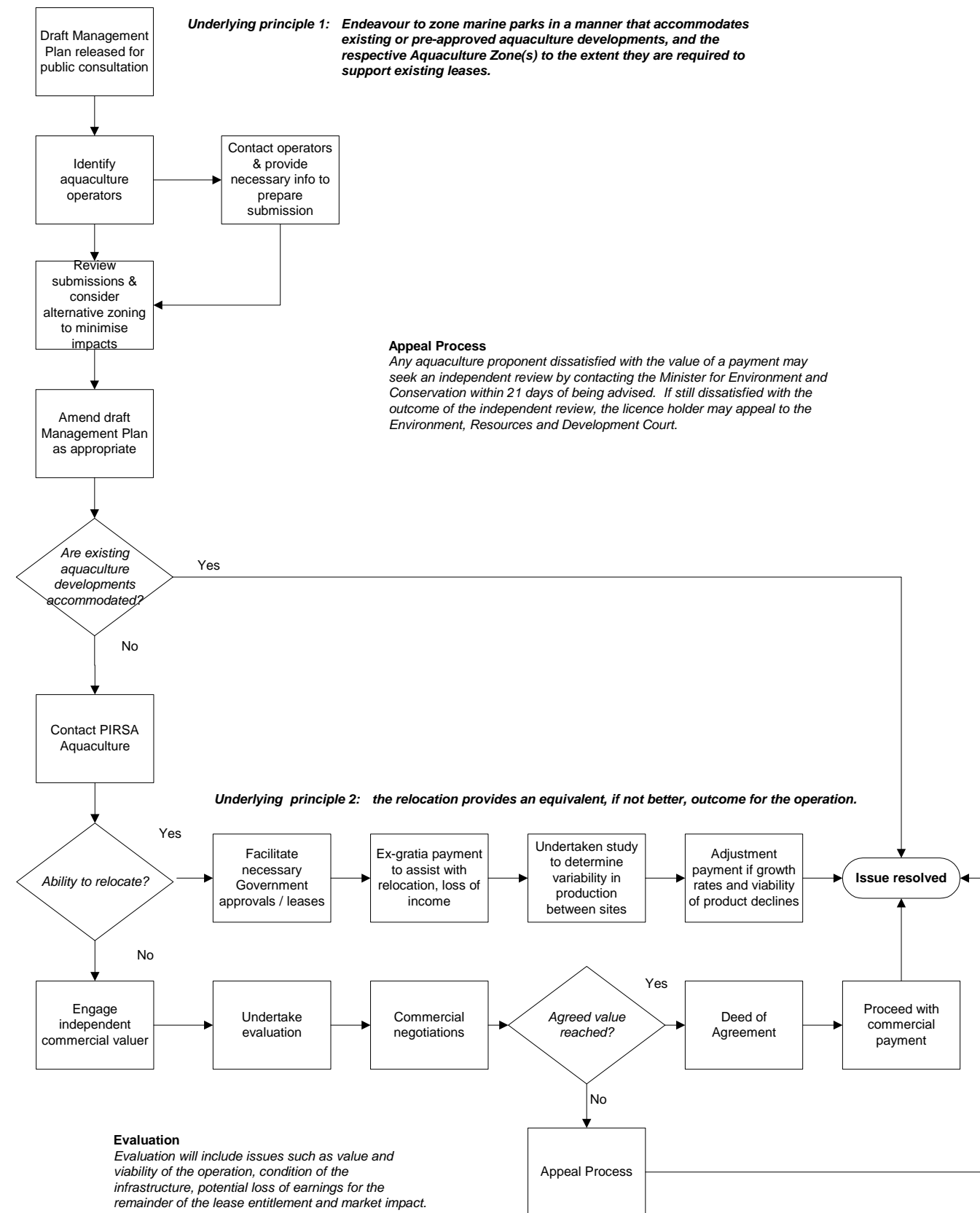
A final decision regarding the displacement of an aquaculture operation will only be made following a full commercial evaluation and detailed consideration of the broader economic and social impacts of such an action.

Internal review / appeal mechanisms

Any aquaculture operator dissatisfied with the value of a relocation payment or the outcome of commercial negotiations may seek an independent review by contacting the Minister for Environment and Conservation within 21 days of receiving an offer. If dissatisfied with the outcome of the independent review, a further right of appeal to the Environment, Resources and Development Court is proposed.

Displaced Aquaculture Effort Process

This flowchart describes the process for minimising and, where necessary, managing any displaced aquaculture effort following the development of a draft management plan for public consultation.



Marine Parks and Aquaculture

South Australia's marine environments are unique and precious resources, containing some of the most biologically diverse waters in the world. They are also a highly valuable resource for both State and regional economies, supporting an array of activities from fishing and aquaculture to shipping and mining, while at the same time providing important tourism, recreational and cultural opportunities. Effective management of these environments is needed to ensure continuing opportunities for sustainable industry development, whilst simultaneously preserving the biological diversity for the benefit of current and future generations.

The Government of South Australia recognises that the development of marine parks requires changes to current habitat and resource sharing arrangements and has the potential to displace existing uses in some areas. This document provides an overview of the proposed process to minimise and, where necessary, manage any displaced aquaculture effort arising from the creation of marine parks.

Government commitments

Marine parks

The Government of South Australia is committed to establishing a system of marine parks. As outlined in *South Australia's Strategic Plan*, 19 marine parks will be created by 2010, commencing with the Encounter Marine Park followed by other areas in central and western South Australia and finally along the southern coast.

South Australia's marine parks will be zoned for multiple-use to protect coastal, estuarine and marine ecosystems, while also providing for continued ecologically sustainable use of suitable areas. This means that most activities, including aquaculture operations, will still be allowed within a marine park. However, some activities will not be permitted in particular zones. Areas with high conservation values will be designated as either Restricted Access Zones or Sanctuary Zones to provide the necessary level of protection for habitats, species, ecological and geological features. Both of these zones preclude commercial fishing, recreational fishing and aquaculture operations.

New legislation has been prepared for the dedication, zoning and management of marine parks. This legislation will also provide for the fair and equitable management of any displaced commercial fishing and / or aquaculture effort.

A Regional Impact Assessment Statement will also be released following the development of a management plan (including zoning arrangements) to clearly articulate the costs and benefits, both locally and more broadly, arising from each marine park.

Aquaculture

The Government is also committed to fostering the growth and development of a sustainable aquaculture industry. To this end, the *Aquaculture Act 2001* has been established outlining the statutory and regulatory responsibilities for the management of aquaculture in South Australia. In particular, it provides for the granting of rights to occupy State waters and provides security for aquaculture operators while protecting the interests of the community. Aquaculture leases provide security of tenure, whilst licences accommodate flexible regulatory and adaptive management practices.