

AGENDA ITEM: 10.1

Application No:	011/A004/11		
Applicant:	KIS Tuna		
Proposal:	Consent to establish a 150 ha pilot site (AQ00242) for the holding and cultivation of fin fish (Southern Blue Fin Tuna)		
Subject Land:	The waters 2.5 km South of Spilsby Island		
		Eastings	Northings
	Point 1	621,569	6,158,995
	Point 2	621,569	6,158,495
	Point 3	624,569	6,158,495
	Point 4	624,569	6,158,995
Zone/Policy Area	Not in a Zone		
Relevant Authority:	Development Assessment Commission		
Role of the Commission:	Section 34 (1)(b)(iv) of the <i>Development Act 1993</i>		
Categorisation:	Merit		
Notification:	Category 3		
Representations:	6 received (6 opposed)		
Lodgement Date:	14 February 2011		
Council:	Out of Council		
Development Plan:	Land Not Within A Council Area (Coastal Waters) (Consolidated 3 December 2009)		
Referral Agencies:	EPA & Coast Protection Board		
DPLG Reports:	N/A		
Officers Report:	Glenn Searle		
Recommendation:	Grant Consent subject to conditions		

PLANNING REPORT**1. PROPOSAL**

The proposal is for the establishment of a 150 hectare pilot lease to farm Southern Blue Fin Tuna (*Thunnus maccoyii*) in the waters near Spilsby Island. PIRSA Aquaculture advise that the proposed farming operations will occur using sea-cages that have previously been approved for use within SA Waters and are largely uniform across the Southern Bluefin Tuna farming sector. Specifically, the site will be developed with six 45 metre diameter polar circle pen sea-cages which will be located in singular formation perpendicular to tidal flow. Cage netting will extend to a depth of 18 metres and is constructed from nylon, with a mesh size of 178 mm – netting is anticipated to remain a minimum of 20 metres above the sea floor at all times. Each sea-cage will be secured in place with up to 6 x 1 tonne moorings, which are connected to the cages by 160 metres of 40-60 mm diameter rope and 10 metres of chain.

Following transfer of the fish into the sea-cages, the grow-out system will rely on fresh and frozen baitfish for feeding. Feed is delivered to the tuna on demand using mechanical feeders and by manually shovelling feed into sea-cages. At full production approximately 480-600 tonnes (or 4 tonne per licensed hectare) will be farmed.

The site is not located within a current aquaculture zone, however it forms part of the proposed Lincoln Offshore (outer) sector. A statement of intent, for this sector, to amend the *Aquaculture ((Zones – Lower Eyre Peninsula No. 2) Policy 2007)* and was endorsed by the Aquaculture Advisory Committee in February 2010.

A copy of the application documentation is contained in ATTACHMENTS C1-C30.

2. DEVELOPMENT PLAN POLICY SUMMARY

As previously stated the subject site is not located within a zone; however the site is within the ambit of the Land Not Within A Council Area Development Plan (Consolidated 3 December 2009). The objectives and principles of development control of the Coastal Waters section apply to the land bounded by the State borders with Western Australia and Victoria, the high water mark along the whole of the South Australian coast and the line three nautical miles seaward of low water mark, and includes both the Spencer Gulf and Gulf St Vincent, the off-shore islands and the land three nautical miles seaward of low water mark around the off-shore islands.

Coastal Waters Section

The intent of the Coastal Waters section is for the protection and maintenance of coastal waters while encouraging ecologically sustainable development. Specific objectives and principles regarding aquaculture development seek to ensure that development of the marine environment is undertaken in an ecologically sustainable way to minimise conflict between different uses.

3. DESCRIPTION OF THE SITE AND LOCALITY

The land is situated approximately 2.5 kilometres south of Spilsby Island and occupies 150 hectares of land. The water that flows over the land enclosed by the polygon with corners at the following reference points in Australian Mapping Grid 94 and Australian Geodetic Datum Zone 53.

Eastings	Northings	Latitude	Longitude
621,569	6,158,995	34°42' 13.88"S	136°19' 38.76"E
621,569	6,158,495	34°42' 30.12"S	136°19' 39.02"E
624,569	6,158,495	34°42' 28.81"S	136°21' 36.90"E
624,569	6,158,995	34°42' 12.58"S	136°21' 36.63"E

For locality plans refer to COLOUR ATTACHMENT AA.

4. AGENCY COMMENTS

Environment Protection Authority

The EPA provided advice to PIRSA in accordance with Section 59 of the *Aquaculture Act 2001*; this advice forms part of the application and provides a justification for the proposal.

The EPA state that aquaculture can cause environmental harm, as defined in Section 5 of the *Environment Protection Act 1993*. Harm can occur both within and outside the boundary of the licensed property and may take a number of forms including:

- Negative effect on water quality;
- Alterations to the surrounding ecology;
- Generation waste;
- Deposition of nutrient rich sediment;
- Noise generation from farm equipment;
- Negative effect on air quality.

Further, the Environment Protection Authority has identified 'environmental harm' in the *Environment Protection (Water Quality) Policy 2003* whereby discharging or depositing a pollutant into any waters, causes any of the following:

- Loss of seagrass or other native aquatic vegetation;
- A reduction in numbers of any native species of aquatic animal or insect;
- An increase in numbers of any non-native species of aquatic animal or insect;
- A reduction in numbers of aquatic organisms necessary to a healthy aquatic ecosystem;

- An increase in algal or aquatic plant growth;
- The water to become toxic to vegetation on land;
- The water to become harmful or offensive to humans, livestock or native animals;
- An increase in turbidity or sediment levels.

All aquaculture operations must comply with all legislative requirements under relevant environment protection policies and the *Environment Protection Act 1993*.

Decision Justification

The relocation of the site will involve additional approvals from the Department for Transport, Energy and Infrastructure. Considering that Southern Bluefin Tuna are due to arrive within the next few weeks, the relocation of the site to another location would be time prohibitive for the current season.

Based on the information provided by PIRSA, the EPA approves the proposed 150 hectare sub-tidal pilot site for the following reasons:

- The licence will be issued for a period of 12 months only, after which it will be relocated to another site;
- The zone boundary of the proposed Lincoln Offshore (outer) Sector in the vicinity of the Spilsby Island will be repositioned upon agreement between PIRSA and the EPA;
- Stocking rates for tuna will be reduced to 4 tonne/ha with the six cages on site to be positioned every 25 ha;
- PIRSA has stated that the dispersion of tuna faeces is expected to 23 to 200 metres from the edge of the tuna cages. It therefore appears the Spilsby Island region is unlikely to be impacted by sedimentation;
- According to PIRSA the predominant current flow in the area flows in a northeast direction therefore appears to largely avoid the Spilsby Island region. Nutrient inputs from one farm for a short period of time is therefore unlikely to result in significant environmental impact;
- The proposed licence is unlikely to result in a significant net increase in the total biomass of tuna within the Lower Eyre Peninsula region;
- The benthic environment on the site is unlikely to be significantly impacted by the proposed activity;
- The applicant will be expected to remove organic waste from biofouling of the culture structures, fish mortalities and all other waste from the marine site and dispose of the waste lawfully;
- No chemicals will be used on the site;
- The site is located in a remote location amongst other finfish farms, therefore noise and odour are unlikely to be an issue;
- The applicant is required to undertake an approved environmental monitoring program as part of their requirements under the *Aquaculture Regulations 2005*.

The EPA commented on the proximity of the proposed site and aquaculture zone to the shallow reefs surrounding Spilsby Island. According to DENR, the benthic environment in this area contains algae, seagrass and areas of bare sand, with the reef areas comprising of significant algal communities. In addition, monitoring undertaken by the EPA has indicated the Sir Joseph Banks Group (including Spilsby Island) is exhibiting indications of nutrient enrichment. Nutrients (particulate and dissolved) produced from this farm over time, and other farms that may co-exist in this area in the future, may pose a risk of environmental harm to these reef systems.

- The EPA does not support the proximity of the proposed north-west boundary of the Lincoln offshore (outer) sector to Spilsby Island and the associated shallow reef systems in the region. By supporting this current application, the EPA has concerns this would set a precedent for the zone and other farms to exist in this area of the zone.
- Based on this position, the EPA approves this application providing the licence is issued for a 12 month period only, and the zone boundary of the proposed Lincoln Offshore (outer) Sector in the vicinity of the Spilsby Island is repositioned.

Coast Protection Board

At the time of writing comments from the Coast Protection Board were yet to be received. These comments will be tabled at the Commission meeting.

PIRSA Aquaculture

PIRSA Aquaculture had no comment on this application. However in its own licensing assessment process, PIRSA-Aquaculture provided a copy of its ESD report to the Commission. This report's summary is satisfied that environmental impacts can be managed with appropriate conditions attached to the draft licence.

Agency Comments are contained in ATTACHMENT E1-E6

5. COUNCIL COMMENTS

The proposal is not located within a Council area or within 1 kilometre of a boundary of a Council, therefore no referral was undertaken.

6. REPRESENTATIONS

The proposal was publicly notified (Category 3) and six representation was received (This included the Wilderness Society and the Spilsby Island Management Association Inc). The concerns raised have been summarised as follows:

- The proximity of the proposed farm to Spilsby Island, the Sir Joseph Banks group of Islands and a Marine Park. This declared Marine Park is currently undergoing a zoning process, which includes consideration of sanctuary areas;
- The increase in commercial boating traffic;
- The presence of tuna farms within a couple of kilometers of Spilsby Island, as indicated in the proposal, will result in both increased shark numbers and activity around the Island;
- Feed slicks from tuna farms will contaminate the sea right up to Spilsby's shores on most days, as the prevailing winds are southerly;
- Increased risks to the safe operation of diving and fishing activities around Spilsby;
- Proximity to sea lion haul outs on Spilsby Island, Dangerous Reef and nearby small 'islets';
- Proximity to fairy penguin colony on Spilsby Island (in decline);
- Pollution of sea bottom and water column;
- The cumulative impacts of this application plus other aquaculture proposals on the locality;
- Impacts on pilchard and other species ecology ;
- There is an identified lack of data related to the ecological importance of the Spilsby Island upwelling and the cumulative impacts of aquaculture development in close proximity to Spilsby Island to this process;
- Broad issues related to the expansion of the tuna ranching industry;
- Dangers to equipment from storms and possible rubbish issues;
- Visual amenity;
- The unrestricted mooring of commercial boats on Spilsby Island.

A copy of the representations and PIRSA response is contained in ATTACHMENTS E1-E15.

7. PLANNING ASSESSMENT

A detailed assessment against all relevant provisions of the Development Plan is provided at the conclusion of this report. A summary is provided below:

Aquaculture activities are managed in South Australia through aquaculture zone policies and licensing arrangements by PIRSA and the EPA. The planning approval (where applicable) for the use of the land is granted by the DAC. This management process controls a number of factors

from stocking densities and the appropriate fallowing techniques to the assembly and maintenance of structures on the site. PIRSA requires that an approved monitoring regime is instituted to provide a 'rolling' assessment on all lease sites, so as to allow the adjustment of management practices on an annual basis - thereby limiting the potential for environmental harm.

8. CONCLUSION

The application is for an aquaculture licence outside of a current aquaculture zone and within a marine park. I understand that the applicant has already caught the tuna, and they need to be housed somewhere, however this is not justification for granting an approval.

PIRSA and the EPA have stated that the pilot lease should run for a maximum of 12 months to limit any potential environmental issues that may arise (a condition of approval has been attached to enforce this). The proposal conforms to the current licensing and monitoring requirements and given that no environmental issues have been identified it complies with the above listed provisions for environmental impact and aquaculture. For these reasons, including the addition of a 12 month condition, the proposal should be approved subject to standard conditions and advisory notes.

9. RECOMMENDATION

I recommend that the Development Assessment Commission:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to grant Development Approval to Development Application No 011/A004/11 for consent to establish a 150 ha pilot site (AQ00242) for the holding and cultivation of fin fish (Southern Blue Fin Tuna) 2.5 km south of Spilsby Island subject to the following conditions:

Planning Conditions

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans submitted in development application number No 011/A004/11:
2. The development approval is issued for a period of 12 months.
3. That all structures, equipment, buoys and flotations (excepting those which may be required by the Minister administering the *Harbours and Navigation Act 1993* and the Minister administering the *Aquaculture Act 2001*) shall be one uniform dark colour to ensure the structures blend with the natural features of the locality.
4. That the approved site shall be marked at all times in accordance with the requirements by the Minister administering the *Harbours and Navigation Act 1993* and the Minister administering the *Aquaculture Act 2001*
5. That the approved area shall be maintained in a good condition with necessary repairs being carried out promptly, to the reasonable satisfaction of the Development Assessment Commission. All reasonable measures to prevent the escape of debris from the approved area shall be undertaken. In the event of the escape of any debris associated with the development (including any dead stock), the debris must be removed from the sea or shoreline and disposed of in a legally approved manner.
6. That when the area is no longer used for aquaculture, the site shall be returned to a condition which complies with PIRSA Aquaculture's Site Rehabilitation requirements,

with all structures being removed and the cost of such reinstatement and removal being borne by the operator.

7. That all structures shall be adequately secured and sufficiently weighted to ensure that they do not drift outside the approved site area.
8. That human waste shall not be discharged into the approved area or the adjacent area.
9. That no structures shall be installed on the approved site or aquatic organisms introduced to the site until the relevant aquaculture licence and lease has been issued to the applicant by the Minister administering the *Aquaculture Act 2001*.
10. That the cleaning of structures (other than the removal of accumulated drifting benthos) shall be undertaken offsite within approved cleaning and maintenance facilities.

Advisory Notes

- a) The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- b) You are also advised that any act or work authorised or required by the Notification must be completed within 3 years of the date of the Notification unless the period is extended by the Commission.
- c) You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- d) You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- e) Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
- f) Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- g) In addition to this approval, a permit to release farmed stock into marine waters and an aquaculture licence is required from PIRSA-Aquaculture. No structures should be installed on the approved site or fish introduced to the site until the relevant permit and licence are issued.
- h) Your attention is drawn to the provisions of the *Food Act 2001*, in respect to the protection, handling, transportation and consumption of food for sale.
- i) Your attention is drawn to the requirement for the applicant to inspect the seabed for any material before development proceeds and to report any findings of shipwrecks to Heritage SA.
- j) The applicant is reminded of the general environmental duty as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that its activities on the whole site do not pollute the environment. In this respect the person undertaking the activity must take all reasonable and practical measures to prevent or minimise any resulting environmental harm (as defined in the *Environment Protection (Water Quality) Policy 2003*).

- k) As this proposal has the potential for causing environmental harm, proper and effective management of the operation is critical to preventing this. To ensure that harm does not result from the operation, an independently verified monitoring program is recommended, with reports to be provided at regular intervals.
- l) The proponent should make financial arrangements to provide for a bank guarantee, or other form of financial security, to ensure that the site is returned to its natural state once the use has been discontinued.

Glenn Searle

**SENIOR PLANNING OFFICER
ASSESSMENT DIVISION**

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COLOUR ATTACHMENTS

LOCATION PLAN

AA

ATTACHMENTS

APPLICATION FORM

A1

ZONING MAPS

B1

APPLICATION DETAILS

C1-C30

AGENCY COMMENTS

D1-D5

REPRESENTATIONS

E1-E15

DETAILED ASSESSMENT REPORT

The Objectives and Principles of Development Control in the Development Plan most relevant to the assessment of the application are outlined as follows. These are contained in the Land Not Within A Council Area Development Plan (Consolidated 3 December 2009).

Coastal Waters:

Objective 1: *Orderly and economic development.*

Objective 2: *A proper distribution and segregation of living, working and recreational activities by the allocation of suitable areas for those purposes.*

Objective 13: *The conservation and preservation of terrestrial and marine flora, fauna and scenery, and the creation of recreation areas by establishing parks and reserves.*

Objective 14: *The amenity of localities not impaired by the appearance of land, buildings, objects and structures.*

Objective 15: *Sustain or enhance the natural coastal environment in South Australia.*

Objective 16: *Preserve and manage the environmentally important features of coastal areas, including mangroves, wetlands, dune areas, stands of native vegetation, wildlife habitats and estuarine areas.*

Objective 17: *Preserve sites of heritage, cultural, scientific, environmental, educational or landscape importance.*

Objective 18: *The protection of offshore islands, their natural features and scenic beauty within and adjoining the islands.*

Objective 20: *Location of activities, uses and development in areas zoned for that purpose.*

Coastal Development

Objective 21: *Manage development in coastal areas to sustain or enhance the natural coastal environment.*

Objective 22: *Protect the coast from development that will adversely affect the marine and onshore coastal environment whether by pollution, erosion, damage or depletion of physical or biological resources, interference with natural coastal processes or any other means.*

Objective 23: *Development which does not interfere with environmentally important features of coastal areas, including mangroves, wetlands, dune areas, stands of native vegetation, wildlife habitats and estuarine areas.*

Objective 24: *Development which does not detract from or reduce the value of sites of ecological, economic, heritage, cultural, scientific, environmental or educational importance.*

Objective 25: *Preserve areas of high landscape and amenity value including stands of vegetation, exposed cliffs, headlands, islands and hill tops, and areas which form an attractive background to urban and tourist developments.*

Objective 30: *The protection of the physical and economic resources of the coast from inappropriate development.*

Comment:

The proposed lease is located within a marine park and near the Sir Joseph Banks Group Conservation Park. At this moment the Department of Environment and Natural Resources (DENR) have yet to finalise policies or zones for marine parks. However attachment AA shows that two approvals have previously been granted for pilot aquaculture leases within this area (but only one is currently active). PIRSA Aquaculture and the EPA have both stated that due to the limited period of use (i.e. pilot lease) no environmental harm should arise as a result of the proposal. The transect undertaken as part of the licensing process reveals that the benthic environment consists of sand and no sea grass or macro-algae.

Aquaculture activities are managed in SA through aquaculture zone policies and licensing arrangements by PIRSA and the EPA, this management process controls a number of factors from stocking densities and the appropriate following techniques to the assembly and maintenance of structures on the site.

Aquaculture Development

Objective 35: Development of the marine environment and in particular the marine aquaculture industry:

- (a) in an ecologically sustainable way;*
- (b) in a manner which recognizes other users of marine and coastal areas and ensures a fair and equitable sharing of marine and coastal resources;*
- (c) to conserve environmental quality, in particular water quality, and other aspects of the coastal environment including sea floor health, visual qualities, wilderness, ecosystems, and biodiversity;*
- (d) to minimise conflict between water and land based uses including:*
 - (i) aquaculture;*
 - (ii) wildfisheries;*
 - (iii) recreational fishing;*
 - (iv) passive and active recreation activities (eg. boating, skiing, sailing, swimming, diving, sightseeing, enjoyment of coastal wilderness);*
 - (v) farming;*
 - (vi) residential, other urban development, and holiday areas;*
 - (vii) tourism;*
 - (viii) industrial development;*
 - (ix) defined national and conservation parks, and wilderness areas;*
 - (x) mining and areas with significant mineral deposits;*
- (e) to maintain adequate safety standards, including navigational safety; (f) to minimise the risk of pollution from external sources and activities;*
- (g) so that onshore support facilities and activities are appropriately designed and located;*
- (h) to maintain public access to the foreshore and coastal waters;*
- (i) to minimise adverse impact on the visual amenity of the coastal environment, and unspoilt views adjacent to the coast;*
- (j) to minimise any adverse impacts on sites of ecological, economic, cultural, heritage or scientific significance such as:*
 - (i) Indigenous, Non-Indigenous or Natural Heritage sites; **
 - (ii) National Parks, Conservation Parks and reserves;*
 - (iii) Recreation reserves;*
 - (iv) Marine Parks and reserves;*
 - (v) Sites of scientific importance;*
 - (vi) Mineral reserves;*
 - (vii) Areas of high public use;*
 - (viii) Areas valued for their beauty or amenity;*
 - (ix) Breeding grounds for both marine and terrestrial species*
- (k) in a manner which recognises the social and economic benefits to the community.*

**Note: Heritage sites are recorded under the Register of the Aboriginal Heritage Act, 1988, the Register of the Heritage Act, 1993, the Register of the Historic Shipwrecks Act, 1976 (Commonwealth of Australia), and the Register of the Historic Shipwrecks Act, 1981, (South Australia)*

Comment:

The PIRSA Aquaculture licensing process (which includes a referral to the EPA) ensures that correct procedures for stocking densities, fallowing techniques and the assembly and maintenance of structures is adhered to over the period of a lease

Coastal Areas

The following principles of development control are applicable to all development which could impact on coastal areas, affect coastal processes or be subject to effect or hazard from coastal processes now or in the future, whether or not the development is located in a designated coastal zone.

Environmental Protection

***PDC 2:** Development, including flood, erosion and wave protection measures, should not adversely affect the ecology of coastal areas, the seabed or coastal waters by pollution, significant loss of habitat, interference with coastal processes or any other means.*

***PDC 4:** Development should not, nor be likely in the future to, adversely affect the ecology and stability of environmentally sensitive coastal features.*

***PDC 10:** Development should not cause deleterious effects on the quality or hydrology of groundwater.*

***PDC 13:** Marine aquaculture should be located, sited, designed, constructed and managed to be ecologically sustainable, to minimise interference and obstruction to the natural processes of the marine environment, and to allow maintenance of the environmental quality of the foreshore, coastline, ocean and ocean bed. Marine aquaculture should be developed and undertaken:*

- (a) in areas which will not contaminate the product for human consumption;*
- (b) a suitable distance from pollution sources including country townships, urban and residential areas, established shack areas, industrial development, stormwater or other drainage outlets, sewage treatment facilities and outfall;*
- (c) a sufficient height above the sea floor and in a manner to minimise seabed damage, and in areas with adequate water current to disperse sediments to prevent the build up of waste (except where waste can be removed);*
- (d) to avoid damage to sensitive ecological areas, creeks, estuaries, wetlands and significant seagrass and mangrove communities;*
- (e) to avoid the risk of pollution to and from external sources including any accidental discharge of pollutants;*
- (f) to ensure satisfactory removal and disposal of litter, disused material, shells, debris, detritus, faecal matter, and dead animals from the farm to prevent fouling of waters, publicly owned wetlands, or the nearby coastline;*
- (g) so as not to involve the discharge of human waste on the site, or any adjacent land, or into nearby waters (if required, sanitary facilities should be provided);*
- (h) to avoid adverse impacts to wildlife (marine and terrestrial, plants and animals), and on breeding grounds and habitats of native marine mammals and terrestrial fauna, especially migratory species;*
- (i) to minimise harm or destruction of marine predators such as seals, dolphins and birds;*
- (j) to facilitate relocation or removal of structures in the case of emergency such as oil spills, algal blooms and altered waterflows.*
- (k) at a suitable distance from any tidal creek to ensure that adverse impacts are minimised.*

(l) of a sufficient standard of construction to ensure that structures can withstand normal marine conditions.

Preservation of scenic, heritage and other values

PDC 15: *Development which is proposed to be located outside of urban and tourist zones should be sited and designed to not adversely affect:*

- (a) the natural, rural or heritage character of the area;*
- (b) areas of high visual or scenic value;*
- (c) views from the coast, near-shore waters, public reserves, tourist routes and walking trails; or*
- (d) the amenity of public beaches by intruding into undeveloped areas.*

PDC 17: *Marine aquaculture and other offshore development should:*

- (a) minimise adverse impacts on the visual amenity or natural character of the coast and foreshore, particularly in areas of outstanding beauty or areas of high public use;*
- (b) avoid adverse impacts on:*
 - (i) National Parks, Conservation Parks and Conservation Reserves;*
 - (ii) Marine Parks and Reserves;*
 - (iii) Recreation Reserves;*
 - (iv) Indigenous, Non-Indigenous and natural heritage sites including shipwrecks; **
 - (v) Sites of scientific importance including geological monuments and habitats of rare species;*
 - (vi) Mineral reserves;*
 - (vii) Areas valued for their outstanding beauty or amenity.*

**Note: Heritage sites are recorded under the Register of the Aboriginal Heritage Act, 1988, the Register of the Heritage Act, 1993, the Register of the Historic Shipwrecks Act, 1976 (Commonwealth of Australia), and the Register of the Historic Shipwrecks Act, 1981, (South Australia)*

PDC 18: *Marine aquaculture and other offshore development should be located at least:*

- (a) 550 metres from a proclaimed shipwreck;*
- (b) 1000 metres seaward from the boundary of any Reserve under the National Parks and Wildlife Act, unless a lesser distance is agreed with the Minister responsible for that Act.*

PDC 19: *Racks, floats and other farm structures associated with marine aquaculture or other offshore development should be as visually unobtrusive as possible, apart from those required by the relevant authority for navigational safety. Development should:*

- (a) blend visually with the environment and have a low profile;*
- (b) be constructed of non reflective materials;*
- (c) use uniform, subdued colours throughout a development, suited and in keeping with the local surrounding features;*
- (d) use feed hoppers which are painted in subdued colours, and suspended as low as possible above the water;*
- (e) design and locate structures in relation to surrounding features;*
- (f) position structures to protrude the minimum distance practicable above water;*
- (g) not jeopardise the attainment of visual amenity provisions by incorporating unnecessary shelters and structures above cages and platforms.*

Hazard risk minimisation

PDC 38: *Marine aquaculture development should minimise its impact on navigational safety and:*

- (a) be suitably marked for navigational purposes;*
- (b) be sited to allow an adequate distance between farms for safe navigation;*

- (c) be located at least 250 metres from a commercial shipping lane;*
- (d) comprise structures secured and/or weighted to prevent drifting;*
- (e) ensure that structures and materials used are maintained to prevent hazards to people and wildlife;*
- (f) provide for rehabilitation of sites no longer operational.*

Protection of physical and economic resources

PDC 39: *Development outside of urban zones should not take place if there is the potential for significant conflict with likely development which benefits the wider community based on any of the special economic or physical resources of coastal areas such as:*

Tourist Attractions;
Harbour and Jetty Sites;
Aquaculture Sites;
Marina Sites;
Mineral Deposits of State or National importance
Ports and Port Related functions.

PDC 40: *Development should be sited, designed and managed so as not to conflict with or jeopardise the continuance of an existing aquaculture development.*

PDC 41: *Marine aquaculture development should:*

- (a) be carried out in a manner which ensures a fair and equitable sharing of marine and coastal resources and minimises conflict between legitimate users of the marine resource, both commercial and recreational;*
- (b) not significantly obstruct or adversely affect:*
 - (i) areas of high public use;*
 - (ii) areas established for recreational activities;*
 - (iii) areas of outstanding visual, environmental, commercial or tourism value;*
 - (iv) sites used for recreational activities such as swimming, fishing, skiing and sailing and other water sports, including beaches.*

Comment:

While the proposal is located within a Marine Park PIRSA Aquaculture has stated that no environmental harm will occur as the lease is only for a 12 month period.