

South Australia

Livestock (Restrictions on Entry of Aquaculture Stock) Notice 2005

under section 33 of the *Livestock Act 1997*

1—Short title

This notice may be cited as the *Livestock (Restrictions on Entry of Aquaculture Stock) Notice 2005*.

2—Commencement

This notice will come into operation on 1 October 2005.

3—Interpretation

In this notice, unless the contrary intention appears—

abalone means abalone (*Haliotis* spp.) of all species;

aquaculture has the same meaning as in the *Aquaculture Act 2001*;

Aquaculture Minister means the Minister responsible for the administration of the *Aquaculture Act 2001*;

aquaculture stock means aquatic organisms intended for aquaculture;

aquatic organism has the same meaning as in the *Aquaculture Act 2001* (except that it excludes organisms that are not animals);

designated pacific oyster supplier means any of the following persons who hold a current authority to engage in aquaculture issued under the law of another State or a Territory of the Commonwealth:

- (a) Cameron of Tasmania Pty. Ltd. (ACN 009 579 168);
- (b) an entity trading as Geordy River Aquaculture in Tasmania;
- (c) Shellfish Culture Ltd. (ACN 009 519 171);

exotic finfish means finfish that are not native to South Australian waters;

finfish means all members of the classes *Myxini*, *Actinopterygii* and *Elasmobranchii*;

flood plain means the area known as the 1956 River Murray Flood Plain or a Flood Zone, Flood Plain or other zone or area shown as subject to flooding in a Development Plan under the *Development Act 1993*;

Lake Eyre Basin Agreement Area has the same meaning as in the Agreement in the *Lake Eyre Basin (Intergovernmental Agreement) Act 2001*;

licence area means the area of an aquaculture licence issued under the *Aquaculture Act 2001* (as described on the public register kept under that Act);

Murray-Darling basin has the same meaning as in the Agreement in the *Murray-Darling Basin Act 1993*;

native freshwater finfish means freshwater finfish native to South Australian waters;

Note—

See Robinson, AC, Casperson KD and Hutchinson, MN, *A list of the Vertebrates of South Australia* published by the Department for Environment and Heritage, South Australia (2000)

prescribed marine or freshwater finfish means fish of any of the following species:

Lates calcarifer (barramundi)

Macquaria colonorum (estuary perch)

Macquaria novemaculeata (Australian bass)

Oxyeleotris lineolatus (sleepy cod)

Tandanus tandanus (eel tailed catfish)

protected finfish means—

- (a) finfish declared to be protected under the *Fisheries Act 1982*;
- (b) finfish that are an endangered species or vulnerable species under the *National Parks and Wildlife Act 1972*;

semi-closed system means a system of aquaculture involving control of the movement of aquatic organisms and incomplete ability to sterilise water used for aquaculture (for example, ponds or races);

semi-open system means a system of aquaculture involving control of the movement of aquatic organisms but no control over the flow of water used for aquaculture (for example, nets or pens in the sea);

sterilised seawater means seawater filtered through a 5 micrometre filter and then—

- (a) treated with ultraviolet radiation at a level of at least 25 000 microwatt seconds per square centimetre; or
- (b) chlorinated with at least 2% available chlorine for at least 10 minutes; or
- (c) ozonized at a level of at least 0.2 milligrams per litre for at least 4 minutes.

4—Documentation for tracing aquaculture stock

Aquaculture stock must not enter the State, or a licence area, unless accompanied by documentation issued by the supplier of the aquatic organisms specifying—

- (a) the name and address of the supplier of the aquatic organisms; and
- (b) the species of aquatic organisms; and
- (c) the number or biomass of the aquatic organisms; and
- (d) the age or developmental stage of the aquatic organisms; and
- (e) if the aquatic organisms have been hatchery reared—details identifying the last place at which the organisms were reared before consignment; and

- (f) if the aquatic organisms have been taken from the wild—details identifying the area from which the organisms have been taken; and
- (g) the intended destination of the aquatic organisms.

5—Introduction of aquaculture stock hatchery reared or taken in the State

- (1) Aquaculture stock comprised of abalone that have been hatchery reared in South Australia or taken from South Australian waters must not enter a licence area that is below astronomical low tide level unless—
 - (a) if there is a population of abalone within an area surrounding the licence area and extending out 1 kilometre from the boundary of the licence area, the abalone are the progeny of broodstock abalone collected from within that area surrounding the licence area; and
 - (b) the abalone are accompanied by a certificate—
 - (i) that is in a form approved by the Aquaculture Minister; and
 - (ii) that has been issued—
 - (A) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
 - (B) within the previous 14 days; and
 - (C) following examination of the following number of animals:
 - if there are less than 10 000 abalone in the consignment—at least 30 abalone;
 - if there are 10 000 or more abalone but less than 100 000 abalone in the consignment—at least 60 abalone;
 - if there are more than 100 000 abalone in the consignment—at least 150 abalone; and
 - (iii) that certifies that the abalone in the test sample are not affected with a notifiable disease and do not display signs of being affected with a disease; and
 - (c) at least 2 days before the abalone enter the licence area the Aquaculture Minister has been provided with a copy of the certificate referred to in paragraph (b).
- (2) Aquaculture stock comprised of protected finfish, or native freshwater finfish, that have been hatchery reared in South Australia must not enter a licence area that is in a flood plain or in which aquaculture is carried on by means of a semi-closed or semi-open system unless—
 - (a) the finfish are the progeny of broodstock from the water catchment areas for the licence area; and
 - (b) the Aquaculture Minister has been given at least 2 days written notice of the proposed entry of the finfish; and
 - (c) in the case of native freshwater finfish entering a licence area in the Murray-Darling basin—the finfish are Murray-Darling species and strains; and
 - (d) in the case of native freshwater finfish entering a licence area in the Lake Eyre Agreement Area—the finfish are Cooper Creek species and strains.

- (3) Aquaculture stock comprised of protected finfish, or native freshwater finfish, that have been taken from South Australian waters (and not hatchery reared) must not enter a licence area that is in a flood plain or in which aquaculture is carried on by means of a semi-closed or semi-open system without the prior written approval of the Aquaculture Minister.
- (4) Aquaculture stock comprised of prescribed marine or freshwater finfish that have been hatchery reared in South Australia must not enter a licence area in which aquaculture is carried on by means of a semi-closed or semi-open system unless—
 - (a) —
 - (i) the fish are accompanied by a certificate—
 - (A) that is in a form approved by the Aquaculture Minister; and
 - (B) that has been issued—
 - by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
 - within the previous 7 days; and
 - following examination of at least 150 animals in the consignment; and
 - (C) certifying that the fish in the test sample are not affected with a notifiable disease; and
 - (ii) the Minister has been given at least 2 days written notice of the proposed entry of the fish; or
 - (b) the prior written approval of the Minister has been obtained.
- (5) Aquaculture stock comprised of fish of the species prescribed marine or freshwater finfish that have been taken from South Australian waters (and not hatchery reared) must not enter a licence area in which aquaculture is carried on by means of a semi-closed or semi-open system without the prior written approval of the Aquaculture Minister.
- (6) Aquaculture stock comprised of salmonids, or exotic finfish, that have been hatchery reared in South Australia or taken from South Australian waters must not enter a licence area without the prior written approval of the Aquaculture Minister.

6—Introduction of aquaculture stock hatchery reared or taken outside the State

- (1) Subject to this clause, aquaculture stock that has been hatchery reared outside South Australia or taken in waters other than South Australian waters must not enter the State, or a licence area, without the prior written approval of the Aquaculture Minister.
- (2) Aquaculture stock comprised of finfish that have been hatchery reared outside South Australia or taken in waters other than South Australian waters may enter a licence area if—
 - (a) the fish are accompanied by a certificate—
 - (i) that is in a form approved by the Aquaculture Minister; and
 - (ii) that has been issued—
 - (A) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
 - (B) within the previous 14 days; and

- (C) following examination of—
- in the case of prescribed marine or freshwater finfish—at least 150 fish in the consignment; and
 - in the case of other freshwater finfish—at least 30 fish in the consignment; and
- (iii) that certifies that the fish in the test sample are not affected with a notifiable disease and do not display signs of being affected with a disease; and
- (b) at least 2 days before the fish enter the licence area the Aquaculture Minister has been provided with a copy of the certificate referred to in paragraph (a).
- (3) Aquaculture stock comprised of pacific oyster (*Crassostrea gigas*) spat that have been hatchery reared by a designated pacific oyster supplier may enter a licence area if the spat is accompanied by a certificate—
- (a) that is in a form approved by the Aquaculture Minister; and
- (b) that has been issued by the designated pacific oyster supplier; and
- (c) that certifies—
- (i) that the spat have been reared in a manner that achieves shell drying for at least 4 hours out of each 24 hour period; and
- (ii) that, since being harvested for consignment, the spat—
- (A) have been immersed in freshwater for a continuous period of at least 12 hours; and
- (B) have been depurated in sterilised seawater for a continuous period of at least 12 hours; and
- (iii) that, within 4 days before consignment, the spat have been passed through a mesh screen to ensure that they are no larger than 15 millimetres in any dimension.
- (4) Aquaculture stock comprised of *Anguilla* species that have been hatchery reared outside South Australia or taken in waters other than South Australian waters may enter a licence area in which aquaculture is carried on by means of a semi-closed system if—
- (a) the fish are accompanied by a certificate—
- (i) that is in a form approved by the Aquaculture Minister; and
- (ii) that has been issued—
- (A) by a veterinary diagnostic laboratory accredited by the National Association of Testing Authorities; and
- (B) within the previous 14 days; and
- (C) following examination of at least 30 fish in the consignment; and
- (iii) that certifies that the fish in the test sample are not affected with a notifiable disease and do not display signs of being affected with a disease; and

- (b) at least 2 days before the fish enter the licence area the Aquaculture Minister has been provided with a copy of the certificate referred to in paragraph (a).

Made by the Minister

on 28 September 2005

MAFF04/003/CS & 05/0028/CS