



## **POLICY DIRECTIVE**

No. 2 of 2008

# **COLLECTION OF BROODSTOCK AND SEEDSTOCK FOR AQUACULTURE**

### **PURPOSE OF DIRECTIVE**

This policy directive outlines the policy to be applied in relation to the consideration of applications for an exemption under section 115 of the *Fisheries Management Act 2007* to allow the collection of fish for the purposes of broodstock or seedstock for aquaculture.

Aquaculture is managed in South Australia by PIRSA in accordance with the *Aquaculture Act 2001*. Access to brood (parent) fish is vital for all aquaculture industries that produce animals with a closed lifecycle. If broodstock cannot be obtained from hatcheries or commercial fishers, aquaculture operators require animals to be captured from the wild for the purpose of broodstock. The term 'seedstock' is used to describe juvenile animals that are collected from the wild for growout in aquaculture facilities. In particular, mussel spat is collected in South Australian waters.

This document formalises the principles used to make these decisions and provides specific guidelines for the species most commonly collected as broodstock and seedstock in South Australia.

### **APPLICATION OF POLICY DIRECTIVE**

This Policy Directive applies from 1 October 2005.

This Policy Directive replaces all previous Policy Directives or other determinations in relation to the collection of fish under the *Fisheries Act 1982* for the purposes of broodstock and seedstock for aquaculture.

This Policy Directive is not designed to guide management of broodstock collection activities for fish stock enhancement programs.

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## LEGISLATION

The definition of fish in the *Fisheries Management Act 2007* is:

**fish** means an aquatic animal other than –

- a) An aquatic bird, an aquatic mammal, a reptile or an amphibian; or
- b) An aquatic animal of a kind declared by the regulations

The objects of the *Fisheries Management Act 2007* are:

- 1) An object of this Act is to protect, manage, use and develop the aquatic resources of the State in a manner that is consistent with ecologically sustainable development and, to that end, the following principles apply:
    - a) proper conservation and management measures are to be implemented to protect the aquatic resources of the State from over-exploitation and ensure that those resources are not endangered;
    - b) access to the aquatic resources of the State is to be allocated between users of the resources in a manner that achieves optimum utilisation and equitable distribution of those resources to the benefit of the community;
    - c) aquatic habitats are to be protected and conserved, and aquatic ecosystems and genetic diversity are to be maintained and enhanced;
    - d) recreational fishing and commercial fishing activities are to be fostered for the benefit of the whole community;
    - e) the participation of users of the aquatic resources of the State, and of the community more generally, in the management of fisheries is to be encouraged.
  - 2) The principle set out in subsection (1)(a) has priority over the other principles.
  - 3) A further object of this Act is that the aquatic resources of the State are to be managed in an efficient and cost effective manner and targets set for the recovery of management costs.
  - 4) The Minister, the Director, the Council, the ERD Court and other persons or bodies involved in the administration of this Act, and any other person or body required to consider the operation or application of this Act (whether acting under this Act or another Act), must—
    - a) act consistently with, and seek to further the objects of, this Act; and
    - b) insofar as this Act applies to the Adelaide Dolphin Sanctuary, seek to further the objects and objectives of the *Adelaide Dolphin Sanctuary Act 2005*; and
    - c) insofar as this Act applies to the River Murray, seek to further the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act.
  - 5) For the purposes of subsection (1), **ecologically sustainable development** comprises the use, conservation, development and enhancement of the aquatic
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resources of the State in a way, and at a rate, that will enable people and communities to provide for their economic, social and physical well-being while—

- a) sustaining the potential of aquatic resources of the State to meet the reasonably foreseeable needs of future generations; and
- b) safeguarding the life-supporting capacity of the aquatic resources of the State; and
- c) avoiding, remedying or mitigating adverse effects of activities on the aquatic resources of the State,

(taking into account the principle that if there are threats of serious or irreversible damage to the aquatic resources of the State, lack of full scientific certainty should not be used as a reason for postponing measures to prevent such damage).

Section 52 of the Act provides that it is an offence to undertake commercial fishing (ie. fishing for the purposes of trade or business) in a fishery except under the authority of a licence. Collection of fish for use in commercial aquaculture farms is fishing for the purpose of trade or business.

Section 115 of the Act provides that the Minister may, by notice in the Gazette, exempt a person or class of persons from specified provisions of the Act.

### **POLICY TO BE APPLIED – CONSIDERATION OF APPLICATIONS**

An application form has been developed for applicants who seek an exemption to allow the collection of broodstock or seedstock in South Australian waters. This form has been designed to collect information in relation to the applicant and in relation to:

- why broodstock cannot be obtained from licensed commercial fishers or other hatcheries;
- the fish that are required for broodstock or seedstock collection, including number, species, sex, stage in life-cycle, collection method and time-frame;
- the experience, qualifications and technical capability to capture and properly manage and maintain the broodstock, including high capture survival and the ability to hold the animals for extended periods (including previous broodstock capture reports);
- the reasoning for the choice of proposed capture method, the way the animals are transported and any steps taken to minimise stress during capture, transport and subsequent holding;
- expected mortality rates of broodstock and an indication of expected production of juveniles.

This form is available from the PIRSA Fisheries website ([www.pir.sa.gov.au/fishing](http://www.pir.sa.gov.au/fishing)) or from PIRSA Fisheries (8226 2962).

This information is necessary to allow the Minister or his or her delegate to make an informed decision as to whether the proposed collection will be consistent with pursuit of the objectives set out in section 7 of the *Fisheries Management Act 2007*. In particular, the Minister or delegate will have regard to the following.

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1. Approval for broodstock or seedstock collection will only be granted to current licence holders under the *Aquaculture Act 2001*.
  2. Consideration will be given to whether the applicant is a fit and proper person. In particular, an exemption will not be granted to a person who has a conviction against fisheries or aquaculture legislation in any jurisdiction in Australia or New Zealand over the previous three years. Furthermore, compliance with reporting requirements of previous exemptions relating to the collection of broodstock or seedstock will also be taken into account when assessing applications.
  3. Wherever possible, if broodstock must be sourced from the wild, they should be obtained from commercial fishers licensed to take the aquatic animal in question. Extensive arrangements are already in place for the management of fisheries in South Australia, and existing catch limits are set to optimise the biological sustainability and economic viability of fishing activities. Therefore, an exemption will not be granted unless it can be demonstrated that it is not possible or not viable to make arrangements for a commercial fishery licence holder to harvest the broodstock on behalf of the aquaculture licence holder.
  4. If it is not possible or not viable for a commercial fishery licence holder to harvest the broodstock for an aquaculture licence holder, it must also be demonstrated that the removal of the fish that are proposed to be taken from the wild stock will not impact on the sustainability of that stock or other associated species. If concerns do exist in relation to biological impacts, consideration will be given to whether any conditions may be imposed on an exemption that would minimise these impacts.
  5. The number of fish that may be taken in accordance with an exemption will be kept to a minimum. The limits set out in Attachment A will be used as a guide in assessing applications.
  6. PIRSA will allow the collection of broodstock only in circumstances where there is significant evidence that the collection method and management program for the broodstock provides an excellent chance of survival and hence spawning success of those broodstock. If applicants are unable to demonstrate sound technical capability and strategic approach to broodstock collection, then that application will be refused. This is to ensure optimum utilisation of the fish, in accordance with the objectives of the *Fisheries Management Act 2007*. Applications are not available to collect broodstock from aquatic reserves, Marine Protected Areas or other areas protected under the *National Parks and Wildlife Act 1972*.
  7. The main seedstock species collected from the wild in South Australia for growout in aquaculture are mussels (*Mytilus edulis*). Juvenile mussels (spat) are collected at a variety of sites around the State, by placing structures in the water onto which larval mussels settle and begin to grow. Spat collection is seasonal and sites may vary from year-to-year. Section 115 exemptions will continue to be issued for temporary sites that are used to collect spat. Spat collection sites will be approved for a maximum of six (6) months each year and will not be permitted to be used for growout of mussels.

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8. Specific arrangements are not in place for the collection of other species as seedstock because no other animals are currently collected from the wild for growout. Some interest, however, has been expressed in collection and subsequent growout of scallop spat.

### **POLICY TO BE APPLIED – IMPOSITION OF CONDITIONS ON EXEMPTIONS**

The Minister or his or her delegate may impose conditions on an exemption.

Some standard conditions will be applied to all exemptions granted for the purpose of collecting broodstock. These are:

- Notify PIRSA Fishwatch *prior* to collection, detailing when, where and how broodstock will be collected;
- Provide a written report to PIRSA Fisheries within 1 week of collection, detailing activities undertaken, including numbers taken, survival and mortality rates of target species and fish taken incidentally to the collection activity (including target species accidentally captured in excess of requirements at the time broodstock were collected);
- Incidental catches of other species cannot be retained for *any* purpose during broodstock or seedstock collection activity;

It should be noted that broodstock or seedstock captured under an exemption must be maintained on the hatchery site and cannot be released back into the wild or sold, except alive as broodstock to another registered hatchery.



Will Zacharin  
**EXECUTIVE DIRECTOR, FISHERIES**

16 January 2008

## Attachment A

### Guide for limits on numbers of fish and conditions of harvest

These recommendations are guidelines only.

<b>SPECIES</b>	<b>MAX. NUMBER (in 12 months)</b>	<b>CONDITIONS/COMMENTS</b>
<b>Marine Finfish</b>		
Southern bluefin tuna ( <i>Thunnus maccoyii</i> )		To be taken within the existing quota
Yellowtail kingfish ( <i>Seriola lalandi</i> )	20 total but max. 10 at one time	May be taken by net in Upper Spencer Gulf region. A separate permit for this activity must be obtained. May also be taken in other areas by licenced commercial fishers or under section 59 exemptions.
Snapper ( <i>Pagrus auratus</i> )	20 total but max. 10 at one time	
Mulloway ( <i>Argyrosomus japonicus</i> )	20 total but max. 10 at one time	
Other	Likely to be limited to 20	To be assessed on an individual basis
<b>Marine Shellfish</b>		
Abalone ( <i>Haliotis</i> spp.)	Currently 200	Numbers are per species per 12 month period. Will be reviewed over next 2 years
Scallops (Pectinidae)	200	Numbers are per species per 12 month period
Mussels ( <i>Mytilus</i> )	200	Numbers are per species per 12 month period
Other		To be assessed on an individual basis, however the utilisation of feral pacific oysters for seedstock or broodstock is prohibited.
<b>Native Freshwater Finfish</b>		
Cooper Creek species	Up to recreational bag limits but per year, not per day	Health certification, translocation and area limits will apply.
Other species	10	Will be assessed on an individual basis
<b>Freshwater shellfish</b>		
Yabbies / marron ( <i>Cherax destructor</i> / <i>C. tenuimanus</i> )	Up to recreational bag limit for yabbies but per year, not per day	Freshwater crayfish may not be taken from the wild for direct sale. Exemptions will include restrictions on time between introduction of broodstock and harvest.
Freshwater mussels ( <i>Alathyria jacksoni</i> / <i>Velesunio ambiguus</i> )	250 per species	Translocation and area limits may apply

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<b>Protected species</b>		
Murray cod ( <i>Macculochella peelii peelii</i> )	4	Not to be taken during closed season Additional restrictions will apply
Leafy seadragon ( <i>Phycodurus eques</i> )	1 egg-bearing (brooding) male	Additional restrictions will apply
Syngnathidae apart from leafy seadragons	5 pairs per species	Additional restrictions will apply