

## LIVESTOCK ACT 1997

## SECTION 33

*Prohibition of Entry into and Movement within South Australia of Aquaculture Stock*

PURSUANT to Section 87 of the *Livestock Act 1997*, I, Mary Ruth Carr, Chief Inspector of Stock, delegate of the Minister for Primary Industries and Regional Development, revoke the notice made by the Minister for Agriculture, Food and Fisheries pursuant to section 33 of the *Livestock Act 1997* on 19 December 2013, published on 9 January 2014.

Pursuant to Section 33 of the *Livestock Act 1997*, and for the purposes of controlling or eradicating disease or contamination, I prohibit:

- (1) the movement of the aquaculture stock described in Part A of this notice, within the State or specified parts of the State, unless:
  - (a) the movement of the aquaculture stock is undertaken in accordance with the conditions specified in Part A of this notice relating to the species of aquaculture stock; and
  - (b) the aquaculture stock is accompanied by the documentation specified in Part C of this notice;
- (2) the entry of all aquaculture stock into the State unless:
  - (a) the entry of the aquaculture stock into the State is undertaken in accordance with the conditions specified in Part B of this notice; and
  - (b) the aquaculture stock is accompanied by the documentation specified in Part C of this notice.

## PART A—MOVEMENT OF AQUACULTURE STOCK HATCHERY REARED OR TAKEN IN THE STATE

- (1) Aquaculture stock comprised of abalone that have been hatchery reared in the State or taken from waters of the State must not enter a licence area, unless:
  - (a) the abalone are moved directly from a licence area in which aquaculture is carried out by means of a semi-closed system to another licence area in which aquaculture is carried out by means of a semi-closed system; or
  - (b) for a licence area that is wholly below the low water mark, if there is a population of wild abalone within an area surrounding the licence area and extending out 1 kilometre from the boundary of the licence area, the abalone are descendants of broodstock abalone collected from within that area surrounding the licence area; and
  - (c) the prior written approval of the Chief Inspector of Stock has been obtained and all conditions of the approval are complied with; and
  - (d) all requirements in the Translocation Protocol relating to the movement of abalone are complied with.
- (2) Aquaculture stock comprised of protected finfish, or native freshwater finfish, that have been hatchery reared in the State 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 descendants of broodstock from the water catchment areas for the licence area;
  - (b) the Chief Inspector of Stock has been given at least 2 days written notice of the proposed entry of the finfish; and

- (c) in the case of a licence area in the Murray-Darling basin – the aquaculture stock are Murray-Darling species and strains of native freshwater finfish; or
  - (d) in the case of a licence area in the Lake Eyre Agreement Area - the aquaculture stock are Cooper Creek species and strains of native freshwater finfish.
- (3) Aquaculture stock comprised of protected finfish, or native freshwater finfish, that have been taken from the waters of the State (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 unless:
- (a) the prior written approval of the Chief Inspector of Stock has been obtained and all conditions of the approval are complied with; and
  - (b) all requirements in the Translocation Protocol relating to the movement of protected finfish, or native freshwater finfish are complied with.
- (4) Aquaculture stock comprised of prescribed marine or freshwater finfish, salmonids, or exotic finfish, that have been hatchery reared in the State or taken from the waters of the State, must not enter a licence area in which aquaculture is carried out by means of a semi-closed or semi-open system unless:
- (a) the prior written approval of the Chief Inspector of Stock has been obtained and all conditions of the approval are complied with; and
  - (b) all requirements in the Translocation Protocol relating to the movement of prescribed marine or freshwater finfish, salmonids, or exotic finfish are complied with.

#### PART B—ENTRY OF AQUACULTURE INTO THE STATE

- (1) Aquaculture stock that has been hatchery reared outside of the State or taken in waters other than waters of the State must not enter the State unless:
- (a) the aquaculture stock is supplied by a designated aquaculture supplier;
  - (b) the prior written approval of the Chief Inspector of Stock has been obtained and all conditions of the approval are complied with; and
  - (c) all requirements in the Translocation Protocol relating to the entry of the species of aquaculture stock into the State are complied with.
- (2) Aquaculture stock that have been taken from the State and moved out of the State, may not re-enter the State unless:
- (a) the prior written approval of the Chief Inspector of Stock has been obtained and all conditions of the approval are complied with; and
  - (b) all requirements in the Translocation Protocol relating to the entry of the species of aquaculture stock into the State are complied with.

#### PART C—DOCUMENTATION FOR TRACING AQUACULTURE STOCK

All aquaculture stock permitted to enter into, or move within the State or a part of the State in accordance with Part A or Part B of this notice must be accompanied by documentation issued by the supplier of the aquaculture stock. The documentation must include the following information:

- (a) the name and address of the supplier of the aquaculture stock;
- (b) the species of aquaculture stock;
- (c) the number or biomass of the aquaculture stock;
- (d) the age or developmental stage of the aquaculture stock;
- (e) if the aquaculture stock have been hatchery reared – the last location at which the aquaculture stock were reared before consignment to the intended destination;
- (f) if the aquaculture stock have been taken from the wild - the location from which the aquaculture stock were taken and each location at which the aquaculture stock were reared or held before consignment to the intended destination; and
- (g) the intended destination of the aquaculture stock.

This Notice shall remain in force until amended or revoked by subsequent Notice.

Dated: 20 July 2020

MARY RUTH CARR  
Chief Inspector of Stock  
Delegate of the Minister for Primary Industries and Regional Development

#### Definitions

In this notice:

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

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

‘aquaculture’ stock means livestock that are aquatic animals farmed or intended to be farmed pursuant to an aquaculture licence under the *Aquaculture Act 2001*;

‘designated aquaculture supplier’ means any person who holds a current authority to engage in aquaculture issued under the law of another State or a Territory of the Commonwealth;

‘exotic finfish’ means finfish that are not native to the waters of the State;

‘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 identified as subject to flooding in a planning instrument under the *Planning, Development and Infrastructure Act 2016*;

‘hatchery’ means a licenced aquaculture operation, or production area within a licenced aquaculture facility, which produces gametes or immature aquaculture stock;

‘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 the waters of the State;

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)

*Oxyeotris lineoatus* (sleepy cod)

*Tandanus tandanus* (eel tailed catfish)

or any other fish known to be susceptible to betanodovirus (viral encephalopathy and retinopathy);

‘protected finfish’ means:

(a) finfish that are a protected species under the *Fisheries Management Act 2007*;

(b) finfish that are an endangered species or vulnerable species under the *National Parks and Wildlife Act 1972*;

‘salmonids’ means all species within the family Salmonidae;

‘semi-closed system’ means a system of aquaculture involving control of the movement of aquaculture stock and incomplete control of water used for aquaculture (for example, ponds or races);

‘semi-open system’ means a system of aquaculture involving control of the movement of aquaculture stock but no control over the flow of water used for aquaculture (for example, nets or pens in the sea, contained shellfish growout);

‘State’ means the State of South Australia;

‘translocation protocol’ means the South Australian Translocation Protocol for Aquaculture Stock approved by, and available from, the Chief Inspector of Stock, 33 Flemington Street, Glenside, S.A. 5065, or GPO Box 1671, Adelaide S.A. 5001 or by telephone (08) 8207 7900;

‘waters of the State’ means waters that are within the limits of the State.

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