

South Australia

Fisheries (Aquatic Reserves) Regulations 2004

under the *Fisheries Act 1982*

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Legislative history

1—Short title

These regulations may be cited as the *Fisheries (Aquatic Reserves) Regulations 2004*.

2—Commencement

These regulations will come into operation on 1 September 2004.

3—Interpretation

In these regulations—

Act means the *Fisheries Act 1982*.

4—Access to and fishing activities in aquatic reserves

For the purposes of section 48G(1) of the Act, a person may—

- (a) enter and remain in an aquatic reserve; and
- (b) engage in a fishing activity in an aquatic reserve,

as permitted by Schedule 1.

5—Regulations to have effect subject to *Fisheries (General) Regulations 2000*

These regulations have effect subject to the *Fisheries (General) Regulations 2000*, and nothing in these regulations authorises a person to act in contravention of those regulations.

Schedule 1—Access to and fishing activities in aquatic reserves

1—Interpretation

- (1) Words and expressions used in this Schedule that are defined in the *Fisheries (General) Regulations 2000* have the same respective meanings as in those regulations.
- (2) A reference to a named aquatic reserve in this Schedule is a reference to the aquatic reserve of that name as defined from time to time by proclamation made under section 47 of the Act.

Aquatic reserve	Persons permitted access to aquatic reserve	Fishing activity permitted in aquatic reserve
Aldinga Reef Aquatic Reserve	Any person	No fishing activity is permitted.
American River Aquatic Reserve	Any person	No fishing activity is permitted.
Bales Beach Aquatic Reserve	Any person	No fishing activity is permitted.
Barker Inlet—St Kilda Aquatic Reserve	Any person	The taking of fish by using a rod and line or hand line. The taking of bloodworms (Class Polychaeta) for bait by using a hand net.
Blanche Harbour—Douglas Bank Aquatic Reserve	Any person	The taking of fish by using a hand fish spear.
Goose Island Aquatic Reserve	Any person	No fishing activity is permitted.
Point Labatt Aquatic Reserve	No person	No fishing activity is permitted.
Port Noarlunga Reef Aquatic Reserve	Any person	The taking of fish by using a rod and line or a hand line in the portion of the Reserve comprising waters bounded as follows: Commencing at the point where latitude 35° 09.20' S intersects with the high water mark, then in a generally westerly direction to position latitude 35° 09.26' S, longitude 138° 27.72' E, then in a generally northerly direction to position latitude 35° 08.82' S, longitude 138° 27.62' E, then in a generally easterly direction to the point where latitude 35° 08.77' S intersects with the high water mark, and then along the high water mark in a generally southerly direction to the point of commencement,

		but not—
		(a) from a boat; or
		(b) from any point on the Port Noarlunga Jetty within 50 metres from the western end of the Jetty; or
		(c) in waters to the western side of a line 25 metres to the east and parallel to the eastern boundary of the northern Port Noarlunga Reef (at low water) and the prolongations of that boundary.
	Any person	The taking of fish by using a rod and line or a hand line in waters in any other part of the Reserve but not—
		(a) in waters within 25 metres of any part of the southern Port Noarlunga Reef that is exposed at low water; or
		(b) in waters within 25 metres of any part of Horseshoe Reef that is exposed at low water.
	Any person	The taking of shrimp (<i>Suborder Natantia</i>) by hand net for bait in the waters of the estuary and Onkaparinga River upstream as far as the road bridge on the Main South Road Noarlunga Bypass.
Seal Bay Aquatic Reserve	No person	No fishing activity is permitted.
St Kilda—Chapman Creek Aquatic Reserve	Any person	The taking of blue crab (<i>Portunus pelagicus</i>) by hand or by using a crab rake or crab net.
Troubridge Hill Aquatic Reserve	Any person	The taking of fish by using a rod and line or a hand line.
West Island Encounter Bay Aquatic Reserve	Teachers and students while engaged in the teaching or study of a marine science.	Any fishing activity engaged in by teachers and students for the purposes of the teaching or study of a marine science.
	Any person	The taking of fish by using a rod and line or a hand line in the portion of the Reserve comprising waters bounded as follows:
		Commencing at position latitude 35° 36.75' S, longitude 138° 35.4' E (being a point 200 metres seaward of the low water mark at the south east extremity of section 189, north east of King Beach on Fleurieu Peninsula), then in a generally south easterly direction to a point 100 metres off the north eastern extremity of West Island at position latitude

35° 37.1' S, longitude 138° 35.9' E, then in a westerly, south westerly, southerly and south easterly direction maintaining a distance of 100 metres from West Island to a point 100 metres off the south western extremity of West Island at position latitude 35° 37.45' S, longitude 138° 35.6' E, then in a generally north westerly direction to position latitude 35° 37.15' S, longitude 138° 35.2' E (being a point 200 metres seaward of the low water mark at King Head on Fleurieu Peninsula), then in a generally north easterly direction maintaining a distance of 200 metres from the low water mark back to the point of commencement.

Any person

No fishing activity is permitted in the portion of the Reserve comprising waters bounded as follows:

Commencing at the high water mark at Restless Point on the western shore of West Island, then due west for a distance of 100 metres, then following the outer boundary of West Island in a generally north easterly direction maintaining a distance of 100 metres from the high water mark to a point due north of Penguin Rock on the northern shore of West Island, then due south to the high water mark on the shore of the island, then in a generally south westerly direction along the high water mark back to the point of commencement.

Any person

No fishing activity is permitted in the portion of the Reserve comprising waters bounded as follows:

Commencing at the high water mark at Restless Point on the western shore of West Island, then due west for a distance of 100 metres, then following the outer boundary of West Island in a southerly, easterly, northerly and north westerly direction maintaining a distance of 100 metres from the high water mark to a point due north of Penguin Rock on the northern shore of West Island, then due south to the high

		water mark on the shore of the island, then in a south easterly, southerly, westerly and northerly direction along the high water mark back to the point of commencement.
Whyalla—Cowled's Landing Aquatic Reserve	Any person	<p>The taking of blue crab (<i>Portunus pelagicus</i>) by hand or by using a crab rake or crab net, otherwise than for the purpose of trade or business, in the portion of the Reserve comprising waters bounded as follows:</p> <p>Commencing at a point where latitude 33° 05.7' S meets the high water mark on the western shore of Spencer Gulf (near 8 Mile Creek), then south-easterly to position latitude 33° 06.4' S, longitude 137° 33.2' E, then south-westerly to position latitude 33° 06.8' S, longitude 137° 32.8' E, then north-westerly to a point where latitude 33° 06' S meets the high water mark on the western shore of Spencer Gulf, then generally north-easterly along the high water mark back to the point of commencement.</p>
Yatala Harbour—Upper Spencer Gulf Aquatic Reserve	Any person	No fishing activity is permitted.

Schedule 2—Revocation of *Fisheries Act (Aquatic Reserves) Regulations 1989*

The *Fisheries Act (Aquatic Reserves) Regulations 1989* are revoked.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *Fisheries (Aquatic Reserves) Regulations 2004* were revoked by Sch 2 of the *Fisheries Management (Aquatic Reserves) Regulations 2007* on 1.12.2007.

Principal regulations

Year	No	Reference	Commencement
2004	185	<i>Gazette</i> 26.8.2004 p3449	1.9.2004: r 2