

South Australia

# Fisheries Management (Aquatic Reserves) Regulations 2016

under the *Fisheries Management Act 2007*

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### 1—Short title

These regulations may be cited as the *Fisheries Management (Aquatic Reserves) Regulations 2016*.

### 2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* (section 10AA)).

### 3—Interpretation

- (1) In these regulations—

*Act* means the *Fisheries Management Act 2007*;

**Coobowie Fishing Zone** means the Coobowie Aquatic Reserve excluding the waters of or near Salt Creek Swamp west of the main road causeway;

**West Island Encounter Bay Exclusion Zone** means that portion of the West Island Encounter Bay Aquatic Reserve contained within and bounded by a line commencing at Mean High Water Springs closest to 35°36'20.75" South, 138°35'33.16" East, then generally south-westerly following the line of Mean High Water Springs to the location closest to 35°36'27.84" South, 138°35'21.14" East, then westerly to a line 100 metres seaward of Mean High Water Springs closest to 35°36'27.84" South, 138°35'16.99" East, then generally north-easterly following a line 100 metres seaward of Mean High Water Springs to the location closest to 35°36'17.51" South, 138°5'3.16" East, then southerly to the point of commencement;

***West Island Encounter Bay Fishing Zone*** means that portion of the West Island Encounter Bay Aquatic Reserve comprising the waters contained within and bounded by a line commencing at 200 metres seaward of Mean High Water Springs (King Beach) closest to 35°6'2.61" South, 138°35'08.34" East, then south-easterly to a line 100 metres seaward of Mean High Water Springs (West Island) closest to 35°36'17.90" South, 138°35'35.62" East, then beginning generally westerly following a line 100 metres seaward of Mean High Water Springs (West Island) to the location closest to 35°36'38.04" South, 138°35'20.46" East, then north-westerly to a line 200 metres seaward of Mean High Water Springs (King Head) closest to 35°36'24.15" South, 138°34'58.14" East, then beginning north-easterly following a line 200 metres seaward of Mean High Water Springs to the point of commencement.

- (2) In these regulations—
- (a) words and expressions used that are defined in the *Fisheries Management (General) Regulations 2007* have the same respective meanings as in those regulations; and
  - (b) a reference to a named aquatic reserve is a reference to the aquatic reserve of that name constituted under section 4 of the Act; and
  - (c) all lines in spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (**GDA94**) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995, and all coordinates are expressed in terms of GDA94.

#### **4—Authorised access to, and fishing activities in, aquatic reserves**

For the purposes of section 76 of the Act—

- (a) a person may enter and remain in any of the following aquatic reserves:
  - (i) Barker Inlet—St. Kilda Aquatic Reserve;
  - (ii) Coobowie Aquatic Reserve;
  - (iii) St. Kilda—Chapman Creek Aquatic Reserve;
  - (iv) Troubridge Hill Aquatic Reserve;
  - (v) West Island Encounter Bay Aquatic Reserve (other than the West Island Encounter Bay Exclusion Zone); and
- (b) a person may engage in a fishing activity (including an act preparatory to, or involved in, the taking of an aquatic resource) in an aquatic reserve as follows:
  - (i) Barker Inlet—St. Kilda Aquatic Reserve—
    - (A) taking fish by using a rod and line or hand line;
    - (B) taking bloodworms (Class Polychaeta) for bait by using a hand net;
  - (ii) Coobowie Fishing Zone—
    - (A) taking fish by using a hand line or rod and line;
    - (B) taking fish for bait from the shore by any means;
  - (iii) St. Kilda—Chapman Creek Aquatic Reserve—

- (A) taking Blue Swimmer Crab (*Portunus pelagicus*) by hand or by using a crab net or crab rake;
- (B) taking fish by using a hand line or rod and line from the northern side of the breakwater;
- (iv) Troubridge Hill Aquatic Reserve—taking fish by using a hand line or rod and line;
- (v) West Island Encounter Bay Fishing Zone—taking fish by using a hand line or rod and line.

**Note—**

In this regulation, common and scientific fish names are given according to AS 5300—2015 *Australian Fish Names Standard*, as amended from time to time.

### **Schedule 1—Revocation of *Fisheries Management (Aquatic Reserves) Regulations 2008***

The *Fisheries Management (Aquatic Reserves) Regulations 2008* 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](http://www.legislation.sa.gov.au).

### Principal regulations

Year	No	Reference	Commencement
2016	247	<i>Gazette 20.10.2016 p4083</i>	20.2.2017: r 2