

South Australia

# **Fisheries Management (Aquatic Reserves) Regulations 2008**

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 2008*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **3—Interpretation**

In these regulations—

- (a) *Act* means the *Fisheries Management Act 2007*;
  - (b) words and expressions used that are defined in the *Fisheries Management (General) Regulations 2007* have the same respective meanings as in those regulations; and
  - (c) 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
  - (d) a reference to a named zone is a reference to the zone of that name as defined in Schedule 1;
  - (e) 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;
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- (f) common and scientific fish names are given according to AS:SSA-001 *Australian Fish Names Standard* published by Seafood Services Australia in July 2007, as amended from time to time.

#### **4—Authorised access to aquatic reserves**

For the purposes of section 76 of the Act, a person may enter and remain in—

- (a) Aldinga Reef Aquatic Reserve;
- (b) American River Aquatic Reserve;
- (c) Bales Beach Aquatic Reserve;
- (d) Barker Inlet—St. Kilda Aquatic Reserve;
- (e) Blanche Harbour—Douglas Bank Aquatic Reserve;
- (f) Coobowie Aquatic Reserve;
- (g) Goose Island Aquatic Reserve;
- (h) Port Noarlunga Reef Aquatic Reserve;
- (i) St Kilda—Chapman Creek Aquatic Reserve;
- (j) Troubridge Hill Aquatic Reserve;
- (k) West Island Encounter Bay Aquatic Reserve other than West Island Encounter Bay Aquatic Reserve Exclusion Zone;
- (l) Whyalla—Cowled's Landing Aquatic Reserve.

#### **5—Authorised fishing activities in aquatic reserves**

- (1) For the purposes of section 76 of the Act, a person may engage in a fishing activity in an aquatic reserve as follows:
  - (a) Barker Inlet—St Kilda Aquatic Reserve—
    - (i) taking fish by using a rod and line or hand line;
    - (ii) taking bloodworms (Class Polychaeta) for bait by using a hand net;
  - (b) Blanche Harbour—Douglas Bank Aquatic Reserve—taking fish by using a hand fish spear;
  - (c) Coobowie Fishing Zone—
    - (i) taking fish by using a hand line or rod and line;
    - (ii) taking fish for bait from the shore by any means;
  - (d) Port Noarlunga Reef Aquatic Reserve—taking fish by using a hand line or rod and line, but not—
    - (i) from within 25 metres of any part that becomes exposed at low water of Horseshoe Reef, the northern Port Noarlunga Reef or the southern Port Noarlunga Reef; or
    - (ii) from the last 50 metres of the western end of the Port Noarlunga Jetty; or

- (iii) from a boat within Port Noarlunga Reef Boat Fishing Exclusion Zone;
  - (e) Port Noarlunga Reef Shrimp Zone—taking shrimp (Suborder Natantia) for bait by using a hand net;
  - (f) St Kilda—Chapman Creek Aquatic Reserve—taking Blue Swimmer Crab (*Portunus pelagicus*) by hand or by using a crab net or crab rake;
  - (g) Troubridge Hill Aquatic Reserve—taking fish by using a hand line or rod and line;
  - (h) West Island Encounter Bay Fishing Zone—taking fish by using a hand line or rod and line;
  - (i) Whyalla—Cowled's Landing Fishing Zone—taking Blue Swimmer Crab (*Portunus pelagicus*) by hand or by using a crab net or crab rake, but not for a commercial purpose.
- (2) For the purposes of section 76 of the Act, a person may also engage in an act preparatory to, or involved in, the taking of an aquatic resource authorised under subregulation (1).

## Schedule 1—Zone definitions

In these regulations—

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

**Port Noarlunga Reef Boat Fishing Exclusion Zone** means the portion of Port Noarlunga Reef Aquatic Reserve comprising the waters of or near Port Noarlunga contained within and bounded by a line commencing at 35°08'49.20" South, 138°27'37.20" East, then north-easterly to the location on Mean High Water Springs closest to 35°08'45.96" South, 138°27'59.76" East, then generally southerly following the line of Mean High Water Springs to the location closest to 35°09'11.99" South, 138°28'08.92" East, then south-westerly to 35°09'15.60" South, 138°27'43.20" East, then north-westerly to the point of commencement;

**Port Noarlunga Reef Shrimp Zone** means the portion of Port Noarlunga Reef Aquatic Reserve comprised of the waters of the estuary of the Onkaparinga River and Onkaparinga River upstream as far as the road bridge on the Main South Road Noarlunga Bypass;

**West Island Encounter Bay Exclusion Zone** means the portion of 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°35'33.16" East, then southerly to the point of commencement;

***West Island Encounter Bay Fishing Zone*** means the portion of West Island Encounter Bay Aquatic Reserve comprising waters contained within and bounded by a line commencing at 200 metres seaward of Mean High Water Springs (King Beach) closest to 35°36'02.61" 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;

***Whyalla—Cowled's Landing Fishing Zone*** means the portion of Whyalla—Cowled's Landing Aquatic Reserve comprising the waters of or near Whyalla contained within and bounded by a line commencing at Mean High Water Springs closest to 33°05'42.36" South, 137°32'07.41" East, then south-easterly to 33°06'21.51" South, 137°33'12.29" East, then south-westerly to 33°06'50.07" South, 137°32'47.96" East, then north-westerly to the location on Mean High Water Springs closest to 33°05'58.84" South, 137°31'23.08" East, then generally north-easterly following the line of Mean High Water Springs to the point of commencement.

## **Schedule 2—Revocation of *Fisheries Management (Aquatic Reserves) Regulations 2007***

The *Fisheries Management (Aquatic Reserves) Regulations 2007* are revoked.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 26 June 2008

No 180 of 2008

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