State code 17: Aquaculture

17.1 Purpose statement

The purpose of this code is to ensure aquaculture industry development and practices are ecologically sustainable. The code ensures that development:

1. appropriately carries out the use of fisheries and aquaculture fisheries resources (proposed broodstock and culture species)
2. meets standards in the prevention, control and eradication of disease in fish
3. suitably contains aquaculture fisheries resources to prevent escape and release
4. has the ability to prevent the entry of fisheries resources into the development area
5. has the ability to meet food and other relevant supply chain standards
6. meets the relevant standards for associated features (e.g. location of ponds, use of aquaculture furniture)
7. manages any proposed disturbance or adverse impact to fisheries resources
8. manages any displacement of commercial, recreational or indigenous fishing access
9. monitors performance and operational procedures where required
10. rehabilitates the development area if the aquaculture use is abandoned or ends.

Note: Guidance on addressing code requirements is available in the State Development Assessment Provisions Guidance Material: State code 17: Aquaculture, Department of Agriculture and Fisheries, 2019.

17.2 Performance outcomes and acceptable outcomes

Development that is a material change of use for aquaculture should demonstrate compliance with the relevant provisions of table 17.2.2. For further details of the specific performance outcomes to be addressed, please refer to table 17.2.1.

<table>
<thead>
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<th>Development</th>
<th>Relevant provisions of code</th>
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<td>Development and construction of an aquaculture facility</td>
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<td>Land-based aquaculture</td>
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<tr>
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<td>Table 17.2.2 – PO23</td>
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<td>Table 17.2.2 – PO26</td>
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<td>For aquaculture in the Great Sandy Strait Marine Park</td>
<td>Table 17.2.2 – PO27</td>
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Table 17.2.2: Material change of use

<table>
<thead>
<tr>
<th>Performance outcomes</th>
<th>Acceptable outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>PO1 The aquaculture development is suitably located for the type and scale of aquaculture activity proposed.</td>
<td>For development within a marine park: AO1.1 Aquaculture development in a marine park is located in a zone where aquaculture is supported as a use or entry with permission.</td>
</tr>
</tbody>
</table>
**Performance outcomes**

| Note: Aquaculture Development Areas (ADAs) are to be developed in accordance with the Queensland Aquaculture Policy Statement 2016. As ADAs are designated and recognised linkages to information about them will be provided here. |

To assist in demonstrating sound site selection, an applicant should provide details of how issues have been addressed.

**PO2** Aquaculture development is located to avoid or minimise impacts on the natural environment.

**Acceptable outcomes**

| Note: Refer to the relevant marine park zoning plan: Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004 Marine Parks (Great Sandy) Zoning Plan 2017 Marine Parks (Moreton Bay Marine) Zoning Plan 2019. |

*For any other development no acceptable outcome is prescribed.*

**Development and construction of an aquaculture development**

| PO3 Aquaculture development does not adversely impact on community access to *fisheries resources* and *fish* habitats including recreational and indigenous *fishing* access. |

Note: In some cases, compensation for impact on *fisheries* access, operations and/or productivity may be necessary.

**PO4** Aquaculture development does not adversely impact on commercial *fishing* access and linkages between a commercial *fishery* and infrastructure, services and facilities.

Note: In some cases, compensation for impact on *fisheries* access may be necessary.

**PO5** Aquaculture development does not increase the risk of mortality, *disease* or injury, or compromise the health and productivity of, *fisheries resources* by:
1. maintaining suitable habitat conditions;
2. controlling the use of toxic substances; and
3. avoiding the trapping or stranding of *fish*.

**PO6** Aquaculture development likely to cause drainage or disturbance to acid sulfate soils prevents the release of contaminants and impacts on *fisheries resources* and *fish* habitats.

Note: Management of acid sulfate soil is consistent with the current Queensland acid sulfate soil technical manual: Soil management guidelines v4.0, Department of Science, Information Technology, Innovation and the Arts, 2014.

**PO7** Aquaculture development is designed, constructed and operated:
1. to not hold or produce *fish* classified as restricted matted under the *Biosecurity Act 2014*; and
2. for the *aquaculture* of local endemic species; or
3. to eliminate the hazards and risks associated with non-endemic *aquaculture* species.

Note: Further guidance is available in the *aquaculture* policy Management arrangements for translocation of live aquatic organisms (transport between bioregions) for aquaculture FAMOP015, Department of Employment, Economic Development and Innovation, 2011.

**PO8** Aquaculture development is designed to maintain the integrity of the *aquaculture* product through:

No acceptable outcome is prescribed.
<table>
<thead>
<tr>
<th>Performance outcomes</th>
<th>Acceptable outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. lawful methods of harvesting of the <strong>aquaculture</strong> product; and 2. ensuring food safety and ethical standards will be met.</td>
<td><strong>AO9.1</strong> The <strong>aquaculture</strong> development is designed such that any <strong>fish</strong> mortalities and processing wastes (including filter residues) are treated and disposed of in accordance with the Australian Government Department of Agriculture <strong>AQUAVETPLAN</strong> (as updated from time to time). <strong>Note:</strong> Further information can be found in the Health management technical guidelines for aquaculture, including aquaculture undertaken under the Accepted Development Requirements, Department of Primary Industries and Fisheries (currently Department of Agriculture and Fisheries), 2008.</td>
</tr>
</tbody>
</table>

**PO9 Aquaculture** development is designed to provide for the management of **disease**. **Note:** Further information can be found in the Health management technical guidelines for aquaculture, including aquaculture undertaken under the Accepted Development Requirements, Department of Primary Industries and Fisheries (currently Department of Agriculture and Fisheries), 2008.

<table>
<thead>
<tr>
<th>Land-based aquaculture development</th>
<th><strong>AO10.1</strong> A risk assessment has been undertaken with regards to site and design options, and the outcomes of the risk assessment are applied to the development proposed. <strong>Note:</strong> Risk assessment considerations can be found in the Guidelines for constructing and maintaining aquaculture containment structures, Department of Primary Industries and Fisheries, 2007.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PO10 Ponds, tanks, containers</strong>, aquaria and drainage systems are designed, constructed and operated to avoid leakage.</td>
<td><strong>AO11.1</strong> <strong>Aquaculture</strong> development is designed and constructed to prevent impacts on <strong>waterways</strong> and wetlands by: 1. being located away from important natural features such as <strong>waterways</strong> and wetlands: a. for tidal habitats: i. 100 metres from highest astronomical tide outside an urban area; or ii. 50 metres from highest astronomical tide within an urban area b. for non-tidal habitats: i. 50 metres from bankfull width outside an urban area; and ii. 25 metres from bankfull width within an urban area 2. constructing all <strong>ponds</strong> above the highest astronomical tide 3. measures ensuring that all waters (e.g. <strong>ponds</strong>, <strong>tanks</strong>, <strong>containers</strong> and aquaria) on the premises are screened to prevent the escape of any <strong>aquaculture fisheries resources</strong> (eggs, juveniles or adults) into Queensland waters for <strong>land-based freshwater aquaculture</strong>, not allowing <strong>discharge</strong> from <strong>ponds</strong> and <strong>tanks</strong> to enter Queensland waters. <strong>Note:</strong> The exception for point 4 is constructed storage dams located above Q100 limits and used for the purposes of water storage and reuse only. <strong>AND</strong></td>
</tr>
<tr>
<td><strong>PO11 The aquaculture</strong> development is designed and constructed to mitigate biosecurity and disease risks on the natural environment.</td>
<td><strong>AO11.2</strong> The design of the <strong>aquaculture</strong> facility provides control at all times over the containment</td>
</tr>
<tr>
<td>Performance outcomes</td>
<td>Acceptable outcomes</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>PO12 Ponds, tanks, containers, aquaria and drainage systems are designed, constructed and operated to ensure immunity from flooding and inundation.</td>
<td>AO12.1 The development is not located on flood prone land. AND AO12.2 Ponds, tanks, containers and aquaria used to cultivate aquaculture fisheries resources are constructed with the lowest point of the top of wall at least the height of the Q100 flood level, or no lower than the highest known or recorded flood level if Q100 is unavailable. AND AO12.3 Ponds, tanks, containers and aquaria solely for treatment and settlement (free of aquaculture fisheries resources) are constructed so that the lowest point on the top of wall is at least the height of the Q50 flood level. AND AO12.4 All in-ground structures, including any structure or impoundment used for the collection or treatment of wastewater, are constructed to prevent the ingress of stormwater run-off; for example by constructing a bund or levee wall around the structure or impoundment.</td>
</tr>
<tr>
<td>PO13 All juvenile or adult wild fauna (excluding zooplankton) are excluded from land-based aquaculture development through: 1. the design, construction, and operation preventing entry of fauna; and 2. the screening of water introduced into the aquaculture development.</td>
<td>No acceptable outcome is prescribed.</td>
</tr>
<tr>
<td>PO14 Aquaculture development that hold fish capable of overland escape are designed to prevent overland escape.</td>
<td>AO14.1 The aquaculture development is secured to prevent the overland escape of aquaculture product by maintaining a perimeter barrier that is impervious to all size classes of the aquaculture fisheries resources.</td>
</tr>
<tr>
<td>PO15 Bioremediation practices for the purpose of aquaculture are designed, constructed, and operated to minimise impacts on fisheries resources.</td>
<td>No acceptable outcome is prescribed.</td>
</tr>
<tr>
<td>Tidal aquaculture developments</td>
<td>No acceptable outcome is prescribed.</td>
</tr>
<tr>
<td>PO16 Aquaculture furniture or other structures on tidal land are designed and maintained to prevent stranding or entanglement of native fauna, including, but not limited to: 1. fisheries resources 2. birds 3. marine mammals</td>
<td></td>
</tr>
<tr>
<td>Performance outcomes</td>
<td>Acceptable outcomes</td>
</tr>
<tr>
<td>----------------------</td>
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</tr>
</tbody>
</table>
| **PO17** The type of aquaculture fisheries resource selected minimises risks to, and avoid impacts on, wild fisheries resources and other indigenous flora and fauna specific to that area. Note: Aquaculture fisheries resources must be carefully placed within an authorised area to avoid release or escape of the aquaculture fisheries resource from the approved area. | **AO17.1** Aquaculture fisheries resources are not released to or placed in Queensland waters unless they are free of disease and parasites, of the same species and the same genetic stock as the resident population of that area. AND  
**AO17.2** Tidal aquaculture is only of native Queensland fish species that are endemic to the location of the development. AND  
**AO17.3** The aquaculture fisheries resource can and will be produced from sufficient broodstock sourced from the area to ensure appropriate genetic diversity to minimise risks to the environment. |
| **PO18** Structures that hold and contain aquaculture fisheries resources are designed, constructed and operated to prevent the escape or release of aquaculture fisheries resources under the full range of conditions that could be expected at the site. | No acceptable outcome is prescribed. |
| **PO19** Structures associated with aquaculture development are designed, constructed, correctly deployed and operated at all times to prevent movement of the structure from the intended point of placement, anchoring or mooring. | No acceptable outcome is prescribed. |
| **PO20** Aquaculture furniture and other infrastructure is designed, constructed, managed and maintained to avoid impacts to fisheries resources. | **AO20.1** Aquaculture furniture does not interfere with natural ecosystems, such as seagrass communities, marine plants or other fisheries resources such as coral. AND  
**AO20.2** Aquaculture furniture and other infrastructure is temporary and does not include any fixed structures in the substrate (except for supporting posts). AND  
**AO20.3** All materials used in the construction of aquaculture furniture or placed within the premises, are of a chemically inactive and non-hazardous nature. AND  
**AO20.4** Other structures, including break walls, fences, boat ramps and jetties, are not constructed on areas allocated for prescribed aquaculture. |
### Performance outcomes

<table>
<thead>
<tr>
<th>PO21 Aquaculture</th>
<th>Development that involves oyster farming within Moreton Bay Marine Park is consistent with the current Oyster Industry Plan for Moreton Bay Marine Park, Department of Agriculture and Fisheries, 2015. Note: Further information can be found in the Oyster Industry Plan for Moreton Bay Marine Park, Department of Agriculture and Fisheries, 2015.</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO22 Facilities for the <strong>aquaculture</strong> of pearl oysters are designed, constructed, maintained, managed and operated to meet pearl oyster quarantine management requirements for Queensland. Note: Further pearl oyster quarantine information can be found on the Department of Agriculture and Fisheries website.</td>
<td></td>
</tr>
<tr>
<td>AO23.1 Development is designed to prevent the spread of <strong>disease</strong> or the introduction of barramundi into catchments where it does not naturally occur, through: 1. ensuring no water or organisms originating from the <strong>aquaculture</strong> of barramundi and co-cultured species is permitted to reach Queensland waters without treatment/sterilisation appropriate to render nodavirus nonviable. This includes during the transportation of <strong>aquacultured</strong> product 2. <strong>aquacultured</strong> barramundi and co-cultured species must not be sold, traded, stocked into Queensland waters or given away for non-food purposes 3. all <strong>containers</strong> used to <strong>aquaculture</strong> barramundi are screened to exclude predators (for example birds) without causing injury to such predators.</td>
<td></td>
</tr>
<tr>
<td>PO23 Aquaculture</td>
<td>Development does not compromise the ecological integrity of fauna in inland catchments (west of the Great Dividing Range). Note: <strong>Aquacultured</strong> barramundi west of the Great Dividing Range (in inland catchments shared with other states) are not to be used for non-food purposes, including stocking Queensland waters or dams.</td>
</tr>
<tr>
<td>PO24 No water or organisms originating from the <strong>aquaculture</strong> of exotic fish reaches Queensland waters with the exception of waters within constructed storage dams located above Q100 limits and used for the purposes of water storage and reuse only. AO24.1 Culture of <strong>exotic fish</strong> does not occur in open or flow-through systems that <strong>discharge</strong> into waterways. AND AO24.2 All <strong>containers</strong> used to <strong>aquaculture</strong> exotic fish are screened to exclude predators (for example birds) without causing injury to such predators.</td>
<td></td>
</tr>
<tr>
<td>PO25 Commonwealth quarantine protocols have successfully been completed for any <strong>fish</strong> proposed for production. No acceptable outcome is prescribed.</td>
<td></td>
</tr>
<tr>
<td>PO26 Aquaculture</td>
<td>Development involving rare, threatened or endangered <strong>fish</strong> that are recognised under international, Commonwealth or state legislation: 1. provides a net benefit to management of the chosen species No acceptable outcome is prescribed.</td>
</tr>
</tbody>
</table>

**Aquaculture of barramundi for inland catchments**

**Exotic fish**

**PO25 Commonwealth quarantine protocols have successfully been completed for any **fish** proposed for production.**

**PO26 Aquaculture** development involving rare, threatened or endangered **fish** that are recognised under international, Commonwealth or state legislation:

1. provides a net benefit to management of the chosen species

No acceptable outcome is prescribed.
Performance outcomes

<table>
<thead>
<tr>
<th>No.</th>
<th>Requirement</th>
<th>Acceptable outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>avoids or acceptably minimises biosecurity risks</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>manages any risks to rare, threatened or endangered fish.</td>
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</tr>
</tbody>
</table>

Note: For example, considering the risks of obtaining broodstock, maintaining the genetic integrity of restricted populations, translocation and disease.

Examples of such species include Queensland lungfish, Mary and Murray River cods, silver perch, honey blue-eye and Oxleyan pygmy perch.

For aquaculture development in the Great Sandy Strait Marine Park

PO27 Aquaculture development in the Great Sandy Strait Marine Park:

1. is within a designated aquaculture area identified in the Great Sandy Regional Marine Aquaculture Plan (GSRMAP)
2. is consistent with the type of aquaculture approved for the designated area; and
3. complies with the assessment criteria and conditions of the GSRMAP.

Note: Further information for applicants can be found in the Implementation guide for Great Sandy Regional Marine Aquaculture Plan, Department of Employment, Economic Development and Innovation (Fisheries Queensland), 2011.

No acceptable outcome is prescribed.

17.3 Reference documents

Aquaculture policies and guidelines

Department of Agriculture and Fisheries 2019, State Development Assessment Provisions Guidance Material: State code 17: Aquaculture


Department of Employment, Economic Development and Innovation (Fisheries Queensland) 2011, Great Sandy regional marine aquaculture plan

Department of Employment, Economic Development and Innovation 2011, Implementation guide for the Great Sandy Regional Marine Aquaculture Plan

Queensland Primary Industries and Fisheries 2003, FAMOP005 – Policy relating to the relaying of oysters within Queensland waters

Queensland Primary Industries and Fisheries 2003, FAMOP006 – Policy relating to the trans-shipment of oysters into Queensland waters
Queensland Primary Industries and Fisheries 2004, **FAMOP001 – Management arrangements for potentially high-risk activities in the context of ecologically sustainable development for aquaculture facilities**

Note: This includes the following:
1. flood prone land
2. exotic freshwater fish species
3. barramundi in inland catchments
4. use of *aquacultured* product for bait.

Queensland Primary Industries and Fisheries 2007, **Guidelines for constructing and maintaining aquaculture containment structures**

Queensland Primary Industries and Fisheries 2007, **Policy for maximising rock oyster production: management of non-productive oyster areas**

Department of Primary Industries and Fisheries 2008, **Health management technical guidelines for aquaculture**

Department of Agriculture and Fisheries 2015, **Oyster Industry Plan for Moreton Bay Marine Park**

**Translocation and biosecurity**

Department of Agriculture and Fisheries, **Controls over chemical use**

Note: This website contains information regarding controls over use of agricultural and veterinary chemicals in the *aquaculture* industry.

Department of Agriculture and Fisheries 2018, **FAMPR001 – Health protocol for the movement of live prawns**

Department of Agriculture, Fisheries and Forestry 2011, **FAMPR002 – Health protocol for the importation and movement of live barramundi**

Department of Agriculture and Fisheries 2019, **FAMPR003 – Health protocol for the movement of live bivalve molluscs**

Department of Agriculture and Fisheries, **Preventing disease in aquaculture**

Note: This website contains information on the different measures in place to protect Queensland *aquaculture* from *disease* outbreaks.

Department of Agriculture and Fisheries, **Identifying and reporting disease in aquaculture**

Note: This website contains information on *aquaculture* health, pests and *diseases*.

Department of Agriculture and Fisheries, **Pearl oyster quarantine**

Note: This website contains information on pearl oyster quarantine in preventing *disease* introduction to a farm and its spread within the farm.

Department of Agriculture, Fisheries and Forestry 2011, **FAMPR004 – Health protocol for the movement of live marine crustaceans including crabs, lobsters and bugs**

Department of Agriculture, Fisheries and Forestry 2011, **FAMPR005 – Health protocol for the movement of live eels**

Department of Agriculture, Fisheries and Forestry 2011, **FAMPR006 – Health protocol for the movement of live freshwater crayfish and prawns**

Department of Employment, Economic Development and Innovation 2011, **FAMPR007 – Health protocol for the movement of live freshwater native finfish (other than barramundi and eels)**

Department of Agriculture and Fisheries 2017, **FAMPR008 – Health protocol for movement of aquatic animals for aquaculture in Queensland**

**Accepted Development**

Department of Agriculture and Fisheries 2019, **Accepted development requirements for material change of use that is aquaculture**
17.4 Glossary of terms

Aquaculture see the schedule of the *Fisheries Act 1994*. 
*Note:* Aquaculture means the cultivation of live *fisheries resources* for sale other than in circumstances prescribed by regulation.

**Aquaculture fisheries resources** see the schedule of the *Fisheries Act 1994*. 
*Note:* Aquaculture fisheries resources means live fish and other marine plants cultivated in aquaculture.

Aquaculture furniture see the schedule of the *Fisheries Act 1994*. 
*Note:* Aquaculture furniture means a cage, rack, tank, tray or anything else used, or capable of being used, in aquaculture or to assist in aquaculture.

AQUAVETPLAN means the Australian Aquatic Veterinary Emergency Plan. 
*Note:* AQUAVETPLAN is a series of manuals that outline Australia’s approach to national disease preparedness and propose the technical response and control strategies to be activated in a national aquatic animal disease emergency. The manuals also provide guidance based on sound analysis, linking policy, strategies, implementation, coordination and emergency management plans.

Bioremediation means the branch of biotechnology that uses biological processes to overcome environmental problems. 
*Note:* For example, the culture of *fisheries resources* for the purpose of improving the quality of discharge water from treatment and settlement ponds.

Biosecurity means protection from the risks posed by organisms to the economy, environment and people’s health.

Container see the schedule of the *Fisheries Act 1994*. 
*Note:* Container includes a basket, case and tray.

Discharge means the release of wastewater into natural waterways.

Disease see the schedule of the *Biosecurity Act 2014*. 
*Note:* Disease means:
1. the presence of a pathogenic agent in a host; or
2. the clinical manifestation of infection; or
3. a syndrome

Exotic fish means fish originating from anywhere outside Queensland.

Fish see section 5 of the *Fisheries Act 1994*. 
*Note:* Fish:
1. means an animal (whether living or dead) of a species that throughout its life cycle usually lives:
   a. in water (whether freshwater or saltwater)
b. in or on foreshores; or
c. in or on land under water
2. includes:
   a. prawns, crayfish, rock lobsters, crabs and other crustaceans
   b. scallops, oysters, pearl oysters and other molluscs
   c. sponges, annelid worms, bêche-de-mer and other holothurians
   d. trochus and green snails
3. however, does not include:
   a. crocodiles
   b. protected animals under the Nature Conservation Act 1992
   c. pests under the Pest Management Act 2001; or
   d. animals prescribed under a regulation not to be fish
4. also includes:
   a. the spat, spawn and eggs of fish
   b. any part of fish or of spat, spawn or eggs of fish
   c. treated fish, including treated spat, spawn and eggs of fish
   d. coral, coral limestone, shell grit or star sand
   e. freshwater or saltwater products declared under a regulation to be fish.

Fisheries resources see the schedule of the Fisheries Act 1994.
Note: Fisheries resources includes fish and marine plants.

Fishing see the schedule of the Fisheries Act 1994.
Note: Fishing includes:
1. searching for, or taking, fish
2. attempting to search for, or take, fish
3. engaging in other activities that can reasonably be expected to result in the locating, or taking, of fish
4. landing fish (from a boat or another way), bringing fish ashore or transhipping fish.

Highest astronomical tide means the highest level of the tides that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

Land see the schedule of the Fisheries Act 1994.
Note: Land includes foreshores and tidal and non-tidal land.

Marine park see the Marine Parks Act 2004.
Note: Marine park means a marine park declared, or taken to be declared, under the Marine Parks Act 2004.

Marine plant see section 8 of the Fisheries Act 1994.
Note: Marine plant includes the following:
1. a plant (a tidal plant) that usually grows on, or adjacent to, tidal land, whether it is living, dead, standing or fallen
2. material of a tidal plant, or other plant material on tidal land
3. a plant, or material of a plant, prescribed by regulation to be a marine plant.

A marine plant does not include a plant that prohibited matter or restricted matter under the Biosecurity Act 2014; or controlled biosecurity matter or regulated biosecurity matter under the Biosecurity Act 2014.

Pond means an earthen in-ground container.

Prescribed aquaculture means aquaculture for which a resource allocation authority has been obtained.

Resource allocation authority see the schedule of the Fisheries Act 1994.
Note: Resource allocation authority means a resource allocation authority issued, and in force, under part 5, division 3, subdivision 2A of the Fisheries Act 1994.

Tank means an above-ground container used for intensive aquaculture within an enclosed facility.

Tidal land see the schedule of the Fisheries Act 1994.
Note: Tidal land includes reefs, shoals and other land permanently or periodically submerged by waters subject to tidal influence.

Translocation means the movement of live aquatic organisms (including all stages of the organism’s life cycle and any derived viable genetic material):
1. beyond its accepted distribution; or
2. to areas which contain genetically distinct populations; or
3. to areas with superior parasite or disease status.

**Waterway** see the schedule of the *Fisheries Act 1994.*

*Note:* Waterway includes a river, creek, stream, watercourse, drainage feature or inlet of the sea.