

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, 2017.

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 17.2.1: Development type and relevant provisions of the code

Types of aquaculture	Relevant provisions of code
Location	Table 17.2.2 – PO1 – PO2
Development and construction of an aquaculture facility	Table 17.2.2 – PO3 – PO9
Land-based aquaculture	Table 17.2.2 – PO10 – PO15
Tidal aquaculture	Table 17.2.2 – PO16 – PO22
Aquaculture of barramundi for inland catchments	Table 17.2.2 – PO23
Exotic fish	Table 17.2.2 – PO24 – PO25
Aquaculture of rare, threatened and endangered species recognised in commonwealth and state legislation	Table 17.2.2 – PO26
For aquaculture in the Great Sandy Strait Marine Park	Table 17.2.2 – PO27

Table 17.2.2: Material change of use

Performance outcomes	Acceptable outcomes
Location	
PO1 The aquaculture development is suitably located for the type and scale of aquaculture activity proposed. 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.	<i>For development within a marine park</i> AO1.1 Aquaculture development in a marine park is located in a zone where aquaculture is supported as a use or entry with permission. Note: Refer to the relevant marine park zoning plan: 1. Marine parks (Great Barrier Reef Coast) zoning plan 2004

Performance outcomes	Acceptable outcomes
<p>To assist in demonstrating sound site selection, an applicant should provide details of how issues have been addressed.</p>	<p>2. Marine parks (Great Sandy) zoning plan 2006 3. Marine parks (Moreton Bay Marine) zoning plan 2008.</p> <p><i>For any other development no acceptable outcome is prescribed.</i></p>
<p>PO2 Aquaculture development is located to avoid or minimise impacts on the natural environment.</p>	<p>No acceptable outcome is prescribed.</p>
Development and construction of an aquaculture development	
<p>PO3 Aquaculture development does not adversely impact on community access to fisheries resources and fish habitats including recreational and indigenous fishing access.</p> <p>Note: In some cases, compensation for impact on fisheries access, operations and/or productivity may be necessary. The Guideline on fisheries adjustment provides advice for proponents on relevant fisheries adjustment processes and is available by request from the Department of Agriculture and Fisheries.</p>	<p>AO3.1 The development does not alter existing infrastructure or existing community access arrangements to fisheries resources and fish habitats.</p>
<p>PO4 Aquaculture development does not adversely impact on commercial fishing access and linkages between a commercial fishery and infrastructure, services and facilities</p> <p>Note: In some cases, compensation for impact on fisheries access may be necessary. The Guideline on fisheries adjustment provides advice for proponents on relevant fisheries adjustment processes and is available by request from the Department of Agriculture and Fisheries.</p>	<p>No acceptable outcome is prescribed.</p>
<p>PO5 Aquaculture development does not increase the risk of mortality, disease or injury, or compromise the health and productivity of, fisheries resources by:</p> <ol style="list-style-type: none"> 1. maintaining suitable habitat conditions 2. controlling the use of toxic substances 3. avoiding the trapping or stranding of fish. 	<p>No acceptable outcome is prescribed.</p>
<p>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.</p> <p>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.</p>	<p>No acceptable outcome is prescribed.</p>
<p>PO7 Aquaculture development is designed, constructed and operated:</p> <ol style="list-style-type: none"> 1. to not hold or produce fish classified as restricted mated under the <i>Biosecurity Act 2014</i>; and 2. for the aquaculture of local endemic species; or 3. to eliminate the hazards and risks associated with non-endemic aquaculture species. <p>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.</p>	<p>No acceptable outcome is prescribed.</p>
<p>PO8 Aquaculture development is designed to maintain the integrity of the aquaculture product through:</p>	<p>No acceptable outcome is prescribed.</p>

Performance outcomes	Acceptable outcomes
<ol style="list-style-type: none"> 1. lawful methods of harvesting of the aquaculture product; and 2. ensuring food safety and ethical standards will be met. 	
<p>PO9 Aquaculture development is designed to provide for the management of disease.</p> <p>Note: Further information can be found in the Health management technical guidelines for aquaculture: Technical guidelines for health management for aquaculture, including aquaculture undertaken under the self-assessable code, Department of Primary Industries and Fisheries (currently Department of Agriculture and Fisheries), 2008.</p>	<p>AO9.1 The aquaculture development is designed such that any fish mortalities and processing wastes (including filter residues) are treated and disposed of in accordance with the Australian Government Department of Agriculture, Fisheries and Forestry AQUAVETPLAN (as updated from time to time).</p> <p>Note: AQUAVETPLAN is available on the Australian Government Department of Agriculture, Fisheries and Forestry website.</p>
Land-based aquaculture development	
<p>PO10 Ponds, tanks, containers, aquaria and drainage systems are designed, constructed and operated to avoid leakage.</p>	<p>AO10.1 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.</p> <p>Note: Risk assessment considerations can be found in the Guidelines for constructing and maintaining aquaculture containment structures: Guidelines for best practice in-ground pond construction for aquaculture, Department of Agriculture, Fisheries and Forestry, 2007.</p>
<p>PO11 The aquaculture development is designed and constructed to mitigate biosecurity and disease risks on the natural environment.</p>	<p>AO11.1 Aquaculture development is designed and constructed to prevent impacts on waterways and wetlands by:</p> <ol style="list-style-type: none"> 1. being located away from important natural features such as waterways and wetlands: <ol style="list-style-type: none"> a. for tidal habitats: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> i. 50 metres from bankfull width outside an urban area; and ii. 25 metres from bankfull width within an urban area 2. constructing all ponds above the highest astronomical tide 3. measures ensuring that all waters (e.g. ponds, tanks, containers and aquaria) on the premises are screened to prevent the escape of any aquaculture fisheries resources (eggs, juveniles or adults) into Queensland waters 4. for land-based freshwater aquaculture, not allowing discharge from ponds and tanks to enter Queensland waters. <p>Note: The exception for point 4 is constructed storage dams located above Q100 limits and used for the purposes of water storage and reuse only.</p> <p>AND</p> <p>AO11.2 The design of the aquaculture facility provides control at all times over the containment and release of water from all ponds, tanks and</p>

Performance outcomes	Acceptable outcomes
	drainage systems within the approved aquaculture area.
<p>PO12 Ponds, tanks, containers, aquaria and drainage systems are designed, constructed and operated to ensure immunity from flooding and inundation.</p>	<p>AO12.1 The development is not located on flood prone land.</p> <p>AND</p> <p>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.</p> <p>AND</p> <p>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.</p> <p>AND</p> <p>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.</p>
<p>PO13 All juvenile or adult wild fauna (excepting zooplankton) are excluded from land-based aquaculture development through:</p> <ol style="list-style-type: none"> 1. the design, construction, and operation preventing entry of fauna; and 2. the screening of water introduced into the aquaculture development. 	No acceptable outcome is prescribed.
<p>PO14 Aquaculture development that hold fish capable of overland escape are designed to prevent overland escape.</p>	<p>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.</p>
<p>PO15 Bioremediation practices for the purpose of aquaculture are designed, constructed, and operated to minimise impacts on fisheries resources.</p>	No acceptable outcome is prescribed.
Tidal aquaculture developments	
<p>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:</p> <ol style="list-style-type: none"> 1. fisheries resources 2. birds 3. marine mammals 4. reptiles. 	No acceptable outcome is prescribed.
<p>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.</p>	<p>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</p>

Performance outcomes	Acceptable outcomes
<p>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.</p>	<p>species and the same genetic stock as the resident population of that area.</p> <p>AND</p> <p>AO17.2 Tidal aquaculture is only of native Queensland fish species that are endemic to the location of the development.</p> <p>AND</p> <p>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.</p>
<p>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.</p>	<p>No acceptable outcome is prescribed.</p>
<p>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.</p>	<p>No acceptable outcome is prescribed.</p>
<p>PO20 Aquaculture furniture and other infrastructure is designed, constructed, managed and maintained to avoid impacts to fisheries resources.</p>	<p>AO20.1 Aquaculture furniture does not interfere with natural ecosystems, such as seagrass communities, marine plants or other fisheries resources such as coral.</p> <p>AND</p> <p>AO20.2 Aquaculture furniture and other infrastructure is temporary and does not include any fixed structures in the substrate (except for supporting posts).</p> <p>AND</p> <p>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.</p> <p>AND</p> <p>AO20.4 Other structures, including break walls, fences, boat ramps and jetties, are not constructed on areas allocated for prescribed aquaculture.</p>
<p>PO21 Aquaculture 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 Primary Industries and Fisheries, 2015.</p> <p>Note: Further information can be found in the Oyster Industry Management Plan for Moreton Bay Marine Park, Department of Primary Industries and Fisheries, 2015.</p>	<p>No acceptable outcome is prescribed.</p>

Performance outcomes	Acceptable outcomes
<p>PO22 Facilities for the aquaculture of pearl oysters are designed, constructed, maintained, managed and operated to meet pearl oyster quarantine management requirements for Queensland.</p> <p>Note: Further pearl oyster quarantine information can be found on the Department of Agriculture and Fisheries website.</p>	<p>No acceptable outcome is prescribed.</p>
Aquaculture of barramundi for inland catchments	
<p>PO23 Aquaculture development does not compromise the ecological integrity of fauna in inland catchments (west of the Great Dividing Range).</p> <p>Note: Aquacultured 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.</p>	<p>AO23.1 Development is designed to prevent the spread of disease or the introduction of barramundi into catchments where it does not naturally occur, through:</p> <ol style="list-style-type: none"> 1. ensuring no water or organisms originating from the aquaculture 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 aquacultured product 2. aquacultured barramundi and co-cultured species must not be sold, traded, stocked into Queensland waters or given away for non-food purposes all containers used to aquaculture barramundi are screened to exclude predators (for example birds) without causing injury to such predators.
Exotic fish	
<p>PO24 No water or organisms originating from the aquaculture 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.</p>	<p>AO24.1 Culture of exotic fish does not occur in open or flow-through systems that discharge into waterways.</p> <p>AND</p> <p>AO24.2 All containers used to aquaculture exotic fish are screened to exclude predators (for example birds) without causing injury to such predators.</p>
<p>PO25 Commonwealth quarantine protocols have successfully been completed for any fish proposed for production.</p>	<p>No acceptable outcome is prescribed.</p>
Aquaculture of rare, threatened and endangered species recognised in Commonwealth and state legislation	
<p>PO26 Aquaculture development involving rare, threatened or endangered fish that are recognised under state or Commonwealth legislation:</p> <ol style="list-style-type: none"> 1. provides a net benefit to management of the chosen species 2. avoids or acceptably minimises biosecurity risks 3. manages any risks to rare, threatened or endangered fish. <p>Note: For example, considering the risks of obtaining broodstock, maintaining the genetic integrity of restricted populations, translocation and disease.</p> <p>Examples of such species include Queensland lungfish, Mary and Murray River cods, silver perch, honey blue-eye and Oxleyan pygmy perch.</p>	<p>No acceptable outcome is prescribed.</p>
For aquaculture development in the Great Sandy Strait Marine Park	

Performance outcomes	Acceptable outcomes
<p>PO27 Aquaculture development in the Great Sandy Strait Marine Park:</p> <ol style="list-style-type: none"> 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. <p>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.</p>	<p>No acceptable outcome is prescribed.</p>

17.2 Reference documents

Aquaculture policies and guidelines

[Conservation Agreement](#) between the Minister for Sustainability, Environment, Water, Population and Communities on behalf of the Commonwealth of Australia and the Minister for Agriculture, Food and Regional Economies and the Minister for Environment on behalf of the State of Queensland dated 7 September 2011 – Agreement in relation to aquaculture operations in the Great Sandy Marine Park as described in the Great Sandy regional marine aquaculture plan (Queensland Government, approved October 2010) and made under the Environment Protection and *Biodiversity Conservation Act 1999* (Cth)

Department of Agriculture and Fisheries 2017, [State Development Assessment Provisions Guidance Material: State code 17: Aquaculture, 2017](#)

Department of Employment, Economic Development and Innovation 2011, [FAMOP015 – Management arrangements for translocation of live aquatic organisms \(transport between bioregions\) for aquaculture](#)

Department of Employment, Economic Development and Innovation (Fisheries Queensland) 2011, [Great Sandy Regional Marine Aquaculture Plan \(GSRMAP\)](#)

Department of Employment, Economic Development and Innovation 2011, [Implementation guide for the Great Sandy Regional Marine Aquaculture Plan authorities](#)

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 transshipment 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](#)

Queensland Primary Industries and Fisheries 2008, [Oyster Industry Management Plan for Moreton Bay Marine Park](#)

Translocation and biosecurity

Department of Agriculture, Fisheries and Forestry 2011, [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, Fisheries and Forestry 2011, [FAMPR001 – Health protocol for the importation of selected live penaeid species from outside Queensland's East Coast waters](#) (i.e. Gulf of Carpentaria, Torres Strait, Northern Territory and Western Australia)

Department of Agriculture, Fisheries and Forestry 2011, [FAMPR002 – Health protocol for the importation and movement of live barramundi](#)

Department of Agriculture, Fisheries and Forestry 2011, [FAMPR003 – Health protocol for the translocation and movement of live bivalve molluscs](#)

Department of Agriculture, Fisheries and Forestry 2011, [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, Fisheries and Forestry 2013, [Identifying and reporting disease in aquaculture](#)

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

Department of Agriculture, Fisheries and Forestry 2013, [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 Employment, Economic Development and Innovation 2011, [FAMPR004 – Health protocol for the movement of live marine crustaceans including crabs, lobsters and bugs](#)

Department of Employment, Economic Development and Innovation 2011, [FAMPR005 – Health protocol for the movement of live eels](#)

Department of Employment, Economic Development and Innovation 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 \(other than barramundi and eels\)](#)

Accepted Development

Department of Agriculture and Fisheries 2017, [Accepted development requirements for material change of use that is aquaculture](#)

Other references

Australian Government Department of Agriculture, Fisheries and Forestry, [AQUAVETPLAN](#)

Note: This website contains information on the Australian Aquatic Veterinary Emergency Plan.

Australian Government – Ministerial Council on Forestry, Fisheries and Aquaculture 1999, [National policy for the translocation of live aquatic organisms – Issues, principles and guidelines for implementation](#)

Department of Environment and Heritage Protection 2014, [Queensland Environmental Offsets Policy](#)

Department of Science, Information Technology, Innovation and the Arts 2014, [Queensland Acid Sulfate Soil Technical Manual](#)

International Erosion Control Association 2008, [Best Practice Erosion and Sediment Control Guidelines](#)

17.3 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 under a 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 section 94 of the *Fisheries Act 1994*.

Note: **Disease** means:

1. a **disease**, parasite, pest, plant or other thing (the **disease**) that has, or may have, the effect (directly or indirectly) of killing or causing illness in **fisheries resources**, or in humans or animals that eat **fisheries resources** infected with or containing the **disease**; or
2. a chemical or antibiotic residue; or
3. a species of a **fish** or plant that may compete against **fisheries resources** or other **fisheries resources** to the detriment of the **fisheries resources** or other **fisheries resources**.

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
 - e. however, does not include:
 - f. crocodiles
 - g. protected animals under the *Nature Conservation Act 1992*
 - h. pests under the Pest Management Act 2001; or
 - i. animals prescribed under a regulation not to be **fish**
3. 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 transshipping **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 under a regulation or management plan to be a **marine plant**.

A **marine plant** does not include a plant that is a declared pest under the *Land Protection (Pest and Stock Route Management) Act 2002*.

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 or inlet of the sea.