

27th May 2025

Shellfish Hatchery Protocol

Production and translocation for cultivation in NSW waters of Sydney rock oyster (*Saccostrea glomerata*) spat produced by Athair Aquaculture Pty Ltd at Albany Shellfish Hatchery, Murray Road Torndirrup, Western Australia

Purpose

The following protocol has been developed to minimise the risk of introducing diseases and pests from Western Australian waters into NSW waters. It outlines the requirements for translocation of Sydney Rock Oyster (*Saccostrea glomerata*) spat (juvenile seed stock), produced by the Athair Aquaculture Pty Ltd at Albany Shellfish Hatchery (Lot 3, DP 7901 Murray Road, Torndirrup, Western Australia, 6330) for further cultivation in NSW waters.

Note: This facility was previously known as Western Australian Shellfish Hatchery.

Scope

Sydney Rock Oyster spat produced by Athair Aquaculture Pty Ltd at Albany Shellfish Hatchery will only be permitted to be placed into NSW waters for further cultivation where it can be demonstrated that the spat has been produced and translocated in accordance with the following protocol.

Relevant Legislation

Under this protocol, Sydney Rock Oyster spat may only be imported into NSW by authorised persons or entities ('the shipper') permitted to farm Sydney Rock Oysters under [section 144 \(Aquaculture permits\)](#) (Aquaculture Permit) of the *Fisheries Management Act 1994* (FMA). The shipper must hold a special or specific permit condition on their NSW Department of Primary Industries and Regional Development (NSW DPIRD) aquaculture permit, authorising, for the purpose of [section 216 \(1\)](#) of the FMA, the placement of Sydney Rock Oyster spat produced by Athair Aquaculture Pty Ltd in their Albany Shellfish Hatchery, Torndirrup, Western Australia, onto the leases authorised by that permit (see definition for 'shipper' below).

Following the initial translocation by the shipper into NSW waters, the Sydney Rock Oysters may only be on-sold or further translocated within NSW for cultivation, where the recipient is an authorised person or entity permitted to farm the Sydney Rock Oysters under [section 144 \(Aquaculture permits\)](#) of the FMA at that additional location. Any such sale or translocation must comply with the record keeping and reporting requirements outlined in this protocol, as well as all conditions specified in the relevant aquaculture permits and any applicable restrictions under the FMA, the Fisheries Management (Aquaculture) Regulation 2024, the *Biosecurity Act 2015* ('the Act') and the Biosecurity Regulation 2017.

A NSW DPIRD Fisheries Officer under the FMA or Authorised Officer under the Act may inspect batches of Sydney Rock Oyster spat shipped from the source hatchery for Athair Aquaculture Pty Ltd

at any time after the shipment enters NSW. The inspection ensures compliance with this protocol, the provisions of the Act, the Biosecurity Regulation 2017, the FMA and the Fisheries Management (Aquaculture) Regulation 2024.

Note: At any time, a formal legal instrument can take effect that may override either parts of, or the entire, protocol.

Documentation requirements relating to translocation of Sydney Rock Oyster spat under this protocol must be provided to NSW DPIRD via email to oyster.import@dpiird.nsw.gov.au.

General Biosecurity Duty

On 1 July 2017 the NSW *Biosecurity Act 2015* (the 'Act') commenced which provides a framework for responsibility for the biosecurity risk that is shared among the community, industry and government. The Act establishes several 'biosecurity duties' that include:

- a general biosecurity duty
- duties relating to prohibited matter, and
- a duty to notify biosecurity events.

The general biosecurity duty supports shared responsibility through its broad scope. Any person who deals with biosecurity matter or a carrier and who knows, or ought reasonably to know, the biosecurity risk posed or likely to be posed by the biosecurity matter, carrier or dealing has a biosecurity duty to ensure that, so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimised. The general biosecurity duty can be found in Part 3 of the Act.

To ensure compliance with the general biosecurity duty, NSW DPIRD recommends that Athair Aquaculture Pty Ltd develops and maintains a biosecurity plan that aims to minimise biosecurity risk to Albany Shellfish Hatchery and surrounding area. More information on the Act and the general biosecurity duty can be found on the website:

<https://www.dpi.nsw.gov.au/fishing/aquatic-biosecurity/legislation-regulations>.

Definitions

Algal production cycle means the time period from which algae is acquired and cultivated for use in the larval and spat production cycle.

Aquaculture shipment log book (previously known as an Oyster Shipment Log Book) means a log book in a form approved by the Secretary of the Department for purposes of complying with conditions imposed by this protocol and Part 2, Division 3 of the Fisheries Management (Aquaculture) Regulation 2024.

Business day means Monday to Friday 9am to 5pm, excluding public holidays.

Closed hatchery system means an enclosed land-based cultivation facility for oyster larvae and spat with biosecurity controls in place, isolated from estuarine production facilities and isolated from facilities that produce stock for any other purpose.

Competent authority means a National Association of Testing Authorities (NATA) accredited veterinary diagnostic laboratory (e.g. Elizabeth Macarthur Agricultural Institute (EMAI)) approved by the NSW Chief Veterinary Officer.

Independent certifier means a competent certifier as approved by the NSW Chief Veterinary Officer.

Individual batch means a group of oyster spat produced from a single spawning event and held in a upweller system that uses the same source of water.

Larval and spat production cycle means the time period from spawning of oyster broodstock within a closed hatchery system, to cultivation of larvae, to spat prior to importation into NSW.

NSW DPIRD means the New South Wales Department of Primary Industries and Regional Development, formed on 1 July 2024 (formerly known as Department of Primary Industries (NSW DPI) as part of the Department of Regional NSW).

Shipper means the person or entity in NSW who will be receiving the batch of oysters direct from the source hatchery and who holds an aquaculture permit under section 144 of the FMA. **Source Hatchery** means Albany Shellfish Hatchery, at Lot 3, DP 7901 Murray Road, Torndirrup, Western Australia, 6330.

Supplier means Athair Aquaculture Pty Ltd.

Conditions of protocol

Part A - Conditions relating to the source hatchery

1. Broodstock collection & transport

- a) Sydney Rock Oyster (*Saccostrea glomerata*) spat may only be produced from broodstock that have the written approval of the NSW Chief Veterinary Officer or their delegate prior to any translocation of the broodstock or production of spat.
- b) For further provisions on the translocation of oyster broodstock see Shellfish Hatchery Protocol Supply of NSW oyster broodstock to an interstate hatchery, including return of that broodstock to NSW, found at: [Aquaculture protocols](#).

Note: Adair Aquaculture Pty Ltd is responsible for ensuring that the broodstock complies with all relevant requirements set by the appropriate Western Australian authorities. Where relevant, Adair Aquaculture Pty Ltd must communicate these requirements to NSW stakeholders before any NSW broodstock is translocated to Western Australia.

2. Hatchery & larval rearing

- a) A quarantine “restricted entry” warning sign or similar is affixed to the external side of any entry door to the facility. Entry is restricted to essential authorised staff only. Access points are to remain locked whenever the facility is unattended.
- b) Effective footbaths to be maintained at each entry/exit point to the facility and utilised both when entering and exiting the hatchery. Footbaths can be made using Virkon (made up to solution in accordance with manufacturer specifications) or 200 mg/L iodine solution.

- c) A 200 mg/L iodine spray or 70% ethanol solution is to be used to sanitise hands prior to entry and exit from the facility.
- d) Sydney Rock Oyster broodstock must always remain isolated from all other molluscs and invertebrates in the hatchery both physically and spatially (in separate rooms and separate water supplies) as well as operationally (complete separation of all equipment used on broodstock to ensure it never leaves the broodstock room).
- e) Sydney Rock Oyster (*Saccostrea glomerata*) spat (juvenile oysters) are to be produced in a closed hatchery system and are at no time to be placed in, or exposed to, unfiltered Western Australian waters.
- f) All seawater used in the hatchery system must be subject to nominal filtration 1.0 micron or less followed by ultraviolet irradiation at a dose of at least 30 mJ/cm² for the duration of the larval and spat production cycle. The hatchery must also certify that all seawater used in the larval, spat and algal production cycle has been subject to nominal filtration to 1.0 micron or less followed by ultraviolet irradiation at a dose of at least 30 mJ/cm².
- g) All tanks, internal water supply lines, valves and culture equipment used in the larval and spat production cycle must be cleaned with chlorine (made to a minimum solution of 200 ppm active effective chlorine) and washed with fresh water prior to commencing the larval and spat production cycle.
- h) Each batch of eggs or sperm must be removed from spawning tanks/vessels containing broodstock oysters as soon as possible after gametes stripping and transferred to a designated larval rearing room. To ensure complete isolation, they must remain physically, spatially and operationally separated from all other molluscs in the hatchery at all times. This includes placement in separate rooms with separate water supplies, and the use of dedicated equipment that is not used in any other part of the facility.
- i) Batches of Sydney Rock Oyster spat that are to be imported into NSW must be the progeny solely of broodstock which have been approved in writing by the NSW Chief Veterinary Officer or their delegate.
- j) Prior to the first Sydney Rock Oyster spat batch being imported into NSW, and thereafter every 12 months, the independent certifier is to certify that the source hatchery meets all requirements of this protocol.

3) Pre-dispatch Diagnostic Testing

The following requirements must be met no more than 30 days but not less than two full business days prior to the importation into NSW:

- a) Every batch of spat must be stress tested at a suitable stage of development by holding them at a minimum temperature of 20°C for no less than 3 days prior to sampling for diagnostic testing.
- b) Three random samples of at least 300 Sydney rock oyster spat from each individual batch must be collected, with each sample comprising of an equal number of spat collected from

each upweller used to produce that batch. These samples must be forwarded to a competent authority for testing and examination as follows:

- i. 300 spat are to be tested by polymerase chain reaction for the presence of:
 - o Malacoherpesviruses; and
 - o *Bonamia* spp.; and
 - o *Perkinsus* spp.; and
 - o *Minchinia* spp.
 - ii. 300 spat are to be examined for a general health screen by histopathology for the presence of any prohibited matter as prescribed in Schedule 2, Part 1 of the NSW Biosecurity Act 2015, and any notifiable diseases as prescribed in Schedule 1, Part 2 of the Biosecurity Regulation 2017.
- c) A statement of general health and a certificate of disease status must be provided by the competent authority.
- d) A batch of Sydney Rock Oyster spat produced at the source hatchery may only be placed into NSW waters where the batch of spat has been certified free of evidence of disease agents by the competent authority.

Part B - Conditions of transportation into NSW

4) Shipment documentation

Not less than 48 hours, nor more than 2 weeks prior to dispatch of each batch of Sydney Rock Oyster spat from the source hatchery to NSW:

- a) The shipper must:
 - i. complete a copy of the aquaculture shipment log book; and
 - ii. provide a completed copy of the aquaculture shipment log book to the supplier.
- b) The source hatchery must prepare a declaration stating:
 - i. the species, approximate number and size of oyster being shipped; and
 - ii. that the requirements of sections 1), 2) and 3) of this protocol have been met, and
 - iii. that there have been no unusual mortalities of undetermined cause in the Sydney rock oyster populations at the facility at any point during the larval and spat production cycle. There also has been no evidence of the presence of aquatic pests or diseases listed as either prohibited matter under of the NSW *Biosecurity Act 2015* or notifiable matter under of the Biosecurity Regulation 2017 in the source hatchery throughout that time.
- c) Copies of the following documents must accompany the Sydney Rock Oyster batch throughout its shipment from the source hatchery into NSW:
 - i. statement of general health and certificate of disease status at 3(c) above; and
 - ii. aquaculture shipment log book at 4(a)(i) above; and
 - iii. the source hatchery declaration at 4(b) above.

These documents must be held for a period of 12 months following the shipments arrival in NSW. The shipper must hold these records and provide them to any person or entity receiving the Sydney Rock Oyster batch, or portion thereof, for further cultivation within NSW during this initial 12-month period.

- d) Copies of the records required under this protocol must be produced to a fisheries officer under the *Fisheries Management Act 1994*, or an authorised officer under the *Biosecurity Act 2015*, on request.
- e) Copies of the:
 - i. statement of general health and certificate of disease status at 3(c) above; and
 - ii. aquaculture shipment log book at 4(a)(i) above; and
 - iii. the source hatchery declaration at 4(b) above

must be emailed to NSW DPIRD to the address oyster.import@dpiird.nsw.gov.au.