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Fisheries Act 1995

FURTHER QUOTA ORDER FOR THE ABALONE FISHERY

I, Ross McGowan, Executive Director Regulation and Compliance (Fisheries), as delegate of the Minister for Agriculture and Food Security and having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Further Quota Order under section 66D of the Act:

Dated 26 March 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

1. This Order applies to the period commencing on 1 April 2014 and ending on 31 March 2015 ('the quota period').
2. The total allowable catch for blacklip abalone in the western abalone zone for the quota period is 56.10 tonnes of unshucked blacklip abalone.
3. The total allowable catch for blacklip abalone in the central abalone zone for the quota period is 307.70 tonnes of unshucked blacklip abalone.
4. The total allowable catch for blacklip abalone in the eastern abalone zone for the quota period is 417.50 tonnes of unshucked blacklip abalone.
5. The total allowable catch for greenlip abalone in the western abalone zone for the quota period is 0 tonnes of unshucked greenlip abalone.
6. The total allowable catch for greenlip abalone in the central abalone zone for the quota period is 3.4 tonnes of unshucked greenlip abalone.
7. The quantity of fish comprising an individual blacklip abalone quota unit in the western abalone zone for the quota period is 200.36 kilograms of unshucked blacklip abalone.
8. The quantity of fish comprising an individual blacklip abalone quota unit in the central abalone zone for the quota period is 452.50 kilograms of unshucked blacklip abalone.
9. The quantity of fish comprising an individual blacklip abalone quota unit in the eastern abalone zone for the quota period is 907.61 kilograms of unshucked blacklip abalone.
10. The quantity of fish comprising an individual greenlip abalone quota unit in the western abalone zone for the quota period is 0.00 kilograms of unshucked greenlip abalone.
11. The quantity of fish comprising an individual greenlip abalone quota unit in the central abalone zone for the quota period is 100.00 kilograms of unshucked greenlip abalone.

Notes

DEPI is committed to rebuilding abalone stocks in the central zone and establishes the central zone blacklip TACC subject to the following conditions:

1. Industry must manage catch within the target range (between upper and lower limits) for each Spatial Management Unit (SMU). This must include effective voluntary closures of SMUs when a limit is reached. The Department of Environment and Primary Industries (DEPI) will support voluntary management by informing industry weekly of the current catch levels against targets. DEPI will provide daily updates (except weekends) when catch in an SMU is within 10 per cent of its specified limit.
2. Catch Per Unit Effort (CPUE) in each SMU must be maintained or increased across the 2014/15 fishing season. Substantial and sustained increases in CPUE will be required in SMUs that have had size limit reductions (i.e. Back Beaches, Flinders, Phillip Island and Prom East). Meeting this conditions is required to maintain the current level of catch in each SMU next season.
3. The overall trends in pre-recruit and recruit abundance must be maintained or increased within SMUs. Meeting this conditions is required to maintain the current level of catch in each SMU next season.

SPECIAL

4. Industry and DEPI will engage during the coming season in good faith discussions regarding the implementation of electronic data logging to provide more information about the duration and location of fishing effort and catch to support future quota setting.

Successful implementation of these conditions by industry, and monitoring to assess key indicators for the fishery, will be important factors in determining whether the blacklip TACC is retained for the 2015/16 fishing season.

This Order commences on 1 April 2014 and remains in force until 31 March 2015.

Fisheries Act 1995

FISHERIES NOTICE NO. 1/2014

I, Ross McGowan, Executive Director Regulation and Compliance (Fisheries), as delegate of the Minister for Agriculture and Food Security and having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under section 152 of the Act:

Dated 26 March 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

FISHERIES (WESTERN ABALONE ZONE) NOTICE NO. 1/2014

1. Title

This Notice may be cited as the Fisheries (Western Abalone Zone) Notice No. 1/2014.

2. Objectives

The objective of this Notice is to fix minimum size limits for blacklip and greenlip abalone in the western abalone zone.

3. Authorising provision

This Notice is made under section 152 of the Act.

4. Commencement

This Notice comes into operation on 1 April 2014.

5. Minimum sizes for abalone taken from the western abalone zone

For the purposes of the Act, the minimum size with respect to –

- (a) the taking of blacklip or greenlip abalone from the western abalone zone is 130 millimetres; or
- (b) the possession of blacklip or greenlip abalone in, on or next to waters in the western abalone zone is 130 millimetres.

Notes: There are offences in sections 68A and 68B of the Act relating to taking or possessing fish of a species that are less than the minimum size specified for that species of fish in this Notice. Various penalties apply.

Under section 152(3), of the Act, if a provision of this Notice is inconsistent with any regulations, the Fisheries Notice prevails to the extent of the inconsistency. The general size limits specified in the Fisheries Regulations 2009 will continue to apply in circumstances where the size limits specified in clause 6 do not apply.

6. Revocation

Unless sooner revoked, this Notice will be revoked on 31 March 2015.

Fisheries Act 1995

FISHERIES NOTICE NO. 2/2014

I, Ross McGowan, Executive Director Regulation and Compliance (Fisheries), as delegate of the Minister for Agriculture and Food Security and having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under section 152 of the Act:

Dated 26 March 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

FISHERIES (CENTRAL ABALONE ZONE) NOTICE NO. 2/2014

1. Title

This Notice may be cited as the Fisheries (Central Abalone Zone) Notice No. 2/2014.

2. Objectives

The objective of this Notice is to fix minimum size limits for blacklip and greenlip abalone taken under an Abalone Fishery Access Licence in the central abalone zone.

3. Authorising provision

This Notice is made under section 152 of the Act.

4. Commencement

This Notice comes into operation on 1 April 2014.

5. Definitions

In this fisheries notice –

size zone means any of the areas described in paragraphs (a) to (h) in column 1 of Schedule 1 in clause 6 or paragraphs (a) to (b) in column 1 of Schedule 2 in clause 7 of this Notice.

6. Minimum sizes for blacklip abalone taken from the central abalone zone

For the purposes of the Act, the minimum size with respect to the taking of blacklip abalone from Victorian waters as specified in column 1 of Schedule 1 is the size specified for those waters in Column 2 of Schedule 1.

Schedule 1

<i>Column 1</i>	<i>Column 2</i> Minimum size (Millimetres)
Waters taken from	
Victorian marine waters –	
a) between longitude 142°30.498'E and longitude 143°58.008'E which includes reef codes 4.01–8.02.	123
b) Port Phillip Bay reef codes 11.01–11.18.	105
c) between longitude 144°42.834'E and latitude 38°19.134'S north to a depth of 10 metres and extending west around to the south side of Point Nepean and to a depth of 30 metres, and then south-east to longitude 144°53'19.34"E, which includes reef codes 12.01–12.05.	117
d) South from longitude 145°21'50.90"E and latitude 38°31'6.13"S and extending east around to San Remo to the line extending from longitude 145°33'34.20"E and latitude 38°39' 7.34 S to longitude 145°32'24.06"E and latitude 38°40'28.10"S. This includes reef codes 15.01–15.02.	115
e) between longitude 145°55.32'E and longitude 146°2.418'E which includes reef codes 16.04–16.06.	105
f) from longitude 146°2.418'E to the western boundary of the Wilson Promontory Marine National Park which extends from Norman beach (longitude 146°19.63'E and latitude 39°2.46'S). This includes reef codes 16.07 through to 17.05.	115
g) Shellback Island, Norman Island, Great Glennie Island, Dannevig Island, Citadel Island and McHugh Island i.e. reef codes 17.01, 17.03 and 17.10–17.13.	120

Coordinate Datum used: WGS84

7. Minimum sizes for greenlip abalone taken from the central abalone zone

For the purposes of the Act, the minimum size with respect to the taking of greenlip abalone from Victorian waters as specified in column 1 of Schedule 2 is the size specified for those waters in Column 2 of Schedule 2.

Schedule 2

<i>Column 1</i>	<i>Column 2</i>
Waters taken from	Minimum size (Millimetres)
Victorian marine waters –	
a) between longitude 142°30.498'E and longitude 144°38.88'E (i.e. mouth of the Hopkins River to Point Nepean).	145
b) between longitude 144°38.88'E and longitude 148°E (i.e. Point Nepean to Lakes Entrance).	150

Notes: There are offences in sections 68A and 68B of the Act relating to taking or possessing fish of a species that are less than the minimum size specified for that species of fish in this Notice. Various penalties apply.

Under section 152(3), of the Act, if a provision of this Notice is inconsistent with any regulations, the Fisheries Notice prevails to the extent of the inconsistency. The general size limits specified in the Fisheries Regulations 2009 will continue to apply in circumstances where the size limits specified in clauses 6 and 7 do not apply.

8. Abalone not to be taken from more than one size zone

- (1) For the purposes of section 67 of the Act –
- the taking of blacklip abalone under an Abalone Fishery Access Licence from more than one size zone on any fishing trip; or
 - the possession of blacklip abalone taken from more than one size zone on-board any boat being used under an Abalone Fishery Access Licence; or
 - the landing of blacklip abalone taken under an Abalone Fishery Access Licence from more than one size zone;
- is prohibited.

Note: It is an offence under section 67(3) of the **Fisheries Act 1995** to fail to comply with a prohibition.

- (2) A person who contravenes the prohibition in sub-clause (1) is liable to a further penalty –
- in the case of a first offence, a penalty not exceeding 0.5 of a penalty unit for each fish taken, possessed or landed in contravention of the prohibition;
 - in the case of a subsequent offence, a penalty not exceeding 1 penalty unit for each fish taken, possessed or landed in contravention of the prohibition.

9. Revocation

Unless sooner revoked, this Notice will be revoked on 31 March 2015.

Fisheries Act 1995

FISHERIES NOTICE NO. 3/2014

I, Ross McGowan, Executive Director Regulation and Compliance (Fisheries), as delegate of the Minister for Agriculture and Food Security and having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under section 152 of the Act:

Dated 26 March 2014

ROSS MCGOWAN
Executive Director Regulation and Compliance (Fisheries)

FISHERIES (EASTERN ABALONE ZONE) NOTICE NO. 3/2014

1. Title

This Notice may be cited as the Fisheries (Eastern Abalone Zone) Notice No. 3/2014.

2. Objectives

The objective of this Notice is to fix minimum size limits for blacklip abalone taken under an Abalone Fishery Access Licence in the eastern abalone zone.

3. Authorising provision

This Notice is made under section 152 of the Act.

4. Commencement

This Notice comes into operation on 1 April 2014.

5. Definitions

In this fisheries notice –

size zone means any of the areas described in paragraphs (a) to (e) in column 1 of Schedule 1 in clause 6 of this Notice.

6. Minimum sizes for blacklip abalone taken from the eastern abalone zone

For the purposes of the Act, the minimum size with respect to the taking of blacklip abalone from Victorian waters as specified in column 1 of Schedule 1 is the size specified for those waters in Column 2 of Schedule 1.

Schedule 1

<i>Column 1</i>	<i>Column 2</i>
Waters taken from	Minimum size (Millimetres)
Victorian marine waters –	
a) between longitudes 148°52.242'E and 149°18.558'E which includes reef codes 22.08–23.02.	125
b) between longitudes 149°18.558'E and 149°27.204'E which includes reef codes 23.03–23.05.	127
c) between longitudes 149°27.204'E and 149°32.76'E which includes reef codes 23.06 and 24.00–24.03.	138
d) between longitudes 149°32.76'E and 149°39.372'E which includes reef codes 24.04–24.08.	127
e) between longitude 149°39.372'E and a straight line connecting coordinates longitude 149°40'35.90"E, latitude 37°41'2.89"S and longitude 149°41'22.46"E, latitude 37°41'27.66"S i.e. reef code 24.09.	115

Coordinate Datum used: WGS84

Notes: There are offences in sections 68A and 68B of the Act relating to taking or possessing fish of a species that are less than the minimum size specified for that species of fish in this Notice. Various penalties apply.

Under section 152(3), of the Act, if a provision of this Notice is inconsistent with any regulations, the Fisheries Notice prevails to the extent of the inconsistency. The general size limits specified in the Fisheries Regulations 2009 will continue to apply in circumstances where the size limits specified in clause 6 do not apply.

7. Abalone not to be taken from more than one size zone

(1) For the purposes of section 67 of the Act –

- a) the taking of blacklip abalone under an Abalone Fishery Access Licence from more than one size zone on any fishing trip; or
- b) the possession of blacklip abalone taken from more than one size zone on-board any boat being used under an Abalone Fishery Access Licence; or

- c) the landing of of blacklip abalone taken under an Abalone Fishery Access Licence from more than one size zone;
is prohibited.

Note: It is an offence under section 67(3) of the Fisheries Act 1995 to fail to comply with a prohibition

- (2) A person who contravenes the prohibition in sub-clause (1) is liable to a further penalty –
 - a) in the case of a first offence, a penalty not exceeding 0.5 of a penalty unit for each fish taken, possessed or landed in contravention of the prohibition;
 - b) in the case of a subsequent offence, a penalty not exceeding 1 penalty unit for each fish taken, possessed or landed in contravention of the prohibition.

8. Revocation

Unless sooner revoked, this Notice will be revoked on 31 March 2015.

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