



Victoria Government Gazette

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Fisheries Act 1995

FISHERIES NOTICE NO. 14/2014

I, Ross McGowan, Executive Director Fisheries Victoria, as delegate of the Minister for Agriculture and Food Security and having considered the outcome of 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 28 October 2014

ROSS MCGOWAN
Executive Director Fisheries Victoria

FISHERIES (MURRAY COD BAG AND SIZE LIMIT) NOTICE NO. 14/2014

1. Title

This Notice may be cited as the Fisheries (Murray Cod Bag and Size Limit) Notice No. 14/2014.

2. Objectives

The objective of this Notice is to change the bag and size limit for Murray cod across all Victorian waters, including a new minimum size, a new maximum size and a reduction in the bag limit in waters other than stocked lakes and impoundments.

3. Authorising provision

This Notice is made under section 152 of the Act.

4. Commencement

This Notice comes into operation on 1 December 2014.

5. Definitions and interpretive provisions

(1) In this Notice –

‘**Impoundment**’ means a reservoir, dam, tank, channel or works for water storage or distribution vested in or under the control of the Crown or a public authority;

‘**Lake**’ means a natural collection of water into or through or out of which a current that forms the whole or part of the flow of a river, creek, stream or watercourse passes continuously or intermittently and includes Lake Hume and Lake Mulwala as defined in the Fisheries Regulations 2009;

‘**Murray cod**’ means *Maccullochella peelii*;

‘**Specified waters**’ means any lake or impoundment specified in the Schedule;

‘**the Act**’ means the **Fisheries Act 1995**;

(2) For the purposes of determining waters relating to catch limits specified in this fisheries notice, the boundary between a lake or impoundment and a river or stream flowing into the lake or impoundment is the point at which the flowing water of the river or stream meets the backed up waters of the lake or impoundment, regardless of the water level of the lake or reservoir.

6. Size limits

For the purposes of the Act –

(a) the minimum size for Murray cod is 55 centimetres; and

(b) the maximum size for Murray cod is 75 centimetres.

Note: 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 or more than the maximum size specified for that species of fish in a Fisheries Notice. Various penalties apply.

SPECIAL

7. Catch and possession limits

- (1) For the purposes of the Act, the daily catch limit with respect to –
- (a) the taking of Murray cod from, or the possession of Murray cod in, on or next to specified waters is 2 Murray cod (of which 0 fish may exceed 75 centimetres in length and 0 fish may be less than 55 centimetres in length); and
 - (b) the taking of Murray cod from, or the possession of Murray cod in, on or next to any Victorian waters other than specified waters is 1 Murray cod (of which 0 fish may exceed 75 centimetres in length and 0 fish may be less than 55 centimetres in length).

Note: There are offences in sections 68A and 68B of the Act relating to taking or possessing more fish of a species than the catch limit specified in a Fisheries Notice. Various penalties apply.

- (2) For the purposes of the Act, the maximum combined number of Murray cod that may be taken from all Victorian waters on any one day is 2 Murray cod.

Example: If a person takes 2 Murray cod from specified waters on any day, they may not also take Murray cod from other waters as they have reached the combined daily limit. Similarly if a person takes 1 Murray cod from waters other than specified waters, they may only take 1 more Murray cod from specified waters on the same day before they have reached the daily limit.

- (3) For the purposes of the definition of commercial quantity in the Act, the catch limit for Murray cod is 2 Murray cod.

Note: The commercial quantity specified under the Act for Murray cod in carcass form is 3 times the catch limit or more; or 30 kilograms in any other form. It is an offence under section 111C to possess a commercial quantity of Murray cod anywhere in Victoria. This means the maximum Murray cod in carcass form that a person may possess in Victoria is 5.

8. Revocation

Unless sooner revoked, this Notice will be automatically revoked 12 months after the day on which it comes into operation.

Note: Section 152(3) of the Act provides that if a Fisheries Notice is inconsistent with any regulations, management plan, Ministerial direction, licence or permit, the Fisheries Notice prevails to the extent of the inconsistency.

SCHEDULE

Specified waters (lakes and impoundments)

ALBERT PARK LAKE

BENALLA LAKE

BIG MERAN LAKE

BOOROOPKI SWAMP

BOGA LAKE

BUFFALO LAKE

CAIRN CURRAN RESERVOIR

CHARLEGRARK LAKE

CHARM LAKE

COOPER LAKE

CULLULLERAIN LAKE

EILDON LAKE

EPPALOCK LAKE

FIRST REEDY LAKE

GREENS LAKE

HARRIETVILLE DREDGE HOLE

HUME LAKE

KANGAROO LAKE

KOW SWAMP

LAANECOORIE RESERVOIR

LASCELLES LAKE

MOODEMERE LAKE

NAGAMBIE WEIR

(Defined as all impounded waters upstream of Nagambie Weir to Chinamans Bridge on the Goulburn River and inclusive of Lake Nagambie)

NILLAHCOOTIE LAKE

NUMURKAH LAKE

TAYLORS LAKE

VICTORIA LAKE (Shepparton)

WALKERS LAKE

WARANGA BASIN

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