



Victoria Government Gazette

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Fisheries Act 1995

FISHERIES NOTICE NO. 9/2014

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 17 October 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

FISHERIES (RECREATIONAL ABALONE OPEN DAYS) NOTICE NO. 9/2014

1. Title

This Notice may be cited as the Fisheries (Recreational Abalone Open Days) Notice No. 9/2014.

2. Objectives

The objective of this Notice is to specify open days during the 12 month period from 16 November 2014 when recreational fishing for abalone is permitted in central Victorian waters.

3. Authorising provision

This Notice is made under section 152(1)(b) of the Act.

4. Commencement

This Notice comes into operation on the day it is published in the Victoria Government Gazette and the Department of Environment and Primary Industries website and supersedes Fisheries (Recreational Abalone Open Days) Notice No. 8/2013.

5. Definitions

The Fisheries Regulations 2009 (the Regulations) define 'central Victorian waters' as the marine waters between longitude 143° 27' 36" East (mouth of the Aire River near Cape Otway) and 145° 53' 35" East, 38° 50' 19" South (north-western part of Arch Rock in Venus Bay) where the eastern boundary is a line running due west from the most north-western part of Arch Rock to the seaward limit of State waters.

6. Permitted Recreational Abalone Fishing Days

This Notice prevails over the abalone closed season specified in the table in regulation 237(1) of the Regulations and permits recreational abalone fishing in central Victorian waters on the following days:

Every Saturday and Sunday between 16 November 2014 and 30 April 2015, inclusive.	Every Declared Public Holiday in the State of Victoria between 16 November 2014 and 30 April 2015.	25 December 2014 through to the second Sunday in January 2015, inclusive.
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7. Revocation

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

8. Rescinding previous Fisheries Notice

This Fisheries Notice rescinds Fisheries (Recreational Abalone Open Days) Notice No. 8/2013.

SPECIAL

Fisheries Act 1995

FISHERIES NOTICE NO. 10/2014

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 29 October 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

FISHERIES (COMMERCIAL SNAPPER CATCH LIMIT) NOTICE NO. 10/2014

1. Title

This Notice may be cited as the Fisheries (Commercial Snapper Catch Limit) Notice No. 10/2014.

2. Objective

The objective of this Notice is to implement measures that will protect snapper populations by establishing catch and trip limits and reporting requirements for the Trawl (Inshore) Fishery.

3. Authorising provision

This Notice is made under section 152 of the Act.

4. Commencement and superseding of previous Fisheries Notice

This Notice comes into operation on the day it is published in the Victoria Government Gazette and the Department of Environment and Primary Industries website and supersedes Fisheries (Snapper Commercial Catch Limit) Notice No. 9/2013.

5. Definitions

In this Notice –

Fishing trip means the interval between the vessel leaving a port or mooring and returning to a port or mooring.

Eastern Zone means Victorian waters east of a line running south of the Wilsons Promontory lighthouse not including Corner Inlet.

Western Zone means Victorian waters west of a line running south of the Wilsons Promontory lighthouse.

Snapper means *Pagrus auratus*.

Snapper Zone means any one of the following:

- (a) Eastern Zone; or
- (b) Western Zone.

Aggregated amount means the total amount of snapper taken by all fishers operating in the Trawl (Inshore) Fishery from 1 September 2014.

Specified snapper details means –

- (1) for the purposes of clause 10(1)(a) of this Fisheries Notice –
 - (a) the number allocated by the Secretary to identify the access licence;
 - (b) the estimated weight (in kilograms) of snapper on board the vessel;
 - (c) the snapper zone from which the snapper were taken;
 - (d) the vessel name and identifying mark;
 - (e) the port or mooring area the vessel will enter;
 - (f) the estimated time at which the vessel will enter the port or mooring area; and

- (2) for the purposes of clause 10(1)(f) of this Fisheries Notice –
 - (a) the number allocated by the Secretary to identify the access licence; and
 - (b) the total net weight (in kilograms) of snapper landed under the licence.

6. Daily trip limit

The holder of a Trawl (Inshore) Fishery Access must not –

- (a) take during any fishing trip or on any day;
- (b) land following a fishing trip or on any day; or
- (c) possess on board a boat;

more than 50 kilograms of snapper.

Penalty: 50 penalty units

7. Snapper must be landed before boat departs port or mooring

The holder of a Trawl (Inshore) Fishery Access Licence must ensure that when the boat authorised to be used under the licence departs any port or mooring there are no snapper in or on the boat.

Penalty: 50 penalty units

8. Fishing in more than one zone prohibited

- (1) The holder of a Trawl (Inshore) Fishery Access Licence must not take snapper in more than one snapper zone during any fishing trip or on any day.

Penalty: 50 penalty units

- (2) The holder of a Trawl (Inshore) Fishery Access Licence must not use commercial fishing equipment in more than one snapper zone on any fishing trip or on any day if –
 - (a) the licence holder has snapper in their possession or control; or
 - (b) there are snapper on-board the boat authorised to be used under the licence.

Penalty: 50 penalty units

9. Exemptions

- (1) A Trawl (Inshore) Fishery Access Licence holder is exempt from clause 6 of this Fisheries Notice, if –

- (a) Eastern zone –

- i. the person is operating in the Eastern Zone; and
- ii. an aggregated amount of less than 10 tonnes of snapper has been caught under Trawl (Inshore) Fishery Access Licences in the Eastern Zone since 1 September 2014; or

- (b) Western Zone –

- i. the person is operating in the Western Zone; and
- ii. an aggregated amount of less than 35 tonnes of snapper has been caught under Trawl (Inshore) Fishery Access Licences in the Western Zone since 1 September 2014.

- (2) A Trawl (Inshore) Fishery Access Licence holder is exempt from sub-clause 10(1)(f) of this Fisheries Notice, if –

- (a) Eastern Zone –

- i. the person is operating in the Eastern Zone; and
- ii. an aggregated amount of more than 10 tonnes of snapper has been caught under Trawl (Inshore) Fishery Access Licences in the Eastern Zone since 1 September 2014; or

- (b) Western Zone –
 - i. the person is operating in the Western Zone; and
 - ii. an aggregated amount of more than 35 tonnes of snapper has been caught under Trawl (Inshore) Fishery Access Licences in the Western Zone since 1 September 2014.

10. Reporting, landing and record keeping

- (1) A Trawl (Inshore) Fishery Access Licence holder when operating in the Western Zone must –
 - (a) ensure that the specified snapper details are provided to the Secretary at least 2 hours before the vessel specified in the licence enters a port or mooring area on any day if the vessel has any snapper on board; and
 - (b) ensure that any snapper on-board the boat are landed at the port or mooring specified to the Secretary under sub-clause (a); and
 - (c) ensure that no snapper are landed from the boat specified in the licence before the estimated time for entering a port or mooring area provided to the Secretary under sub-clause (a); and
 - (d) ensure that all snapper on-board the boat specified in the licence are landed no later than one hour after arriving at the port or mooring specified to the Secretary under sub-clause (a); and
 - (e) ensure that any snapper landed from the boat specified in the licence are weighed no later than 2 hours after landing; and
 - (f) ensure that the specified snapper details are provided to the Secretary no later than 2 hours after landing; and
 - (g) ensure that all details of the daily catch record are completed in the manner required by the Secretary before providing any details to the Secretary under sub-clause (f); and
 - (h) ensure that no snapper taken under the licence enters any vehicle that already contains fish, is sold or leaves the place of landing of the snapper or enters any premises to which fish is processed or held, until the licence holder has complied with sub-clause (f).

Penalty: 50 penalty units

- (2) A Trawl (Inshore) Fishery Access Licence holder must ensure that the daily catch record book is on board the boat specified in the licence at all times –
 - (a) when the licence holder or any person acting on behalf of the licence holder is onboard the boat; or
 - (b) when snapper is on board the boat.

Penalty: 50 penalty units

Note: Reporting and record keeping requirements specified in clause 10 of this Fisheries Notice are in addition to the reporting requirements specified in the Fisheries Regulations 2009.

11. Transfer of snapper at sea prohibited

- (1) The holder of a Trawl (Inshore) Fishery Access Licence when operating in the Western Zone must ensure that snapper are not –
 - (a) transferred in, under or on any waters from the boat specified in the licence to any other boat; or
 - (b) sold, transferred or delivered to another person in, under or on any waters.

Penalty: 50 penalty units

- (2) The holder of a Trawl (Inshore) Fishery Access Licence must ensure that snapper taken by a person who is not acting on behalf of the licence holder are not transferred in, under or on any waters to the possession or control of the licence holder or any person acting on behalf of the licence holder (whether on board the boat or not).

Penalty: 50 penalty units

- (3) Sub-clause (1) does not apply to a licence holder who allows snapper to be transferred to a tender boat prior to landing, if that boat proceeds directly to the port or mooring notified to the Secretary in accordance with clause 10(1)(a).

12. Fisheries reserves

For the purposes of section 152(4) of the Act, this notice also applies to any fisheries reserve.

13. Revocation

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

14. Rescinding previous Fisheries Notice

This Fisheries Notice rescinds Fisheries (Commercial Snapper Catch Limit) Notice No. 9/2013.

Note: Penalties under this notice are set in accordance with section 152(7)(c) of the Act which allow the imposition of penalties not exceeding 50 penalty units for a contravention of an offence under a fisheries notice.

Fisheries Act 1995

FISHERIES NOTICE NO. 11/2014

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 17 October 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

FISHERIES (DUSKY FLATHEAD) NOTICE NO. 11/2014

1. Title

This Notice may be cited as the Fisheries (Dusky Flathead) Notice No. 11/2014.

2. Objectives

The objective of this Notice is to set minimum and maximum size limits for recreational dusky flathead (*Platycephalus fuscus*) fishing in Victorian waters.

3. Authorising provision

This Notice is made under section 152 of the Act.

4. Commencement

This Notice comes into operation on the day it is published in the Victoria Government Gazette and the Department of Environment and Primary Industries website and supersedes Fisheries (Dusky Flathead) Notice No. 10/2013.

5. Size limits

For the purposes of the Act –

- (a) the minimum size with respect to the taking of dusky flathead is 30 centimetres; and
- (b) the maximum size with respect to the taking of dusky flathead is 55 centimetres.

Notes:

- 1. 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 this Notice. Various penalties apply.
- 2. 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.

6. Catch and possession limits

For the purposes of the Act, the daily catch limit with respect to the taking of dusky flathead from, or the possession of dusky flathead in, on or next to Victorian waters is 5 dusky flathead (of which 0 fish may exceed 55 centimetres in length and 0 fish may be less than 30 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.

7. Application to Fisheries Reserves

This Notice applies to a Fisheries Reserve, as declared under section 88 of the Act, to the extent that fishing is permitted in the Fisheries Reserve.

8. Revocation

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

9. Rescinding previous Fisheries Notice

This Fisheries Notice rescinds Fisheries (Dusky Flathead) Notice No. 10/2013.

Fisheries Act 1995

FISHERIES NOTICE NO. 12/2014

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 sections 67, 68A and 152 of the Act:

Dated 17 October 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

FISHERIES (VICTORIAN PIFI) NOTICE NO. 12/2014

1. Title

This Notice may be cited as the Fisheries (Victorian Pifi) Notice No. 12/2014.

2. Objectives

The objective of this Notice is to address sustainability concerns for Victorian pifi stocks and related management issues by closing marine waters to commercial pifi harvest except for specified open areas, fixing a minimum size limit for pifis taken under commercial fishery access licences and requiring that commercial fishers prior-report their intention to fish for pifis.

3. Authorising provision

This Notice is made under sections 67, 68A and 152 of the Act.

4. Commencement

This Notice comes into operation on the day it is published in the Victoria Government Gazette and the Department of Environment and Primary Industries website and supersedes Fisheries (Discovery Bay Pifi) Notice No. 11/2013 .

5. Definitions

In this Fisheries Notice –

‘pifi’ means *Donax spp.*

‘closed waters’ means all marine waters between the South Australian and New South Wales borders except for the specified open areas.

‘open areas’ means the marine waters identified in clause 8 (Table 1) and on the map in Schedule 1 of this Fisheries Notice, seaward for a distance of three nautical miles.

‘specified pifi details’ means for the purposes of clause 9 of this Fisheries Notice –

- (a) the number allocated by the Secretary to identify the access licence;
- (b) the date and time of the proposed fishing activity;
- (c) the catch and effort grid zone where pifi are to be taken;

6. Minimum size for pifi taken by commercial fishers

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

- (a) the taking of pifi; and
- (b) the possession of pifi in, on or next to Victorian waters –

by the holder of a commercial fishery access licence, or a person acting under the licence, is 35 millimetres (as measured across the widest dimension of the shell).

Notes: There are offences in sections 68A 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. Closed waters

For the purposes of sections 67 of the Act,

- (a) the taking of pipi from closed waters; or
 (b) the possession of pipi in, on or next to closed waters –

by the holder of a commercial fishery access licence, or a person acting under the licence, is prohibited.

Notes: Failure to comply with this prohibition is an offence under sections 67 of the **Fisheries Act 1995**. A maximum penalty of 100 penalty units and/or six months imprisonment applies.

8. Open areas

Open areas are the marine waters between the points shown on this table and on the map in Schedule 1 of this Fisheries Notice.

<i>Open area</i>				
Discovery Bay	Between map points	1 and	38° 03' 20" S	140° 57' 56" E
		2	38° 08' 38" S	141° 10' 54" E
Inverloch 1	Between map points	3 and	38° 43' 52" S	145° 50' 00" E
		4	38° 50' 00" S	145° 53' 47" E
Inverloch 2	Between map points	5 and	38° 52' 54" S	146° 00' 00" E
		6	38° 50' 00" S	146° 00' 26" E
Inverloch 3	Between map points	7 and	38° 50' 00" S	146° 07' 22" E
		8	38° 51' 35" S	146° 10' 00" E

9. Reporting requirements

A commercial fishery access licence holder must ensure that the specified pipi details are provided to the Secretary at least 1 hour before commencing a fishing activity in which pipsis are targeted.

Penalty: 50 penalty units

10. Revocation

Unless sooner revoked, this Notice will be revoked 12 months after the date published in the Victoria Government Gazette.

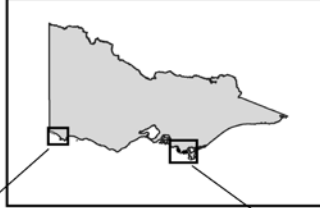
11. Rescinding previous Fisheries Notice

This Fisheries Notice rescinds Fisheries (Discovery Bay Pipi) Notice No. 11/2013.

Schedule 1

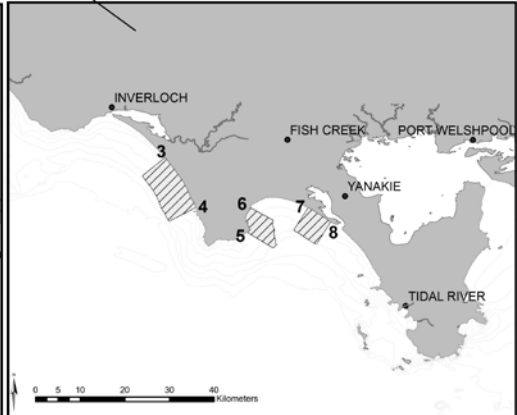
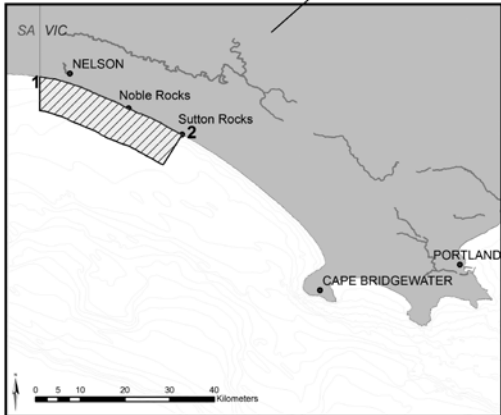
Victorian Commercial Pipi Fishing Open Areas and the Legal Minimum Size limit

NOTES
All Victorian marine waters are closed to commercial pipi fishing except for the areas specified on this map.
The areas that are open to commercial pipi fishing extend offshore from the coast for three nautical miles.
The minimum size limit for pipsis harvested by commercial fishers is 35 millimetres.



Coastline Coordinates bordering Pipi Open Areas

1	38°03' 20" S	140°57' 56" E
2	38°08' 38" S	141°10' 54" E
3	38°43' 52" S	145°50' 00" E
4	38°50' 00" S	145°53' 47" E
5	38°52' 54" S	146°00' 00" E
6	38°50' 00" S	146°00' 26" E
7	38°50' 00" S	146°07' 22" E
8	38°51' 35" S	146°10' 00" E



Legend  Commercial Pipi Fishing Open Areas

Geographic Coordinate System - GDA 1994

Fisheries Act 1995

FISHERIES NOTICE NO. 13/2014

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 29 October 2014

ROSS MCGOWAN

Executive Director Regulation and Compliance (Fisheries)

FISHERIES (OFFSHORE REEF EXCLUSION ZONE) NOTICE NO. 13/2014

1. Title

This Notice may be cited as the Fisheries (Offshore Reef Exclusion Zone) Notice No. 13/2014

2. Objectives

The objectives of this Notice are to introduce a commercial fishing exclusion zone around the offshore recreational reef to assist aquatic flora and fauna in establishing themselves on the reefs and to maximise recreational fishing opportunities.

3. Authorising provision

This Notice is made under section 67, 114 and 152 of the Fisheries Act 1995.

4. Commencement

This Notice comes into operation on the day it is published in the Victoria Government Gazette and the Department of Environment and Primary Industries website.

5. Definitions

In this Notice 'Offshore reef exclusion zone' means:

OFFSHORE reef exclusion zone (GDA94)		
Point	Latitude	Longitude
1	38 19.830 S	144 22.500 E
2	38 19.935 S	144 22.590 E
3	38 20.180 S	144 22.320 E
4	38 20.065 S	144 22.230 E

Refer to Schedule 1 of this Fisheries Notice for a map of the exclusion zone location.

6. Prohibition of commercial fishing in a recreational reef zone

- (1) For the purposes of section 67 of the Act, the taking of any fish in the offshore reef exclusion zone by any person acting under an access licence or general permit (including the holder) is prohibited.
- (2) For the purposes of section 114 of the Act, the use of commercial fishing equipment in an offshore reef exclusion zone is prohibited.

Notes:

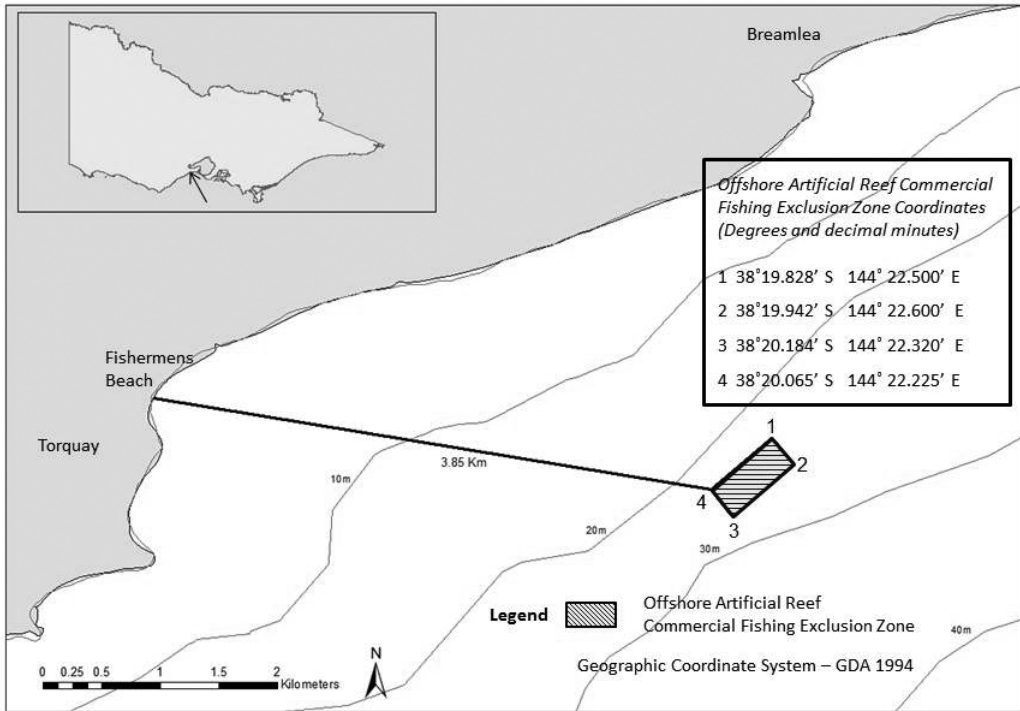
1. Contravention of any prohibition under section 67 of the Act set out in this Fisheries Notice is an offence under section 67(3) of the Act. A maximum penalty of 100 penalty units or 6 months imprisonment or both applies.
2. Contravention of any prohibition under section 114 of the Act set out in this Fisheries Notice is an offence under section 114(3) of the Act. A maximum penalty of 100 penalty units or 6 months imprisonment or both applies.

7. Revocation

Unless sooner revoked, this Notice will be revoked 12 months after the date published in the Victoria Government Gazette.

Schedule 1

Location and Coordinates for the Offshore Artificial Reef Commercial Fishing Exclusion Zone



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