



Victoria Government Gazette

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Fisheries Act 1995

FISHERIES NOTICE NO. 7/2009

I, The Honourable Joe Helper MP, Minister for Agriculture, after consultation with Seafood Industry Victoria and the Victorian Recreational Fishing peak body make the following Fisheries Notice:

Dated 25 June 2009

JOE HELPER MP
Minister for Agriculture

FISHERIES (ABALONE VIRUS CLOSURE) NOTICE NO. 7/2009

- 1. Title**

This Notice may be cited as the Fisheries (Abalone Disease Closure) Notice No. 7/2009.
- 2. Objectives**

The objective of this Notice is to protect abalone stocks between Lion Headland and the Aire River by reducing the risk of Abalone Viral Ganglioneuritis spread due to specified fishing activities.
- 3. Authorising provision**

This Notice is made under sections 67, 114 and 152 of the **Fisheries Act 1995**.
- 4. Commencement**

This Notice comes into operation on the day it is published in the Government Gazette.
- 5. Definitions**

In this Notice –

 - ‘**abalone**’ means all species in the genus *Haliotis*;
 - ‘**shellfish**’ means all species in the phylum mollusca except squid and cuttlefish;
 - ‘**rocklobster**’ means all species in the genus *Jasus*;
 - ‘**sea urchin**’ means all species in the class Echinoidea;
 - ‘**substrate**’ means any part of the sea bed and sub-soil lying beneath the waters;
 - ‘**the Act**’ means the **Fisheries Act 1995**;
 - ‘**line fishing equipment**’ means all equipment associated with line fishing including, but not limited to, long lines, hand lines, rods, reels and gaffs.
- 6. Prohibitions**
 - (1) For the purpose of section 67 of the Act, the taking or possession of the following fish is prohibited in the area described in the Schedule –
 - (a) abalone and any other shellfish;
 - (b) rocklobster;
 - (c) sea urchins.
 - (2) For the purpose of section 114 of the Act, the use of all fishing equipment is prohibited in the area described in the Schedule.
 - (3) Despite sub-clause (2) a person may use line fishing equipment in the area described in the schedule.
 - (4) A person must not collect any substrate from the area described in the Schedule.
Penalty: 50 Penalty units.
 - (5) This clause does not apply to a person authorised by the Secretary to undertake activities within the area described in the Schedule.

SPECIAL

7. Revocation

Unless sooner revoked, this Fisheries Notice will be automatically revoked on 30 September 2009.

Schedule

The area includes all marine waters enclosed by a line running from the southern most tip of Lion Headland (latitude 38° 45' 28.74" South and longitude 143° 19' 28.62" East) to the mouth of the Aire River (latitude 38° 48' 19.38" South and longitude 143° 27' 36" East) and extending to the high water mark between the two points.

Note: Coordinate Datum used is WGS84

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