



# Victoria Government Gazette

No. S 140 Wednesday 3 May 2017  
By Authority of Victorian Government Printer

## Fisheries Act 1995

### FISHERIES NOTICE 2017

I, Travis Dowling, Executive Director Fisheries, as delegate of the Minister for Agriculture 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 11 April 2017

TRAVIS DOWLING  
Executive Director Fisheries

### FISHERIES (EASTERN ABALONE ZONE-REVISED) NOTICE 2017

**1. Title**

This Notice may be cited as the Fisheries (Eastern Abalone Zone-Revised) Notice 2017.

**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. This Notice rescinds Fisheries (Eastern Abalone Zone) Notice 2017.

**3. Authorising provision**

This Notice is made under section 152 of the Act.

**4. Commencement**

This Notice comes into operation on 1 April 2017.

**5. Definitions**

In this fisheries notice –

‘**eastern abalone zone**’ means all Victorian waters east of longitude 148° East;

‘**Mallacoota airport area**’ means the area of marine waters enclosed by a line running from the trig. point on Little Rame Head through Little Rame Rock to the point 37° 41.203’ South, 149° 41.430’ East then to the point 37° 33.848’ South, 149° 54.325’ East on the shore in front of the pumphouse on Gabo Island then running around the shore of Gabo Harbour to Telegraph Point then in a straight line north to the shore of the mainland;

‘**size zone**’ means each area of Victorian marine waters between the coordinates specified in Column 2 of Schedule 1 under the name specified in Column 1 of Schedule 1 corresponding to that area.

‘**spatial management unit**’ means each area of Victorian marine waters specified in Column 1 of Schedule 1.

**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 under an Abalone Fishery Access Licence from Victorian waters as specified in columns 1 and 2 of Schedule 1 is the size specified for those waters in Column 3 of Schedule 1.

**SPECIAL**

## Schedule 1

<b>Column 1</b> <b>Spatial management unit name</b>	<b>Column 2</b> <b>Coordinates bordering spatial management unit</b>	<b>Column 3</b> <b>Minimum size (Millimetres)</b>
Marlo spatial management unit that includes: a. Reef Code 21.00 Lakes Entrance b. Reef Code 22.01 Marlo c. Reef Code 22.02 French's d. Reef Code 22.03 Point Ricardo e. Reef Code 22.04 Cape Conran f. Reef Code 22.05 East Cape g. Reef Code 22.06 Yeerung Reef h. Reef Code 22.08 Pearl Point i. Reef Code 22.09 Tamboon Reef j. Reef Code 22.10 Clinton Rocks k. Reef Code 23.01 Point Hicks	1. 37°52'53"S 148°00'04"E 2. 37°55'46"S 148°00'04"E 3. 37°47'59"S 149°12'56"E 4. 37°46'39"S 149°12'54"E	120 mm
Mallacoota West spatial management unit that includes: a. Reef Code 23.02 Whaleback b. Reef Code 23.03 Mueller c. Reef Code 23.04 Petrel Point d. Reef Code 23.05 Island Point	1. 37°47'53"S 149°16'54"E 2. 37°48'26"S 149°16'55"E 3. 37°48'25"S 149°17'40"E 4. 37°48'30"S 149°17'40"E 5. 37°47'17"S 149°27'12"E 6. 37°46'11"S 149°27'12"E	125 mm
Mallacoota Large spatial management unit that includes: a. Reef Code 23.06 Big Rame b. Reef Code 24.00 The Skerries c. Reef Code 24.03 Easby Creek	1. 37°46'11"S 149°27'12"E 2. 37°47'17"S 149°27'12"E 3. 37°45'05"S 149°32'45"E 4. 37°43'45"S 149°32'45"E	138 mm
Mallacoota Central spatial management unit that includes: a. Reef Code 24.04 Red River b. Reef Code 24.05 Secret Reef c. Reef Code 24.06 Sandpatch Point d. Reef Code 24.07 Sandpatch Point Lee e. Reef Code 24.08 Benedore	1. 37°43'45"S 149°32'45"E 2. 37°45'05"S 149°32'45"E 3. 37°42'10"S 149°39'22"E 4. 37°41'23"S 149°39'22"E	125 mm

<b>Column 1</b> <b>Spatial management unit name</b>	<b>Column 2</b> <b>Coordinates bordering spatial management unit</b>	<b>Column 3</b> <b>Minimum size (Millimetres)</b>
Mallacoota Small spatial management unit that includes: a. Reef Code 24.09 Little Rame b. Reef Code 24.14 Bastion Point	Little Rame 1. 37°41' 23"S 149°39' 22"E 2. 37°42' 10"S 149°39' 22"E 3. 37°41' 27"S 149°41' 22"E 4. 37°41' 04"S 149°40' 39"E Bastion Point 1. 37°35'05"S 149°44'19"E 2. 37°36'42"S 149°46'10"E 3. 37°34'23"S 149°50'16"E 4. 37°33'07"S 149°50'16"E 5. 37°33'07"S 149°51'36"E 6. 37°33'59"S 149°51'36"E 7. 37°33'41"S 149°53'30"E 8. 37°32'28"S 149°53'30"E	115 mm
Airport spatial management unit that includes: a. Reef Code 24.10 Little Rame Lee b. Reef Code 24.11 Shipwreck – Seal Creek c. Reef Code 24.15 Tullaberga Island d. Reef Code 24.16 Gabo Harbour e. Reef Code 24.21 Quarry/Betka Beach	1. 37°41' 04"S 149°40' 39"E 2. 37°41' 27"S 149°41' 22"E 3. 37°36' 42"S 149°46' 10"E 4. 37°35' 05"S 149°44' 19"E 5. 37°34' 23"S 149°50' 16"E 6. 37°33' 07"S 149°50' 16"E 7. 37°33' 07"S 149°51' 36"E 8. 37°33' 59"S 149°51' 36"E 9. 37°32' 28"S 149°53' 30"E 10. 37°33' 41"S 149°53' 30"E 11. 37°33' 57"S 149°54' 02"E 12. 37°33' 50"S 149°54' 20"E 13. 37°32' 55"S 149°54' 20"E 14. 37°32' 34"S 149°54' 16"E	120 mm

<b>Column 1</b> <b>Spatial management unit name</b>	<b>Column 2</b> <b>Coordinates bordering spatial management unit</b>	<b>Column 3</b> <b>Minimum size (Millimetres)</b>
Airport spatial management unit that includes: a. Reef Code 25.10 Little Rame Lee b. Reef Code 25.11 Shipwreck – Seal Creek c. Reef Code 25.15 Tullaberga Island d. Reef Code 25.16 Gabo Harbour e. Reef Code 25.21 Quarry /Betka Beach	1. 37°41' 04"S 149°40' 39"E 2. 37°41' 27"S 149°41' 22"E 3. 37°36' 42"S 149°46' 10"E 4. 37°35' 05"S 149°44' 19"E 5. 37°34' 23"S 149°50' 16"E 6. 37°33' 07"S 149°50' 16"E 7. 37°33' 07"S 149°51' 36"E 8. 37°33' 59"S 149°51' 36"E 9. 37°32' 28"S 149°53' 30"E 10. 37°33' 41"S 149°53' 30"E 11. 37°33' 57"S 149°54' 02"E 12. 37°33' 50"S 149°54' 20"E 13. 37°32' 55"S 149°54' 20"E 14. 37°32' 34"S 149°54' 16"E	110 mm
Mallacoota East spatial management unit that includes: a. Reef Code 24.17 Gabo Island b. Reef Code 24.18 Gunshot c. Reef Code 24.19 Iron Prince	1. 37°32' 34"S 149°54' 16"E 2. 37°32' 55"S 149°54' 20"E 3. 37°33' 50"S 149°54' 20"E 4. 37°33' 57"S 149°54' 02"E 5. 37°32' 56"S 149°55' 58"E 6. 37°32' 07"S 149°54' 45"E 7. 37°31' 09"S 149°56' 34"E 8. 37°32' 02"S 149°57' 37"E 9. 37°31' 14"S 149°58' 22"E 10. 37°30' 46"S 149°57' 49"E	120 mm

**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 size zones of different minimum sizes**

- (1) For the purposes of section 67 of the Act –
- a) the taking of blacklip abalone under an Abalone Fishery Access Licence from size zones with different minimum sizes on any fishing trip; or
  - b) the possession of blacklip abalone taken from size zones with different minimum sizes on-board any boat being used under an Abalone Fishery Access Licence; or
  - c) the landing of blacklip abalone taken under an Abalone Fishery Access Licence from size zones with different minimum sizes; 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 2018.

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