



Victoria Government Gazette

No. S 94 Friday 15 March 2019
By Authority of Victorian Government Printer

Fisheries Act 1995

FURTHER QUOTA ORDER FOR THE ABALONE FISHERY (Western Abalone Zone)

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Fishing and Boating, 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:

1. This Order applies for the period commencing on 1 April 2019 and ending on 31 March 2020 ('the quota period').
2. The total allowable catch for blacklip abalone in the Western Abalone Zone for the quota period is 73.2 tonnes of unshucked blacklip abalone.
3. The total allowable catch for greenlip abalone in the western abalone zone for the quota period is 1.4 tonnes of unshucked greenlip abalone.
4. The quantity of fish comprising an individual blacklip abalone quota unit in the western abalone zone for the quota period is 261.43 kilograms of unshucked blacklip abalone.
5. The quantity of fish comprising an individual greenlip abalone quota unit in the western abalone zone for the quota period is 100.00 kilograms of unshucked greenlip abalone.

This Order commences on 1 April 2019 and remains in force until 31 March 2020.

Dated 5 March 2019

TRAVIS DOWLING
Chief Executive Officer
Victorian Fisheries Authority

Fisheries Act 1995

FURTHER SUB-ZONE ORDER FOR THE ABALONE FISHERY (Western Abalone Zone)

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Fishing and Boating and having undertaken consultation in accordance with section 3A of the **Fisheries Act 1995** (the Act), make the following Further Sub-Zone Abalone Order under section 66E of the Act:

1. This Order applies for the period commencing on 1 April 2019 and ending on 31 March 2020 ('the quota period').
2. The abalone quota fishery includes the Discovery Bay sub-zone of the western abalone zone.
3. The Discovery Bay sub-zone comprises all Victorian waters north of latitude 38 degrees 19.99 minutes S, between longitude 141 degrees 24.08 minutes E and the Victorian-South Australian border at latitude 140 degrees 57.983 minutes E.
4. The portion of the total allowable catch for blacklip abalone that applies in respect of the Discovery Bay sub-zone for the quota period is 4.2 tonnes of unshucked blacklip abalone.
5. 15.00 kilograms of the total allowable catch for blacklip abalone applicable in respect of the Discovery Bay sub-zone for the quota period is to be allocated to each individual blacklip abalone quota unit in the western abalone zone.

This Order commences on 1 April 2019 and remains in force until 31 March 2020.

Dated 5 March 2019

TRAVIS DOWLING
Chief Executive Officer
Victorian Fisheries Authority

SPECIAL

Fisheries Act 1995**FURTHER QUOTA ORDER FOR THE ABALONE FISHERY**

(Central Abalone Zone)

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Fishing and Boating, 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:

1. This Order applies for the period commencing on 1 April 2019 and ending on 31 March 2020 ('the quota period').
2. The total allowable catch for blacklip abalone in the central abalone zone for the quota period is 262.5 tonnes of unshucked blacklip abalone.
3. The total allowable catch for greenlip abalone in the central abalone zone for the quota period is 3.4 tonnes of unshucked greenlip abalone.
4. The quantity of fish comprising an individual blacklip abalone quota unit in the central abalone zone for the quota period is 386.03 kilograms of unshucked blacklip abalone.
5. 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.

This Order commences on 1 April 2019 and remains in force until 31 March 2020.

Dated 5 March 2019

TRAVIS DOWLING
Chief Executive Officer
Victorian Fisheries Authority

Fisheries Act 1995**FISHERIES NOTICE 2019**

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Fishing and Boating, 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 5 March 2019

TRAVIS DOWLING
Chief Executive Officer

FISHERIES (WESTERN ABALONE ZONE) NOTICE 2019

1. **Title**
This Notice may be cited as the Fisheries (Western Abalone Zone) Notice 2019.
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 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 2019.
5. **Definitions**
In this Fisheries Notice –
'western abalone zone' means all Victorian waters west of longitude 142° 31' East.
6. **Minimum sizes for abalone taken from the western 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 column 1 of Schedule 1 is the size specified for those waters in Column 2 of Schedule 1.

Schedule 1

Column 1 Waters taken from: Victorian Marine waters –	Column 2 Minimum size (Millimetres)
Discovery Bay sub-zone (i.e. reef code 1.01) The Discovery Bay sub-zone comprises all Victorian waters north of latitude 38 degrees 19.99 minutes S, between longitude 141 degrees 24.08 minutes E and the Victorian-South Australian border at latitude 140 degrees 57.983 minutes E.	125
Western abalone zone with the exception of the Discovery Bay sub-zone	130

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

For the purposes of the Act, the minimum size with respect to the taking of greenlip abalone under an Abalone Fishery Access Licence 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

Column 1 Waters taken from Victorian marine waters –	Column 2 Minimum size (Millimetres)
Western abalone zone i.e. all Victorian waters west of longitude 142° 31' East.	135

Coordinate Datum used: WGS84

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. This includes abalone taken by a person who is not acting under an abalone fishery access licence.

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 2020.

Fisheries Act 1995
FISHERIES NOTICE 2019

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Fishing and Boating, 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, 114 and 152 of the Act:

Dated 5 March 2019

TRAVIS DOWLING
Chief Executive Officer

FISHERIES (CENTRAL ABALONE ZONE) NOTICE 2019

1. Title

This Notice may be cited as the Fisheries (Central Abalone Zone) Notice 2019

2. Objectives

The objective of this Notice is to:

- a. fix minimum size limits for blacklip abalone and greenlip abalone taken under an Abalone Fishery Access Licence in the Central Abalone Zone.
- b. address sustainability concerns for Victorian Central Abalone Zone abalone stocks and related management issues by closing specified marine waters to commercial abalone harvest.

3. Authorising provision

This Notice is made under sections 67, 68A, 114 and 152 of the Act.

4. Commencement

This Notice comes into operation on 1 April 2019.

5. Definitions

In this fisheries notice –

‘**AFAL**’ means an Abalone Fishery (Central Zone) Access Licence;

‘**central abalone zone**’ means all Victorian waters between longitude 142° 31’ East and longitude 148° East;

‘**CEO**’ means the Chief Executive Officer of the VFA;

‘**closed waters**’ means the marine waters within a spatial management unit for which the upper limit has been reached or exceeded as specified in Column 4 of Schedule 1;

‘**nominated operator**’ means –

- (a) a licence holder permitted under section 39(1) of the Act; or
- (b) a person listed on an access licence for the purposes of section 39(2) of the Act;

‘**size zone**’ means each area of Victorian marine waters between the coordinates specified in Column 2 of Schedule 1 for blacklip abalone and Column 1 of Schedule 2 for greenlip abalone;

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

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

‘**upper limit**’ for the spatial management unit specified in Column 1 of Schedule 1 means the amount of abalone specified in Column 4 of Schedule 1 corresponding to that spatial management unit;

‘**VFA**’ means the Victorian Fisheries Authority.

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

- (1) For the purposes of the Act, the minimum size with respect to the taking of blacklip abalone under an AFAL from the waters specified in column 1 of Schedule 1 is the size specified for those waters in Column 3 of Schedule 1.
- (2) For the purposes of the Act, the minimum size with respect to the taking of greenlip abalone under an AFAL from the waters specified in column 1 of Schedule 2 is the size specified for those waters in Column 2 of Schedule 2.

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.

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

For the purposes of section 67 of the Act –

- (a) the taking of abalone under an AFAL from more than one size zone on any fishing trip; or
 - (b) the possession of abalone taken from more than one size zone on-board any boat being used under an AFAL; or
 - (c) the landing of abalone taken under an AFAL 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.

8. Closed waters

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

- (a) the taking of abalone from closed waters; or
- (b) the possession of abalone in or on closed waters –

by the holder of an access licence, or a person acting or purporting to act under an access licence, is prohibited.

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

Sub-clause (1)(b) does not apply to a person possessing abalone on-board a boat under way and travelling by the most direct route to reach a point of landing or specified open waters for the purpose of commercial abalone diving.

9. 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.

10. Revocation

Unless sooner revoked, this Notice will be revoked on 31 March 2020.

SCHEDULES

SCHEDULE 1

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)	Column 4 Upper limit (tonnes)
Shipwreck Coast spatial management unit that includes: a. Reef Code 4.01 Lake Gilllear b. Reef Code 4.02 Antares c. Reef Code 5.01 Peterborough d. Reef Code 5.02 Point Hesse e. Reef Code 5.03 Port Campbell	1. 38°24'14"S 142°31'00"E 2. 38°26'29"S 142°31'00"E 3. 38°39'19"S 143°03'00"E 4. 38°38'52"S 143°03'18"E	125	36.3
Cape Otway spatial management unit that includes: a. Reef Code 6.01 Moonlight Head b. Reef Code 6.02 Milanesia Beach c. Reef Code 6.03 Rotten Point d. Reef Code 7.03 East Otway e. Reef Code 7.04 Blanket Bay f. Reef Code 7.05 Apollo Bay g. Reef Code 7.06 Skenes Creek h. Reef Code 7.07 Franklin – Parker i. Reef Code 7.08 Parker River West Outside j. Reef Code 8.01 Kennett and Wye	1. 38°44'01"S 143°11'08"E 2. 38°44'46"S 143°09'58"E 3. 38°38'06"S 143°55'30"E 4. 38°38'06"S 143°53'29"E	123	63.1

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)	Column 4 Upper limit (tonnes)
Surf Coast spatial management unit that includes: a. Reef Code 8.02 Cumberland b. Reef Code 8.03 Eastern View c. Reef Code 9.01 Anglesea d. Reef Code 9.02 Jan Juc e. Reef Code 10.01 Point Impossible f. Reef Code 10.02 Thirteenth Beach g. Reef Code 10.03 Ocean Grove h. Reef Code 10.04 Lonsdale Back Beach i. Reef Code 10.05 The Anchor	1. 38°38'06"S 143°53'29"E 2. 38°38'06"S 143°55'30"E 3. 38°18'32"S 144°36'17"E 4. 38°18'00"S 144°37'11"E 5. 38°16'29"S 144°42'55"E 6. 38°10'27"S 144°43'08"E	110	5.0

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)	Column 4 Upper limit (tonnes)
Port Phillip Bay spatial management unit that includes: a. Reef Code 11.01 Indented Head b. Reef Code 11.02 Bellarine c. Reef Code 11.03 Point Wilson d. Reef Code 11.04 Kirks Point e. Reef Code 11.05 Werribee f. Reef Code 11.06 Sheoak g. Reef Code 11.07 Point Cook h. Reef Code 11.08 Altona Bay i. Reef Code 11.09 Sticks Reef j. Reef Code 11.10 Williamstown k. Reef Code 11.11 St Kilda l. Reef Code 11.12 Brighton m. Reef Code 11.13 Black Rock n. Reef Code 11.14 Mordialloc o. Reef Code 11.15 Frankston p. Reef Code 11.16 Canadian Bay q. Reef Code 11.17 Mount Martha r. Reef Code 11.18 Portsea Bayside	1. 38°10'14"S 144°43'08"E 2. 38°10'14"S 144°44'27"E 3. 38°18'44"S 144°42'50"E 4. 38°19'07"S 144°42'50"E	105	5.0
Back Beaches spatial management unit that includes: a. Reef Code 12.01 Nepean Bay b. Reef code 12.02 Portsea Ocean Beach c. Reef Code 12.03 Sorrento Ocean Beach d. Reef Code 12.04 Rye Ocean Beach e. Reef Code 12.05 Gunnamatta	1. 38°19'07"S 144°42'50"E 2. 38°18'44"S 144°42'50"E 3. 38°19'28"S 144°38'58"E 4. 38°21'41"S 144°38'49"E 5. 38°28'45"S 144°51'09"E 6. 38°28'45"S 144°53'09"E	117	58.1

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)	Column 4 Upper limit (tonnes)
Flinders spatial management unit that includes: a. Reef Code 12.06 Cape Schanck b. Reef code 13.01 Bushrangers Bay c. Reef Code 13.02 Symmonds Bay West d. Reef Code 13.03 Symmonds Bay East e. Reef Code 13.04 Cairns Bay f. Reef Code 13.05 Flinders g. Reef Code 13.06 Western Port West h. Reef Code 13.07 West Head Tide	1. 38°28'45"S 144°53'09"E 2. 38°28'45"S 144°51'09"E 3. 38°30'23"S 145°00'32"E 4. 38°31'11"S 145°06'19"E 5. 38°27'38"S 145°09'39"E 6. 38°24'01"S 145°08'43"E 7. 38°23'27"S 145°07'42"E	110	28.1
Phillip Island spatial management unit that includes: a. Reef Code 14.01 Ventnor – Flynnns b. Reef Code 14.02 Cat Bay c. Reef Code 14.03 Seal Rocks d. Reef Code 14.04 Penguin Reserve e. Reef Code 14.05 Summerlands – Berry f. Reef Code 14.06 Pyramid Rock West g. Reef Code 14.07 Pyramid Rock East h. Reef Code 14.08 Sunderland Bay i. Reef Code 14.09 Cape Woolamai West j. Reef Code 14.10 Cape Woolamai East k. Reef Code 14.11 Summerlands	1. 38°27'55"S 145°09'55"E 2. 38°27'38"S 145°09'39"E 3. 38°31'11"S 145°06'19"E 4. 38°32'33"S 145°06'38"E 5. 38°33'55"S 145°23'03"E 6. 38°31'27"S 145°21'06"E 7. 38°31'06"S 145°21'50"E 8. 38°31'00"S 145°21'42"E	110	35.7

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)	Column 4 Upper limit (tonnes)
Kilcunda spatial management unit that includes: a. Reef Code 15.01 San Remo b. Reef Code 15.02 Powlett c. Reef Code 15.03 Harmers Haven d. Reef Code 15.04 Cape Patterson e. Reef Code 15.05 Inverloch	1. 38°31'12"S 145°22'02"E 2. 38°31'06"S 145°21'50"E 3. 38°31'27"S 145°21'06"E 4. 38°33'55"S 145°23'03"E 5. 38°41'43"S 145°43'43"E 6. 38°38'33"S 145°43'43"E 7. 38°38'21"S 145°43'30"E	115	16.5
Cape Liptrap spatial management unit that includes: a. Reef code 16.01 Venus Bay b. Reef Code 16.02 Morgans Beach c. Reef Code 16.03 Cape Liptrap West d. Reef Code 16.04 Cape Liptrap East e. Reef Code 16.05 Walkerville f. Reef Code 16.06 Waratah Reef	1. 38°38'33"S 145°43'43"E 2. 38°41'43"S 145°43'43"E 3. 38°53'14"S 146°02'24"E 4. 38°48'41"S 146°02'24"E	110	15.2
Prom Westside spatial management unit that includes: a. Reef Code 16.07 Cotters Beach b. Reef Code 17.01 Shellback Island c. Reef Code 17.02 Tongue Point d. Reef Code 17.03 Norman Island e. Reef Code 17.04 Leonard Point f. Reef Code 17.05 Pillar Point g. Reef Code 17.10 Great Glennie Island h. Reef Code 17.11 Dannevig Island i. Reef Code 17.12 Citadel Island j. Reef Code 17.13 McHugh Island	1. 38°48'41"S 146°02'24"E 2. 38°53'14"S 146°02'24"E 3. 39°02'59"S 146°17'47"E 4. 39°02'28"S 146°19'34"E 5. Between the High Water Mark of Norman Island and a maximum depth of 30 m 6. 39°03'48"S 146°13'11"E 7. 39°05'09"S 146°13'11"E 8. 39°06'01"S 146°14'00"E 9. 39°07'10"S 146°14'00"E 10. Within 300 m of the High Water Marks of Great Glennie, Dannevig and McHugh Islands	120	27.3

Column 1 Spatial management unit name	Column 2 Coordinates bordering spatial management unit	Column 3 Minimum size (Millimetres)	Column 4 Upper limit (tonnes)
Prom Eastside spatial management unit that includes: a. Reef Code 18.03 Refuge Cove b. Reef Code 18.04 Five Mile Beach c. Reef Code 18.05 Monkey Point d. Reef Code 18.06 Rabbit Island and Rock e. Reef Code 18.07 Three Mile Beach f. Reef Code 18.09 Ninety Mile Beach	1. 39°03'59"S 146°28'43"E 2. 39°04'02"S 146°28'41"E 3. 38°57'34"S 146°36'36"E 4. 38°53'29"S 146°36'36"E 5. 38°53'29"S 146°44'43"E 6. 38°54'12"S 146°44'43"E 7. 37°55'45"S 148°00'00"E 8. 37°52'52"S 148°00'00"E	110	7.7
Cliffy Group spatial management unit that includes: a. Reef Code 18.08 Seal Island Group	1. 38°57'34"S 146°36'36"E 2. 38°53'29"S 146°36'36"E 3. 38°53'29"S 146°44'43"E 4. 38°54'12"S 146°44'43"E	110	7.2

SCHEDULE 2

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

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