

Our Ref: ADT.LNB.2402312  
Your Ref:

10 October 2024

**Colin  
Biggers  
& Paisley**

Travis Dowling  
Chief Executive Officer  
Victorian Fisheries Authority  
GPO Box 4509  
MELBOURNE VIC 3001

By email [Haveyoursay@vfa.vic.gov.au](mailto:Haveyoursay@vfa.vic.gov.au)

Dear Mr Dowling

### **Proposed Fisheries (Portland Bay Commercial Fishery) Notice 2024**

1. We act for Phillip McAdam in legal proceedings issued by him in the Supreme Court of Victoria proceeding No. S E CI 2024 02603 against the Victorian Fisheries Authority (VFA), State of Victoria and the Minister for Outdoor Recreation (**Proceedings**).
2. The Proceedings concern the validity and lawfulness of the Fisheries (Portland Bay Commercial Fishery) Notice 2023 (**2023 Notice**) purportedly made by you as delegate of the Minister for Outdoor Recreation on 12 October 2023.
3. On 3 October 2024, following a 3 day trial, the Proceedings were adjourned with judgment reserved. It is expected that judgment in the Proceedings will be handed down within the next few weeks.
4. Our client objects to the making of the Proposed Fisheries (Portland Bay Commercial Fishery) Notice 2024 on the same grounds as he challenges the validity and lawfulness of the 2023 Notice in the Proceedings.

Yours faithfully



#### **Andrew Tulloch**

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