

## Fisheries Act 1995

### FISHERIES NOTICE 2024

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate of the Minister for Outdoor Recreation, 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:

Date: 03/06/2024



**Travis Dowling**  
**Chief Executive Officer**

### FISHERIES (WESTERN ABALONE ZONE) NOTICE 2024

**1. Title**

This Notice may be cited as the Fisheries (Western Abalone Zone) Notice 2024.

**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 July 2024.

**5. Definitions**

In this Fisheries Notice –

“**AFAL**” means an Abalone Fishery (Western Zone) Access Licence;

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

“**the Act**” means the Fisheries Act 1995;

“**western abalone zone**” means all Victorian waters west of longitude 142° 31' East.

**6. Minimum sizes for abalone taken from the western abalone zone**

- (1) For the purposes of the Act, the minimum size with respect to the taking of blacklip abalone under an AFAL from Victorian waters as specified in Column 1 of Schedule 1 is the size specified for those waters in Column 2 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 Victorian waters as 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 2019* will continue to apply in circumstances where the size limits specified in clause 6 does not apply.

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

- (1) For the purposes of section 67 of the Act -
- a) the taking of blacklip abalone under an AFAL from more than one size zone on any fishing trip; or
  - b) the possession of blacklip abalone taken from more than one size zone on-board any boat being used under an AFAL; or
  - c) the landing of blacklip abalone taken under an Abalone Fishery Access Licence from more than one size zone;
- is prohibited.
- (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.

**Note:** It is an offence under section 67(3) of the Act to fail to comply with a prohibition

**8. *Revocation***

Unless sooner revoked, this Notice will be revoked on 30 June 2025.

**SCHEDULES**

**SCHEDULE 1**

<b>Column 1</b> <b>Waters taken from:</b> <b>Victorian Marine waters –</b>	<b>Column 2</b> <b>Minimum size</b> <b>(Millimetres)</b>
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
Yambuck sub-zone (i.e. reef code 2.15) The Yambuck sub-zone comprises all Victorian waters West of longitude 142 degrees 5.5 minutes E, and East of longitude 142 degrees 2.472 minutes E.	125

<i>Column 1</i> <b>Waters taken from:</b> <b>Victorian Marine waters –</b>	<i>Column 2</i> <b>Minimum size</b> <b>(Millimetres)</b>
Killarney sub-zone (i.e. reef codes 3.10, 3.11, 3.09) The Killarney sub-zone comprises all Victorian waters West of longitude 142 degrees 26.5 minutes E and East of 142 degrees 14.4 minutes E. North of latitude 38 degrees 22.5 minutes S	125
Western abalone zone with the exception of the Discovery Bay sub-zone and the Yambuck sub-zone	130

**SCHEDULE 2**

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