

Fisheries Act 1995

FISHERIES NOTICE 2023

I, Travis Dowling, CEO 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:

Dated: 13/11/2023



Travis Dowling
Chief Executive Officer
Victorian Fisheries Authority

FISHERIES (RECREATIONAL ABALONE OPEN DAYS) NOTICE 2023/24

1. Title

This Notice may be cited as the Fisheries (Recreational Abalone Open Days) Notice 2023/24.

2. Objective

The objective of this Notice is to specify open days when recreational fishing for abalone is permitted in central Victorian waters.

3. Authorising provision

This Notice is made under section 152(1)(b) of the Act.

4. Commencement

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

5. Definitions

In this Fisheries Notice –

central Victorian waters means -

- (i) all marine waters between longitude 143° 27' 36" East (mouth of the Aire River) and 145° 53' 35" East (Arch Rock) excluding Port Phillip Bay;
- (ii) all marine waters between longitude 145° 53' 35" East and longitude 145° 53' 53" East, to the north or north-east of a line running from the point 38° 50' 21" South, 145° 53' 39" East (northern part of Arch Rock), to the point 38° 50' 18" South, 145° 53' 50" East, on the mainland;

Port Phillip Bay means all the waters within the bays lying north of a line from the most seaward point of Point Lonsdale to the most seaward point of Point Nepean and includes the waters of Hobson's Bay and Corio Bay, but not the waters of Swan Bay.

6. Permitted Recreational Abalone Fishing Days in central Victorian waters (excluding Port Phillip Bay)

This Notice prevails over the abalone closed season specified in the table in regulation 294 of the Fisheries Regulations 2019 and permits recreational abalone fishing in central Victorian waters on the following days:

- every Saturday and Sunday between 16 November 2023 and 30 April 2024, inclusive;
- every Declared Public Holiday in the State of Victoria between 16 November 2023 and 30 April 2024, inclusive;
- 25 December 2023 through to the second Sunday in January 2024, inclusive.

7. *Permitted Recreational Abalone Fishing Days in Port Phillip Bay*

This Notice prevails over the abalone closed season specified in the table in regulation 294 of the Fisheries Regulations 2019 and permits recreational abalone fishing in Port Phillip Bay on the following days:

- every Saturday and Sunday between 16 November 2023 and 30 April 2024, inclusive;
- every Declared Public Holiday in the State of Victoria between 16 November 2023 and 30 April 2024, inclusive;
- 25 December 2023 through to the second Sunday in January 2024, inclusive.

8. *Revocation*

(1) The Fisheries (Recreational Abalone Open Days) Notice 2023 is revoked.

(2) Unless sooner revoked, this Notice will be automatically revoked on 16 November 2024.

Notes: Penalties under this notice are set in accordance with section 152(7)(c) of the Act which allow the imposition of penalties not exceeding 50 penalty units for a contravention of an offence under a Fisheries Notice.

Under section 152(3) of the Act, if a provision of this Notice is inconsistent with any regulations, management plan, Ministerial direction, licence or permit, the Fisheries Notice prevails to the extent of the inconsistency.