

## 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, 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.



**TRAVIS DOWLING**  
**Chief Executive Officer**  
**Victorian Fisheries Authority**  
**15/10/2024**

### FISHERIES (PORTLAND BAY COMMERCIAL FISHERY) NOTICE 2024

**(1) Title**

This Notice may be cited as the Fisheries (Portland Bay Commercial Fishery) Notice 2024.

**(2) Objectives**

The objectives of this Notice are to:

- i. prohibit the use of mesh nets, trawl nets and seine nets in specified waters of Portland Bay;
- ii. restrict the use of longlines in specified waters of Portland Bay;
- iii. prohibit the take of yellowtail kingfish in specified waters of Portland Bay by Ocean Fishery Access Licence holders and Trawl (Inshore) Fishery Access Licence holders.

**(3) Authorising provisions**

This Notice is made under section 152 of the Act.

**(4) Commencement**

This Notice comes into operation on 17 October 2024.

**(5) Definitions**

In this Fisheries Notice –

‘*specified commercial fishers*’ means holders of a Trawl (Inshore) Fishery Access Licence, or any person acting or purporting to act under a Trawl (Inshore) Fishery Access Licence, or holders of an Ocean Fishery Access Licence.

**(6) Prohibition on the use of nets in specified waters of Portland Bay**

- (1) For the purposes of section 114 of the Act, the use of a mesh net, trawl net or seine net in the area shown hatched in Schedule 1 is prohibited.

**(7) Use or possession of fishing lines in or on specified waters of Portland Bay**

- (1) For the purposes of section 114 of the Act –
- a) the use of more than one longline at any one time; or
  - b) use of a longline with more than 50 hooks attached; or
  - c) possession of a longline with more than 50 hooks attached in the area shown hatched in Schedule 1 is prohibited.

**(8) Catch limit for yellowtail kingfish**

- (1) For the purposes of section 68A of the Act, the daily catch limit for specified commercial fishers with respect to the taking of yellowtail kingfish (*Seriola grandis*) in the area shown hatched in Schedule 1, is 0 fish.

**(9) Application to Fisheries Reserves**

For the purposes of section 152(4), this Notice applies to all Fisheries Reserves.

**(10) Revocation**

Unless sooner revoked, this Notice will expire on 17 October 2025.

**Notes:**

This Notice applies to the fishery which is subject to Victorian law pursuant to the Offshore Constitutional Settlement arrangements made under s 72 of the *Fisheries Management Act 1991* (Cth).

It is an offence under section 68A of the Act to take or possess more fish than the catch limit for that species of fish. Various penalties apply.

Contravention of any prohibition under section 114 of the Act, as set out in this Fisheries Notice, is an offence under section 114(3) of the Act. A maximum penalty of 100 penalty units or 6 months imprisonment or both applies.

# Schedule 1

## Schedule 1

