

Fisheries Act 1995

FISHERIES NOTICE 2021

I, Travis Dowling, Chief Executive Officer of the Victorian Fisheries Authority, as delegate for the Minister for Fishing and Boating, having undertaken consultation in accordance with Section 3A of the **Fisheries Act 1995** (the Act), make the following Fisheries Notice under Sections 114 and 152 of the Act:

Date:

Travis Dowling
Chief Executive Officer
Victorian Fisheries Authority

FISHERIES (FURTHER CORNER INLET FISHERY) NOTICE 2021

1. *Title*

This Notice may be cited as the Fisheries (Further Corner Inlet Fishery) Notice 2021.

2. *Objectives*

The objectives of this Notice are to:

- i. Prohibit the operation of more than two seine net shots under each Corner Inlet Fishery Access Licence in any given 24-hour period (midnight to midnight).
- ii. Prohibit the use of more than one type of fishing gear under one or more Corner Inlet Fishery Access Licences by an individual licence holder or operator, at any given time, inclusive of mesh nets, seine nets, longline and hoop nets.
- iii. Prohibit the use of fishing gear under more than one Corner Inlet Fishery Access Licence by an individual licence holder or operator in any given 24-hour period (midnight to midnight), unless certain conditions are met.

3. *Authorising provision*

This Notice is made under sections 114 and 152 of the Act.

4. *Commencement*

This Notice comes into operation on 19 June 2021.

5. *Definitions*

In this Fisheries Notice –

'fishing gear' means any commercial hoop net, longline, seine net or mesh net.

'shot' in relation to a seine net means the act of setting a seine net using a boat and the hauling or retrieval of the same seine net back on board the boat, ready for a new shot.

6. *Prohibition on the operation of more than two seine net shots on any one day per licence*

For the purposes of section 114 of the Act, the operation of more than two seine net shots on any given 24 hour period (midnight to midnight) under a Corner Inlet Fishery Access Licence, by the licence holder or a person acting or purporting to act under the licence, is prohibited.

7. *Prohibition on the use of more than one type of fishing gear at any given time in Corner Inlet*

For the purposes of section 114 of the Act, the use of more than one type of fishing gear at any given time, under one or more Corner Inlet Fishery Access Licences, by a licence holder or a person acting or purporting to act under the licence, is prohibited.

8. *Prohibition on fishing activities under multiple Corner Inlet Fishery Access Licences at any given time, subject to conditions*

- (1) For the purposes of section 114 of the Act, the use of fishing gear under more than one Corner Inlet Fishery Access Licence on any given 24-hour period (midnight to midnight), by a licence holder or a person acting or purporting to act under the licence, is prohibited.
- (2) Sub-clause (1) does not apply to a Corner Inlet Fishery Access Licence holder, or a person acting or purporting to act under the licence, who –
 - (a) operates fishing gear in accordance with a Corner Inlet Fishery Access Licence and then removes all fishing gear from the water; and
 - (b) lands and weighs the catch from that fishing operation and accurately completes the catch and effort record in the manner specified by the VFA for that fishing operation prior to commencing a further fishing operation under a different Corner Inlet Fishery Access Licence; and
 - (c) ensures separation of catch taken under each Corner Inlet Fishery Access Licence at all times when the fish is in their possession or control.

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 be revoked on 18 June 2022.

Notes:

Regulation 71 of the Fisheries Regulations 2019 specifies that the licence holder or licence operator must at all times when in charge of any crew member ensure that crew member is not engaged in a separate fishing operation (however this is not applicable to underwater dive fishing).

Contravention of any prohibition under section 114 of the Act 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.