



Victoria Government Gazette

No. S 43 Thursday 25 May 1995
By Authority L. V. North, Government Printer Melbourne

SPECIAL

Fisheries Act 1968

FISHERIES NOTICE No. 11/1995 Fisheries (Scallops—Ocean Fishery) Notice No. 11/1995

I, Charles Geoffrey Coleman, Minister for Natural Resources, after consultation with the Victorian Fishing Industry Federation, make the following Fisheries Notice:

Dated: 24 May 1995

C. G. COLEMAN

Minister for Natural Resources

Title

1. This Notice may be cited as the Fisheries (Scallops—Ocean Fishery) Notice No. 11/1995.

Objectives

2. The objectives of this Notice are to—

- (a) fix a catch rate limit (bag limit); and
- (b) set times when fishing is permitted; and
- (c) specify other management arrangements—

for scallops taken from Victorian waters other than Port Phillip Bay and/or landed in Victoria, for the period commencing on 29 May 1995 and ending on 27 June 1995.

Commencement

3. This Notice comes into operation on 29 May 1995.

Authorising provision

4. This Notice is made under section 80 of the Fisheries Act 1968.

Definitions

5. "Act" means the Fisheries Act 1968;

"bag" means a mesh bag of a rectangular shape measuring 900 millimetres high by 580 millimetres wide and having a volume of 0.08 cubic metres;

"crate" means a wire mesh container with external dimensions not exceeding 100 centimetres by 50 centimetres by 50 centimetres

and constructed as specified in the diagrams in Schedule 2 of the *Fishing (Scallop) Regulations 1985;

"crate tag" means a pink ring seal marked with the word "CRATE" and a serial number and supplied by the Department of Conservation and Natural Resources via the Victorian Fishing Industry Federation;

"sack" means a standard jute sack as approved and supplied by the Victorian Fishing Industry Federation and marked with the words "Victorian Scallops" in lettering no less than 30 mm in height across the front and down both sides as outlined in the diagram in FORM 1 in the Schedule to this Notice;

"sack tag" means a grey ring seal marked with the word "SACK" and a serial number and supplied by the Department of Conservation and Natural Resources via the Victorian Fishing Industry Federation.

Fishing times

6. Subject to section 15 (1) (h) of the Act the holder of a scallop licence may dredge for or take scallops for sale from Victorian waters, other than Port Phillip Bay, on any day during the period commencing on 28 May 1995 and ending on 29 June 1993.

Catch rate limit (bag limit)

7. (1) A master fisherman operating a registered fishing boat for which an appropriately endorsed scallop licence has been issued must not—

- (a) take from that boat from Victorian waters other than Port Phillip Bay; or

* SR No. 100/85 reprinted to S.R. No. 125/89 and subsequently amended by S.R. No. 155/92 and Fisheries Notices Nos 5/90, 7/90, 1/91, 3/91, 4/91, 5/91, 6/91, 8/91, 10/91, 1/92, 4/92, 5/92, 6/92, 7/92, 10/92, 11/92, 12/92, 13/92, 14/92, 15/92, 18/92, 19/92, 20/92, 21/92, 22/92, 26/92, 2/93, 3/93, 6/93, 7/93, 8/93, 9/93, 10/93, 14/93, 15/93, 16/93, 17/93, 19/93, 20/93, 21/93, 22/93, 23/93, 26/93, 27/93, 28/93, 29/93, 33/93, 34/93, 3/94, 4/94, 5/94, 11/94, 12/94, 13/94, 17/94, 18/94, 20/94, 21/94, 27/94, 29/94, 30/94, 4/95, 7/95, 9/95 and 10/95.

- (b) have on board that boat in or upon Victorian waters other than Port Phillip Bay—

more than the fortnightly catch rate limit (bag limit) of scallops specified in sub-clause (2).

(2) For the purposes of sub-clause (1) the fortnightly catch rate limit (bag limit) for the taking of scallops is—

- (a) 20 crates of scallops per fortnight; or
- (b) 53 sacks of scallops per fortnight.

Management arrangements

8. (1) The Victorian Fishing Industry Federation must distribute quantities of crate tags and sack tags corresponding to the catch rate limits (bag limits) prescribed in clause 7.

(2) Every holder of a scallop licence permitting the dredging or taking of scallops from any Victorian waters, other than Port Phillip Bay is entitled to an allocation of crate tags or sack tags corresponding with the catch rate limit (bag limit) prescribed in clause 7.

9. A person in charge of a boat must ensure that—

- (a) in respect of scallops taken from Victorian waters, other than Port Phillip Bay, those scallops are not contained on board or landed in any container other than a crate or sack;
- (b) in respect of scallops taken from Commonwealth waters and landed in Victoria, those scallops are not contained in any container other than a bag;
- (c) while a registered fishing boat for which a scallop licence has been issued is on the waters of the Gippsland Lakes, Corner Inlet, Western Port or Port Phillip Bay, every crate of scallops, either full or partly filled, on board the boat, is secured in the manner specified in paragraph (d);
- (d) when a crate containing scallops is landed, the crate lid is closed and secured with a crate tag so that the crate lid cannot be opened without cutting or breaking the tag until the scallops are to be removed from the crate at a fish processing premises specified in a processor's licence;
- (e) while a registered fishing boat for which a scallop licence has been issued

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is on the waters of the Gippsland Lakes, Corner Inlet, Western Port Bay or Port Phillip Bay every sack of scallops, either full or partly filled, on board the boat is secured in the manner specified in paragraph (f);

- (f) when a sack containing scallops is landed, the sack is securely closed edge to edge at the top in three places equidistant apart across the total width of the sack until the scallops are to be removed from the bag at a fish processing premises specified in a processor's licence. The middle fastening is to be by a sack tag and the two other fastenings by either the use of a clip or by sewing as illustrated in the diagram in FORM 2 in the Schedule to this Notice;
- (g) only crate tags are used to secure crates on a licensed scallop boat for which crate tags have been issued by the Victorian Fishing Industry Federation;
- (h) only sack tags are used to secure sacks on a licensed scallop boat for which sack tags have been issued by the Victorian Fishing Industry Federation;
- (i) tags are used only during the period corresponding with the tag numbers allocated for that period by the Victorian Fishing Industry Federation;
- (j) tags are not re-used;
- (k) in respect of scallops taken from any waters, the entire catch of scallops is contained on board and landed in only one of the types of containers specified in this Notice;
- (l) all sacks containing scallops are intact at all times and are not patched or mended in any way;
- (m) crate tags and sack tags are not attached to empty crates and sacks;
- (n) when a bag containing scallops taken from Commonwealth waters is landed, the bag is stitched along its upper edges with both sides meeting and secured with a bag tag until the scallops are to be removed from the bag at a fish processing premises specified in a processor's licence;
- (o) while a registered fishing boat for which a scallop licence has been issued

is carrying on board scallops in Commonwealth bags, scallops on board that boat are contained in stitched and tagged bags;

- (p) tags are not tampered with, altered, defaced or otherwise changed.

Penalty

10. Any person who contravenes clauses 6, 7 or 9 of this Notice is liable to a penalty of 20 penalty units.

SCHEDULE

Form 1

DESCRIPTION OF A SACK

V I C T O R I A N S C A L L O P S	VICTORIAN SCALLOPS	V I C T O R I A N S C A L L O P S
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*All lettering on the sack is to be at least 30 mm in height

Form 2

METHOD OF CLOSING

(For illustrative purposes only)

Sewn Clipped	Tagged	Sewn Clipped
V I C T O R I A N S C A L L O P S	VICTORIAN SCALLOPS	V I C T O R I A N S C A L L O P S

National Parks Act 1975

DECLARATION OF SOUTH EAST WATER LIMITED AS A PUBLIC AUTHORITY

The Governor in Council, under section 3 (2) of the National Parks Act 1975, declares South East Water Limited, A.C.N. 066902547, to be a public authority for the purposes of that Act.

Dated 23 May 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

NICOLE WHITE

Acting Clerk of the Executive Council

Land (Further Miscellaneous Matters) Act 1994

REVOCATION OF PERMANENT RESERVATION

The Governor in Council, under section 13 of the Land (Further Miscellaneous Matters) Act 1994, on the joint recommendation of the Minister administering that Act and the Minister administering the Health Act 1958, revokes the Orders in Council dated 1 September 1992 (Government Gazette No. G34 dated 2 September 1992, page 2590) and 8 September 1992 (Government Gazette No. G35 dated 9 September 1992, page 2665) permanently reserving the land described below for public purposes (accommodation of outpatients and the carers of both patients and outpatients, and for uses ancillary to the activities of the Peter MacCallum Cancer Institute):

City of Melbourne, at East Melbourne, Parish of Melbourne North, 5962m² being Crown Allotment 3c, section 4, as shown on Certified Plan No. 111407 lodged in the Central Plan Office.

Dated 23 May 1995

Responsible Ministers:

M. A. BIRRELL

Minister for Conservation and Environment

M. T. TEHAN

Minister for Health

NICOLE WHITE

Acting Clerk of the Executive Council

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The *Victoria Government Gazette* (VGG) is published by THE LAW PRINTER (PPSV) for the State of Victoria and is produced in three editions.

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Subscription inquiries (03) 242 4606

Fax (03) 242 4699

A Printing and Publishing Services Victoria Publication

Published by Law Press

Printed by The Law Printer

a business unit of

Printing and Publishing Services Victoria (PPSV)

Melbourne Victoria Australia

© State of Victoria 1995

ISSN 0819—548X

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Price Code A