Fishery Management Plan Goals

1. Ensure the Abalone resource is sustainably harvested
2. Optimum utilisation and equitable distribution of the abalone resource to the benefit of the community
3. Minimum impacts on the ecosystem
4. Cost effective and participative management of the fishery

Compliance Risk Summary:

1. Quota Management System Integrity – PIRSA Risk Rating: HIGH (Likelihood 5: Consequence 3: Score 15)

The Quota Management System (QMS) is the collection of elements, each including various measures that when adhered to, enable effective accountability of all fish taken and subsequently sold or transferred. Integrity is the term used to describe the effectiveness of the measures contained within the QMS. The more effective the measures, the better the integrity of the Quota Management System.

A robust and manageable Quota System is an integral component to the effective management of a quota fishery. The current system contains a number of shortfalls. These shortfalls leave the fishery exposed to other offending including Quota Evasion.

The lack of an accurate weight of the catch on landing has a direct and adverse impact on the integrity of the underlying Abalone Quota System. Without an initial accurate weight (the fisher estimates the weight only), there is an absence of a “starting point” against which all audit thereafter can be checked against. This severely limits the ability of Fisheries Compliance to detect quota evasion if it were to occur.

The requirement for fishers to contain their catch within sealed bins at point of landing has integrity from point of tagging, until delivery at the Fish Processing premises and breaking of tags, however there remains opportunity for the fisher and / or the Fish Processor to under report catch (again, due to the requirement to estimate weight only), which further undermines the integrity of the Quota System.

Actual weighing of the catch is not required until delivery at the Fish Processing premises and in some instances weighing can take place up to 48 hours after the catch has been landed. As a result, the delay exposes the fishery to potential exploitation of catch weight.

Changes in fishing practices and processing constantly challenge the integrity of the fishery. The growing live market trade and implementation of finer spatial management have added a new level of complexity that compliance must be able to monitor.
Where the fisher has an interest in the Fish Processing Business that they sell their catch to, under the current legislation, it is permitted that they can complete both Part A and also Part B of their CDR. Again, whilst this is permitted, such situations lend themselves to potential under reporting of actual catch weight, leading to Quota Evasion.

The Southern Zone Abalone Fishery (SZAF) comprises of numerous, independent Blacklip Abalone stocks that vary in biology and morphology. In September 2013, PIRSA Fisheries and Aquaculture, in consultation with SZA industry implemented a framework for managing the Fishery at a finer-spatial scale, setting a zonal TACC on an annual basis. Elements of this spatial management include:

- Establishing 13 spatial areas within the Southern Zone
- Setting size limits and catch caps for each of 13 fishing areas
- Scope to close an area when the catch cap is reached
- Scope for divers to move between areas within a single day

All licences are permitted to move between spatial areas on any one fishing trip, and subsequently harvest abalone with different minimum legal sizes. Compliance management tools in place to allow for this movement include mandatory VMS, completing CDR's and sealing of bins prior to exiting a spatial area. In addition, the use of Section 79 closure notices (Fisheries Management Act 2007) allows the Minister to close any of the 13 areas by gazettal notice, where the catch cap level of the individual areas are met.

Any non-compliance with the new arrangements undermines the objectives of the new management regime and the benefits associated with it. Exploitation of the rules may lead towards any negative outcome associated with the risks of Integrity of QMS, Quota Evasion and/or Taking undersize. A new management regime also increases the risk of a lack of understanding in the rules which increases the chance of a licence making errors. An extra level of education is required to ensure all licenses are familiar with the new arrangements in place for the fishery.

Other elements that have a direct impact on the overall effectiveness and integrity of the Quota System Include:

- Inconsistencies between the number of receptacles containing abalone and the number of tags used to seal these receptacles.
- Part A and Part B can be signed off by the same person
- Prior reporting but no CDR submitted for that day
- Errors and/or omissions on CDR’s and limited scope for Fisheries Officers to prove/disprove offending
- Tags not applied tightly and limited scope for Fisheries Officers to address
- Abalone not sealed in bins
- CDR not immediately signed upon completion of weighing the catch
- Abalone not delivered to registered Fish Processor in a timely manner
- Abalone declared as caught in area different to where they were taken from
Quota Evasion is where a Commercial Fisher takes fish but not all of those fish are documented as having been taken. The risk “Quota Management System Integrity” has direct links to the risk “Quota Evasion”. Where the system lacks effective checks and balances, the potential for Quota Evasion is heightened and at the same time the likelihood of detection is reduced.

The need for or opportunity to increase personal income is the primary driver for quota evasion to occur. Factors including changed personal financial circumstances, reducing profit margins and product sale uncertainty (China) can influence the likelihood of quota evasion occurring.

Quota Evasion can occur in a number of ways, including; (1) not all catch being delivered to a Fish Processor for weighing and declaration (2) removal of Abalone during the transportation from landing to the processor (3) under declaration of the catch at the Fish Processing premises.

The fact that fishers only estimate their catch weight makes it very difficult to prove or disprove catch weight variances at the Fish Processing Premises. Should catch be under declared by the Processor, additional fishing activity will be required and additional fish taken from the biomass to catch quota. The absence of an accurate weight on Part A inhibits the ability of the Fisher to self-monitor his catch against that recorded by the Fish processor on part B of the CDR.

Weighing of the catch occurs at the Fish Processing Premises and can occur up to 48 hours after landing the catch. Fish processors could under declare the weight of the catch, resulting in Quota Evasion occurring, with little opportunity for Fisheries Officers to reweigh the catch after CDR completion and before the Abalone is dispersed into the Factory.

Within the current Quota Management System there is opportunity for the Fish Processors to exploit the absence of an accurate weight recorded by the fishers by under recording the weight of the catch on Part B. In turn, the fisherman is only paid for the weight of the catch declared by the Processor whilst the processor can retain the un-declared portion of the catch for their own financial gain. Short of conducting a full audit of Fish Processor records and catch on hand annually, the risk of detection for this type of offence remains almost non-existent.

In some instances the Fisher and the Fish Processor are the same entity so there is potential for quota evasion to occur should both parties collude to under report catch weigh on both Part A and Part B of the CDR. Should this occur, the likelihood of detection is again limited given difficulties in taking action against an estimated weight.

Financial factors including increased input costs, variations in market prices and individual financial circumstances may also be a driver for potential quota evasion, including the temptation for Commercial Fishers to take Abalone and sell it on the black market.

Other elements that have the potential to lead to Quota Evasion include;

- Failing to make a prior to fishing report and landing catch without completing a CDR
- Making a prior report but not completing a CDR (indicators could include making a late cancellation report)
- Incorrectly reporting number of bins containing abalone that have been landed
- Using bins that can be tampered with
- Tagging bins but not declaring all bins and delivering all abalone to FP
- Sale of, or purchase of abalone without a CDR
- Tags applied loosely and abalone removed in transit to FP
- No tags applied to bins
- Delayed delivery to FP to allow time for abalone to be skimmed and dispersed
- Landing catch at location different to launch location to avoid detection

3. Take undersize – PIRSA Risk Rating: MODERATE (Likelihood 4: Consequence 2: Score 8)

There are legislated minimum shell sizes and meat weights in the Abalone Fishery. The purpose of a Minimum Legal Size (MLS) is to protect juvenile fish, maintain spawning stocks and control the sizes of fish caught. This is done by setting the MLS at a size at which an adequate percentage of fish have the opportunity to reproduce at least once before they are taken. The MLS is set taking into account scientific advice about the size at maturity. The MLS is a fundamental tool for controlling exploitation on the juvenile fraction of the stock and one of the building blocks of an effective fisheries management system.

Southern Zone Abalone licences must land abalone in shell. Other specific regulations such as the requirement to carry an accurate and effective measuring device and immediately replacing an undersized abalone to where it was removed are in place to protect abalone whilst under the MLS.

In addition, the framework implemented in 2013 for managing the Fishery at a finer-spatial scale now has 13 separate areas under a Finer Spatial Management regime. Multiple MLS relevant to each area will apply and fishermen have the ability to harvest abalone in more than one on these areas and with different size limits on any one fishing trip. With these arrangements in place comes a perceived risk of ‘masking’ undersize abalone being taken from a different area from which it actually was.
4. Pest / Disease Incursion

Note – Compliance responds to Pest & Disease incursions however, responsibility for the management of such incursions and consequent costs associated, are dealt with separate to this plan. Hence, there are no risk ratings attached to this item (4).

AVG has been located in the waters of Victoria however there have been no new sightings in the last five years. The movement of AVG into SA waters could result in catastrophic consequences for the Abalone populations of SA. There is limited opportunity for Fisheries (including Compliance) to monitor and limit the risk of AVG spreading. This risk is higher within the SZA area compared to the waters west of this location which is rated at Moderate.

In addition to this, consideration needs to be given to the unusually high level of mortalities that occurred in 2012/2013 as a result of environmental conditions.

The risk of pest or disease incursion increases where;

- Fisher fails to report mortalities in Abalone
- Fisher fails to monitor or react to mortalities
- And due to Fisheries Compliance having limited ability to monitor the transhipment of AVG infected fish

5. Illegal, Unreported, Unregulated Take – PIRSA Risk Rating: HIGH (Likelihood 4: Consequences 4: Score 16)

Note – Actions & Initiatives are addressed and delivered against the Recreational Fishery Compliance Plan

Illegal, Unreported, Unregulated harvesting of Abalone, by unlicensed fishers, is a direct risk to the commercial Abalone Fishery. Organised unlicensed fishing has a direct impact on the abalone biomass as Abalone that is taken outside of quote results in more abalone being taken from the water and therefore reduced egg production.

Unlicensed fishers often take abalone well below the legal minimum size which also has an impact on egg production. Unlicensed fishing can lead to localised depletion of abalone stocks as these groups or individuals often fish repeatedly in the same areas with little concern for long term sustainability.

Intelligence collected during the year is showing a move towards more organised and well equipped illegal harvesting of abalone. In one zone this is known to be in the high hundreds of kilograms per month. Intelligence received from interstate (confirmed in SA) is showing WZA and SZA are more susceptible to incursions from interstate divers.

6. Other Compliance risks identified within the fishery that may occur will be addressed as they are detected. They include the following:

- Failure to lodge SARDI catch and effort returns
- Inaccurate or misleading reporting of catch location and volume on SARDI Returns
- Taking non-permitted species
- Assist/provide services to other agencies
### Risk Likelihood & Consequence Analysis:

<table>
<thead>
<tr>
<th>LIKELIHOOD</th>
<th>NEGLIGIBLE</th>
<th>MINOR</th>
<th>MODERATE</th>
<th>SEVERE</th>
<th>MAJOR</th>
<th>CATASTROPHIC</th>
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<td>Take Undersize (8)</td>
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<td>Quota Evasion (16)</td>
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<td>Quota Management System Integrity (15)</td>
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#### LIKELIHOOD DEFINITIONS
- **LIKELY** - It is expected to occur
- **OCCASIONAL** - May occur
- **POSSIBLE** - Some evidence to suggest this is possible here
- **UNLIKELY** - Uncommon, but has been known to occur elsewhere
- **RARE** - May occur in exceptional circumstances
- **REMOTE** - Never heard of but not impossible

#### CONSEQUENCE DEFINITIONS
- **NEGLIGIBLE** - Insignificant impacts to population. Unlikely to be measurable against background variability for this population
- **MINOR** - Possibly detectable, but minimal impact on population size and none on dynamics
- **MODERATE** - Possibly detectable, but minimal impact on population size and none on dynamics
- **SEVERE** - Affecting recruitment levels of stocks / or their capacity to increase
- **MAJOR** - Likely to cause local extinctions, if continued in longer term
- **CATASTROPHIC** - Local extinctions are imminent / immediate

#### RISK RATING

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<tr>
<th>Negligible</th>
<th>Low</th>
<th>Moderate</th>
<th>High</th>
<th>Extreme</th>
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Page 6 of 9
Strategies:

The following strategies have been developed to address each of the risks:

1. **Education & Awareness**
   - All interested parties understand their respective obligations
   - Develop Industry communication & relationship program

2. **Deterrence**
   - All aspects of fishing activity including QMS are fully monitored
   - Enforcement Plan Communication Strategy
   - Enforcement Outcomes Communication Strategy
   - Identify gaps in QMS Integrity and work collaboratively with Industry to identify and implement solutions

3. **Enforcement**
   - Identify participants & methodology of offenders
   - Take appropriate and measured outcomes in response to detected offences
   - Maximise successful prosecutions Outcomes

**Target Outcomes:**

The following target outcomes have been identified:

- Quota Management System integrity maintained
- Minimise quota evasion
- Pest / Disease incursions reported
- Reduce / minimise take of undersize
### Risks
1. Quota Management System Integrity
2. Quota Evasion
3. Pest / Disease incursion
4. Take Undersize

### Strategies
1. Education & Awareness
2. Deterrence
3. Enforcement

#### Coordination Team:
- Yolande Markey (State Coordinator – WZA, CZA and SZA Abalone)
- Limestone Coast – Barry Tarr
- Abalone Fishery Policy Manager – Lianos Triantafillos

<table>
<thead>
<tr>
<th>Risks Addressed</th>
<th>Strategies</th>
<th>Initiative</th>
<th>Actions</th>
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<th>When</th>
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<tr>
<td>1</td>
<td>1</td>
<td>1 on 1 interactions</td>
<td>Update and distribute Fishery User Guide</td>
<td>SC</td>
<td>Pre Season</td>
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<td>2</td>
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<td>Meet with LH’s, RM’s and Fish Processors prior to season. Ensure all have a clear understanding of:</td>
<td>SC</td>
<td>Pre Season</td>
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<td>- Compliance focus for coming season</td>
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<td>- Fishers obligations in respect to completion of Part A of CDR</td>
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<td>- SARDI Catch &amp; Effort returns</td>
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<td>- Pest / disease incursion protocol</td>
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<td>Have interactions with LH’s, RM’s and Fish Processors throughout the season; ensure all remain clear on the rules and their obligations</td>
<td>SC, FO’s</td>
<td>Season</td>
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<td>Focus on spatial management introduction</td>
<td>FO’s</td>
<td>Season</td>
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<td>Industry Days</td>
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<td></td>
<td>1</td>
<td>Induct new entrants</td>
<td>Induct new entrants</td>
<td>SC</td>
<td>As required</td>
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<td>Established liaison &amp; contact with Industry</td>
<td>Have regular contact with SARDI, Policy, Industry Representatives and Stakeholders.</td>
<td>Ops Mgr, SC</td>
<td>Ongoing</td>
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<td>Prior to season commencing, communicate forthcoming Compliance focus.</td>
<td>SC</td>
<td>Pre Season</td>
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<td>Attend Industry meetings. Communicate Industry performance. Raise Compliance issues in a timely manner</td>
<td>Ops Mgr, SC</td>
<td>Ongoing</td>
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<td>- Participate in AVG Response Working Group</td>
<td>Ops Mgr, SC</td>
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<td>- Assistance with deceased estates</td>
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## Risks Addressed

### Strategies

<table>
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<tr>
<th>Risks Addressed</th>
<th>Strategies</th>
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<th>Actions</th>
<th>Who</th>
<th>When</th>
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</table>
| 1   2   3   4 | 1   2   3 | Audit      | Audits to include but not limited to:  
- Identification of CDR irregularities  
- Monitor quota balance for exceeding catch  
- Checking to ensure CDR’s are completed fully  
- Ensure that audit points between Part A and Part B match accordingly  
- Compare CDR data against VMS/Prior Reports to ID unreported fishing  
- Maintain appropriate business rules for CDR completion so that errors and/or anomalies are detected and followed up accordingly  
- VMS | FO’s, Licensing | Season |
| 1   2   3   4 | 1   2   3 | Field based inspections | Inspections at sea, landing, transit and at Fish Processor  
- Monitor Victorian Abalone licences landing in Port MacDonnell/SA | FO’s | Season |
| 1   2   3   4 | 1   2   3 | Regulatory review and revision | Contribute to amendment of legislation and policy where appropriate  
Explore technology developments and options to assist in more effective delivery of compliance arrangements (eg e-catch) | SC | As required |
| 1   2   3   4 | 1   2   3 | Media      | Utilise media to update on successful prosecution outcomes and disease outbreaks | Ops Mgr, SC, PIRSA Comms | As required |
| 1   2   3   4 | 1   2   3 | Intelligence | Collate and analyse information received through FISHWATCH and stakeholders | SC, Intel Analyst | Ongoing |
| 1   2   3   4 | 1   2   3 | Address non-compliance | Investigate instances of non-compliance  
Take enforcement action including issue of Caution, Expiation and Brief | FO’s | As required |
| 1   2   3 | 1   2   3 | Intelligence driven operations | Develop investigations and carry out targeted operations in line with the Serious Offence Plan | FO’s, SOG | As required |
| 1   2   3 | 1   2   3 | Brief Quality Assurance | Briefs of evidence meet evidentiary requirements and are vetted to ensure quality assurance | FO’s, Ops Mgr PSC | As required |

**Abbreviations:** FO (Fisheries Officer); Ops Mgr (Regions Operations Manager); SC (State Coordinator); PSC (Prosecution Steering Committee – PIRSA internal), Intel Analyst (Intelligence Analyst – PIRSA internal), PIRSA Comms (PIRSA Communications – PIRSA internal); Licencing (PIRSA Licencing – PIRSA internal)