



Offshore abalone stocking policy

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Blacklip abalone (Haliotis rubra)

Policy Statement

The purpose of this policy is to provide definitive guidelines to inform decisions relating to offshore stocking activities involving abalone and the interaction of such activity with authorised abalone aquaculture, wild harvest fishing and existing policies.

The Victorian Fisheries Authority (VFA) has the regulatory responsibility to manage Victoria's fisheries resources pursuant to the objectives outlined in the *Fisheries Act 1995 (the Act)*. This *Act* and its subordinate *Fisheries Regulations 2019 (the Regulations)* provide for the authorisation of activities for sectors including:

- Wild harvest fisheries
- Land based aquaculture
- Offshore aquaculture

In addition to fishery access and aquaculture licences issued, permits are also used to authorise activity. Many of these arrangements currently exist within the abalone sector. The adaptation of new and different activities in a variety of jurisdictions has required the development of policy to clearly identify certain activities and outline the VFA interpretation in line with relevant legislation.

This policy aims to provide this clear guidance to all relevant abalone fishing and aquaculture sectors and fisheries managers.

Definitions

The following definitions are relevant to this policy:

Abalone

Has the same meaning as in the *Fisheries Act 1995* (the Act). (Green lip abalone (*Haliotis laevis*) and black lip abalone (*Haliotis rubra*) and their hybrids are the only abalone currently caught or grown.)

AFR

Means Aquaculture Fisheries Reserve, being a fisheries reserve declared under Section 88 of the Act for the purpose of aquaculture.

Authorised aquaculture site means an area specified on a licence for the aquaculture of a specified species.

Created habitat

Includes artificial, or partly artificial, habitat created and/or used in conjunction with an authority under the Act.

Marine waters

Has the same meaning as in the Act.

VFA

Means Victorian Fisheries Authority

Scope

This policy is applicable to:

- abalone to be stocked and grown in offshore marine waters in Victoria.

This policy does not consider:

- wild harvest abalone fishing under an Abalone Fishery Access Licence;
- land-based abalone farming under an Aquaculture (On-shore Abalone) Licence;
- offshore contained culture of abalone within Aquaculture Fisheries Reserves authorised under an Aquaculture (Crown Land – Abalone) Licence; and
- existing entitlements.

Existing entitlements are not prejudiced by this policy.

Relevant documents

The following documents and legislative references can be viewed in conjunction with this policy:

Document	Purpose	Relevance
Fisheries Act 1995	Legislation for the management of Victorian fisheries and aquaculture	Overarches all VFA regulation, policy, protocols and guidelines
Fisheries Regulations 2019	Mechanism to enact the above, formulating lawful parameters for most fisheries and aquaculture activity	Outlines the authorised activities and conditions of fishery and aquaculture licences
Victorian Abalone Aquaculture Translocation Protocol	Aims to preserve natural and farmed stocks of Victorian abalone, and facilitate abalone translocations that do not adversely impact the Victorian marine environment	Provides risk assessed processes and protocols for the human assisted movement of abalone into and within Victoria
Guidelines for Assessing Translocations of Live Aquatic Organisms in Victoria	To provide a risk assessment and framework for proposals to translocate live aquatic organisms into and within Victoria that require approval under the <i>Fisheries Act 1995</i> (the Act)	Provides for structured assessment of proposed abalone movements and determination of adherence to policy, protocols and guidelines

Principles

The following activities are identified and defined by this policy for the purpose of assessment by the VFA within the jurisdictional limits of Victoria. This aims to provide clarity and consistency in decision making and interpretation in the application of current law, policies and protocols.

Offshore abalone aquaculture

Offshore abalone aquaculture is the grow-out of abalone stock using aquaculture infrastructure located in the marine environment under authorisation of an Aquaculture (Crown Land – Abalone) Licence.

For the purpose of this policy *offshore abalone aquaculture* relates to the activities authorised by the above licence class as detailed in R.414 of *the Regulations* and any other condition expressly listed on an individual licence of the above category, including the specified land and waters where the activity may occur.

Offshore abalone aquaculture, as defined for the purpose of this policy, is the deployment of abalone stocks for grow-out using aquaculture infrastructure capable of containing benthic abalone movement in existing aquaculture fisheries reserves.

Abalone reseeding

Abalone reseeding is the stocking of abalone within their natural range, onto natural reef, for the purpose of rehabilitating existing abalone stocks on that reef.

Abalone reseeding, as defined for the purpose of this policy, relates to regeneration of abalone populations through the addition of new individuals. This activity does not include the translocation of harvested wild abalone from one area to another. The practice of translocation of wild abalone is currently undertaken in Victorian waters, authorised by permit with conditions.

Abalone reseeding has potential to assist in recovering areas where abalone populations have suffered declines in biomass. Abalone introduced into Victorian waters for this purpose become the property of the Crown as the aim of the activity is to rebuild a natural public resource. Any proposed activity of this nature would require authorisation under the Act and assessment of the translocation to determine appropriateness and mitigation of risks. In addition, suitability would be informed by abalone stock assessment.

Abalone stock enhancement

Abalone stock enhancement is the stocking of abalone within their natural range, onto natural reef, for the purpose of increasing existing abalone stocks above highest recorded natural levels.

Abalone stock enhancement, as defined for the purpose of this policy, describes the practice of introducing additional abalone stocks to an area to improve productivity of wild harvest fishing. This activity differs from *abalone reseeding* in that the intent is to increase abalone stocks above a predetermined natural level. This activity could be based on a number of conditions including, but not limited to, suitability of the area to support additional abalone stocks, supporting invasive species disruption or active replenishment to augment harvesting.

Any activity of this nature would be informed by abalone stock assessment of the relevant area and, if deemed acceptable, require appropriate translocation assessment.

Abalone ranching – not within AFR

Abalone ranching is the uncontained stocking of abalone, onto natural reef or created habitat not within an AFR, for the purpose of growth and exclusive harvest.

Abalone ranching, as defined by the VFA for the purpose of this policy, differs from *abalone stock enhancement* and *abalone reseeding* in that the intention is for exclusive stock access for harvest, not the enhancement or rehabilitation of existing wild abalone stocks. In this instance, abalone are not to become the property of the Crown¹ and therefore not accessible for lawful collection for commercial, recreational or non-consumptive uses. For this reason, *abalone ranching* presents complexities best addressed through the affirmation of other activities that can be controlled within legislative, policy and protocol options of the VFA. The practice of *abalone ranching*, as defined for the purpose of this policy, in Victorian waters is not supported by the VFA². This definition of *abalone ranching* supersedes any previous reference by the VFA.

¹ Section 10 of the *Fisheries Act 1995* stipulates that all *wild fish* in *Victorian waters* are owned by *the Crown*. Stocking of fish into public waters outside an authorised aquaculture site means that these fish would be considered *wild fish* and would become the property of *the Crown*.

² This does not include activity that meets the criteria of offshore abalone aquaculture, conducted within Aquaculture Fisheries Reserves.

VFA position

The following policy position is adopted by the VFA in relation to the listed activities. This position considers relevant legislation, policies and protocols listed in table 1.

Activity	VFA position	Rationale
Offshore abalone aquaculture	Endorsed	Licence class authorises this activity subject to conditions within AFRs apart from existing entitlements.
Abalone reseeding	Agreed in principle	Activity supported would adhere to all legislative, policy, protocol and guideline provisions in addition to the mitigation of any additional risks as outlined by the VFA
Abalone stock enhancement	Agreed in principle	Activity supported would adhere to all legislative, policy, protocol and guideline provisions in addition to the mitigation of any additional risks as outlined by the VFA
Abalone ranching	Not supported	Abalone stocking activities that could be considered are outlined in the above measures. Ranching, as defined for this policy, poses significant challenges, including but not limited to resource allocation, public access and property rights that are inconsistent with fisheries legislation and policy.

Application of policy

Assessment of offshore abalone stocking proposals will be conducted on a case by case basis with consideration of economic and ecological benefits and risks. Any proposal must provide sufficient detail using a risk-based approach to facilitate robust assessment of the activity to ensure objectives of the Act are met.

The offshore abalone stocking activities presented in this policy present a range of potential risk pathways. Any potential risk needs to be identified and considered within the context of the proposal development process. Evaluation of identified risks should be based on all available science and any potential mitigation measures proposed should promote an appropriate level of protection and sustainability of marine ecosystems.

Victorian fisheries objectives

Objectives of the Fisheries Act 1995

The VFA aims to manage Victoria's fisheries resources pursuant to the objectives of the Act. These include:

- to provide for the management, development and use of Victoria's fisheries, aquaculture industries and associated aquatic biological resources in an efficient, effective and ecologically sustainable manner
- to protect and conserve fisheries resources, habitats and ecosystems including the maintenance of aquatic ecological processes and genetic diversity
- to promote sustainable commercial fishing and viable aquaculture industries and quality recreational fishing opportunities for the benefit of present and future generations
- to facilitate access to fisheries resources for commercial, recreational, traditional and non-consumptive uses
- to promote the commercial fishing industry and to facilitate the rationalisation and restructuring of the industry
- to encourage the participation of resource users and the community in fisheries management.

The above objectives, together with the prescriptive consultative framework provided by the Act, will continue to guide the VFA in making determinations in authorising activity. This policy will complement these established instruments in assessing offshore abalone stocking activities.



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