

Responses to key issues raised in submissions received on the draft Fisheries (Spider Crab) Notice

Overview of consultation process.

The proposed Fisheries (Spider Crab) Notice was released for six weeks consultation from 15/9/20 to 27/10/20. The notice was distributed via key representative groups and opinion leaders, consistent with the consultation plan on VFA's website. It was also communicated through a dedicated webpage and post on Victorian Multicultural Commission's online portal. Multicultural spider crab fishers are difficult to reach with traditional consultation processes and were represented in the consultation process by VRFish.

The purpose of the consultation was to seek comment on a new, reduced catch and possession limit – halved from 30 to 15 - for spider crabs from the family Majidae including giant spider crabs across Victoria.

Overview of submissions received.

There was substantial interest in the draft Notice. More than 1500 submissions from individuals and organisations were received at spidercrabs@vfa.vic.gov.au. Seven were from organisations. These are publicly available on VFA's website¹.

VRFish, which represents ≈ 840,000 fishers, supported the reduced catch limit highlighting the importance of spider crab fishing to a small but significant group of multicultural fishers as part of a 'crab culture' and a beneficial outdoor family activity. VRFish strongly rejected a non-take season, instead recommending closed areas for recreational diving to reduce safety risks for pier-based spider crab fishers.

Bunurong Land Council Aboriginal Corporation, Registered Aboriginal Party for southern Mornington Peninsula², supported temporary catch limit reduction alongside targeted research on spider crab biology and fishing. Mornington Peninsula Shire also supported a reduced catch limit, along with education and enforcement, while also being open to a no-take season.

Most individual submissions were based on a standard response and template promoted by the 'Save our Spider Crabs' campaign, which included VNPA and many recreational divers. This response opposed the reduced limit, requesting a no-take season for spider crab moulting aggregations most accessible to the public. Individual submissions have not been

¹ <https://vfa.vic.gov.au/operational-policy/fisheries-consultation/completed-consultation>

² *Victorian Aboriginal Heritage Act 2006*

published as many were submitted in response to calls on third party social media or websites and therefore cannot be assumed to have provided express permission³.

Related community-based organisations also called for no-take during aggregations. A small number of respondents including Rye Community Group Alliance and Port Phillip Ecocentre proposed restricting no-take seasons to locations including Port Phillip Bay, enclosed waters and/or near piers and manmade structures. All included Rye and Blairgowrie piers. A few supported the reduced catch limit, alongside spatial no-take periods.

Key issues raised in submissions have been grouped into 5 themes. A response to each theme is provided below.

1. Opposition to the proposed reduced catch limit.

All spider crabs in Victoria – including giant spider crabs (*Leptomithrax gaimardii*) - currently fall under the general crab recreational catch and possession limit of up to 30 crabs or 1 litre, combined across species. This limit also applies to all other Victorian crabs except European green shore crabs (an introduced species) and Giant Crabs (a deep-water, commercial species).

Giant spider crabs, and their moulting aggregations that occur within and beyond Port Phillip Bay, are valued and enjoyed by recreational divers, fishers and other stakeholders.

Recreational fishing for giant spider crabs has been developing over recent years. It is valued by parts of Victoria's multicultural community as an enjoyable day out with the vast majority using the crabs they catch to cook and eat. The VFA believes it is now appropriate to set a new, reduced, dedicated catch limit that more equitably shares spider crabs between divers, fishers and other stakeholders across the Victorian community.

The Fisheries (Spider Crab) Notice significantly reduces the existing limit for spider crabs from 30 to 15. This better balances spider crab values and is more consistent with the catch limits that apply generally to crabs, including giant spider crabs, in New South Wales and Tasmania.

2. Query as to why the limit applies to all spider crabs, not just Giant Spider Crabs.

Giant spider crabs are one of several spider crab species in Victorian waters. These can be difficult for non-experts to tell apart particularly at small sizes. The proposed reduced catch limit was extended to all spider crab species in the family Majidae, including giant spider crabs, to make it practical for the community to understand and support compliance.

³ PT Hirschfield's individual submission provided express permission and has been published on the website.

3. Request for a no-take season during giant spider crab moulting aggregations at particular locations.

VFA acknowledges the proposals by many respondents, particularly including recreational divers, for a no-take season during giant spider crab moulting aggregations. Many reflected the 'Save our Spider Crabs' campaign response, which called for a no-take period over April to July for crab aggregations most accessible to the general public. Others proposed no-take seasons over areas including Port Phillip Bay, enclosed waters⁴ or near piers or man-made structures.

While giant spider crabs are widely distributed and aggregate in multiple locations, it is at these publicly accessible places and short season that both most recreational spider crab viewing and fishing takes place. All no-take areas that were proposed in submissions would cover Rye and Blairgowrie piers, which are the sites of the only well-known crab aggregation that is regularly accessible to both pier-based recreational divers and fishers.

The proposal for a no-take season at these locations is not supported by VFA or VRFish. VRFish provided a submission on behalf of multicultural spider crab fishers. It would effectively bring an end to recreational spider crab fishing, which is predominantly pier-based, focuses at Rye and Blairgowrie and is valued by parts of Victoria's multicultural fishing community.

VFA believes this wonderful natural phenomenon can be shared and enjoyed by divers and fishers across the Victorian community with appropriate management and fishing rules.

4. Concern about amenity issues at Rye pier during the 2020 Giant Spider Crab aggregation.

A number of respondents, including submissions aligned with the 'Save our Spider Crabs' campaign and from Rye Community Group Alliance and VRFish, highlighted amenity issues which occurred during the 2020 spider crab aggregation at Rye. These included litter and diver and fisher safety. The VFA is liaising with other agencies to develop a shared plan of management and education initiatives to improve amenity values for all stakeholders ahead of this year's crab aggregation at Rye / Blairgowrie. Implementation of this plan will be tailored to the site where the aggregation settles and will occur alongside enforcement of the spider crab fishing rules by the VFA.

⁴ As defined in the *Marine Safety Regulations 2012*

5. Concern about Giant Spider Crab stock sustainability.

The reduced catch limit aims to more equitably share spider crabs among fishers, divers and other stakeholders. It is not designed or intended as a tool to manage spider crab stock sustainability. This was not well understood by all respondents.

Giant spider crabs (*Leptomithrax gaimardii*) are widely distributed across south-east Australian waters and aggregations have been observed at multiple locations. Recreational fishing in Victoria has a small footprint due to the short fishing season and its focus on a small area at Rye and Blairgowrie piers. A fishery is classified as sustainable if its biomass is greater than 20% of the original virgin biomass. Spider crab are essentially a virgin fishery in Port Phillip Bay.

Responsible fishing is a high priority and compliance with regulations are high. VFA intends to continue research on spider crab fishing and biology including abundance. This will help inform future adaptive management, where appropriate, and education to build shared understanding among stakeholders.