



6 January 2023

Mr Travis Dowling
Chief Executive Officer
Victorian Fisheries Authority

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Dear Mr Dowling,

Draft Fisheries (Spider Crab) Notice 2023

Thank you for your letter dated 19 December 2022 providing the opportunity to comment on the draft Fisheries (Spider Crab) Notice 2023 which proposes continuation of the current, reduced recreational catch and possession limit for spider crabs for a further 12 months.

Whilst the Mornington Peninsula Shire Council (MPSC) welcomes the continuation of the reduced catch limits from 30 to 15 per person, we believe the issue merits more significant and long-term restrictions across the Mornington Peninsula.

The MPSC voted unanimously in favour of a Notice of Motion on 18 May 2021, to request the Victorian government to implement an annual 'no-take' season for Spider Crabs during the aggregation, between April and July. This approach is still considered by Council to be the most appropriate.

Please refer to the attached letter to Minister Horne dated 10 June 2021 detailing this request and the response from Minister Horne dated 21 July 2021 which states that the Victorian Government does not support a 'no-take' season for giant spider crabs during April and July.

Considering this response, the MPSC would like to understand the impact of the reduced recreational catch and possession limit that has been in place for the last 24 months. Specifically, whether there is evidence that the spider crab populations have stabilised because of the reduced limit resulting in the desired balance between fishing, conservation and tourism values. The MPSC would welcome the opportunity to view this data, if available.

The MPSC continues to work with community and coastal user groups, including the Rye Coastal Advisory Group, Rye Community Group Alliance, the diving community, and the Spider Crab Alliance (SCA). The SCA aim to highlight the community concerns of the crabbing and netting of the Spider Crabs, during their annual aggregation.

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Contact the Mornington Peninsula Shire

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**MORNINGTON
PENINSULA**
Shire

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As a major stakeholder in management of the Rye foreshore, the MPSC has also been working closely with the Victorian Fisheries Authority (VFA), to support additional signage, bins and roll out of a diverse educational campaign. We are committed to continuing this close working relationship with the VFA and in the lead up to the next aggregation would like to explore opportunities to partner on an engagement program involving local and broader communities.

Yours sincerely,

John Baker
Chief Executive Officer

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10 June 2021

The Hon. Melissa Horne MP
Minister for Fishing and Boating
Level 22, 1 Spring Street
MELBOURNE VIC 3000

Dear Minister

Annual Spider Crab Migration

Thank you for your letter dated 1 August 2020, in response to the ongoing significant concerns of the Mornington Peninsula Shire Council (MPSC) and our community, regarding the increased level of human interference and impact on the annual Spider Crab (*Leptomithrax Gaimardii*) moulting event, specifically around Rye Pier and Blairgowrie Marina.

The amenity and environmental impact of the moulting event has also been of concern to the Shire and community. The volume of mass crowds and crabbers, particularly in Rye town centre, has impacted the enjoyment by locals and other visitors, who are often jostled out the way by this fishing activity. Environmental concerns include chicken carcasses and other food used to attract the crabs, which has resulted in pollution of the water at swimming beaches and on the foreshore, compromising the marine ecosystem.

The Shire is working with several community and coastal user groups, including the Rye Coastal Advisory Group, Rye Community Group Alliance, the diving community and the Spider Crab Alliance (SCA). The SCA aim to highlight the community concerns of the crabbing and netting of the Spider Crabs, during their annual aggregation.

MPSC welcomes the Victorian Fisheries Authority (VFA) Spider Crab Notice 2021, that sought to temporarily reduce catch limits from 30 to 15 per person. As a major stakeholder in management of the Rye foreshore, the MPSC has also been working closely with the VFA, to support additional signage, bins and roll out of a diverse educational campaign.

However, we believe the issue merits more significant and long-term restrictions across the Mornington Peninsula.

The MPSC voted unanimously in favour of a Notice of Motion on 18 May 2021, to request the Victorian government to implement an annual 'no-take' season for Spider Crabs during the aggregation, between April and July.

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The Shire has reviewed the recent VFA research (Defining Movement Characteristics of Victoria's Giant Spider Crabs, April 2021), referred to in your letter. The VFA report states that the aggregation events at Rye and Blairgowrie are *'targeted by recreational fishers'*.

Most importantly, the VFA report clearly acknowledges that Rye and Blairgowrie are the *'only regular aggregation, accessible to both pier-based recreational divers, fishers and the public'*. The Shire believes this fact demonstrates a significant point of difference for Rye and Blairgowrie, compared to other aggregation points across Victoria.

Furthermore, the reproductive aspect of aggregation, stated by the VFA report, is a crucial sustainability consideration, in addition to the moulting and vulnerability Spider Crabs experience during this specific lifecycle event.

It is still unknown for certain, why some aggregating groups of Spider Crabs come to Rye and Blairgowrie. The Shire believes the public accessibility to the aggregation of Spider Crabs at these locations and key findings of the VFA report, precisely fit the legislative context of principles 11 and 12, from within the Marine and Coastal Act 2018, which enshrines marine protection from irreversible environmental damage:

- Principle 11 - **Evidence-based decision-making** - *It is a guiding principle for the management of the marine and coastal environment that marine and coastal planning and management decisions should be based on best available and relevant environmental, social and economic understanding, recognising that information will often be limited*
- Principle 12 - **Precautionary Principle** - *It is a guiding principle for the management of the marine and coastal environment that if there are threats of serious or irreversible environmental and other damage, lack of full certainty should not be used as a reason for postponing measures to prevent environmental or other degradation.*

The Shire also interprets the Marine and Coastal Policy 2020, as further supporting the implementation of more significant restrictions, relating to the aggregation and moulting event at Rye and Blairgowrie. Section 3.1 of the Policy states:

- *Protect and seek to enhance the values and characteristics that contribute to natural features and landscapes (including seascapes), in the marine and coastal environment, including by managing cumulative effects.*

Clearly, it is very rare to find Spider Crabs so easily accessible, as they are found at Rye and Blairgowrie. Therefore, this issue is of ongoing significance to the Shire and more broadly to the Victorian community, as a crucial place to protect this species and witness an environmental phenomenon.

Considering the intention of Principles 11 and 12 of the Marine and Coastal Act 2018, the timing and significance of the annual aggregation event at Rye and Blairgowrie and the negative impact experienced by those local communities, MPSC urgently requests the VFA and Victorian Government, to protect this unique occurrence and implement a 'no take' season at Rye and Blairgowrie.

Yours sincerely



Councillor Despi O'Connor
Mayor



Hon Melissa Horne MP

Minister for Consumer Affairs, Gaming and Liquor Regulation
Minister for Ports and Freight
Minister for Fishing and Boating

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Councillor Despi O'Connor
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Dear Councillor O'Connor

Thank you for your letter of 10 June 2021 regarding spider crabs on the Mornington Peninsula. I understand that the Victorian Fisheries Authority (VFA) has also recently responded to correspondence from Mr John Baker, Chief Executive Officer of Mornington Peninsula Shire on this matter.

As previously indicated by the VFA, the Victorian Government does not support a 'no-take' season for giant spider crabs at Rye and Blairgowrie during aggregations between April and July. This would effectively end recreational spider crab fishing on the Peninsula.

While giant spider crabs gather at multiple locations across the State, I agree that the Rye and Blairgowrie aggregations have special social value as they are accessible to the community. These events can be shared and enjoyed by recreational divers, fishers and across the Victorian community with appropriate management and fishing rules.

The VFA has been working hard with other agencies and VRFish on management and cross-cultural education initiatives to support this shared enjoyment. A fisheries operation is currently underway with signs, bins, education materials and surveys ready to be implemented for any crab aggregation at the piers this season. I thank the Mornington Peninsula Shire for the contribution of your staff to these initiatives.

The VFA adopts a balanced management approach to giant spider crab fishing, incorporating scientific evidence and providing for diverse community values. There is no evidence that recreational crab fishing from these piers poses a threat to the resource.

Giant spider crabs are widely distributed across south-east Australian waters, and recreational fishing takes a fraction of the biomass with activity focused at these piers for a short period of time.

The spider crab recreational catch limit has recently been halved and commercial fishing in the Bay is also managed through the phase out of nets, with small quantities of crabs taken for bait outside the Bay.

I also note that the VFA is undertaking a considerable amount of research in this space to provide as much evidence as possible to inform decision-making. This includes but is not limited to:

- spider crab satellite tagging report now available on VFA's website;
- new scientific surveys planned to estimate giant spider crab recreational catch and abundance in southern Port Phillip Bay; and
- genetic research on stock structure and population in partnership with Deakin University, funded by the Fisheries Research and Development Corporation.

Thank you for sharing your views on this issue and for the Mornington Peninsula Shire's continued contribution to collaborative management for this fishery. Your feedback is important to the Government as it continues to work hard to grow the value of recreational fishing in a sustainable way that provides social and economic benefits to the Victorian community.

Please contact Mr Travis Dowling, Chief Executive Officer of the VFA on 0418 176 231 if you would like any further information.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Melissa Horne', with a stylized flourish at the end.

Hon Melissa Horne MP
Minister for Fishing and Boating

21/7/2021