



Australian Government

Department of the Environment and Energy

Assessment of the
South Australian Giant Crab Fishery

November 2015

© Copyright Commonwealth of Australia, 2016.



Assessment of the South Australian Giant Crab Fishery November 2015 is licensed by the Commonwealth of Australia for use under a Creative Commons By Attribution 3.0 Australia licence with the exception of the Coat of Arms of the Commonwealth of Australia, the logo of the agency responsible for publishing the report, content supplied by third parties, and any images depicting people. For licence conditions see: <http://creativecommons.org/licenses/by/3.0/au/>.

This report should be attributed as '*Assessment of the South Australian Giant Crab Fishery November 2015*, Commonwealth of Australia 2016'.

Disclaimer

This document is an assessment carried out by the Department of the Environment and Energy of a commercial fishery against the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. It forms part of the advice provided to the Minister for the Environment and Energy on the fishery in relation to decisions under Parts 13 and 13A of the *Environment Protection and Biodiversity Conservation Act 1999*. The views expressed do not necessarily reflect those of the Minister for the Environment and Energy or the Australian Government.

While reasonable efforts have been made to ensure that the contents of this report are factually correct, the Australian Government does not accept responsibility for the accuracy or completeness of the contents, and shall not be liable for any loss or damage that may be occasioned directly or indirectly through the use of, or reliance on, the contents of this report. You should not rely solely on the information presented in the report when making a commercial or other decision.

CONTENTS

Section 1: Summary of the Assessment for the South Australian Giant Crab Fishery Against the Guidelines for the Ecologically Sustainable Management of Fisheries (2nd Edition)....	3
Section 2: Detailed Analysis of the South Australian Giant Crab Fishery Against the Guidelines for the Ecologically Sustainable Management of Fisheries (2nd Edition)	6
Section 3: Assessment of the South Australian Giant Crab Fishery Against the Requirements of the EPBC Act	11

SECTION 1: SUMMARY OF THE ASSESSMENT FOR THE SOUTH AUSTRALIAN GIANT CRAB FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

Purpose: To enable transparent articulation of which commercial fisheries assessed under the EPBC Act clearly meet all legislative requirements and all Guidelines, and those which may require further investigation or assessment to demonstrate requirements are met.

Summary: Overview of SA Giant Crab Fishery against the relevant requirements of the Guidelines and the EPBC Act.

Guidelines	Meets	Partially meets	Does not meet	Details
Management regime	5 of 8	3 of 8		While no formal management plan in place, management regime and stock status reports are publically available. Ongoing consultation for management has been limited since 2007. Some performance indicators could be improved, these are currently under review.
Principle 1 (target stocks)	All but 2	2		Robust and active management of target stocks, however concerns with certainty of current stock assessment due to limitations with data.
Principle 2 (bycatch and TEPS)	All met			Byproduct minimal and bycatch negligible.
Principle 2 (ecosystem impacts)	All but 1	1		No specific ESD risk assessment conducted, however risk assessment for similar fisheries (eg rock lobster, deep water crab) indicate risks low-negligible.
EPBC requirements				
Part 12	N/a			KEFs and BIAs in Bioregional Plan for South-West not compromised by fishing activity.
Part 13	All met			No interactions recorded or likely with Pt 13 species.
Part 13A	All, but for 1	1		Limited consultation if LENS is amended, although sufficient for strict requirements, as per advice to Minister in MS14-002367.
Part 16	All met			Relevant MBP considered, precautionary management arrangements in place.

Conclusion: This fishery targets giant crabs (*Pseudocarcinus gigas*) using deepwater traps similar to rock lobster pots. It is a minor fishery in SA, evidenced by regulation under the SA *Fisheries Management (Miscellaneous Fishery) Regulations 2000*. It is closely linked to the Rock Lobster fishery and is managed in the same two management zones (Southern and Northern). Approximately 70% of catch is harvested under Miscellaneous Fishery licences, with approximately 25% harvested as under Rock Lobster licences. While the cross-jurisdictional biological stock of giant crab has been assessed as 'transitional – depleting' across southern Australia, the species is not considered overfished in SA and there are no concerns with bycatch or protected species, therefore the fishery meets all environmental requirements of the EPBC Act and most of the Guidelines.

Outstanding issues:

There are stock status concerns for giant crab across southern Australia, however the major component of biomass and catch has been in Tasmania and Victoria. While there is limited information on stock status within SA waters, catches in SA have been stable between 18-25 tonnes/year since the fishery

commenced in the late 1990s, and the stocks in SA are not considered overfished. The commercial catch rate (CPUE) in South Australia is the main proxy for abundance of legal sized crabs. This indicator remained at relatively high levels during 2013/14, although pre-recruit abundance was recorded at low levels. PIRSA will continue to monitor all performance indicators for the fishery.

A national harvest strategy for giant crab is under development, following a workshop with all relevant jurisdictions. Under this new strategy, commercial catch rates will be standardised across the whole stock to provide clear national data, and consistent reference points will be adopted across jurisdictions. Once agreed at a national level, these measures are anticipated to be captured in SA via a policy document.

Final recommendation for 2015 assessment of SA Giant Crab Fishery: While noting concerns for the stock nationally, this fishery is still considered relatively low risk in SA, and is therefore eligible for 10 year approval (2015-2025).

Notes:**Assessment history:**

1st assessment finalised 2004 – LENS with 11 recs

2nd assessment finalised 2010 – LENS with 6 recs. No public comments received.

Open-ended Part 13 last made in 2007.

Fishery reporting:

Annual report – last provided in July 2014

Protected species interactions – All SA fishery interactions provided publicly and annually at [Research Report Series](#) section on SARDI website. Last published February 2014 (fishing year of 2012/13):

http://pir.sa.gov.au/_data/assets/pdf_file/0011/232400/Wildlife_Interactions_in_SA_Fisheries_2013_-_FINAL.pdf

Key links:

– Fishery information page on PIRSA website, under 'Miscellaneous Fishery' –

http://pir.sa.gov.au/fishing/commercial_fishing/commercial_fisheries/miscellaneous_fishery

– Management arrangements for the SA Giant Crab Fishery – October 2002 –

http://pir.sa.gov.au/_data/assets/pdf_file/0006/12777/giant_crab2002.pdf.

– Ecological Assessment of the South Australian Giant Crab (*Pseudocarcinus gigas*) Fishery – January 2007

<https://www.environment.gov.au/system/files/pages/70f73d2b-e5d8-4b53-90e5-71e64bb16acd/files/sagc-submission-07.pdf>

– 2013/14 stock assessment (publ. March 2015) –

http://pir.sa.gov.au/_data/assets/pdf_file/0008/247265/2013_14_Giant_Crab_Status_Report.pdf.

– Ecological Risk Assessment – not undertaken specifically for giant crabs, but the species has been considered in the byproduct component of ERAs for similar fisheries, such as SA Rock Lobster Fishery (last ERA in April 2011) and proposed SA Deep Water Crab Fishery (draft ERA published January 2015).

– FRDC Status of Key Australian Fish Stocks 2014 – Giant Crab

http://fish.gov.au/reports/crustaceans/crabs/Pages/giant_crab.aspx.

– Status across southern Australia (including SA) = transitional-depleting noting that status in SA is considered to be undefined.

– South Australian Recreational Fishing Survey 2007/08 <http://recfishingresearch.org/south-australian-recreational-fishing-survey-200708/>

SECTION 2: DETAILED ANALYSIS OF THE SOUTH AUSTRALIAN GIANT CRAB FISHERY AGAINST THE GUIDELINES FOR THE ECOLOGICALLY SUSTAINABLE MANAGEMENT OF FISHERIES (2ND EDITION)

Guidelines for the Ecologically Sustainable Management of Fisheries (2nd edition)	Comment
THE MANAGEMENT REGIME	
The management regime does not have to be a formal statutory fishery management plan as such, and may include non-statutory management arrangements or management policies and programs. The regime should:	
Be documented, publicly available and transparent	Managed through publicly available legislation. <i>Management arrangements for the Giant Crab Fishery</i> (October 2002) also available online, along with Ecological Assessment of the South Australian Giant Crab (<i>Pseudocarcinus gigas</i>) Fishery – January 2007 (links above).
Be developed through a consultative process providing opportunity to all interested and affected parties, including the general public	Existing management policy framework (2002) developed and maintained through consultative process until 2007, with Fisheries Management Committee (FMC - combined with rock lobster fishery). FMCs held annual public meetings where community could discuss relevant issues. FMCs ceased to operate in 2007, a new policy document under development (referring to new harvest strategy), planned to have targeted consultation with industry and public comment on web.
Ensure that a range of expertise and community interests are involved in individual fishery management committees and during the stock assessment process	Stock status reports completed annually. No public consultation but appropriate research expertise (SARDI). Reports sent to industry and posted on web.
Be strategic, containing objectives and performance criteria by which the effectiveness of the management arrangements are measured	Harvest strategy (HS) framework described in the 2002 and 2007 ESD reports has strategic objectives with performance indicators (PIs). The annual status reports assess PIs against reference levels, however recognised that not all PIs are appropriate accurate measurement of performance, Currently under revision in new HS.
Be capable of controlling the level of harvest in the fishery using input and/or output controls	Yes, input and output controls, including limited entry, daily catch limits (for catch as byproduct), size limits and TACCs
Contain the means of enforcing critical aspects of the management arrangements	Yes, compliance program in place for giant crab, including risk assessment. Compliance effort commensurate with size of fishery and risks identified in compliance risk assessment. Compliance activities in this fishery closely linked with compliance in rock lobster fishery, including on water checks, checking returns and data sheets.
Provide for the periodic review of the performance of the fishery management arrangements and the management strategies, objectives and criteria	Yes, stock status reports and TACCs reviewed annually.

Be capable of assessing, monitoring and avoiding, remedying or mitigating any adverse impacts on the wider marine ecosystem in which the target species lives and the fishery operates	Yes, capacity to mitigate impacts on wider ecosystem through closures etc, however, risks likely to be low, based on ESD risk assessment for similar gears (eg rock lobster and deepwater).
Requires compliance with relevant threat abatement plans, recovery plans, the National Policy on Fisheries Bycatch, and bycatch action strategies developed under the policy	No significant intersection with Cwth plans.
PRINCIPLE 1 - A fishery must be conducted in a manner that does not lead to over-fishing, or for those stocks that are over-fished, the fishery must be conducted such that there is a high degree of probability the stock(s) will recover.	
Objective 1 - The fishery shall be conducted at catch levels that maintain ecologically viable stock levels at an agreed point or range, with acceptable levels of probability.	
Information requirements	
1.1.1 There is a reliable information collection system in place appropriate to the scale of the fishery. The level of data collection should be based upon an appropriate mix of fishery independent and dependent research and monitoring.	Yes, mandatory logbooks record daily catch and effort.
Assessment	
1.1.2 There is a robust assessment of the dynamics and status of the species/fishery and periodic review of the process and the data collected. Assessment should include a process to identify any reduction in biological diversity and /or reproductive capacity. Review should take place at regular intervals but at least every three years.	Yes, annual stock status reports consider fishery dependent data.
1.1.3 The distribution and spatial structure of the stock(s) has been established and factored into management responses.	Yes, single stock across southern Australia, stock structure well understood. Managed in two zones in SA to reflect different habitats and fishing operations.
1.1.4 There are reliable estimates of all removals, including commercial (landings and discards), recreational and indigenous, from the fished stock. These estimates have been factored into stock assessments and target species catch levels.	Removal by other sectors (eg recreational and indigenous) assessed as minimal, given depth and distance from shore. Estimates of recreational take confirmed by 5 yearly recreational fishing surveys (link above). Removals by other commercial fishing activity considered in national stock assessment for species.
1.1.5 There is a sound estimate of the potential productivity of the fished stock/s and the proportion that could be harvested.	Yes, stock status reports based on fishery dependent data but no clear biomass estimate. FRDC SAFS notes stable catches in SA, but also uncertainty about stock status across southern Australia due to limitations of data across national stock.
Management responses	

1.1.6 There are reference points (target and/or limit), that trigger management actions including a biological bottom line and/or a catch or effort upper limit beyond which the stock should not be taken.	Reference points and PIs described in harvest strategy but management responses articulated in Sloan (2002) and PIRSA (2007) are not prescriptive. New HS under development likely to contain limit, trigger and target reference points.
1.1.7 There are management strategies in place capable of controlling the level of take.	Yes, both input and output controls, including limited entry, spatial and temporal measures, size limits, byproduct trip limits, ITQs and TACC.
1.1.8 Fishing is conducted in a manner that does not threaten stocks of by-product species.	Byproduct very low, most non-target species do not have swim bladders so can be released alive.
(Guidelines 1.1.1 to 1.1.7 should be applied to by-product species to an appropriate level)	
1.1.9 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Appears likely, based on historic performance, although environmental impacts influence recruitment.
If overfished, go to Objective 2: If not overfished, go to PRINCIPLE 2:	
Objective 2 - Where the fished stock(s) are below a defined reference point, the fishery will be managed to promote recovery to ecologically viable stock levels within nominated timeframes.	
Management responses	
1.2.1 A precautionary recovery strategy is in place specifying management actions, or staged management responses, which are linked to reference points. The recovery strategy should apply until the stock recovers, and should aim for recovery within a specific time period appropriate to the biology of the stock.	Not applicable. N/a, while whole national stock assessed as transitional-depleting, overfishing not considered to have occurred in SA.
1.2.2 If the stock is estimated as being at or below the biological and / or effort bottom line, management responses such as a zero targeted catch, temporary fishery closure or a 'whole of fishery' effort or quota reduction are implemented.	Not applicable. The stock is not considered overfished in SA
PRINCIPLE 2 - Fishing operations should be managed to minimise their impact on the structure, productivity, function and biological diversity of the ecosystem.	
Objective 1 - The fishery is conducted in a manner that does not threaten bycatch species.	
Information requirements	
2.1.1 Reliable information, appropriate to the scale of the fishery, is collected on the composition and abundance of bycatch.	Yes, mandatory daily logbooks, data summarised in annual reports.
Assessments	

2.1.2 There is a risk analysis of the bycatch with respect to its vulnerability to fishing.	Bycatch very low, given specificity of method, most released alive.
Management responses	
2.1.3 Measures are in place to avoid capture and mortality of bycatch species unless it is determined that the level of catch is sustainable (except in relation to endangered, threatened or protected species). Steps must be taken to develop suitable technology if none is available.	Not required as bycatch minimal.
2.1.4 An indicator group of bycatch species is monitored.	Not required
2.1.5 There are decision rules that trigger additional management measures when there are significant perturbations in the indicator species numbers.	Not required
2.1.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Not applicable.
Objective 2 - The fishery is conducted in a manner that avoids mortality of, or injuries to, endangered, threatened or protected species and avoids or minimises impacts on threatened ecological communities.	
Information requirements	
2.2.1 Reliable information is collected on the interaction with endangered, threatened or protected species and threatened ecological communities.	Interactions reported in mandatory daily logbooks, however none recorded since 2007.
Assessments	
2.2.2 There is an assessment of the impact of the fishery on endangered, threatened or protected species.	Not considered necessary given absence of interactions to date and low impact method of fishing with sea lion exclusion devices (SLEDs) required in waters less than 100m in the rock lobster fishery.
2.2.3 There is an assessment of the impact of the fishery on threatened ecological communities.	Not considered necessary. Only minimal overlap of fishery with EPBC listed Giant Kelp threatened ecological community, listed in August 2012. Trap fishery unlikely to significantly impact benthic habitat.
Management responses	
2.2.4 There are measures in place to avoid capture and/or mortality of endangered, threatened or protected species.	Yes, where fishing occurs in waters less than 100m within Northern Zone, SLEDs required in pots to mitigate potential risk to Australian sea lions (ASL).
2.2.5 There are measures in place to avoid impact on threatened ecological communities.	Not considered necessary.
2.2.6 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Not applicable.

Objective 3 - The fishery is conducted, in a manner that minimises the impact of fishing operations on the ecosystem generally.	
Information requirements	
2.3.1 Information appropriate for the analysis in 2.3.2 is collated and/or collected covering the fisheries impact on the ecosystem and environment generally.	Not applicable.
Assessment	
2.3.2 Information is collected and a risk analysis, appropriate to the scale of the fishery and its potential impacts, is conducted into the susceptibility of each of the following ecosystem components to the fishery. <ol style="list-style-type: none"> Impacts on ecological communities <ul style="list-style-type: none"> Benthic communities Ecologically related, associated or dependent species Water column communities Impacts on food chains <ul style="list-style-type: none"> Structure Productivity/flows Impacts on the physical environment <ul style="list-style-type: none"> Physical habitat Water quality 	No specific ESD risk assessment for this fishery. However, risks likely to be low based on ESD risk assessment for similar gears (eg rock lobster) and deepwater fishing grounds. Rock lobster ESD risk assessment considers impact on giant crab bycatch, identified as negligible.
Management responses	
2.3.3 Management actions are in place to ensure significant damage to ecosystems does not arise from the impacts described in 2.3.1.	Not applicable.
2.3.4 There are decision rules that trigger further management responses when monitoring detects impacts on selected ecosystem indicators beyond a predetermined level, or where action is indicated by application of the precautionary approach.	Not applicable.
2.3.5 The management response, considering uncertainties in the assessment and precautionary management actions, has a high chance of achieving the objective.	Not applicable.

SECTION 3: ASSESSMENT OF THE SOUTH AUSTRALIAN GIANT CRAB FISHERY AGAINST THE REQUIREMENTS OF THE EPBC ACT

Please Note – the table below is not a complete or exact representation of the EPBC Act. It is intended as a checklist of relevant sections and components of the EPBC Act to provide advice on the fishery in relation to decisions under Part 13 and Part 13A.

Part 12

	Comment
Section 176 Bioregional Plans	
(5) Minister must have regard to relevant bioregional plans	KEFs and BIAs in Bioregional Plan for South-West not compromised by fishing activity.

Part 13

	Comment
Accreditable plan, regime or policy (Division 1, Division 2, Division 3, Division 4)	
s. 208A (1) (a-e) , s.222A (1) (a-e), s.245A (1) (a-e), s.265 (1) (a-e) Does the fishery have an accreditable plan of management, regime or policy?	The South Australian Giant Crab Fishery will be managed under the SA <i>Fisheries Management Act 2007</i> , <i>Fisheries Management (Miscellaneous Fishery) Regulations 2015</i> and <i>Fisheries Management (General) Regulations 2007</i> .
Division 1 Listed threatened species, Section 208A Minister may accredit plans or regimes	
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed threatened species (other than conservation dependent species) are not killed or injured as a result of the fishing?	Yes, interactions highly unlikely given method. SLEDs mandated where appropriate to protect ASL. The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of protected species, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied that an action taken by an individual fisher, acting in accordance with the management regime, would not be expected to have a significant impact on a listed threatened species protected by the EPBC Act.
(g) And, is the fishery likely to adversely affect the survival or recovery in nature of the species.	The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a listed threatened species or population of that species.
Division 2 Migratory species, Section 222A Minister may accredit plans or regimes	
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed migratory species are not killed or injured as a result of the fishing?	The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of migratory species, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied

	that an action taken by an individual fisher, acting in accordance with the management regime, would not be expected to have a significant impact on a listed migratory species protected by the EPBC Act.
(g) And, is the fishery likely to adversely affect the conservation status of a listed migratory species or a population of that species?	The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a listed migratory species or population of that species.
Division 3 Whales and other cetaceans, Section 245 Minister may accredit plans or regimes	
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that cetaceans are not killed or injured as a result of the fishing?	The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of whales and cetaceans, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied that an action taken by an individual fisher, acting in accordance with the management regime, would not be expected to have a significant impact on a whale or cetacean species protected by the EPBC Act.
(g) And is the fishery likely to adversely affect the conservation status of a species of cetacean or a population of that species?	The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a whale or cetacean or population of that species.
Division 4 Listed marine species, Section 265 Minister may accredit plans or regimes	
(f) Will the plan, regime or policy require fishers to take all reasonable steps to ensure that members of listed marine species are not killed or injured as a result of the fishing?	Yes, interactions highly unlikely given method. SLEDs mandated where appropriate to protect ASL. The Department of the Environment and Energy considers that the management regime requires that all reasonable steps are taken to avoid the killing or injuring of listed marine species, and the risk of interaction under current fishing operations is low. On this basis, the Department is satisfied that an action taken by an individual fisher, acting in accordance with the management regime, would not be expected to have a significant impact on a listed marine species protected by the EPBC Act.
(g) And is the fishery likely to adversely affect the conservation status of a listed marine species or a population of that species?	The Department of the Environment and Energy considers that the fishery to which the management regime relates does not, or is not likely to, adversely affect the survival in nature of a listed marine species or population of that species.
Section 303AA Conditions relating to accreditation of plans, regimes and policies	
(1) This section applies to an accreditation of a plan, regime or policy under section 208A, 222A, 245 or 265.	The Department of the Environment and Energy recommends that the South Australian Blue Crab Fishery be accredited under sections 208A, 222A, 245 and 265.

<p>(2) The Minister may accredit a plan, regime or policy under that section even though he or she considers that the plan, regime or policy should be accredited only:</p> <ul style="list-style-type: none"> (a) during a particular period; or (b) while certain circumstances exist; or (c) while a certain condition is complied with. <p>In such a case, the instrument of accreditation is to specify the period, circumstances or condition.</p>	<p>No condition has been imposed on the South Australian Giant Crab Fishery under Part 13.</p>
<p>(7) The Minister must, in writing, revoke an accreditation if he or she is satisfied that a condition of the accreditation has been contravened.</p>	<p>Not applicable.</p>

Part 13A

Section 303BA Objects of Part 13A	
<p>(1) The objects of this Part are as follows:</p> <ul style="list-style-type: none"> (a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention; (b) to protect wildlife that may be adversely affected by trade; (c) to promote the conservation of biodiversity in Australia and other countries; (d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way; (e) to promote the humane treatment of wildlife; (f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and (h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife. 	
	Comment
Section 303DC Minister may amend list (non CITES species)	
<p>(1) The Minister may amend the LENS by:</p> <ul style="list-style-type: none"> (a) doing any of the following: <ul style="list-style-type: none"> (i) including items in the list; (ii) deleting items from the list; (iii) imposing a condition or restriction to which the inclusion of a specimen in the list is subject; (iv) varying or revoking a condition or restriction to which the inclusion of a specimen in the list is subject 	<p>The Department recommends that specimens that are or are derived from fish or invertebrates, taken in the South Australian Giant Crab Fishery as defined in the management regime in force under the South Australian <i>Fisheries Management Act 2007</i>, but not including</p> <ul style="list-style-type: none"> • specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or • specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list) <p>be included in the list of exempt native specimens until 25 July 2025.</p>

(1A) In deciding to amend LENS, Minister must rely primarily on outcomes of Part 10, Div 1 or 2 assessment	Not applicable. No assessment under Part 10 of the EPBC Act has been completed as the South Australian Giant Crab Fishery is not a Commonwealth fishery.
(1C) The above does not limit matters that may be considered when deciding to amend LENS.	<p>The Department considers that the amendment of the list of exempt native specimens to include product derived from the fishery would be consistent with the provisions of Part 13A (listed above) as:</p> <ul style="list-style-type: none"> the fishery will not harvest any Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) listed species there are management arrangements in place to ensure that the resource is being managed in an ecologically sustainable way (see links above) the operation of the fishery is unlikely to be unsustainable and threaten biodiversity within the next ten years.
<p>(3) Before amending LENS, Minister must consult:</p> <p>(a) other Minister or Ministers as appropriate; and</p> <p>(b) other Minister or Ministers of each State and self-governing Territory as appropriate; and</p> <p>(c) other persons and organisations as appropriate.</p>	General consultation with the (SA) Minister for Fisheries in October 2014 (MS14-002367).

Part 16

	Comment
Section 391 Minister must consider precautionary principle in making decisions	
<p>(1) Minister must take account of precautionary principle</p> <p>(2) The precautionary principle is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.</p>	Precautionary management measures in place. The precautionary principle has been considered by the Department when making its recommendation to the delegate to include specimens in the list of exempt native specimens.