

TIMOR REEF FISHERY

5 year export approval granted from
11 May 2003 to 11 May 2008

RE-ASSESSMENT REPORT

FEBRUARY 2008



A report prepared for the Department of Environment, Water, Heritage and the Arts (DEWHA) as required for re-assessment under Part 13 and 13 A of the *Environment Protection and Biodiversity Conservation Act*.

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Introduction

The Timor Reef Fishery is a multi-species dropline and trap fishery operating in the remote North West corner of the Northern Territory portion of the Australian Fishing Zone (AFZ). It is managed with a clear mandate for ecological sustainability by the Northern Territory Government. A formal management regime for the Timor Reef Fishery has been implemented under the *NT Fisheries Act 1988*.

A small number of commercial operators (12 licence holders, 7 active) restricted to the use of droplines and traps reduce the potential for any adverse impact to the ecosystem and the environment. All other demersal fishing methods, including fish trawling, are prohibited within the fishing area. The remoteness of this offshore fishery precludes the involvement of the recreational and indigenous fishing sectors.

The Northern Territory Government's Department of Primary Industry, Fisheries and Mines (DPIFM) submitted a document to the Department of Environment, Water, Heritage and the Arts (DEWHA) for assessment of the NT Timor Reef Fishery (TRF) under Parts 13 and 13 A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The assessment resulted in the fishery being declared as being exempt from the export regulations of the EPBC Act, for a period of 5 years beginning on 11 May 2003.

Following the initial assessment of the TRF, a substantial level of information is now publicly available regarding the environmental performance of the fishery. In order to focus limited resources on continuous improvement within the fishery and to build on the findings from the initial assessment, the submission requirements were streamlined (by the regulating authority) to align with annual reporting requirements for the fishery.

Since initial accreditation, DPIFM has submitted to DEWHA regular reports regarding the progress and status of the TRF, including reports on the completion and, where appropriate, ongoing reporting of recommendation numbers 2, 3, 4, 6, 8 and 10. Ongoing outputs from the recommendations, where available, have been reported in the 2003, 2004, 2005 and 2006 Fishery Status Reports and a copy provided to DEWHA.

The TRF is now due for reassessment against the Guidelines. DPIFM has prepared an assessment report that builds upon the initial assessment report including this document, the annual Fishery Status Reports published since the initial assessment in 2003, and the TRF reports submitted to DEWHA. In compiling the report, DPIFM has addressed the Guidelines and where necessary, responded to each of the issues outlined.

As a result of the initial assessment of the fishery in 2003, a series of recommendations were agreed to between DEWHA and DPIFM. These agreed recommendations were focused on ensuring the continuation and enhancement of current sustainable management practices. This document

specifically addresses these recommendations and provides a response to each.

The document should be read in conjunction with any interim assessment reports, Annual Fishery Status Reports, and the initial assessment document that was provided to DEWHA in 2003. The initial assessment document is available for download at www.environment.gov.au/coasts/fisheries/nt/timor-reef/index.html

For a comprehensive understanding of the legislative arrangements in place for the TRF please refer to the *Northern Territory Fisheries Regulations* available for download at www.nt.gov.au/dpifm/Fisheries/index.cfm?header=Legislation

Copies of the NT Annual Fishery Status Reports are available to download at www.nt.gov.au/dpifm/Fisheries.

Please note that for all management decisions, NT Fisheries uses the most currently available data provided through a desktop system linked with the compulsory logbook data program. Such data are summarised for public access, where appropriate, in the Annual Fishery Status Reports. These are published after all data for the calendar year have been compiled, validated and thoroughly analysed. A copy of the 2006 Fishery Status Report is available for download.

DPIFM will ensure conditions recommended by DEWHA in the assessment process will continue to be reported upon in the 2007 and subsequent Annual Fishery Status Reports.

DPIFM asserts the fishery is managed under a comprehensive, adaptable, precautionary and ecologically based regime capable of controlling, monitoring and enforcing the level of take from the fishery. The combination of management arrangements, data gathering, proposed research and nature of the fishery provides confidence in the fishery's ability to maintain relatively low bycatch levels, minimise interaction with protected species and manage impacts on the wider ecosystem.

The following progress has been made by DPIFM in implementing the DEWHA recommendations:

DEWHA Recommendation 1

Inform Environment Australia of any future amendment to the management regime for the Timor Reef Fishery.

DPIFM's Response

There have been no changes to the management regime in the Timor Reef Fishery. Any future changes to the fishery will be flagged in the Annual Status Reports. Additionally, DPIFM will inform DEWHA of future plans to amend management arrangements in the fishery if they fall outside of annual reporting timeframes.

DEWHA Recommendation 2

Report on objectives and reference points for the Timor Reef Fishery in the status reports from 2003.

DPIFM's Response

Completed and reported in the Annual Status Reports from 2003. There have been no breaches of management objectives or triggering of reference points for the Timor Reef Fishery.

DEWHA Recommendation 3

Conduct a compliance risk assessment for the Timor Reef Fishery.

DPIFM's Response

Completed and reported previously to DEWHA. The report will be available for download from the DPIFM website in the near future or a copy can be provided upon request.

DPIFM conducted a compliance risk assessment for the TRF in 2004 in order to determine compliance priorities and allow for the most effective targeting of Police, Marine Enforcement Section resources to addressing higher risk issues. Outcomes of the risk assessment have been incorporated into the DPIFM strategic and operational plans and will be reviewed annually.

A compliance risk assessment is used by the NT's Police, Marine Enforcement Section in undertaking operational planning activities associated with management of the fishery. Through identification and prioritisation of compliance risks associated with the fishery, planning and operational processes may be improved and risks mitigated.

As noted in the assessment, the threat of illegal foreign fishing was identified as the highest risk facing the sustainability of the fishery. This area had also been identified as a high priority risk by all Commonwealth, State and Territory enforcement agencies. This area is the responsibility of the

Commonwealth, it should be clearly stated that the Commonwealth and in particular the Australian Fisheries Management Authority (AFMA) have responsibility for this threat. The seriousness of the issue has been raised and continues to be lobbied by the NT Government at a Federal level.

However, since this compliance risk assessment was completed, the probability of apprehension of foreign vessels by compliance officers has significantly increased with appropriate funding and resources being committed by the Commonwealth government. Action to further reduce the threat is ongoing and research projects to better understand the impacts of foreign fishing on stocks are being carried out.

Once completed, results of this research will be used to re-evaluate the threat level of foreign fishing on stocks in the Timor Reef Fishery. It is anticipated the research will be completed and results available in 2009-10.

DEWHA Recommendation 4

Include yearly results of observer surveys (including information on target species, bycatch and protected species interactions) in the annual status report and implement alternative data collection validation techniques if observer trips are no longer feasible or insufficient to provide robust information on the fishery.

DPIFM's Response

Completed and previously reported to DEWHA. The reporting capacity to provide information on target species, bycatch and protected species interactions has been enhanced in the Annual Status Reports. Additionally, new results are reported in the Annual Status Reports each year from 2003. Given the small size and nature of the fishery, onboard monitoring of the fishery is considered to remain a feasible measure to provide robust information on the fishery.

DEWHA Recommendation 5

Determine spatial distribution of effort and catch in the fishery and investigate the risk of localised depletions. In the event that significant risks are identified, NT Fisheries should implement appropriate mitigation measures.

DPIFM's Response

Research work is ongoing in this area with the full cooperation of fishers.

To assist in addressing this recommendation, FRDC* funding has been obtained to investigate the spatial distribution of principal target species and effort in the fishery. The project is ongoing and a final report will be available in mid-2008. This project is designed to build upon observer and research work undertaken by NT Fisheries. If significant risks are identified, DPIFM will develop and implement appropriate mitigation measures within 12 months of the report becoming publicly available.

The fishery's compulsory fine scale reporting structure and the active cooperation of all fishers operating in the fishery enables the identification of potential risks associated with localised depletion when aligned with research projects such as this.

* FRDC Project title: *Utilisation of GIS spatial statistical methods to assist in the development of ecosystem based fishery management strategies using the Northern Territory Demersal and Timor Reef fisheries as a case study.*

DEWHA Recommendation 6

Formalise guidelines, including clear timeframes for implementation, for undertaking review of the fisheries management arrangements once reference points are triggered.

DPIFM's Response

Completed and reported in the Annual Status Report 2006. The report is available for download at www.nt.gov.au/dpifm/Fisheries

DEWHA Recommendation 7

Continue to work towards more refined yield estimates of principal target species to determine sustainable harvest levels for target species, particularly red emperor.

DPIFM's Response

Research work is ongoing in this area with the full cooperation of fishers.

The principal target species of goldband snapper and red snappers have not approached the trigger reference point of an annual catch of 900 tonnes for goldband or an annual combined catch of 1300 tonnes for red snappers.

The 2006 catch composition of 3% for red emperor is well below the trigger reference point of an annual catch increase in proportion of the total catch by greater than 25% above the five year average. Similarly, the five year average catch composition for cod species and other byproduct species are 2% and 3% respectively also well below the 10% five year average trigger reference points.

The FRDC *project mentioned in DPIFM's response to recommendation 5 will assist in investigating a more refined yield estimate of principal target species to determine sustainable harvest levels for target species, including red emperor. This project is designed to build upon observer and research work undertaken by NT Fisheries.

* FRDC project title: *Utilisation of GIS spatial statistical methods to assist in the development of ecosystem based fishery management strategies using the Northern Territory Demersal and Timor Reef fisheries as a case study.*

DEWHA Recommendation 8

Monitor the species composition of bycatch and byproduct with a view to undertaking a more rigorous risk analysis, if there is a significant increase in the catch of individual species.

DPIFM's Response

Completed and previously reported to DEWHA and detailed information is additionally reported in the Annual Status Reports. Species compositions of bycatch and byproduct catches are monitored through observer programs and logbooks. The data are regularly analysed to determine if there is a significant increase in the catch of individual species. Individual catches of bycatch and byproduct species have not significantly increased and established trigger reference points have not been breached.

DEWHA Recommendation 9

Undertake a risk assessment of the Timor Reef Fishery bycatch with respect to its vulnerability to fishing.

DPIFM's Response

A bycatch risk assessment is yet to be completed. Unfortunately, with the recent departure of the resident senior research scientist from the NT Fisheries Offshore Snapper Section, a bycatch risk assessment industry workshop, necessary to ensure identification of all potential risks may not be held until mid 2008. Outcomes from this workshop will be integral to the development of the risk assessment.

However, based on interim annual analysis of observer and logbook reporting data which indicate low levels of bycatch overall, established reference trigger points have not been reached and there are no indications of any particular bycatch species being vulnerable to the impacts of fishing. In addition, capacity to improve the reporting of bycatch species was increased in 2007 through revision of the compulsory daily logbook to enhance bycatch species detail.

Additionally, information on bycatch species and frequency of capture are reported on annually in the Fishery Status Reports.

DEWHA Recommendation 10

Make reporting of all protected species interactions compulsory and implement an education program to ensure industry has the capacity to make accurate reports.

DPIFM's Response

Completed and previously reported to DEWHA. A cover sheet, which draws attention to the requirement to report any interaction with listed threatened, endangered or protected species in Commonwealth waters, was added to logbooks in 2005/06.

The Department of Environment and Heritage also produced an excellent booklet "*Protected Marine Species Identification Guide*" which has been issued to all operators in the fishery. Additionally, each new entrant to the fishery is required to undergo an interview with the Timor Reef Fishery Manager prior to fishing to ensure fishers have a clear understanding of their reporting obligations.

Interactions with threatened species in the Timor Reef Fishery are reported in the Annual Status Reports.

There were no recorded or observed interactions with threatened species in the Timor Reef Fishery in 2006/07. The method of fishing and the location of the fishery generally preclude interactions with these species.