

The Hon. Dugald Saunders MP  
Minister for Agriculture and Western NSW  
GPO Box 5341  
SYDNEY NSW 2001



Dear Minister

**Re: 2021-22 Annual Performance Report for the Shark Meshing (Bather Protection) Program**

The NSW Shark Meshing (Bather Protection) Program (SMP) operates under two Joint Management Agreements (JMAs) and a management plan, which provides for improved environmental outcomes.

As required by Section 221Y of the *Fisheries Management Act 1994*, the Fisheries Scientific Committee's (FSC) role regarding the JMA is to:

- (1) conduct a review of the performance of all parties to the joint management agreement, and
- (2) advise the Minister of any deficiencies in implementation of the joint management agreement by any party to it.

The FSC has reviewed the performance of all parties as outlined in the SMP 2021-22 Annual Performance Report and raises the following points:

- The FSC continues to endorse SMART drumlines as the more effective method of reducing interactions with target sharks. The FSC's endorsement is consistent with the findings of the *NSW Shark Management Strategy and Shark Program Review* (Cardno, January 2022). SMART drumlines offer greater specificity of catching target species than the SMP mesh nets and have higher catch rates of the target species. The FSC continues to recommend the use of SMART drumlines instead of mesh nets at all beaches in the SMP. 376 animals were reported entangled in the nets during the period in the 2021-22 season, and 325 of these (86%) were non-target animals.
- The FSC is concerned that the trigger-point system is failing to address the impact on threatened species caught in the SMP. The FSC encourages NSW DPI to implement an immediate real-time response strategy for when a trigger is activated, so that actions can be implemented to minimise any future catches of the triggered threatened species in the SMP that season. Multiple lines of evidence, including SMP independent data, are required to adequately interpret the SMP catch data and to assess the appropriateness of the trigger level.
- The FSC is concerned with the number of threatened species caught in the 2021-22 season. Notably, there were 28 white sharks (18 dead), 14 grey nurse sharks (5 dead) and 2 great hammerhead sharks (2 dead). Beyond the threatened species responsibilities of the FSC, there were 42 animals listed under the *Biodiversity Conservation Act 2016* caught and 22 of these were dead; notably leatherback turtles which experienced the highest reported

catch rate ever recorded (16). This large catch of threatened species is concerning as it directly opposes the objective of the JMA to “ensure that the SMP does not jeopardise the survival or conservation status of threatened species” (JMA page iii).

- The FSC lacks confidence in the long-term post-release survival of individuals released ‘alive’. There is increasing evidence to show that post-release survival of species through bycatch is far lower than previously estimated. Species-specific data on post-release survival of threatened species is requested by the FSC.

The FSC looks forward to working with Department staff to improve aspects of the SMP, particularly the trigger point response, to lessen the impacts of the program on threatened and non-target species.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jane Williamson". The signature is written in a cursive style and is positioned above a faint rectangular box.

Assoc. Prof. Jane Williamson  
Chairperson  
Fisheries Scientific Committee  
28 November 2022