

The Hon. Niall Blair, MLC
Minister for Primary Industries
GPO Box 5341
SYDNEY NSW 2001



Dear Minister

Re: 2017-18 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 2017-18 Annual Performance Report and our comments follow below.

The FSC is pleased with the incorporation of our previous suggestions for more transparent reporting, with the inclusion of an activity statement for the current meshing year.

The FSC notes the considerably higher catch rates over the last three years for Greynurse Shark, White Shark, Smooth Hammerhead and "combined rays". The FSC sought the Department's advice in previous correspondence (8 August 2018) on possible drivers for these concerning patterns of capture and notes in your reply of 12 September 2018 that there are no clear operational or environmental drivers for the increase in captures of Greynurse Shark. The FSC notes the Department's involvement in the RAAP post-doctoral research, including the recent publication by Lee et al. (2018), and requests advice on how such research will inform future meshing programs and their impact on the above species.

As the FSC outlined in its correspondence of 8 August 2018, the Committee is increasingly concerned at the large increase in Greynurse Shark interactions over the last three meshing seasons. The combined total of interactions in these three seasons far exceeds the total of the previous ten years. The east coast population of Greynurse Shark is listed as Critically Endangered under Part 7A of the *Fisheries Management Act 1994* partly because of the species' inability to recover from interactions such as capture in the SMP. The FSC is encouraged by your correspondence indicating the investigation into the use of Pop-up Satellite Archival Tags (PSATs) on released Greynurse Sharks. The Committee requests that the implementation of PSATs is urgently implemented for this species.

Given this is the third year where total catch of Greynurse Shark has been at or exceeded 20 individuals per year, the FSC requests that a detailed spatial and temporal analysis of interactions for all target and threatened shark species including Greynurse Shark be completed prior to the commencement of the 2018-19 shark meshing season. This is a necessary step to facilitate the development of improved mitigation measures on a local level.

As the Committee highlighted in its correspondence on the 2017-18 Trigger Review Report (8 August 2018), there is a substantial delay between trigger points being tripped and the preparation of the SMP Review Report. The FSC was pleased to receive your response of 12 September 2018 outlining a potential path to initiating earlier discussions and remedial management actions following the tripping of trigger points, prior to the commencement of the subsequent meshing season.

The FSC looks forward to working with Department staff to improve aspects of the SMP so as to lessen the impact of the program on threatened and non-target species generally.

Yours sincerely



Assoc. Prof. Mark Lintermans
Chairperson
Fisheries Scientific Committee
3 October 2018

References:

Lee, K.A., Roughan, M., Harcourt, R.G. and Peddemors, V.M., 2018. Environmental correlates of relative abundance of potentially dangerous sharks in nearshore areas, southeastern Australia. *Marine Ecology Progress Series*, 599, pp.157-179.