

**FISHERIES MANAGEMENT AND PLANNING LEGISLATION AMENDMENT (SHARK MESHING) BILL 2008**

Page: 10368

**Bill introduced on motion by Ms Lylea McMahon, on behalf of Ms Verity Firth.****Agreement in Principle****Ms LYLEA McMAHON** (Shellharbour—Parliamentary Secretary) [10.08 a.m.]: I move:

That this bill be now agreed to in principle.

The Fisheries Management and Planning Legislation Amendment (Shark Meshing) Bill 2008 will make practical and effective changes to the New South Wales Shark Meshing (Bather Protection) Program. This will be achieved by improving and streamlining the environmental management and assessment of the shark-meshing program. Shark meshing has been, and remains, one of the best ways to protect swimmers from shark attacks at our busy metropolitan surf beaches. Since shark meshing was introduced in 1937, there has been one human fatality on a meshed beach. In the 30 years prior to this, there was approximately one death per year from shark attacks. The New South Wales Government is committed to ongoing public safety on our beaches. It has clearly demonstrated that by maintaining meshed beaches for over 70 years. Fifty-one beaches between Newcastle and Wollongong are meshed as part of the shark-meshing program. This bill seeks to maintain shark meshing at those beaches. At the same time, it will establish processes to reduce unwanted impacts from shark meshing on protected and threatened marine life.

The shark-meshing program is subject to complex and costly environmental assessments. These assessments arise from requirements under the Environmental Planning and Assessment Act 1979 and the Fisheries Management Act 1994. In practical terms, this means that a fishery management strategy, an environmental impact statement and a species impact statement for the program must be completed by 31 December 2008. The Department of Primary Industries has estimated that these would take up to two years to complete and would cost \$1 million. Without these assessments, the shark-meshing program would not be able to continue. Agencies with responsibilities under relevant legislation have developed a more streamlined environmental and impact assessment process. The Department of Primary Industries, the Department of Planning and the Department of Environment and Climate Change have all worked cooperatively to enable this new process to be developed.

The proposed reforms will be achieved through a combination of minor amendments to the Fisheries Management Act 1994, the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Instead of the existing costly assessment requirements, joint management agreements have been developed under existing provisions of the Fisheries Management Act 1994 and the Threatened Species Conservation Act 1995. The joint management agreements have been developed between the Department of Primary Industries and the Department of Environment and Climate Change. The objective of the agreements is to ensure that the shark-meshing program is managed in a manner that does not jeopardise the survival of threatened species, populations and ecological communities.

The joint management agreements have been developed in conjunction with an environmental assessment of the impacts of the program. To ensure transparency of process, the joint management agreements, associated management plans and draft environmental assessments will be placed on public exhibition before being finalised. Transparency of the process will be ongoing under the proposal. The independent Threatened Species Scientific Committee and the Fisheries Scientific Committee will review the joint management agreements annually. These two independent committees will provide the Minister for Primary Industries and the Director General of the Department of Environment and Climate Change with an annual review. The committees will advise of any deficiencies in the implementation of the joint management agreements. The advice from the committees will be incorporated into each department's annual report to Parliament.

There are concerns about the impact of shark meshing on marine species such as whales, grey nurse sharks, turtles and dolphins. Shark meshing is designed to prevent dangerous sharks from establishing territories along our most popular beaches. It is unfortunate that shark meshing cannot discriminate between dangerous sharks that are a threat to human life and other marine species. However, measures are in place to minimise harm to non-target species. These include setting the nets on the seabed to reduce the risk to sea birds and fitting all nets with acoustic devices or "pingers" to deter whales and dolphins. Further, during the main whale migration season between May and August, shark meshing is removed. This ensures safe travelling for these much-admired creatures.

The meshing program is already reviewed constantly. Under the proposed changes, the environmental assessment and management of the program will be further improved. The impact on marine life could be resolved by discontinuing the shark-meshing program. However, this is not an option when public safety is at stake. This program must continue and it must find a balance between providing an important public safety measure and having a reduced impact on marine species. The reforms set out in this bill will go a long way to meeting both of these objectives. The bill will streamline the environmental assessment of the shark-meshing program and address the current overly complex assessment process. This will ensure that the program continues to operate and does so in a way that reduces the environmental risk to marine life. I commend the bill to the House.