

**Senate Standing Committee on Environment and Communications**  
**Legislation Committee**  
Answers to questions on notice  
**Environment portfolio**

**Question No:** 134  
**Hearing:** Supplementary Budget Estimates  
**Outcome:** Outcome 1  
**Programme:** Environment Assessment and Compliance Division  
**Topic:** WA SHARK MITIGATION STRATEGY PROGRAMME  
**Hansard Page:** N/A  
**Question Date:** 29 October 2014  
**Question Type:** Written

**Senator Siewert asked:**

Did the Department assess the WA proposal for handling 'imminent threat' when considering the WA Shark Mitigation Strategy Program?

- a. Please provide details of the agreement between the Commonwealth and the WA Government over the handling of imminent threat for sharks in WA.
- b. Does the assessment cover the basis on how the Commonwealth has handed over approval to the WA Government?
- c. What powers will the WA Government have in relation to approvals?
- d. Please provide details of the protocol between WA Government and Federal Government?
- e. If not yet available, what is the process for development of the protocol?
- f. Will it be subject to assessment by the EPBC process?
- g. If not, why not?
- h. How many sharks are predicted to be taken under the process?
- i. What level of accountability will be required from the WA Government?

**Answer:**

The Western Australian process for responding to sharks posing an imminent threat was included as a part of the referred Western Australian shark hazard mitigation drum line programme, and was included in the Western Australian Environmental Protection Authority's assessment of this proposal.

- a. The Commonwealth has agreed to work with the Western Australian Government to ensure they fulfil their obligations under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) in developing their policy for responding to sharks posing an imminent threat.
- b. The Commonwealth has not yet put in place an approval bilateral agreement to the Western Australian Government under the EPBC Act. The approval bilateral agreement is under negotiation as a part of the One-Stop-Shop reforms.
- c. Negotiations with Western Australia on an approval bilateral agreement are ongoing. Under an approval bilateral agreement, Western Australia would be responsible for assessment and approval for projects that are covered by an accredited state process.
- d. The Western Australian policy for responding to sharks posing an imminent threat is still under development.
- e. The Western Australian Government will develop their policy for responding to sharks posing an imminent threat.

- f. If the policy is likely to have a significant impact on a matter of national environmental significance it will need to be referred for assessment under the EPBC Act.
- g. See f. Further, if the policy is not likely to have a significant impact on a protected matter, it will not require referral under the EPBC Act.
- h. The Western Australian Government is still developing their policy for responding to sharks posing an imminent threat.
- i. The Western Australian Government will need to fulfil their obligations under the EPBC Act.