

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

Question No: 109
Hearing: Supplementary Budget Estimates
Outcome: Outcome 1
Program: Environment Standards Division (ESD)
Topic: NSW Shark Nets Correspondence
Hansard Page: 128
Question Date: 17 October 2016
Question Type: Spoken

Senator Waters, Larissa asked:

Senator WATERS: ... On the question about sharks: has there been an application yet from the New South Wales government or Premier?

Mr Cahill: We have received two sets of correspondence from New South Wales. They have written to us about smart drum lines. We are now looking at a response to their letter. They have, secondly, written to us and indicated that they are looking at their shark mesh approach and that they would like to engage with us further about how the EPBC Act might apply.

Senator WATERS: Are you able to table that correspondence?

Mr Cahill: I will get back to you on that. It has come from another tier of government, so I will have to check.

Senator WATERS: In a timely manner?

Mr Cahill: I will get back to you within the next week.

Senator WATERS: It has not reached the status of a referral as such. Have they flagged—

Mr Cahill: Neither of them are formal referrals.

Senator WATERS: Have they flagged that they might use the same national security pathway that the Barnett government attempted to use?

Mr Cahill: I will take that on notice, but that is one of the matters they have asked us to turn our minds to.

Answer:

The correspondence in question between the Department and New South Wales was subsequently tabled during supplementary senate estimates hearings on Friday 21 October 2016, including:

- A letter from NSW Department of Primary Industries to the Department of the Environment and Energy received 6 October 2016 regarding the SMART drumline program expansion;
- A letter from NSW Department of Primary Industries to the Department of the Environment and Energy received 14 October 2016 regarding the North Coast meshing trial; and
- A letter from the Department of the Environment and Energy to NSW Department of Primary Industries to 19 October 2016 responding to the 6 October 2016 letter regarding the SMART drumline program expansion.

The NSW Government applied for a national interest exemption on 10 November 2016 in relation to the New South Wales North Coast Shark Meshing Trial, in accordance with section 158 of the *Environment Protection and Biodiversity Conservation Act 1999*.