

WHALE CARCASS MANAGEMENT

**897. Mr D.J. KELLY to the Premier:**

I refer to the confusion and chaos caused by the state government's lack of a clearly defined protocol for dealing with whale carcasses.

- (1) As the minister responsible for shark mitigation, why has the Premier allowed this confusion to occur and to continue?

**Mr B.J. Grylls** interjected.

**The SPEAKER:** Member for Pilbara, I call you to order for the second time.

**Mr D.J. KELLY:** I will start again. Premier, I refer to the confusion —

**Mr P.T. Miles** interjected.

**The SPEAKER:** Member for Wanneroo, I am not going to show you any mercy if I have to put you out! I call you to order for the second time.

**Mr D.J. KELLY:** I refer to the confusion and chaos caused by the government's lack of a clearly defined protocol for dealing with whale carcasses.

- (1) As the minister responsible for shark mitigation, why has the Premier allowed this confusion to occur and to continue?
- (2) What exactly is the government's policy, if it has one, for dealing with whale carcasses off our coast?
- (3) Will the government commit to fully reimbursing the City of Stirling for the cost of removing that whale carcass?

**Mr C.J. BARNETT replied:**

- (1)–(3) I guess I could summarise that question as: what do we do with a dead whale?

Several members interjected.

**Mr C.J. BARNETT:** It is not quite obvious what to do with a dead whale.

Several members interjected.

**The SPEAKER:** Members!

**Mr C.J. BARNETT:** The government has to deal with legislation and regulation as they exist. Let me tell members a little about whales, because I, too, learned a little about whales in the last week or so. If a whale is out there off Rottnest Island swimming happily through the ocean, members might wonder who is responsible for it. Most people would probably say that it is the Department of Fisheries, but Fisheries is not responsible. A whale is a mammal and it is therefore the responsibility of the Department of Parks and Wildlife. However, if the whale dies, it becomes the responsibility of Fisheries. If the dead carcass of the whale drifts into a shipping channel, it becomes the responsibility of the Department of Transport. If it goes into a harbour, it becomes the responsibility of the port authority. If it drifts into a marine park, it is back to the responsibility of the Department of Parks and Wildlife. If it washes up on Scarborough Beach, it is the responsibility of the City of Stirling. So, yes, it is a bit tricky. That is the law and that is why we need reform and deregulation in Western Australia.

Several members interjected.

**The SPEAKER:** Members!

**Mr C.J. BARNETT:** There is therefore an issue about which agency is responsible. We had two whales wash up in the last week or so. On 3 November, the first whale—the one the young guy jumped up on top of—was 17 metres long and weighed approximately 30 tonnes, and I understand it had gone through a high level of decomposition. It is very difficult to tow a 30-tonne whale, particularly one that is decomposing. The risk is that it breaks up into numerous parts that become a greater threat as they spread out and are more difficult to deal with. Should members doubt that, I can tell them that in 1993, 1996 and 2008 attempts were made to tow out whale carcasses. Each of those attempts was unsuccessful because the whale broke up.

**Mr M.P. Murray:** It took too long!

**Mr C.J. BARNETT:** No; one of them was done under the member's government. An attempt to tow out whales is not necessarily the correct solution. The second whale —

Several members interjected.

**The SPEAKER:** Members!

**Mr C.J. BARNETT:** Mr Speaker, this has become ludicrous!

**The SPEAKER:** Right; thank you. Premier.

**Mr C.J. BARNETT:** Most recently, the second whale was approximately 10 to 12 metres long and weighed 15 tonnes—half the size of the earlier whale. That whale was easier to tow out because I understand it was smaller, less decomposed and easier to handle. That is why it was successfully towed out. It is rare for a whale to be successfully towed out.

We are looking at the issue because the responsibility of agencies, as I outlined, is confused, and it has been like that for a long time. So, there is another issue to deal with. It is quite clear that if a whale carcass comes onto a beach and it is not in a marine park or a national park, it is the responsibility of the local authority; there is no doubt about that at all. Members opposite may say that that is unfair, but it has been the case for a long, long time that it is the responsibility of the local authority. In previous times, state governments have assisted local authorities. I understand that the City of Stirling has made a formal request for financial support, although I have not yet seen it. We will consider that request. However, the legal position is quite clear: it is the responsibility of the local authority in the location where the whale carcass comes onshore. That has always been the case, including during the term in government of members opposite.