



COMMONWEALTH OF AUSTRALIA

# Proof Committee Hansard

## SENATE

ENVIRONMENT AND COMMUNICATIONS LEGISLATION  
COMMITTEE

**Estimates**

(Public)

MONDAY, 9 FEBRUARY 2026

CANBERRA

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## ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE

**Monday, 9 February 2026**

**Members in attendance:** Senators Ananda-Rajah, Ayres, Ghosh, Hanson-Young, Henderson, Hodgins-May, McDonald, O'Neill, Barbara Pocock, David Pocock, Roberts, Dean Smith, Walker, Waters, Whish-Wilson and Whitten

**CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER PORTFOLIO****In Attendance**

Senator Ayres, Minister for Industry and Innovation, Minister for Science

Senator Watt, Minister for the Environment and Water

**Department of Climate Change, Energy, the Environment and Water****Executive**

Mr Mike Kaiser, Secretary

Ms Kushla Munro, Deputy Secretary

Mr Simon Duggan, Deputy Secretary

Ms Rachel Parry, Deputy Secretary

Mr Dean Knudson, Deputy Secretary

Mr Sean Sullivan, Deputy Secretary

Ms Luise McCulloch, Deputy Secretary

**Corporate****Finance Division**

Ms Amanda Lee, Chief Financial Officer

Ms Rachel Harris, Branch Head, Financial Services Branch

Mr Kamaldeep Singh, Acting Branch Head, Financial Management Branch

**Property, Infrastructure and Physical Security**

Mr Robert Hanlon, Head of Division

Ms Jill Mand, Branch Head, Property, Infrastructure and Physical Security

**Information and Communications Technology Division**

Mr Dale Naughton, Chief Information Officer

Mr Stewart McGill, Branch Head, ICT Business Solutions and Security

**Legal**

Ms Kate Lalor, Chief Counsel

**People Division**

Mr Tim Spackman, Chief People Officer

Ms Melina Saunders, Branch Head

**Portfolio Strategy Division**

Ms Michelle Croker, Head of Division

Ms Dana Sutton, Branch Head, Ministerial Liaison and Governance Branch

Ms Miranda Lello, Branch Head, Portfolio Strategy and Integration Branch

Ms Anita Agett, Branch Head, Communications and Media Branch

Ms Mahani Taylor, Branch Head, Review Taskforce

Mr Rob Scanlon, Acting Branch Head, First Nations Branch

Ms Kelly Buchanan, Branch Head, National Security and International Coordination Branch

**Outcome 1****Clean Energy Investment and Facilitation Division**

Mr Matthew Brine, Head of Division

Mr Salim Mazouz, Branch Head, Clean Energy Investment Branch

Ms Alison Wiltshire, Branch Head, CIS Delivery and Governance Branch

Mrs Luana Cormac, Branch Head, First Nations and Clean Energy Facilitation Branch

**Climate Change Policy, Adaptation and Risk Division**

Mr Jason Mundy, Head of Division

Dr Nicole Mitchell, Branch Head, National Adaptation Policy Office Branch

Mr Chris Johnston, Branch Head, Climate Active, Risk and Science Branch

Ms Rachael de Hosson, Branch Head, Climate Change Policy Branch

#### **Electricity Division**

Ms Kirsty Gowans, Head of Division

Ms Electra Papas, Branch Head, Electricity Markets Branch

Mr James White, Branch Head, Consumer Energy Resources Branch

Ms Nadia Rosenman, Branch Head, Electricity Network Policy Branch

Mr Paul Johnson, Special Adviser

Ms Mel Pang, Branch Head, NEM Review Secretariat

#### **Emissions Reduction Division**

Mr Andrew Hutchinson, Head of Division

Mr Matthew Ryan, Branch Head, Land and Transport Branch

Ms Kate Lea-Perry, Branch Head, Carbon Crediting Branch

Ms Alannah Pentony, Branch Head, National Inventory Systems and International Reporting Branch

Mr Matthew Searson, Branch Head, Emissions Reduction Assurance Committee Secretariat

#### **Energy Performance Division**

Dr David Atkins, Acting Head of Division

Dr Kate Boston, Branch Head, Energy Performance Strategy Branch

Mr Chris Videroni, Branch Head, Home Ratings and Disclosure Branch

Mr John Sheldon, Acting Branch Head, Industrial and Buildings Energy Performance Branch

Ms Melanie Ford, Branch Head, Greenhouse and Energy Minimum Standards Branch

#### **Gas and Liquid Fuels Division**

Mr Brad Archer, Head of Division

Mr Cris Cano, Branch Head, Liquid Fuels Operations and Analysis Branch

Mr Hew Atkin, Branch Head, Gas Markets Branch

Mr Andrew Pankowski, Branch Head, Gas Transformation Strategy Branch

Ms Jennifer Anne, Branch Head, Liquid Fuels Strategy and Security Policy Branch

#### **International Climate and Energy Division**

Mr David Higgins, Head of Division

Ms Lynda Hayden, Acting Branch Head, Regional Partnerships Branch

Dr Michael Bartlett, Acting Branch Head, Clean Energy Economy Branch

Ms Sharon Traucki, Acting Branch Head, Strategic Engagement Branch

Ms Louise Perez, Branch Head, COP31 Operations

#### **International Climate Negotiations Division**

Dr Sally Box, Head of Division

Ms Ingrid Lundberg, Branch Head, COP31 Presidency

Mr Chao Feng, Acting Branch Head, Negotiations Branch

Mr Aaron Kirby, Branch Head, Enabling Services

#### **National Energy Transformation Division**

Ms Linda McGrath, Head of Division

Mr Matt Minchin, Branch Head, National Climate and Energy Partnerships Branch

Mr Lachlan Bickley, Acting Branch Head, Energy Security, Resilience and Emergency Response

Mr David Earl, Acting Branch Head, Office of Energy Economics

#### **Net Zero Industries Division**

Mr Bruce Edwards, Head of Division  
Ms Emma Flanigan, Branch Head, Product and Industrial Emissions Branch  
Mr Paul Murphy, Branch Head, Offshore Renewables Branch  
Ms Alicia Barnes, Branch Head, Decarbonisation Initiatives Branch  
Ms Catherine Zerger, Branch Head, Hydrogen and Industrial Futures Branch  
Ms Kara Peach, Branch Head, Decarbonisation Initiatives Branch

**NEPA Taskforce**

Ms Jennifer Kay, Acting Head of Division

**Parks Australia**

Dr Rebecca Pirzl, Branch Head

**Outcome 2****Biodiversity Division**

Dr Ilse Kiessling, Acting Head of Division  
Dr Fiona Fraser, Threatened Species Commissioner  
Mr Glenn Block, Branch Head, Natural Heritage Trust Branch  
Ms Jackie Raynor, Branch Head, Biodiversity Programs Branch  
Mr Phil Alcorn, Director, Conservation Planning Reform

**Circular Economy Division**

Mr James Tregurtha, Head of Division  
Mr Cameron Hutchison, Branch Head, Packaging Stewardship and Investment Branch  
Ms Cathryn Geiger, Branch Head, Circular Economy Strategy Branch

**Environment Information Australia**

Ms Maya Stuart-Fox, Head of Division  
Ms Lisa Nitschke, Branch Head, Environmental Economics, Science and Reporting Branch  
Ms Juanita Pettit, Branch Head, Environmental Data and Analysis Branch  
Dr Jennie Fluin, Acting Branch Head, Environment Information Strategy and Policy

**Environment Law Reform Taskforce**

Mr Shane Gaddes, Head of Division  
Ms Anna-Liisa Lahtinen, Acting Branch Head  
Mr Blaine Wentworth, Acting Branch Head

**Environmental Permitting and Compliance Division**

Ms Dani Yannopoulos, Acting Head of Division  
Mr Sam Hush, Branch Head, Wildlife Trade and Regulatory Capability Branch  
Mr Danny McQuillen, Branch Head, Compliance and Enforcement Branch  
Ms Kate Elliot, Branch Head, Waste, Environmental Permits and Advice Branch

**Environment Policy, Regions and Markets Division**

Mr Greg Manning, Head of Division  
Dr Alison McMorrow, Branch Head, Nature Repair Market Delivery Branch  
Ms Laura Higgins, Branch Head, Nature Finance and Market Policy Branch  
Ms Daniela Croce, Acting Branch Head, Regional Planning and Landscapes Branch  
Ms Katrina Purcell, Branch Head, Forests Taskforce  
Dr Angela Newey, Acting Branch Head, Environment Policy Branch

**Environment Regulation Division**

Ms Paula Svarcas, Head of Division  
Mr Declan O'Connor-Cox, Branch Head, Environment Assessments Queensland Branch

Ms Kylie Calhoun, Branch Head, Environment Assessments West Branch

Mr Tim Wyndham, Branch Head, EPBC Regulatory Support Branch

Ms Rachel Short, Branch Head, Environment Assessments NSW, ACT and Post Approvals NSW, ACT, Vic and Tas Branch

Ms Kate Gowland, Branch Head, Environment Assessments NSW and ACT

#### **Environmental Water and Aquatic Ecosystems**

Dr Simon Banks, Head of Division and Commonwealth Environmental Water Holder

Mr Hilary Johnson, Branch Head, Environmental Water Holdings and Water Science

Dr Marcus Finn, Branch Head, Environmental Water, Northern Basin and Water Science Branch

Ms Rebecca Curtis, Branch Head, Environmental Water Policy, Engagement and Wetlands

#### **Heritage Division**

Ms Michelle Dumazel, Head of Division

Dr Wayne Beswick, Branch Head, Heritage Policy and Programs Branch

Ms Carmen Dwyer, Branch Head, Heritage Regulation and Protection Branch

#### **International Environment, Reef and Ocean Division**

Ms Katrina Maguire, Head of Division

Mr John Foster, Branch Head, Great Barrier Reef Branch

Miss Belinda Jago, Branch Head, Ocean and Wildlife Branch

Ms Suzi Heaton, Branch Head, International Environment Branch

#### **Parks Australia Division**

Mr Rob Hanlon, Chief Operating Officer

Ms Tia Stevens, Branch Head

#### **Outcome 3**

##### **Australian Antarctic Division**

Ms Emma Campbell, Head of Division

Dr Elizabeth Brierley, Branch Head, Policy and Strategy Branch

Mr Phillip Boxall, Branch Head, Assets and Infrastructure Branch

Mr Matt Wuersching, Acting Branch Head, People and Culture Branch

Mr Matt Filipowski, Branch Head, Operations and Logistics Branch

Ms Rhonda Bartley, Branch Head, Science Branch

Professor Nerilie Abram, Chief Scientist, Science Branch

#### **Outcome 4**

##### **Water Infrastructure and Investment Division**

Mr Malcolm Southwell, Acting Head of Division

Mr Mark Darrough, Branch Head, National Water Grid Branch

Ms Tanya Koeneman, Branch Head, GAB, LED and Upper Murrumbidgee

Ms Lou-Ellen Martin, Branch Head, Water Support and Water Efficiency Labelling and Standards

Ms Christine MacRae, Acting Branch Head, Water Recovery Branch

Dr Lea Locke, Acting Branch Head, Murray-Darling Basin Infrastructure Program Delivery Branch

##### **Water Policy Division**

Ms Edwina Johnson, Acting Head of Division

Ms Emma Solomon, Branch Head

Ms Angie McKenzie, Branch Head

Mr Anthony Bennie, Branch Head

Ms Sheryl Hedges, Branch Head

Mr Phil Coates, Branch Head

**Agencies and Statutory Authorities****Australian Energy Infrastructure Commissioner**

Mr Tony Mahar

**Australian Energy Regulator**

Ms Clare Savage, Chair

Mr Matt Garbutt, Chief Executive Officer

Mr Justin Oliver, Deputy Chair

Mrs Stephanie Jolly, Executive General Manager, Consumers and Markets

**Australian Institute of Marine Science**

Professor Selina Stead, Chief Executive Officer

Ms Michelle Noack, Chief Financial Officer

Dr Dianne McLean, Acting Research Program Director, Sustainable Use of North-West Marine Ecosystems

**Australian Renewable Energy Agency**

Mr Darren Miller, Chief Executive Officer

Mr Chris Faris, Chief Operating Officer

Mr Nic Dorward, General Manager, Government and International Relations

**Bureau of Meteorology**

Dr Stuart Minchin, Chief Executive Officer and Director of Meteorology

Dr Peter Stone, Group Executive, Business Solutions Group

Ms Nichole Brinsmead, Chief Information Officer and Group Executive, Data and Digital

Mr Mark Lyons, Chief Financial Officer

Ms Astrid Heward, Group Executive, Enterprise Services, and Chief Operating Officer

Ms Vicki Manson, Group Executive, Australian Climate Science

Mr Michael Logan, General Manager, National Production Services

**Climate Change Authority**

Hon. Mr Matt Kean, Chair

Ms Kath Rowley, Chief Executive Officer

Ms Eliza Murray, Deputy Chief Executive Officer

**Clean Energy Finance Corporation**

Mr Ian Learmonth, Chief Executive Officer

Mr Andrew Powell, Chief Finance Officer

**Clean Energy Regulator**

Mr David Parker, Chief Executive Officer and Chair

Mr Carl Binning, Executive General Manager, Scheme Operations Division

Ms Liza Pegorer, Chief Operating Officer

Ms Jane Wardlaw, Executive General Manager

Ms Michelle Crosbie, General Manager, ACCU Scheme, Vegetation; Nature Repair and Analytics Branch

Mr Matt Power, General Manager, Renewable Energy Target Branch

Mr Rizwan Akhund, Acting General Counsel

Ms Kathryn Smith, General Manager, Carbon Markets Branch

Mr Dean Smeulders, Acting General Manager, Soil, Emissions Avoidance and Contracts Branch

Mr Nick Wheen, Acting General Manager, NGER and Safeguard Branch

Mr Mark Laybutt, Safeguard Manager, NGER and Safeguard Branch

Ms Jennifer Bradley, General Manager, NGER and Safeguard Branch

**Emissions Reduction Assurance Committee**

Professor Karen Hussey, Chair

**Great Barrier Reef Marine Park Authority**

Mr Joshua Thomas, Chief Executive Officer

Dr Roger Beeden, Chief Scientist

Mr Richard Quincey, General Manager, Marine Park Operations Branch

Ms Jameelie Fletchett, Chief Operating Officer

Mr Fred Nucifora, General Manager, Major Projects Branch

Ms Caroline Turner, General Manager, Strategic Policy and Partnerships Branch

**Inspector-General of Water Compliance**

Hon. Mr Troy Grant, Inspector-General of Water Compliance

Mr Daniel Blacker, Deputy Inspector-General of Water Compliance

**Murray-Darling Basin Authority**

Mr Andrew McConville, Chief Executive

Ms Katrina Tonkin, Chief Operating Officer

Ms Jacqui Hickey, Executive Director, River Management

Mr Tim Goodes, Executive Director, Basin Plan

Dr Matt Coleman, General Manager, Science Acquisition

Mr Scott Ashby, Executive Director, Basin Science and Knowledge

Ms Megan Winter, General Manager, Basin Plan

Mr Jack Mills, General Manager, Finance and Business Operations

**Threatened Species Scientific Committee**

Professor Iain Gordon, Chair

**Snowy Hydro Limited**

Mr Dennis Barnes, Chief Executive Officer

Dr Maia Schweizer, Chief Operating Officer

**Committee met at 09:00**

**CHAIR (Senator Ghosh):** Good morning, I declare open the hearing of the Environment and Communications Legislation Committee into 2025-26 additional estimates. I begin by acknowledging the traditional custodians of the land on which we meet and pay our respects to elders past and present.

The committee has fixed Friday 10 April 2026 as the date for the return of answers to questions taken on notice. The committee's proceedings today will begin with corporate matters and general questions for the Climate Change, Energy, the Environment and Water portfolio. As flagged among fellow committee members, I will endeavour to keep that within those particular bounds and then we'll move to outcome 2 as quickly as possible. Under standing order 26, the committee must take all evidence in public session. That includes answers to questions on notice. I remind all witnesses that, in giving evidence to the committee, they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence.

The Senate has endorsed the following test of relevance for questions at estimates hearings. Any questions going to the operations or financial positions of the departments and agencies which are seeking funds in estimates are relevant questions for the purposes of estimates hearings. This is a broad test of relevance. I remind officers that the Senate has resolved that there are no areas in connection with the expenditure of public funds where any person has a discretion to withhold details or explanations from the parliament or its committees unless the parliament has expressly provided otherwise. The Senate has resolved that an officer of a department of the Commonwealth shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister. This resolution does not preclude questions asking for explanations of policies or factual questions about when and how policies were adopted.

Witnesses are reminded of the Senate order specifying the process by which claims of public interest immunity should be raised. I incorporate the public immunity statement into the *Hansard*.

*The extract read as follows—*

**Public interest immunity claims**

That the Senate—

(a) notes that ministers and officers have continued to refuse to provide information to Senate committees without properly raising claims of public interest immunity as required by past resolutions of the Senate;

(b) reaffirms the principles of past resolutions of the Senate by this order, to provide ministers and officers with guidance as to the proper process for raising public interest immunity claims and to consolidate those past resolutions of the Senate;

(c) orders that the following operate as an order of continuing effect:

(1) If:

(a) a Senate committee, or a senator in the course of proceedings of a committee, requests information or a document from a Commonwealth department or agency; and

(b) an officer of the department or agency to whom the request is directed believes that it may not be in the public interest to disclose the information or document to the committee, the officer shall state to the committee the ground on which the officer believes that it may not be in the public interest to disclose the information or document to the committee, and specify the harm to the public interest that could result from the disclosure of the information or document.

(2) If, after receiving the officer's statement under paragraph (1), the committee or the senator requests the officer to refer the question of the disclosure of the information or document to a responsible minister, the officer shall refer that question to the minister.

(3) If a minister, on a reference by an officer under paragraph (2), concludes that it would not be in the public interest to disclose the information or document to the committee, the minister shall provide to the committee a statement of the ground for that conclusion, specifying the harm to the public interest that could result from the disclosure of the information or document.

(4) A minister, in a statement under paragraph (3), shall indicate whether the harm to the public interest that could result from the disclosure of the information or document to the committee could result only from the publication of the information or document by the committee, or could result, equally or in part, from the disclosure of the information or document to the committee as in camera evidence.

(5) If, after considering a statement by a minister provided under paragraph (3), the committee concludes that the statement does not sufficiently justify the withholding of the information or document from the committee, the committee shall report the matter to the Senate.

(6) A decision by a committee not to report a matter to the Senate under paragraph (5) does not prevent a senator from raising the matter in the Senate in accordance with other procedures of the Senate.

(7) A statement that information or a document is not published, or is confidential, or consists of advice to, or internal deliberations of, government, in the absence of specification of the harm to the public interest that could result from the disclosure of the information or document, is not a statement that meets the requirements of paragraph (1) or (4).

(8) If a minister concludes that a statement under paragraph (3) should more appropriately be made by the head of an agency, by reason of the independence of that agency from ministerial direction or control, the minister shall inform the committee of that conclusion and the reason for that conclusion, and shall refer the matter to the head of the agency, who shall then be required to provide a statement in accordance with paragraph (3).

(d) requires the Procedure Committee to review the operation of this order and report to the Senate by 20 August 2009.

*(13 May 2009 J.1941)*

(Extract, Senate Standing Orders)

**CHAIR:** My colleagues would be aware that one of my roles as committee chair is to ensure that proceedings are conducted in an orderly way. That is not intended to prevent rigorous questioning of witnesses but to help ensure that senators exercise their rights and privileges in a careful, civil and responsible manner. I also remind all of us of our obligations under the Behaviour Code for Australian Parliamentarians to treat witnesses with dignity, courtesy, fairness and respect, and as chair I intend to uphold those standards.

**Department of Climate Change, Energy, the Environment and Water**

[09:03]

**CHAIR:** I now welcome Senator the Hon. Murray Watt, Minister for the Environment and Water. Minister, do you wish to make an opening statement?

**Senator Watt:** I do, Chair. A lot has been going on, including in this portfolio. Thank you, Chair, and thanks to the committee for the opportunity to appear here today to outline some of the fantastic work being done by the united and focused Albanese government. In contrast to certain others, our sole focus has been on delivering for the Australian people and delivering for Australia's environment and water systems by protecting what's precious while powering productivity.

Last year, we passed the most consequential changes to environmental law in this country for a generation. Importantly, it's a package that will be better for the environment and better for business. It included amendments called for by both environment and business groups, and the legislation that was passed sticks to the core principles of the Samuel review: stronger environmental protection and restoration, more efficient and robust project assessments, and greater accountability and transparency in decision-making. This package will deliver the jobs, renewable energy and housing we need while protecting and restoring the environment for future generations. The new legislation will come into effect in tranches over the next year, and there will be opportunities for all who are interested to engage on the development of the new National Environmental Standards that are the backbone of the legislation.

One of the most significant changes we made in that reform package was, for the first time in our history, to require land clearing that occurs in the Great Barrier Reef catchment area to be assessed and approved by the federal government. It's a key step to improve the water quality of the reef through reducing sediment run-off. Late last month, I had the absolute pleasure of visiting the Great Barrier Reef in Far North Queensland. I saw the benefits of the \$1.2 billion invested alone by the Albanese government in programs to restore the reef, improve its water quality and other matters as well, and if you go back to about 2014, the joint funding between federal and state governments is approaching \$5 billion. That's a very significant investment, and it demonstrates our level of concern for not only the environmental value of the reef but, of course, the economic importance of the reef as well, given that it supports 77,000 jobs in Far North Queensland and Queensland as a whole.

The day before my trip to the reef, our government handed in our latest state party report to UNESCO on the status of the reef. If you have a chance to look at that report, what you'll see is that we have delivered on every single commitment that we made to UNESCO around tackling climate change, investing in reef water quality and making our fishing practices more sustainable. In fact, we've gone beyond the commitments we made to UNESCO—in particular, through those changes we made to our national environmental laws at the end of last year. I look forward to continuing to fight for the reef not only to be protected for future generations but to be protected from being listed as in danger, which would harm jobs and tourism in regional Queensland.

Last month, I also accepted a recommendation from the Threatened Species Scientific Committee to list the River Murray downstream of the Darling River and associated aquatic and floodplain systems as critically endangered under national environmental law. The recommendation from the Threatened Species Scientific Committee noted that the listed area has continued to face pressure from changes in water flows and quality, invasive species, loss of native vegetation and habitat connectivity across catchments and saltwater in flood plains. These threats are exacerbated by climate change, including the increasing severity of heatwaves, fire and drought. A 2025 evaluation showed that the Murray Darling Basin Plan is now working to rebalance water use and restore the environment after a decade of neglect by the former federal coalition government. The listing, which will guide ongoing actions to combat threats to the river system, restores the 2013 listing, which was repealed just four months later by the Abbott coalition government.

One of the key objectives for our environmental law reforms was to speed up the project assessment and approval process. In the meantime, the Albanese government has been getting on with the job, approving more than 130 renewable energy projects, which will reduce greenhouse gas emissions by the equivalent of every passenger car in the country. The Albanese government is doing its part by approving 132 critical clean energy projects at a rapid rate right across the country. We know that renewable energy is the cheapest and cleanest form of energy available, and it will help us to meet our ambitious and achievable 2035 emissions target and to achieve net zero by 2050.

After a decade of dithering under the coalition, the Albanese government is also committed to addressing Australia's critical housing shortages—more homes, more speed, more scale. Since coming to government, we've approved 75 housing projects, supporting 59,000 homes under federal environmental law. In August 2025, as an outcome of the federal government's economic roundtable, the Albanese government established a strike team within this department to prioritise housing approvals, committing to progress 26,000 approvals by 30 June this year. Happily, I can announce that more than 17,000 of those homes have been approved since the formation of the strike team. Housing projects have been approved in regional and metropolitan areas, ensuring that we are addressing the diverse geography of our housing needs. The reforms passed by the parliament last year will build upon this success and will streamline housing approvals further.

Thank you, and I look forward to answering your questions.

**CHAIR:** Thank you, Minister. I now welcome Mr Mike Kaiser, Secretary of the Department of Climate Change, Energy, the Environment and Water. Mr Kaiser, did you want to make an opening statement?

**Mr Kaiser:** No, Chair.

**CHAIR:** Before we commence with corporate matters and general questions, I remind senators that this part of the program relates to matters concerning central departmental administration such as building services, ICT, staffing levels and media procurement. Questions relating to individual policies and programs should be addressed to officials when specific programs are considered in subsequent sessions. On that note, I now will hand over to Senator Henderson.

**Senator HENDERSON:** Thank you, Chair, and good morning to you all. Mr Kaiser, I just want to start with an issue. We just received, literally minutes ago, the department's response to a question that I asked on 1 December 2025. The response to this question is overdue and is probably 150 or more pages. It makes it very difficult for us to do our job when we have just received the answers. Are you able to explain to the committee why these were late?

**Mr Kaiser:** In the last session of the estimates we received 359 questions on notice, and the department did diligently work through the answers to all of those. I understand that the vast bulk of those, with a couple of exceptions, were provided on time. Of course, ministerial offices play a role in this process. We consult with ministerial offices, as is normal practice, and so not all of the time in question in relation to the response to questions on notice is within the control of the department.

**Senator HENDERSON:** No, I understand that. I'm referring to SQ26-00002. Do you know when this draft answer was provided to the minister's office?

**Mr Kaiser:** No, not specifically.

**Senator HENDERSON:** Would you take that on notice?

**Mr Kaiser:** Sure.

**Senator HENDERSON:** We will need to come back to this because, clearly, we haven't had an opportunity to read it. But we would just ask that every effort—and I know that sometimes we've had issues where ministers, across the board, have held on to questions; I'm not necessarily pointing the finger at the department. But, in relation to this question and to any other questions which are late, could you please provide us with a list of when those draft answers were provided to the minister's office for his or her approval?

**Mr Kaiser:** Yes, we'll endeavour to do that. If I'm not mistaken, the question that you're referring to did involve us in a lengthy discussion about the nature of the answer in respect of what could responsibly be provided to the committee. So there was a lengthy dialogue about that, and it involved some complex matters in relation to what we could and couldn't disclose. But I'll take your question on notice. I do assure you, though, that the department devotes enormous resource and time to meet the timeframes of the committee. As I said, 359 questions on notice were taken last time and the vast bulk of those were provided on time.

**Senator HENDERSON:** I want to go to the first question that I asked:

1. Did the DCCEEW hold its own reform roundtable, or equivalent meeting, in the lead up to the Treasurer's Economic Reform Roundtable?

This is in relation to the Treasurer's Economic Reform Roundtable. The answer was yes, and I sought the date, the minutes and the attendees. The response was:

No minutes are available, however the Minister for Climate Change and Energy, the Hon Chris Bowen MP, released a media statement ...

Why are you not keeping minutes of these very important discussions?

**Mr Kaiser:** It wasn't a deliberative meeting or discussion in the sense that decisions were taken or recommendations made; it was a roundtable to discuss ideas in the lead-up to the productivity roundtable. It isn't as though we had a responsibility to record decisions or recommendations, or to take follow-up action; it was an opportunity for stakeholders to inform the minister of the productivity issues that they were experiencing. It was then up to the minister, I think, to make those representations within government to the Treasurer.

**Senator HENDERSON:** But surely this is not best practice? This is your department running the roundtable. It seems extraordinary that minutes of those discussions were not recorded.

**Mr Kaiser:** We were assisting the minister to run a roundtable. It wasn't a departmental roundtable; we were assisting the minister in the lead-up to the Productivity Commissioner—

**Senator HENDERSON:** Well, of course, as is normally the case when the minister undertakes any activity, his department will assist in a whole range of matters. But it's very, very unusual that minutes of a meeting as significant as this were not recorded. Was there a direction given not to take minutes?

**Mr Kaiser:** Not that I'm aware of. It was a discussion of policy ideas; it wasn't a deliberative meeting, as I've said. From memory, there was the minister's press release, which talked about the outcomes of the meeting, and, from memory, there may have been a communique issued publicly, but I'm only going by memory. So, in that sense, there was a record of the discussion of the meeting.

**Senator HENDERSON:** It was a curated record, I would put to you. Could you take on notice whether there was any direction made in relation to the taking of minutes and also provide further details as to why minutes were not taken. I would put to you, Mr Kaiser, that this is not best practice for any department.

**Mr Kaiser:** We can take that on notice.

**Senator HENDERSON:** Thank you. I want to move to the controversy over the minister's telephone costs. Mr Bowen spent over \$60,000 on his mobile phone for a fortnight's use in November 2024. He has expressed regret in relation to that bill. This was reported on 15 December 2025 in the *Australian*. He said:

... that bill is unacceptably high. It is an error. An investigation shows the bill relates to several mobile phones used by me and my office during COP29 in Azerbaijan.

Could you please explain how such an astronomical bill was incurred?

**Mr Kaiser:** The department erred. The minister may have expressed regret, but the regret is mine. The department erred in not arranging for his phones to be on the appropriate tariff for overseas travel. That's an error that we made. He was not aware of it, nor were his staff, and we've since been in touch with the telecommunications provider and have secured a refund of some portion of that bill as a result of the error that we made.

**Senator HENDERSON:** How much was refunded?

**Mr Kaiser:** I'll need to defer to my colleague for that.

**Ms McCulloch:** \$30,000 was refunded.

**Senator HENDERSON:** Was it because the telecommunications carrier also made an error?

**Ms McCulloch:** It was because the telecommunications company agreed with us that, had we and the minister been aware that the international roaming charge had been at the rate it had been charged, we could have actually acted on it.

**Senator HENDERSON:** Which telecommunications carrier was it? Was it Telstra?

**Ms McCulloch:** I don't want to go into which telecommunications carrier it was.

**Senator HENDERSON:** You may not wish to, but I'm asking the question, so could you please provide that detail.

**Ms McCulloch:** Can I take that on notice?

**Senator HANSON-YOUNG:** With all due respect, Chair—there are three big communications companies in the country, and one of them has a key contract with the Australian government. If we're not going to answer questions like that—

**Senator HENDERSON:** I have the call, Chair.

**CHAIR:** I'm taking it back for a moment to once again iterate, as I have in the past, that the basis on which someone can take a question on notice is that they don't know. The speed with which they come back is obviously reflective of the nature of the question. I'm sure the officials will endeavour to come back on this one as quickly as possible, but, if the official doesn't know the answer, then they're entitled to take it on notice and come back with an answer.

**Senator DEAN SMITH:** If the official does know, the official is required to disclose it.

**CHAIR:** That's right. Senators Smith, Henderson and Hanson-Young, politely I say, when I've got the call, please just leave it with me. I'm not seeking to cut across people, but this was devolving into a multiple pronged approach. I'm going to return to the official. If the information is available, I'll direct the official to answer.

**Senator HENDERSON:** Chair, just on that—I understand your role is to maintain the order of the committee, but I'm quite capable of doing the follow-up question. I understand Senator Hanson-Young interjected, but I'm quite capable of asking that question. This was not a matter of keeping the committee in order, so could I just be allowed to continue my questions.

**CHAIR:** And you will be allowed to, Senator Henderson, but let me make clear that I'm also the chair of this committee and, when there was an interjection, I was attempting to deal with the issue and resolve the issue.

**Senator HANSON-YOUNG:** It was a point of order, which is why I called it to your attention, Chair.

**Senator HENDERSON:** That wasn't stated.

**CHAIR:** In which case—

**Senator HANSON-YOUNG:** Well, you either want the information or you don't.

**Senator HENDERSON:** Within the standing orders, can I just be permitted to continue my questions.

**CHAIR:** Yes, and you will be, but let's take a moment and just say, if it was a point of order, I understood I was responding to that issue and the notice question that had been raised. Senator Henderson, I'm sure you are very capable of asking questions and you may continue now.

**Senator HENDERSON:** Thank you very much, Chair. Ms McCulloch, I am asking you to provide the committee with the information as to which telecommunications carrier it was, please.

**Ms McCulloch:** Yes. Sorry, just to clarify my answer, I do know the answer. I'm taking on notice whether it's appropriate for me to actually provide that information, given the nature of the commercial contracts we enter into.

**Senator HENDERSON:** That's not a commercial matter. You've already disclosed that there was a \$30,000 refund—

**Senator Watt:** Senator Henderson—

**Senator HENDERSON:** I haven't finished my question, Minister.

**Senator Watt:** Point of order, Chair. Ms McCulloch has taken Senator Henderson's question on notice and has essentially said that she wishes to check if there is an issue with disclosing the answer that Senator Henderson is seeking. It is entirely appropriate for officials to take on notice a matter to determine whether public interest immunity should be claimed, so Senator Henderson should not be contesting Ms McCulloch's ability to give that answer.

**Senator HENDERSON:** Thanks for your helpful assistance there, Minister. Ms McCulloch, if you wish to consult with other members of the department or the minister's office in relation to this answer, could you please return to the desk as soon as possible to address that question. Mr Kaiser, if the refund was made when in fact the telecommunications company was not liable in any way and the fault was with the department, then why was a refund made and why was it accepted?

**Mr Kaiser:** That may be a question for the telecommunications company. My understanding is that they acknowledge that, had we not erred, because we failed to seek the appropriate tariff for the travel that was undertaken, the bill would have been substantially less. I think why they accepted that and why they offered the discount may be a question for them. We certainly sought it, but it wasn't our decision to give it.

**Senator HENDERSON:** Mr Kaiser, are you able to provide on notice any email or other correspondence between the department and the telecommunications company and the minister's office in relation to this matter, please?

**Mr Kaiser:** We'll add that to the question on notice.

**Senator HENDERSON:** I've asked for it on notice.

**Mr Kaiser:** Yes, sure. As my colleague has said, we need to check our legal obligations.

**Senator HENDERSON:** What steps have you taken to ensure this sort of cost is not incurred again?

**Mr Kaiser:** I assure you, Senator, given the current minister's attitude, I'd be very surprised if it ever occurs again.

**Senator HENDERSON:** Were all the telephone calls in relation to the minister's responsibilities as the minister, or were there costs incurred in relation to his other role—with the COP?

**Mr Kaiser:** This related to a meeting that he had before he held that role, so it was in relation to his responsibilities as a minister of the government.

**Senator HENDERSON:** Even though, obviously, the international roaming issues arose, have you interrogated why such a large bill was incurred? It's an enormous amount of money.

**Mr Kaiser:** No. I'm not about to second-guess the telephone use of my minister. It's as large as it is because we erred. We failed to be diligent in getting him onto the right tariff when he travelled overseas.

**Senator HENDERSON:** Alright. We'll look forward to receiving that further information, including—Ms McCulloch, please come back to us as soon as possible in relation to the identity of the telecommunications carrier. I am concerned about this because, if there was no liability by the carrier, it just seems very odd. It would be brilliant if all Australians could suddenly get a refund on their telephone bill under circumstances where they

may have erred. There have been plenty of Australians who have travelled overseas who have probably made a similar error. Have they received a—

**Senator Watt:** I'm personally aware of instances where telecommunications carriers have waived all or part of an overseas phone bill for their customers in a personal capacity.

**Senator HENDERSON:** Thanks, Minister, for that helpful advice, but I was—

**Senator Watt:** It might not be the answer you want, but that is the case.

**Senator HENDERSON:** No. What I'm concerned about is that it's very unusual—

**Senator Watt:** Is it?

**Senator HENDERSON:** Excuse me. Where the department has made clear it is liable, it made the error, then what's the basis on which this money has been returned?

**Senator Watt:** Do you object to departmental officials seeking a refund of public funds? Do you have a problem with that?

**Senator HENDERSON:** Minister, I am asking the questions, and my concern goes, as Senator Hanson-Young may have mentioned, to whether there are any other interests at foot here. Are there any other commercial contracts on foot? Are there any other conflicts that may have led to the telecommunications company saying, 'No worries; we'll give you the \$30,000.'

**Senator Watt:** So there's a conspiracy around a phone bill—

**Senator HENDERSON:** Minister, I'm asking the questions and I look forward to further answers.

Mr Kaiser, can I go to the department's travel costs. Could you please provide us with a run-down of the travel costs since we last met? Perhaps we could do it from 1 July of last year, just to be clear.

**Mr Kaiser:** Yes. The reconciled figures that I have are from 1 July to 31 December. They're the figures I have on hand. Is that satisfactory?

**Senator HENDERSON:** Is that for the start? Yes.

**Mr Kaiser:** Yes. These include airfares, accommodation and other costs. For domestic travel, airfares, accommodation and other costs for that period, it is \$9.6 million.

**Senator HENDERSON:** Could you give me a breakdown?

**Mr Kaiser:** Yes. Airfares, \$3.5 million; accommodation, \$3.6 million; and other travel costs, \$2.5 million.

**Senator HENDERSON:** What do other travel costs comprise? Ground transport—

**Mr Kaiser:** There are ground transport, meal allowances and a variety of other—

**Senator HENDERSON:** And for what purpose was the bulk of that money incurred?

**Mr Kaiser:** It was for domestic travel.

**Senator HENDERSON:** That was mainly domestic travel? Could you give me a breakdown for international travel?

**Mr Kaiser:** International airfares, \$2.6 million; accommodation, \$2.1 million; and other, \$0.3 million, totalling \$5 million.

**Senator HENDERSON:** You said the bulk of the costs were incurred for domestic purposes, but most of the airfares—\$2.6 million out of \$3.5 million—were international airfares. Is that correct?

**Mr Kaiser:** It is not 'out of'. International travel was \$2.6 million. Domestic travel was \$3.5 million.

**Senator HENDERSON:** Oh, okay. You were not giving me the total cost.

**Mr Kaiser:** No.

**Senator HENDERSON:** You were giving me total domestic costs.

**Mr Kaiser:** Yes.

**Senator HENDERSON:** Could you detail how the international travel costs were incurred—for which programs?

**Mr Kaiser:** The department has obligations which arise because of government activity in terms of international treaties in the environment space and advancing Australia's interests in the environment and climate spaces. There is a certain amount of other energy and water related international travel. These come about predominantly because of Australia's international obligations in respect of a range of treaties which the

Australian government has made the country party to. We are required to attend those conferences and to advance Australia's interests at those conferences. That's the bulk of it.

**Senator HENDERSON:** Could you give me a breakdown of which particular conferences or event incurred those international travel costs, including any COP costs?

**Mr Kaiser:** Sure. I'll need to take that on notice. That's quite a bit of information which I don't have readily at hand. You mean the individual conferences—

**Senator HENDERSON:** That's right.

**Mr Kaiser:** or other events that we attended? Sure, but I'll need to take that on notice because I don't have that readily available.

**Senator HENDERSON:** Okay. Are you able to find someone to bring that to the table?

**Mr Kaiser:** Possibly. We'll endeavour to.

**Senator HENDERSON:** Thank you. I will hand over to Senator Smith.

**Senator DEAN SMITH:** Thank you very much for your participation. In previous estimates, we had quite a vigorous discussion about the department's compliance with orders for the production of documents, and I was pleased to see in one of the responses to a question on notice that the department has now updated internal guidance to ensure the advice from the Clerk of the Senate is embedded in our processes, so thank you very much for that. Simply from me, can I have a copy of the updated guidance that now operates and a copy of the previous guidance that did operate? I'm happy for that to be taken on notice unless officials have got anything they'd like to add.

**Ms McCulloch:** No; we can take that on notice.

**Senator DEAN SMITH:** I'm sure all senators will appreciate that. I have a more general question just in regard to monitoring the compliance of annual reports. Is that something that happens at a departmental level?

**Ms McCulloch:** Are you specifically talking about performance measures?

**Senator DEAN SMITH:** No—annual reports of agencies in the department itself. The Auditor-General has provided some helpful advice to the committee. They say that the timeliness of annual report tabling has decreased:

... supplementary estimates hearings were held from 7 to 10 October last year—

it's a statement of fact—

and from 1 to 4 December 2025—

again, a statement of fact—

Twelve per cent of entities tabled annual reports before the October hearings, and 90 per cent of entities tabled annual reports before the December hearings. Of the entities required to table an annual report, 10 per cent had not tabled an annual report as at 30 November 2025.

Just for just for completeness, the statutory obligation is for reports to be provided by 15 October. While that sounds like a particularly bad figure for the October supplementary estimates, that was still within the 15 October statutory requirements. So I'm just keen to know the monitoring. Does that happen at the department corporate level? And, if it does, I just have some general questions on notice that you might be able to answer for me.

**Ms McCulloch:** Definitely, the department's annual report is managed at a corporate level by my group. For more detail, I'll pass to my colleague.

**Ms Sutton:** Yes, certainly, the department's annual report was tabled on 2 October. You'd be familiar with the comments that have been made by the ANAO. My team co-ordinate the tabling of that. Each individual entity is responsible for those legislative requirements. But your question was: do we monitor that? We definitely have a role, and if people have not provided it to us, we would definitely make phone calls to remind them of their obligations. But the actual obligation still resides with the entity, as you would appreciate.

**Senator DEAN SMITH:** For the calendar year 2023, calendar year 2024 and calendar year 2025, on notice, could you advise me which agencies did not meet the tabling requirement for their annual report. If you could tell me how many and which ones for each of those three calendar years, that would be helpful.

**Ms McCulloch:** Are you referring to within this portfolio?

**Senator DEAN SMITH:** Yes.

**Ms McCulloch:** We'll take it on notice.

**Senator DEAN SMITH:** I just want to turn to the matter of preparations for COP31—not in their detail, because I'm assuming that that would be in the relevant part of the department.

**Mr Kaiser:** As we discussed last time.

**Senator DEAN SMITH:** That's right. I think you said you were working through the issues, Secretary. That was how you described them last time. But, at a macro level, are you able to advise the committee what structural changes, if any, have taken place to accommodate preparations for the COP31 pre-conference event?

**Mr Kaiser:** In general terms, we have reorganised the efforts of the climate change group to focus on our COP31 obligations. We were adopting a stance of potentially having to host a COP, so that's required a reorganisation of effort within that group.

**Senator DEAN SMITH:** Could you explain to me what reorganisation in that group has taken place.

**Ms McCulloch:** From a departmental point of view, we're actually going through some consultation arrangements with our staff at the moment. With any reorganisation, we carefully consult with our staff to ensure that they've got an opportunity to engage. Those consultations haven't completed yet, but we have made some high-level macro changes. I can pass to my colleague to answer that.

**Ms Munro:** The principal change is a reduction in the number of divisions. We no longer have a COP31 operations division. Again, that reflects that we're no longer responsible for hosting the entire COP31, which would have been in partnership with the South Australian government in Adelaide; we're instead focused on our role as president of the negotiations but also on the responsibility of working with the Pacific to still host a significant event in the Pacific, called the pre-COP.

**Senator DEAN SMITH:** I should have had a look at this before we began this morning. Does the organisational chart for the department incorporate these structural changes?

**Ms Munro:** I'll need to refer to my colleague.

**Mr Kaiser:** As the head of corporate, Ms McCulloch, said, we're still undergoing consultations with staff and have not finalised the structure.

**Senator DEAN SMITH:** But how can you be discussing with staff if you haven't confirmed a structure?

**Mr Kaiser:** Well, we can be discussing a proposed structure.

**Senator DEAN SMITH:** What's the proposed structure?

**Mr Kaiser:** It's as the deputy secretary described.

**Senator DEAN SMITH:** It's a shame we don't have a whiteboard; I'd invite you to sketch it out.

**Mr Kaiser:** It's not yet reflected in a published departmental organisational chart—that's my point—because we're in consultations.

**Senator DEAN SMITH:** So it's a draft?

**Ms Munro:** We're in consultation, but, from 4 February, there was effectively an operational shift and change to remove the COP31 Operations Division. The detail, though, which is under consultation with staff, is what their role will be in the new organisational structure, so what is published is a little bit behind where we are. There are ongoing consultations, but we are making the necessary steps to rightsize our workforce to acquit our responsibilities.

**Ms McCulloch:** We have a routine where we update our org chart once a month, at the beginning of every month, and that will reflect changes in personnel and/or changes in structure. I've asked my colleagues to check, but I don't think we've updated the changes in our latest update, which would be a February update. The changes we're just putting in place now would not have taken effect and would therefore not be in our published org chart, but I'll confirm that on notice.

**Senator DEAN SMITH:** Can you explain to me what this draft looks like. I'm keen to understand what various staffing classifications might exist in this soon-to-be-confirmed—what word did you use, Secretary?—rearrangement.

**Ms McCulloch:** In fact, that's exactly what we're consulting with the staff on. We've put a proposed high-level structure to them.

**Senator DEAN SMITH:** Thank you very much for helping me with that, Ms McCulloch. What is the proposed high-level structure?

**Ms McCulloch:** As Ms Munro said, it's actually a removal of one division and a reduction in the number of divisions. It's also a reduction, from memory, in the number of branches that we have at the high level. We think—

**Senator DEAN SMITH:** I understand that it's a reduction of things; that's been said a few times. I'm keen to understand what it looks like now. What does it look like now—in draft form, or proposed form?

**Ms Munro:** In consultation with our staff, there is effectively our existing division, the International Climate and Energy Division, and then we also have an international negotiations division. Sitting underneath those two divisions are people who will be responsible for the actual negotiations and the ongoing bilateral relationships that we have with countries, as well as the operational aspects for hosting the pre-COP with the Pacific.

**Senator DEAN SMITH:** What are the subunits that exist in the International Negotiations Division to accommodate the COP31 pre-conference event?

**Ms Munro:** I actually do not have that detail with me, so I'll have to take that on notice.

**Senator DEAN SMITH:** Can we come back to it this afternoon?

**Ms Munro:** We can come back to it this afternoon.

**Mr Kaiser:** These are incredibly detailed questions to be asking during the general corporate session of the department.

**Senator DEAN SMITH:** I'd like to think, Secretary, that these are the traits of senators' detailed questions, which are the purpose of Senate estimates.

**Mr Kaiser:** Another trait of senators is setting an agenda, which the department works hard to abide by.

**Senator DEAN SMITH:** I'm not going to pursue that question any further with Ms Munro, because I said to her a moment ago that we'll come back to it at the appropriate outcome. But I'm still interested in better understanding what those organisational issues are across the department. What subunits of the International Climate and Energy Division exist or will exist to support the COP31 pre-conference event?

**Mr Higgins:** I am the head of the division to which you just referred. As Ms Munro and Ms McCulloch said, we're in the process of consulting with staff to arrive at what we think is the optimal arrangement for that set-up in order to deliver the things we need to deliver. That includes the business-as-usual functions that we are responsible for and the COP31 related work. I can describe to you the current structure of my division, but the future structure of my division is quite genuinely the subject of consultation and won't be arrived at until that consultation is concluded, which is a couple of weeks away.

**Senator DEAN SMITH:** You wouldn't be consulting over a blank piece of paper, would you?

**Mr Higgins:** Correct.

**Senator DEAN SMITH:** So what is the proposal that you are consulting over and sharing with staff to get their feedback on?

**Mr Higgins:** As it pertains to my division, we have one division that is responsible for strategic partnerships. These are the bilateral relationships that we carry with partner countries around the world. There are a range of elements contained within that, but, broadly speaking, they're responsible for strategic partnerships. There's a branch that is responsible for our regional work, which is closer to home across the Indo-Pacific—in particular with South-East Asia and the countries of the Pacific—and then there's a branch that will be responsible for the operational delivery of the elements that pertain to our COP31 responsibilities, most notably the delivery of the pre-COP in the Pacific to which Ms Munro referred.

**Senator DEAN SMITH:** Ms Munro, are you able to provide any information in a similar form to the way in which Mr Higgins was able to provide me with some information just then in terms of the draft plan you are consulting with staff over?

**Ms Munro:** That is the detail that I intend to come back to when we are on outcome 1. I wouldn't want to mislead you and I don't have that detail right in front of me.

**Senator DEAN SMITH:** You did say that. That's fair. What IDC, steering groups or project groups have been established across government that the department is involved in with regard to the COP31 pre-conference event, Mr Kaiser?

**Mr Kaiser:** My colleagues may have that detail.

**Mr Higgins:** We have an IDC process on foot. It involves, principally, the Department of Foreign Affairs and Trade, given the strong foreign policy related aspects of COP31 and, in particular, the importance of our partnership with the countries of the Pacific. Obviously the Department of the Prime Minister and Cabinet is

involved in those discussions as well. That's the principal IDC that exists at my level, at division head level, to manage these processes.

**Senator DEAN SMITH:** 'On foot' means that it's not yet formally stood up or it's about to be stood up?

**Mr Higgins:** It exists presently. We have met once this calendar year, but we have not formalised the schedule or the basis of the standing agenda.

**Senator DEAN SMITH:** Who is the chair of that? Is it Foreign Affairs and Trade? Is it PM&C?

**Mr Higgins:** It's chaired by DCCEEW, by our department.

**Senator DEAN SMITH:** Do we have to move on? I'll continue when we come back to me. Thank you.

**CHAIR:** Senator McDonald.

**Senator McDONALD:** Good morning, Mr Kaiser. I've got a couple of questions for you around the department's EBA. Would you be able to assist me with that?

**Mr Kaiser:** I'm hoping someone can.

**Senator McDONALD:** Specifically, I want to ask you some questions around the treatment of gazetted public holidays. You would have seen some newspaper coverage of that earlier this year.

**Senator Watt:** Is this the Australia Day culture war?

**Senator McDONALD:** Actually it's not, Minister, but thank you for trying to anticipate where I might be going. I appreciate that. I want to ask about the specifics of what employees are able to do. Is there a limitation to how many days they can swap of the, I think, nine and a half public holidays that are gazetted in Australia? Are there any requirements around religious or cultural reasons? Could you give me some detail, please.

**Ms McCulloch:** I may have to take the detail of your question on notice in terms of whether there is a limit, but, in general, our policy is that staff can arrange with their managers if they want to swap out a public holiday for another day and actually work on that holiday.

**Senator McDONALD:** I would specifically like to know if there are any requirements. Do they have to demonstrate a reason in writing? Can it be personal—I just feel like having a different day off—or do they have to demonstrate a cultural or religious reason to be wanting to swap the day?

**Mr Spackman:** It is normally, as Ms McCulloch said, an arrangement between the manager and the staff member. I will take on notice the specifics of the enterprise agreement as to whether there is actually a threshold for approval, but we do have colleagues within the department that will elect to work on a public holiday and swap it for another day. But I will take the specifics on notice if I can and come back to you as soon as I can.

**Senator McDONALD:** What sorts of arrangements then does the department have to supervise or task staff who choose to work on a day when the rest of Australia is not working?

**Mr Spackman:** It would be very similar to any other work arrangements, which is why the arrangement with the manager is so important in this instance. If we look at my division, I have had staff members that have elected to work on public holidays. It is an arrangement that I make with them openly and transparently before that public holiday. It's no different than working remotely in any other instance.

**Senator McDONALD:** Anzac Day is the next public holiday that's coming up. It's gazetted to commemorate those lives lost or damaged through defending Australia or being engaged in conflicts. How do you demonstrate that you are choosing to not mark that day and that you're just going to have another day off instead?

**Mr Spackman:** Once again, I would need to go back to the specifics of the enterprise agreement. But what I would say is that generally the arrangement would be made between the manager and the individual rather than a judgement on whether it's okay or not for that specific day. That's not something I would generally recommend people get into. It's a very personal choice. People have different reasons for doing different things. If the enterprise agreement and our policies and procedures allow it, we would then facilitate it as best we could.

**Senator McDONALD:** The Australian government has seen fit to commemorate this day—to give people a day off and for employers to pay for people to have that day off in order to go and mark that day—but you're saying that the department has no view on that and, despite it being a gazetted day, will just allow people to swap it out and do something else instead.

**Mr Spackman:** Flexibility has always been an important part of our workforce to attract quality staff and retain them. So we wouldn't make a judgement call on that. If the enterprise agreement allows that facility to occur, we would then allow that staff member to do that.

**Senator McDONALD:** I struggle with this. I think that Anzac Day is such a significant day for all of the people in the room who do go and observe the day with their community. I'm really struggling to understand why, unless you're a doctor or an emergency service worker or somebody who has a critical need to be at work, this would be something that has been developed as a policy. I think it's quite extraordinary. That's a statement, not a question. I'm really struggling with this. I want to ask you then, specifically on notice, for you to provide that portion of the EBA. I'd like to know, from a policy setting, what elements need to be considered by the manager. Does there need to be a reason given? Does it need to be religious or a significant cultural reason to swap out those days? Is there any restriction on how you do that? Could you roll up the 9½ public holidays of the year, elect to work those and put all of those into a two-week break at some other part of the year? I would also like to understand what protocols are in place for directing work on those days. I'm assuming the phones are not ringing a lot on Anzac Day or Australia Day, to the minister's point, or Christmas Day, so how is this a good use of Australia's expectations of how the department manages staff?

**Ms McCulloch:** We're a very geographically dispersed organisation and we have staff right across Australia. We also have a lot of operational staff who have to work on public holidays, and invariably we will have staff working in one state and not in another state. So individual flexibility for our staff is a priority, including where they work from. It's part of our employment strategy, giving them an opportunity to engage with their manager in an arrangement of trust where they work for us, and we provide due respect to them. That is part of our employment arrangement.

**Senator McDONALD:** I understand bank holidays, and certainly Canberra seems to have public holidays very frequently, but Anzac Day—

**Ms McCulloch:** Senator, you're making assumptions there about what our staff may or may not do on Anzac Day, which we're not in a position to verify.

**Senator McDONALD:** I don't know what point you're making there.

**Ms McCulloch:** The premise of your question is that a large number of our staff will choose to work on Anzac Day. What I'm saying is a large number of our staff will be working on Anzac Day because we are an operationally based organisation.

**Senator McDONALD:** Alright, then could you specifically provide, on notice, how many people have elected to swap each of the public holidays—if you could, identify them by public holiday—across the department since the EBA was introduced.

**Ms McCulloch:** I can answer that question now. We don't keep a central record of arrangements reached between our individual staff and their managers, so we would not be able to answer that question.

**Senator McDONALD:** So there is no record across the department of where people are working on different days? HR doesn't keep any?

**Mr Kaiser:** We're an organisation of about 5,000 people distributed from Antarctica to the islands of the nation. We operate on the basis of devolving managerial responsibility to managers. That's part of their responsibility. It's part of what they're paid for. In a large and complex and geographically dispersed organisation, we have no other choice but to manage that way. So the individual arrangements that occur between a manager and a staff member are not something that we obsessively seek to keep central records on, in the same way as we don't seek to keep central records on who in Antarctica may be required to work on Anzac Day. That is the responsibility of a manager in this organisation, as you would expect it to be.

**Senator McDONALD:** I think any organisation would seek to keep thorough records, particularly around human resource arrangements.

**Mr Kaiser:** I'd be surprised if any private sector organisation of our size holds central records about the decisions made by individual managers and their staff. We have a large operational workforce, as has been described. We also have a large policy workforce. In terms of the policy work of the department, it doesn't really matter whether that occurs on a public holiday or some other day, so we leave those decisions devolved to managers in the department. That's what they're paid for.

**Senator McDONALD:** So you don't see any problem with people choosing not to commemorate Anzac Day?

**Mr Kaiser:** I don't make a judgement about that, Senator. If it's allowed for in the EBA, I have an obligation to uphold the provisions of the EBA. I didn't strike the EBA. The EBA is the basic organisational document that manages our relationship with our staff. It's a feature of the EBA, it's available to our staff and our managers are expected to do their job in a devolved way across a large, complex and geographically dispersed organisation.

**Senator McDONALD:** Alright.

**Mr Kaiser:** Any other private sector organisation would be the same.

**Senator Watt:** Senator, it's been drawn to my attention that Anzac Day is a Saturday this year. So I daresay there won't be that many people in DCCEEW or other departments working on Anzac Day.

**Senator McDONALD:** Isn't it a pity that the fact that it's a weekend is the only bit that you're drawing from that? I can tell you all of Townsville will be out on the strand or—

**Senator Watt:** Well, I'll be at an Anzac Day ceremony with thousands of people on the Gold Coast and I care about—

**Senator McDONALD:** That's right. And why is it that the department has so little care about a nationally significant day where we commemorate the people who've gone before us, who have died, whose families have been—

**Mr Kaiser:** I don't accept that characterisation, Senator—in fact, it's offensive.

**Senator McDONALD:** I think the people who are watching, Mr Kaiser—

**Mr Kaiser:** It's offensive.

**Senator McDONALD:** and the fact that no records are kept—

**Senator HANSON-YOUNG:** I don't think anyone's watching, Senator McDonald.

**CHAIR:** Before we get too far down this road, let's retain the focus on asking—

**Senator McDONALD:** You'd be amazed, Senator Hanson-Young, at how many—

**Senator HANSON-YOUNG:** The culture war can start tomorrow, not today.

**CHAIR:** Senator Hanson-Young—Senator McDonald has the call. Let's do this in our usual manner, which is questions to officials and answers from officials. Senator McDonald.

**Senator McDONALD:** Thank you. So there are no records kept by the department or no notice kept of whether people work on Anzac Day or swap it. I've asked on notice whether the department has any sort of policy.

**Mr Kaiser:** There would be records—

**Senator McDONALD:** Sorry, may I just finish? The department will provide on notice whether there are policies around what requirements are in the department for employees to make these swaps, and also the number of staff who are availing themselves of these changes.

**Ms McCulloch:** We'll take it on notice.

**CHAIR:** Thank you, Senator McDonald. I'll now go back to Senator Henderson.

**Senator HENDERSON:** I'll just pick up on that question that Senator McDonald was asking: you did respond that there was no central record kept by the department, but there would be records kept by individual managers. Are you able to collate those records into one—

**Mr Kaiser:** No, Senator, we would not.

**Senator HENDERSON:** Why is that?

**Mr Kaiser:** Because I'm not sure that individual managers keep obsessive records about staff arrangements. It's pretty easy for a manager of, say, half-a-dozen people within the department to come to these arrangements with their staff without keeping records.

**Senator HENDERSON:** So, for instance, if someone were going to be working on a public holiday, or seeking another day in lieu, that may well, or perhaps, have consequences for their remuneration. Isn't that the case?

**Mr Kaiser:** Well, no, because they will come to an arrangement with their manager to work another day.

**Senator HENDERSON:** So that always happens—a direct swap out? There are no remuneration consequences when—

**Mr Spackman:** Correct, Senator. There's no remuneration change if people elect to work on a public holiday. If I could just make one point of clarification: we do have very detailed records when people take leave. They have to apply for leave in the system and it has to be approved by their manager. That is not the case with public holidays, though; those are not days for which you have to enter a request—it's just expected.

**Senator HENDERSON:** And what about days off in lieu?

**Mr Spackman:** Days off in lieu are managed directly with their manager, as is flex.

**Senator HENDERSON:** Are there records of those days off in lieu?

**Mr Spackman:** No. That is a direct relationship and an arrangement with the manager who would manage their performance and hours.

**Senator HENDERSON:** But, Mr Kaiser, just say, for instance, and this is—

**Senator Watt:** I cannot believe you people are pursuing this.

**Senator HENDERSON:** Excuse me, Minister—

**Senator Watt:** I cannot believe this. I'm constantly stopped in the street and asked if people keep records of—

**Senator HENDERSON:** Minister, I was in the middle of asking a question. I'd ask you to show me respect.

**Senator Watt:** Honestly!

**Senator HENDERSON:** I'd ask you to show me respect—

**CHAIR:** Senators and Minister, there is a question and answer going on. Minister, you will have an opportunity to provide comments or a further elaboration on the answer once the official has answered. Senator Henderson.

**Senator HENDERSON:** Mr Kaiser, if you could, on notice, come back to us with any further information in relation to what records are kept that might be able to be extracted—

**Senator Watt:** He's answered the question! It's not kept centrally because this department has other things to do rather than obsessively compile 5½ thousand people's records about whether they reach an agreement with their boss about working on a public holiday. We're actually thinking about delivering renewable energy, about protecting the environment, about speeding up approvals—

**Senator HENDERSON:** Minister Watt, I would ask you to stop—

**Senator Watt:** You're obsessively collecting details about public holidays.

**CHAIR:** Sorry, Senator Henderson, let the minister finish now. He is addressing the substance of it.

**Senator Watt:** It's pathetic!

**Senator HENDERSON:** Mr Kaiser, if you could do that, that would be great. I want to move to COP30 costs. At the last estimates in December you provided that you had a budget of \$1.6 million for the departmental delegation to attend COP30. In questions on notice, you indicated that the final travel costs had not been reconciled. Have the travel costs for COP30 now been fully reconciled? And can you provide a breakdown of airfares, accommodation and associated travel costs and the final list of departmental staff attending by way of level or band?

**Mr Kaiser:** I'm sure my colleagues have information on that for you, Senator.

**Ms Munro:** The costs of travel for 37 DCCEEW officials to COP30 were actually lower than the estimated amount at \$1.54 million. This comprised flight costs of \$787,414; meals and incidentals of \$68,289; ground transport of \$34,076; other expenses, including things like visas, of \$34,264; and accommodation costs of \$615,026.

**Senator HENDERSON:** Thank you very much for that. Do you have any other details in relation to the band level of each staff member who attended? Could you just provide us with that detail?

**Ms Munro:** On the band level—I don't actually have that broken down, but there were four SES officers that attended. I'd have to just take that detail on notice in terms of what the level is.

**Senator HENDERSON:** Maybe you could come back to us on that.

**Senator Watt:** One thing I can say, Senator, is that Minister Bowen's delegation was the same size as former prime minister Morrison's delegation to COP26, but Minister Prime Minister Morrison's delegation to COP26. But Prime Minister Morrison's delegation included 13 political staffers, which was not the case under Minister Bowen.

**Senator HENDERSON:** You actually pre-empted my question. I was going to ask, Minister, how many staff attended from the minister's office.

**Senator Watt:** Fewer than 13, but I'm sure we can get you the right number.

**Senator HENDERSON:** I'm seeking a precise answer.

**Ms Munro:** For Minister Bowen's office, there were two advisers—

**Senator Watt:** Fewer than 13.

**Ms Munro:** Yes, that's definitely fewer than 13.

**Senator HENDERSON:** Please don't interrupt, Minister.

**Mr Kaiser:** And the assistant minister, Minister Wilson, also attended the COP and was accompanied by one adviser.

**Senator HENDERSON:** So there were no other ministerial staff?

**Senator Watt:** Not another 10 to make it 13.

**Senator HENDERSON:** Minister—

**Senator Watt:** I'm just trying to be helpful.

**Senator HENDERSON:** Could you ask to allow the officials just to address the questions for them, please?

**CHAIR:** Senator Henderson, the official had finished the answer. The minister was adding, as he's entitled.

**Senator HENDERSON:** He was just making snide comments. That's not being very helpful when we've got limited—

**CHAIR:** That's your characterisation. Ultimately, the minister is entitled—

**Senator HENDERSON:** You've asked me to be mindful of time.

**Senator Watt:** You're right; you do have some very important questions.

**Senator HENDERSON:** Snide comments from Minister Watt—it's not the first time, of course.

**CHAIR:** Senator Henderson, again, as we discussed earlier, please don't talk over the top of me while I'm speaking.

**Senator HENDERSON:** I'm not, Chair.

**CHAIR:** No, you were—and you just did it again.

**Senator HENDERSON:** I waited for a gap.

**CHAIR:** While I will bring the minister to order when he is interrupting you or an official, he is entitled to give an answer. The official had finished then, and the minister was adding to that answer, so there was nothing wrong with that.

**Senator HENDERSON:** The answer the minister gave was not an answer. But thank you very much, Ms Munro, I do appreciate your cooperation. Can I ask for details of the costs for the Australian pavilion? And did any other departments or agencies provide funding towards the pavilion cost?

**Mr Higgins:** The Australian pavilion and the delegation office for COP30—the total costs comprised \$1.68 million. The pavilion itself cost \$1.343 million of that \$1.68 million.

**Senator HENDERSON:** So \$1.68 million for the pavilion costs?

**Mr Higgins:** No, \$1.68 million was the cost of the delegation office and the pavilion. Of that \$1.68 million, \$1.343 million was the cost of the pavilion.

**Senator HENDERSON:** Can you give me a breakdown of those costs?

**Mr Higgins:** As in—

**Senator HENDERSON:** Is that the charge to the government for setting up a pavilion?

**Mr Higgins:** Correct. The costs, relative to the cost of pavilions at previous COPs, were significantly higher. For example, the cost for our pavilion at COP29 totalled \$820,719.88, the costs at COP28 were \$831,000 and the costs at COP27 were \$971,000. The costs at Glasgow, COP26, were \$1,075,000. So the costs for the COP in Belem were significantly higher.

**Senator HENDERSON:** And what's the reason for that significant jump in costs? They were costs imposed by the COP30 conference.

**Mr Higgins:** That's exactly right. Consistent with costs across the board for the COP in Belem, they were significantly higher. The Brazilian government recognised and has said publicly that there were market failures that drove those costs both inside and outside the COP venue. But they were very high.

**Senator HENDERSON:** Did you receive any contribution from any other department or agency?

**Mr Higgins:** For the pavilion?

**Senator HENDERSON:** Yes.

**Mr Higgins:** No, we did not.

**Senator HENDERSON:** They were solely incurred and paid for by your department?

**Mr Higgins:** Correct.

**Senator HENDERSON:** Can you give me a breakdown? Is there any other breakdown of those costs, or is it just that you receive a bill for \$1.343 million just to set up a stand?

**Mr Higgins:** I don't have any further detail with respect to the breakdown, but I can take that on notice and see whether we have a more disaggregated set of numbers, if that's helpful to you.

**Senator HENDERSON:** Did you seek to reduce those costs by reason of the significant increase?

**Mr Higgins:** Absolutely. As is the case at every COP, we negotiate with the organisers to try and manage those costs as best we can. The size of our pavilion at the COP in Belem was the same size as it was at previous COPs. We did not seek a larger pavilion, and, consequently, as we compare relativities between conferences, this was materially higher.

**Senator HENDERSON:** Can we also receive the details of the cost of the 81 stakeholder events held at the Australian pavilion and any other events or roundtables held at the Australian delegation offices? I believe there were 91 events in total. Can we also receive details of who hosted each event and how many people attended each event?

**Mr Higgins:** I can take that on notice, but I just note that there were no significant costs incurred with putting on those events. For some, there'd be the modest provision of coffee and tea and the like, but, in the main, the costs were observed in the costs of offering the pavilion. So we procure the space and then the space serves to provide the backdrop for the events. There were no significant costs at flow, but I can certainly take that on notice, if you wish.

**Senator HENDERSON:** Were there any events sponsored by other departments or external bodies or businesses? If so, were there any other sponsorships involved?

**Mr Higgins:** The pavilion program serves as a backdrop for a range of events that are put forward by a range of organisations. I can take on notice and provide the details of the program of those events, but, in terms of sponsorship, no. We covered the costs associated with the provision of the pavilion and the events therein.

**Senator HENDERSON:** Were any other events sponsored by any external bodies or agencies or businesses?

**Mr Higgins:** No, not as far as I'm aware. By 'sponsorship' you mean the provision of financial—

**Senator HENDERSON:** Or maybe they were promoted, 'Please join us for this event.'

**Mr Higgins:** Certainly, there was absolutely promotion of a variety of events at the pavilion, and that's the—

**Senator HENDERSON:** No, promoted—meaning the sponsor of the event was promoted as part—

**Mr Higgins:** Absolutely, yes. And that's the normal case for events at our pavilion and all the other pavilions. As you can imagine, it's a very large event with thousands of participants, and the organisers of various events actively promote their individual events to encourage participation.

**Senator HENDERSON:** Could we have those details on notice, please—the events and who is sponsoring the events?

**Mr Higgins:** Yes, absolutely.

**Senator HENDERSON:** In relation to travel costs, were there any travel costs of third parties paid by the department?

**Mr Higgins:** In short, the answer to that is yes. We provide a travel grants program, which is designed to support the participation of underrepresented Australian stakeholders at the COP. At COP30, the total funding for that grants program was \$395,612, and the grants ranged from a minimum of \$15,000 to a maximum of \$20,000 per grant application. I can give you a breakdown, should you wish, of the organisations that we supported through that program.

**Senator HENDERSON:** Yes, please. Is there a competitive tender to obtain those grants?

**Mr Higgins:** Yes. Organisations apply, and we have an internal process to make determinations as to who's successful.

**Senator HENDERSON:** How many grants were awarded? And did they include any of your agencies, such as the Climate Change Authority?

**Mr Higgins:** No. I'm not sure if I have the total number at hand. Would you like me to list—

**Senator HENDERSON:** If you could, provide that to us.

**Mr Higgins:** Yes—I'm sorry—20 organisations received and used grants. That includes eight First Nations organisations, six youth organisations and six sectoral organisations. Would you like me to tell you the names of the organisations?

**Senator HENDERSON:** Yes. If you could hand that up, that would be great. I'm just conscious of time. If you could hand up that list to us, that would be great.

**Mr Higgins:** Sure. I'd just note that we did provide this information to a question on notice that I think you had put to us, Senator.

**Senator HENDERSON:** It could be in this pack, but I haven't had a chance to read it; I don't know.

**Mr Higgins:** It may well be. For reference, it's SQ25-000900.

**Senator HENDERSON:** Okay. Thank you.

**Senator Watt:** That's a different one.

**Senator HENDERSON:** It is, Minister. Could I just ask the total year-to-date expenditure on international travel by the department as of February 2026 since 1 July 2025? Secretary, you gave me the figure of reconciled costs up to 31 December, but I'm looking for the total amount approved for international travel.

**Mr Kaiser:** Approved?

**Senator HENDERSON:** Total expenditure.

**Mr Kaiser:** Year to date?

**Senator HENDERSON:** Up until February 2026. Yes, to date.

**Mr Kaiser:** I can confidently say we don't have that, because of our reconciliation processes within the department; they take some time.

**Senator HENDERSON:** I'm not looking for the reconciliation figure; I'm just looking at the expenditure incurred or forecast to be incurred.

**Mr Kaiser:** But you have to reconcile expenditure before you can account for it and describe it.

**Senator HENDERSON:** We had this debate last time—

**Mr Kaiser:** Yes, we did.

**Senator HENDERSON:** because there is a difference, Mr Kaiser, between reconciled costs and what's approved for travel, so you would also be forecasting prospective travel costs.

**Mr Kaiser:** Yes, there's a difference between budgeted and reconciled. Do we have a budget?

**Senator HENDERSON:** Do you have the budgeted figure then?

**Ms McCulloch:** No, we don't have budgeted figure with us. The figures that we gave you earlier in the session were the reconciled figures to date up until 31 December.

**Senator HENDERSON:** That's right. If you could come back to us with the budgeted figure up until February—

**Ms McCulloch:** We'll take it on notice.

**Senator HENDERSON:** We would be grateful if perhaps you could bring it back in the relevant outcome. So, up until February 2026, from 1 July last year, what was the total number of international trips undertaken?

**Ms McCulloch:** No. Senator, we have data up until the end of December. We don't have the data including January and February available here today, so we'd have to take it on notice.

**Senator HENDERSON:** If there's any way of bringing that back to the table, for any trips that have incurred—

**Ms McCulloch:** We'll take it on notice.

**Senator HENDERSON:** I realise that this would be just talking about recent weeks, but I'm just talking about the total number of trips.

**Ms McCulloch:** I can tell you up until December, but I can't tell you up until February.

**Senator HENDERSON:** Could you tell me up until December.

**Ms McCulloch:** Total international trips up until 31 December was 257.

**Senator HENDERSON:** That's individual trips?

**Ms McCulloch:** That's right.

**Mr Kaiser:** Individual travellers, yes.

**Senator HENDERSON:** So that's the total number of individuals—257—who travelled?

**Mr Kaiser:** Well, some individuals may have travelled more than once. It's the total number of—

**Senator HENDERSON:** Separate trips.

**Mr Kaiser:** Seats booked, perhaps, is the word.

**Ms McCulloch:** Trips were 257. Travellers were 184.

**Senator HENDERSON:** Okay.

**Mr Kaiser:** And events were 114.

**Senator HENDERSON:** Alright. I'm concerned that, after asking for this information, we've struggled a bit. What we're seeking is for the period—you've given us the period July 2025 to the end of August 2025. Could you please provide us with—

**Mr Kaiser:** That's to the end of December 2025.

**Senator HENDERSON:** No, I'm asking another question, Secretary. I'm seeking the name of the event or purpose of the international trip, the number of trips involved, the location and the approved total for each of those trips from 1 July up until now, noting that you've provided those trips between July and August.

**Ms McCulloch:** Yes, we'll take it on notice.

**Senator HENDERSON:** Alright. Sorry, Chair.

**CHAIR:** That's fine. We're going to go to our break. Senator Henderson, do I hear you have further questions? Then Senator Smith has some questions, and then we'll move on. We're now running 45 minutes behind where we would ideally like to be, and outcome 2 awaits. We'll go to our break.

#### **Proceedings suspended from 10:16 to 10:31**

**CHAIR:** We will resume our session. We continue with cross-portfolio and general. I hand the call over to Senator Henderson. Ms McCulloch has an answer to a question that I think was taken on notice.

**Ms McCulloch:** Senator, you asked me earlier about the company. I can reveal that it was Telstra, and we released an FOI on 16 January which provided the details.

**Senator HENDERSON:** If we could have, just to be helpful, a copy of that, that would be terrific. Does the department have any contracts with Telstra?

**Ms McCulloch:** Yes.

**Senator HENDERSON:** I appreciate you may not have that. Could we on notice have an understanding of the nature of those contracts?

**Ms McCulloch:** Yes, I'll take that on notice.

**Senator HENDERSON:** Did Telstra admit any liability or wrongdoing in relation to those telephone costs?

**Ms McCulloch:** There was no admission of liability. It was a negotiation of a commercial arrangement.

**Senator HENDERSON:** Thanks very much, Ms McCulloch. I do appreciate you coming back to us so quickly on that. I want to return to the COP30 travel costs. Mr Kaiser, bearing in mind you may need to bring the right people to the table, just to reiterate—you have got Ms Munro. Right.

**Mr Kaiser:** Exhibit A and B.

**Senator HENDERSON:** Sorry?

**Mr Kaiser:** I was just saying 'exhibit A and B'—the right people.

**Senator HENDERSON:** Excellent. So you've got some further information for us on the travel costs?

**Ms Munro:** We're still collecting that information. We're at outcome 1, which at this current time was scheduled to start at 4.30. That was when we were to bring back our detailed breakdown information.

**Senator HENDERSON:** Alright. Is there anything else that you can tell us in relation to COP30?

**Ms Munro:** No, not at this time.

**Senator HENDERSON:** Can I go back to an answer to a question on notice—I don't have the number; I apologise—in the last estimates. You provided information about a range of international trips. There was \$1.3 million roughly in costs for 76 officials to attend 26 events from July to August of last year, with notable costs for trips to Switzerland, Paris, Norway, Ethiopia and the USA. Mr Kaiser, maybe this is a question for you. Why was it necessary to send three people, at \$41,000 a head, to Norway?

**Mr Kaiser:** Those figures were for the whole of the department, not specifically for the climate change group. On the particulars of the Norway trip, I will need to take that on notice.

**Senator HENDERSON:** Perhaps you could come back to us during the outcome. To be fair, that's—

**Mr Kaiser:** We'll endeavour to do that. Is there a date related to that trip? I'm not sure we went to Norway more than once—but just in case.

**Senator HENDERSON:** Someone helpfully might be able to send me the date of that conference. I'm just scanning through. No, there is actually no date. But it was to attend the Commission for the Conservation of Antarctic Marine Living Resources' Working Group on Acoustic Survey and Analysis Methods. Three people travelled at \$124,000.

**Ms McCulloch:** That would be in our outcome 4, I think, for our Antarctic. They will have those details. We wouldn't have that here with us now.

**Senator HENDERSON:** We might come back to those. I'm also seeking—just as a heads-up—details of the trips to Switzerland and also to Paris. But I'm happy for you to bring back the details in the appropriate outcome.

**Ms McCulloch:** The Antarctica is outcome 3.

**Mr Kaiser:** And, sorry, but what were the other trips?

**Senator HENDERSON:** Switzerland. There was also quite a substantial cost incurred on a trip to Busan, South Korea: \$101,000. And Paris, France, for the 47th session of the World Heritage Committee—six people travelled with a total cost of \$164,000. Are you able to provide any details of why that cost was so high?

**Ms McCulloch:** That's outcome 2, so, again, we can take it on notice.

**Mr Kaiser:** We'll take it on notice. But, given that we've provided clearly some degree of description there, what further particulars are you seeking?

**Senator HENDERSON:** Just a breakdown of those costs and what the basis was for incurring—

**Ms McCulloch:** We'll have to take it on notice.

**Senator HENDERSON:** what I would put to you is a fairly high cost.

**Mr Kaiser:** For each of those outcomes, we'll seek to ensure that people are able to describe the national interest that was served in each of those cases.

**Senator HENDERSON:** That would be terrific. Thanks, Mr Kaiser. Chair, I'll ask that we hand over to Senator Smith now.

**CHAIR:** Certainly. Senator Smith.

**Senator DEAN SMITH:** Could someone please explain to me what the decision-making process is to be used to determine the location of the COP31 preconference event.

**Mr Higgins:** The pre-COP is an event that happens every year. Determination of the location of the pre-COP is something that is typically a decision of the presidency of the COP, specifically the presidency designate, because you formally become president at the beginning of the COP itself. In this particular year, given the arrangements we entered into with Turkiye, that process is different. Turkiye, along with Australia, agreed that the pre-COP would be held in a Pacific island country, and the process in order to determine the location in the Pacific is something that we have been in conversation with the Pacific about. But the decision is for the Pacific to make. The Pacific Islands Forum, which is the mechanism that is managing governance as it pertains to engagement in this process, is working that through with Pacific island countries.

**Senator DEAN SMITH:** Is there a preferred date or preferred time at which the decision needs to be taken in order to support the various other arrangements and logistics and preparations?

**Mr Higgins:** It's desirable for a decision to be taken as soon as possible so invitations can be issued and logistical arrangements can be made. A pre-COP is typically held within a couple of months of the COP, towards the end of the year, because one of the functions of the pre-COP is to work through the negotiating agenda for the purposes of the COP itself, but no decisions have been taken with respect to specific timing or location at this point. But we would welcome a decision as soon as the Pacific arrives at one because it will just help us manage the arrangements.

**Senator DEAN SMITH:** When a decision is taken that it's Pacific island nation A, does it necessarily mean that the preconference event will be in Pacific island A? Or might it be in another physical location but, for want of a better word, 'dressed' as a Pacific island A event? Do you see what I'm saying? I'm just thinking of the physical constraints of some possible eligible locations.

**Senator Watt:** Senator, this feels like we're getting to a level of detail that's probably more appropriate in the outcome—

**Senator DEAN SMITH:** Okay, that's fine. So it isn't an Australian cabinet decision, for example?

**Mr Higgins:** No.

**Senator DEAN SMITH:** On notice, could you please provide to me details of what, if any, budgeted costs have been determined for Mr Bowen's role as president of negotiations in the department? And, if so, what are the budgeted costs for Australia and the department for COP31 preconference participation and preparations?

Mr Higgins, what was the name of the IDC that has been established which you mentioned earlier in our conversation?

**Mr Higgins:** It doesn't have a formal name, as I can recall. It's an IDC that has met once this year, as I said. It doesn't have a formal structure built around it yet. I think we badged it as 'COP31 IDC' or something similar.

**Senator DEAN SMITH:** On notice, if it becomes clearer between now and you making the information available to the committee, could you provide the official name? And also a list of all other interdepartmental or working groups that the department is participating in external to the department—ones that have representatives from other departments which are associated with the COP31 preconference preparations.

**Mr Higgins:** Yes, I can take that on notice, but I think the answer will be zero.

**Senator DEAN SMITH:** That's okay. And all emails and supporting documents that are used to consult with staff on the changes to the organisational structure relating to the International Climate and Energy Division and the International Climate Negotiations Division to give effect to preparations and support for the COP31 preconference.

**Mr Higgins:** I'll take that on notice.

**Senator DEAN SMITH:** On decisions around resourcing the department and resourcing Mr Bowen in his role as the president of negotiations—given where we are in the budget cycle, would they feed into the budget deliberations for the budget to be announced in May, or will they happen outside that?

**Ms Munro:** It isn't funding for Minister Bowen; there is funding provided for the department and for a range of our international climate change engagements. Our portfolio additional estimates statements for the department, which were published on 6 February, report that the department will receive an additional: ... \$79.1 million over two years from 2025-26 to support Australia's continued international engagement on climate change and energy transition issues ...

That's to deliver on the Turkiye-Australia partnership modalities for COP31, including, as we've been discussing, hosting a pre-COP in the Pacific and also supporting and executing our role as president of the negotiations.

**Senator DEAN SMITH:** Are you able to break down that \$79.1 million for me, or is that best left to later in the day?

**Ms Munro:** That is the additional funding that will be provided, and, yes, I don't have that breakdown in front of me.

**Senator DEAN SMITH:** Okay, but I can pursue that later today and you'll be prepared. Thank you very much, and thank you, Chair.

**CHAIR:** I understand Senator McDonald has a follow-up from earlier.

**Senator McDONALD:** I just wanted to ask Mr Kaiser a similar question to what I asked this morning. Other departments have been asked, and they've all kept records of their staff and their HR arrangements for leave. I'd just draw to your attention that it seems that your department is an outlier in that regard.

**Mr Kaiser:** So be it, Senator. Of course we have centralised records for leave, but not the particular arrangements that you described. They're two different things. Leave, in terms of annual leave, sick leave and those sorts of categories of leave, are certainly held centrally, but we don't obsessively manage centrally the kinds of leave that you were describing. We leave that to managers. That's what they're expected to do.

**Senator McDONALD:** I appreciate you think it's obsessive to be interested in how staff are paid for public holidays. It's not how I would characterise it.

**Senator Watt:** To be fair, what Mr Kaiser has repeatedly said is that those sorts of details are held at an individual unit level by managers and that we don't employ public servants in Canberra to go and collate that kind of data. We employ public servants in Canberra to do meaningful work, and we trust managers around the country to manage their staff.

**Senator McDONALD:** Minister, I'm sure that you'd be the first to complain if an employer in the private sector wasn't keeping adequate records on their staff. I heard what you said. I heard what Mr Kaiser said. I think we just have very different views and expectations on what is adequate record keeping for human resource matters.

**Senator Watt:** I think we do have different views about how taxpayers' money is best spent, yes.

**Senator McDONALD:** Indeed.

**CHAIR:** That concludes the examination of the corporate matters of the Department of Climate Change, Energy, the Environment and Water.

[10:46]

**CHAIR:** I now call officers from the department in relation to outcome 2, program 2.1, Conserve, protect and sustainably manage Australia's environment through a nature positive approach. Senator Hanson-Young.

**Senator HANSON-YOUNG:** I've got a bunch of questions in relation to the toxic algal bloom in South Australia, which I imagine you're all up to speed with. It has reared its head again and is actually getting worse. Firstly I'd like to know where the government is up to in responding to the list of recommendations from the Senate inquiry into the algal bloom.

**Senator Watt:** The officials might be able to elaborate, but we are finalising that. The government's response has not been done yet—in fact, I don't think we're up to the required timeframe for reply—but work is underway to prepare that response. In the meantime, as you know, our department continues to liaise with the South Australian government. I've made the point before that the South Australian government has primary responsibility in responding to the event. We are supporting them in that effort. I, myself, continue to speak regularly with the South Australian government minister, but perhaps Ms Maguire and others can add any further detail.

**Ms Maguire:** Just to elaborate a little more, you'd appreciate the recommendations cut across multiple departments. We are working with those departments to make sure we give due attention to each of those recommendations before providing the draft advice to government.

**Senator HANSON-YOUNG:** But you are working on a response.

**Ms Maguire:** Absolutely.

**Senator HANSON-YOUNG:** While the deadline may not have been reached yet, I'm wondering, Minister or Secretary: is there a sense of when we should expect a response?

**Senator Watt:** From memory, the usual period for a response is three months from tabling.

**Senator HANSON-YOUNG:** It's soon then.

**Senator Watt:** Yes. I don't think it's too far away.

**Senator HANSON-YOUNG:** Has there been any work done in relation to budget preparations as a result of your response to the algal bloom, or any learnings?

**Senator Watt:** I don't think it's customary to provide that. And, from your reaction, it looks like you know that. But good try.

**Senator HANSON-YOUNG:** Customary or not, you can, if you want to, tell us what's going on.

**Senator Watt:** We don't provide details about budget processes in estimates hearings, as you know.

**Senator HANSON-YOUNG:** Have there been any further requests from the South Australian government for more financial support, given the fact that the algal bloom has stretched well beyond the summer and has gotten worse?

**Senator Watt:** Not that I'm aware of. The officials might be able to provide another answer. I would be confident in saying that not all of the money that we have already provided has been used, and that shouldn't be a surprise. Some of those initiatives were to be undertaken very quickly and some were more long term and rolling out over the longer period.

The other point I'd make is that, as of last week, the information that I was receiving was that, certainly, there were concerns about the algal bloom—I think it was particularly around the Yorke Peninsula and other areas. However, metropolitan beaches in Adelaide were still in a very good position. I wouldn't want people to get the wrong impression—that the situation is as bad as it was last winter. There are issues in some areas, and we need to deal with those, but we certainly shouldn't let people think that the situation is as bad as it was last year.

**Senator HANSON-YOUNG:** I think the communities on the Yorke Peninsula are pretty devastated to see the impacts there—

**Senator Watt:** I'm aware there are significant concerns.

**Senator HANSON-YOUNG:** and the fact that it is now creeping up into the Spencer Gulf, which hadn't happened to the extent that it has now. In terms of protecting our fisheries and the nurseries for our fisheries, I think there's a real concern there.

**Senator Watt:** I'm not, by any means, saying that there's no concern—there is. What I'm saying is that, to the best of my knowledge, the areas where there is concern are geographically restricted. As you know, one of the real challenges with this is that no-one has come up with a solution. There's not really anything we can do to stop this. What we can do is undertake the sort of initiatives that we have in partnership with the South Australian government, and we remain committed to doing that.

**Senator HANSON-YOUNG:** You've said that not all the money that has been committed has been spent. Could we have a breakdown of what has been spent and what hasn't? That would be helpful.

**Senator Watt:** We may need to take that on notice. In fact, it may need to be answered by the South Australian government. The way this was done is that we agreed on a certain financial contribution, with a breakdown of this amount for that activity and this amount for that activity. We then forward that money to the South Australian government, who administers those programs. For argument's sake, I suspect that not all of the money that was allocated towards dining vouchers or some of the tourism related activities has yet been used because it was going to be rolling out over a number of months. I'm not sure that we would have those records because that's being administered by the South Australian government.

**Senator HANSON-YOUNG:** I'd like you to take on notice a breakdown of what you know is spent and not spent. I would also like, and I don't know whether it's Ms Maguire or somebody else, what money has been transferred to the state government; you must have a sense of that.

**Ms Maguire:** Yes, Senator. The Australian government has provided \$68.5 million in total since July last year. That's been in three different packages, and all that funding has been provided.

**Senator HANSON-YOUNG:** That's all gone out the door?

**Ms Maguire:** Correct.

**Miss Jago:** We have signed agreements with the South Australian government for all three packages to cover the full amount. There are particular requirements where the South Australian government need to provide us a certain piece in order for the final payments to be made on certain elements.

**Senator HANSON-YOUNG:** Can we unpack that a bit? Which elements are those?

**Miss Jago:** For example, there were a number of agreements signed with the South Australian government. All of the first package went immediately. As part of the second package there were processes for the South Australian government to put in place with local government. On providing us some advice about that, that payment is then able to be made.

**Senator HANSON-YOUNG:** They haven't provided that to you yet?

**Miss Jago:** Not yet.

**Senator HANSON-YOUNG:** Would you have expected that by now?

**Miss Jago:** No, it's not due. We have left the date to be provided to us within the next few months, and we understand that they're on track to do that.

**Senator HANSON-YOUNG:** Can you just remind me what that second package in relation to the local government was for?

**Miss Jago:** The second package was \$6.5 million. It was support for coastal councils to service their communities. That work is already underway and ongoing. This would be like a reimbursement to the state government for works done: algal bloom research, which was a NESP, Commonwealth funded, Commonwealth run piece; and then AquaWatch, which was internal to the Australian government as well, so that's with CSIRO.

**Senator Watt:** You might remember this was the second package announced by the Prime Minister when he visited Kangaroo Island and Adelaide. My understanding is that the South Australian government's intention was to primarily use the money designated for local government to assist with beach clean-up work, which has obviously been ongoing.

**Senator HANSON-YOUNG:** There are two research elements there. There's the money to the CSIRO. How much was that?

**Miss Jago:** That was \$2 million for AquaWatch.

**Senator HANSON-YOUNG:** What was the other research project, and how much was that?

**Miss Jago:** The NESP, National Environmental Science Program, is administered by the department. There are a number of projects, and that's about \$250,000.

**Senator HANSON-YOUNG:** Has that been spent?

**Miss Jago:** Those projects have commenced.

**Senator HANSON-YOUNG:** They're being done out of Canberra, are they?

**Miss Jago:** No, they're involving, for example, CSIRO and a range of South Australian research organisations, including individuals from SARDI and so forth. It's a national program that draws on national experience.

**Senator HANSON-YOUNG:** What have they found so far?

**Miss Jago:** I don't have an update on where they're at in those projects. Those projects have commenced but not yet reported.

**Senator HANSON-YOUNG:** There must be some way of having an understanding as to what they're doing, what they're learning, what the outcome is going to be.

**Mr Knudson:** Maybe we can take that on notice and come back to you on where the research is up to and what the expected timeframes are, because I don't think we have that detail.

**Senator HANSON-YOUNG:** Is there somebody who is specifically in charge of running that at a departmental level?

**Miss Jago:** They're part of the administration of the National Environmental Science Program, NESP.

**Senator HANSON-YOUNG:** Is there an actual officer? If I'm going to put some questions on notice, I want to make sure they go to the right person and the right part of the department.

**Mr Knudson:** Don't worry about that. We will make sure it goes to the right person.

**Senator HANSON-YOUNG:** Don't worry about that!

**Mr Knudson:** Just in the sense that it's absolutely in the department. It's in my group. Maya Stuart-Fox is the division head responsible for the National Environmental Science Program. All I'm saying is you don't have to indicate. The official will get it to the right person. I'm just trying to make it a little easier.

**Senator HANSON-YOUNG:** There's the \$2 million for AquaWatch at the CSIRO. What's happened there?

**Miss Jago:** Planning has commenced between CSIRO, AquaWatch and the South Australian government. They've commenced rolling out further monitoring buoys and so forth. That's part of a broader piece that was an existing program that the South Australian government and the CSIRO, through the AquaWatch program, were leading. Probably further questions on AquaWatch as to the outcomes would be best provided to—

**Senator HANSON-YOUNG:** CSIRO—is that what you were going to suggest?

**Miss Jago:** Yes, it was CSIRO.

**Senator HANSON-YOUNG:** Funny that. So that's the second package: the \$6.5 million. Then there was the third package for the third part of the announcement. How much was that worth?

**Miss Jago:** The third package was \$48 million. That was in contribution to the summer plan.

**Senator HANSON-YOUNG:** Yes, and how much of that has been spent, or has all of that money been transferred to the South Australian—

**Miss Jago:** That money has been transferred.

**Senator HANSON-YOUNG:** What type of feedback or reconciliation is expected from the South Australian government on this?

**Miss Jago:** Broadly, we have regular engagement with our South Australian colleagues to understand where things are at, how they're going or what particular matters are coming up. We also have, through the Federation Funding Agreements, particular reporting requirements that the South Australian government meets.

**Senator HANSON-YOUNG:** I'm worried about the lack of ecological impact assessment. There were some commitments undertaken to do that. Could I have an update on that in particular?

**Miss Jago:** The ecological impact assessments are still ongoing, given the nature of the algal bloom and where it's now impacting, so it is an ongoing body of work. We sit as a department on the South Australian government's science advisory panel, so we get regular updates, including through both the science panel and engagement with

the South Australian government. The work is continuing. It's underway. We don't have detailed reports and so forth as yet.

**Senator HANSON-YOUNG:** I guess I'm a bit worried about this because there was a commitment that those assessments would be fast-tracked and federal government money is meant to be being spent to help that happen faster. There's been no public data released by the South Australian government. I feel like they're sitting on it; they don't want people to really know. We're on the eve of the state election and, frankly, the environment is not doing well.

**Senator Watt:** I think everyone acknowledges the really significant environment impact that this event has caused. I don't think there's any evidence to support your claim that the South Australian government is sitting on information. You may be thinking of a couple of different aspects of our response. My recollection is that the total funding package that we've provided to the South Australian government does include some funding for a level of environmental remediation, restocking of fish, things like that, which, again, the officials could talk to you about in more detail if you'd like. The other thing you may be thinking of is the request that I made to the Threatened Species Scientific Committee, and that's where this fast-tracking point came up—

**Senator HANSON-YOUNG:** Yes.

**Senator Watt:** They're available to give evidence. They could give you an update on how that process is going.

**Senator HANSON-YOUNG:** That would be good because, again, there's been no data released about any of that.

**Senator Watt:** That's because that process is still underway. To be clear, as you would know, every year the Threatened Species Scientific Committee receives nominations from members of the public, scientists, conservation groups, about species that should be considered for listing as endangered, critically endangered, whatever it might be. What I did was ask the Threatened Species Scientific Committee to begin considering whether any marine species should be listed in that way. That's something they probably would have got around to in their usual work. I asked them to prioritise that. There's a public consultation process, or a sort of nomination process, where people can nominate particular species that they want examined. That nomination process doesn't close until 31 March this year, so people can continue making—

**Senator HANSON-YOUNG:** Under this fast-tracking?

**Senator Watt:** Correct. It's fast-tracked in the sense that it would have been a matter for the Threatened Species Scientific Committee to decide at some point in the future when they even began that process.

**Senator HANSON-YOUNG:** I see.

**Senator Watt:** What I did was bring that forward. But the process starts with the public nomination, which finishes on 31 March, and at that point the committee will then consider the science et cetera. So it's not really surprising that that hasn't become public yet.

**Senator HANSON-YOUNG:** So we don't know if there have been any decisions made yet by the committee as to what species could be uplisted or prioritised?

**Senator Watt:** Not that I'm aware of, but, again, there would be officials who can answer that, if you'd like them brought to the table.

**Senator HANSON-YOUNG:** Yes, I would.

**Mr Knudson:** All I will say is that we've already begun discussions with the Threatened Species Scientific Committee to take a look at their forward work program, exactly as the minister said. The species affected by the algal bloom will be a high priority. I'll turn to Dr Kiessling to add additional information, if that's helpful.

**Senator HANSON-YOUNG:** Thank you.

**Dr Kiessling:** As the minister has already said, the public nomination process is currently open. That closes on 31 March. Also, as the minister has said, that public nomination process was opened early. In fact, it opened on 22 October last year to give people plenty of time to consider the science and bring forward any species or ecosystems that are at risk of extinction due to the algal bloom. There are no results of that public nomination process at this point in time. It is open, and it is only after the public nomination process closes that the Threatened Species Scientific Committee will consider those nominations to see whether they're eligible and also whether or not they would be worth pursuing for a full assessment as to whether they are at risk of extinction.

**Senator HANSON-YOUNG:** And we've got the threatened species committee before us later today. Was there any new money allocated at all to this process, specifically for the toxic algal bloom?

**Senator Watt:** Not that I'm aware of. There is capacity, whether it be under the law or under policy, for the minister of the day to ask the committee to prioritise certain things. It was done after Black Summer, for example, where, again, the committee would, in its usual course of business at some point in the future, start looking at this. But, because of the scale of the event, it was brought forward in both of those cases—Black Summer and here. Again, it's for the committee to talk to when they appear, but I think one of the challenges we all have with this event is that it is ongoing, and so we don't yet know what the full impact will be. We do know that it's significant right now, and that's why we thought it was a good idea to at least start work on this.

**Senator HANSON-YOUNG:** Yes. I guess my concern is, yes, it is ongoing and yet there's no pause on fishing.

**Senator Watt:** I think the South Australian government has restricted fishing in some parts.

**Senator HANSON-YOUNG:** In some areas, but not in Spencer Gulf, for example, which is where it's now all heading. You've got fishermen saying they still haven't caught any calamari. We're now nearly on—well, we're on 10 months. It's extraordinary.

**Senator Watt:** Yes. It has had a very significant impact. I guess that's one of the reasons why we are jointly funding financial support with the South Australian government for those fishers.

**Senator HANSON-YOUNG:** Yes. I am concerned that it was revealed in the South Australian parliament that there was no new funding that had been provided to the South Australia department to conduct their work as part of the ecological impact assessment. They haven't allocated any money. They haven't asked you for any extra money. You haven't allocated any money. How is this all meant to be done and prioritised if—

**Senator Watt:** The Threatened Species Scientific Committee has an ongoing budget that they use for all of their work, and that work will now include this priority.

**Senator HANSON-YOUNG:** I understand that. But, in order to get that—it's not the threatened species committee that goes down and does all of the studies and the work to get the information. No-one in South Australia is putting any extra money into making sure those assessments can happen fast.

**Senator Watt:** I think it would be a good idea if we explored this in more detail with the Threatened Species Scientific Committee when they arrive because I think you'll find that they are engaged in that process in examining what the scientific data is. I don't know what steps they take, but they will be able to explain that.

**Senator HANSON-YOUNG:** Can I have a confirmation that there hasn't been any request from the South Australian government for new money, specifically to help conduct the ecological impact assessments?

**Mr Knudson:** No. However, we have been working directly with the South Australian government. If you think about it, we normally process around 100 assessments or so a year. We're doing that, for the most part, in collaboration with states, who are bringing forward different species for alignment between the Commonwealth and the state. But those conversations are actively underway. As the minister said, it's not as if, without additional money, South Australia would not have resources to put in this space. It's not as if we don't have money to put in this space. Both are funded and are operating. What is happening, though, is that these species are coming to the top of the list for the assessment.

**Senator HANSON-YOUNG:** Okay. I think we will have to spend some time with the Threatened Species Commissioner and the Threatened Species Scientific Committee as a result of that. What about the broader ecological restoration, especially if this bloom is going to keep coming back or waning and then blooming again? Where's the prioritisation of the environmental restoration?

**Senator Watt:** As I said, within the funding that's already being provided, there is some money available for restocking of fish et cetera, and officials could take you through that detail. It's not an enormous amount of money, because the priority right now has been on supporting communities impacted economically and undertaking research efforts. I guess that the requests we've received from the South Australian government to date have been about dealing with those immediate priorities. There was obviously the summer plan, when there was enormous concern about what impact it would have on summer. I think it is understood that there is likely going to be some restoration work that needs to occur. I don't want to speak for the South Australian government, but I think that they are probably trying to determine what sort of restoration work is required before making that ask. They've got a substantial amount of money available now to deal with those immediate priorities, including some environmental restoration, but it's going to be a longer term effort that's required.

**Senator HANSON-YOUNG:** Can we get the specific figures on what has been put aside for restoration so far from the federal government?

**Ms Maguire:** Regarding the summer plan package, I can give you examples of where some of the funding is going in relation to restoration. There's about \$4.8 million going to seagrass and blue carbon restoration research and pilots. There's \$9.4 million going towards native oyster reef restoration.

**Senator HANSON-YOUNG:** How much was that, sorry?

**Ms Maguire:** Nine point four million dollars. There's \$1.8 million going towards community based shellfish reef restoration and around \$4 million to threatened and vulnerable marine—oh, that's an education program, sorry. There's \$3.7 million going to growing our recreational fishing sector, which includes funding for some restocking, which the minister referred to.

**Senator HANSON-YOUNG:** As this was all part of the summer plan, does that mean that those projects are already happening? Is it expected that that will all be spent by the end of summer?

**Miss Jago:** I don't know that there's an expectation that it would all be spent by the end of summer, but the South Australian government have really been focusing on being able to deliver that within that period.

**Senator HANSON-YOUNG:** You've taken on notice the question on what's been spent where. I'd obviously like to understand, based on the breakdown that you've just given us there, those four or five different elements of environmental restoration particularly. Minister, you did say that you haven't responded to the Senate inquiry's report and recommendations within the three months. Three months is up tomorrow.

**Senator Watt:** There you go.

**Senator HANSON-YOUNG:** Do you think we'll get it tomorrow?

**Senator Watt:** I don't know that we've received a draft of that response yet. I might be wrong about that. But we will seek to respond to that report as quickly as we can. My recollection is that there are a number of recommendations that we've already acted on, and we're considering the remainder as well.

**Senator HANSON-YOUNG:** Has the draft been completed?

**Ms Maguire:** No, not yet.

**Senator HANSON-YOUNG:** I'm happy to share the call.

**Senator Watt:** Noting, to be fair, some of that three months crossed over the Christmas period.

**Senator HANSON-YOUNG:** Well, there are a lot of public holidays in there.

**Senator Watt:** Is that a reference to Senator McDonald's—

**Senator HANSON-YOUNG:** I think so.

**CHAIR:** Thank you, Senator Hanson-Young. We'll come back to you. Are any of the coalition senators seeking the call? Senator Smith.

**Senator DEAN SMITH:** This is not a line of questioning I've pursued previously, so be as expansive as you need to be, but could you provide me with an update of the progress of the national environmental standards?

**Ms Parry:** We'll just get the relevant staff to the table and they can give you a detailed update on the standards.

**Mr Gaddes:** You may recall that the government put out two standards to consult on when the bill was introduced to parliament in October-November last year. Those two standards, the matter of national environmental significance standard and the offset standard, were open to consultation until 30 January. We received in the order of 700 submissions on those standards, and we are working through the detail of those submissions. In the meantime, we are working on an additional three standards that the minister has announced will be the next tranche: the First Nations engagement standard, the data and information standard, and the community engagement standard. We're doing targeted consultation on those draft standards.

We anticipate that we'll go out for a second round of consultation on the matter of national environmental significance standard and the offset standard, probably in mid-March, and, around the same time, we'll put the additional three standards out that I just mentioned for consultation. They'll be out for a minimum 20-business day consultation period, at which stage we'll compile the comments from those, make adjustments, and put them to the minister to make those standards so that they're in place mid-year.

**Senator DEAN SMITH:** So is the 20 business days from mid-March?

**Mr Gaddes:** It's when the minister agrees for us to release those for consultation, when he's happy with those standards. At this stage, we anticipate it will be around mid-March. That may change.

**Senator DEAN SMITH:** Were the 700 submissions in regard to both of the two early standards or just in regard to the offset?

**Mr Gaddes:** For both.

**Senator DEAN SMITH:** Would you characterise them as 700 individual submissions, or did many of them take the form of a form letter or a campaign letter?

**Mr Gaddes:** We're still working through that. My team have advised me that, roughly, 30 per cent at that stage, on the first pass, looked like they may have been part of a campaign, but we would have to go through and analyse them all in more detail to determine that.

**Senator DEAN SMITH:** Assuming the timeframe is met—mid-March, 20 business days, which is approximately a month—what's the process after that? So that's 20 business days of consultation?

**Mr Gaddes:** Consultation, yes. So, again, we would need to go through and review the results of that consultation, make any relevant adjustments to the standards, and then brief the minister on what we would think would be the final standards, and, subject to the minister's satisfaction, he would make those standards.

**Senator DEAN SMITH:** And they go before the parliament, before the Senate.

**Mr Gaddes:** They'll take the form of a regulation. They'll go to the Governor-General to be made, and then they will be subject to disallowance for 15 sitting days.

**Senator DEAN SMITH:** The 20 business days of consultation—is that desktop consultations, or will that involve roundtables, discussions?

**Mr Gaddes:** We propose to put those out on the department's 'have your say' website, the same way we do with the exposure draft of other regulations. We are doing targeted consultation with various stakeholders, the same group of stakeholders that we did with the reforms last year. For proponents that wish to talk to us about the content of the standards, we'll accept those meetings and work them through. We haven't yet determined whether or not we would put out roundtables or webinars or other things when those standards come out. We may supplement the, as you would call it, desktop consultation with some face-to-face meetings or online meetings.

**Senator DEAN SMITH:** Will the standards be presented to the parliament as a composite—that is, all the standards presented to parliament at the same time—or will they be presented to the parliament individually? Will each standard have its own presentation date? Or, to put it another way, are they going to the Governor-General as a composite, or are they going to the Governor-General individually?

**Mr Gaddes:** I can't answer that question. That's a matter for the minister, and it's a matter for the time at which we have those standards given to the minister. It's a matter for government to decide, when we've finished our work on the standards.

**Senator DEAN SMITH:** Minister, what's your expectation?

**Senator Watt:** I haven't given that consideration yet. We're just finished the first round of consultation. I'll need to receive advice on all of those matters before I can make a decision.

**Senator DEAN SMITH:** When would be best practice, from your perspective, in terms of having the standards before the parliament?

**Senator Watt:** Ideally, we want to have at least a couple of the standards finalised by 1 July, which is when the EPA commences its operation. The intention, as I said in my opening statement, is that different aspects of the reforms will commence at different times, but we want to have the standards finalised as soon as we can. It's a large amount of work, as you can hear, but we've always said that we want to have at least a couple of them up and ready by 1 July. If we can do better than that, that would be great.

**Senator DEAN SMITH:** When do you expect all the standards to be up and ready?

**Senator Watt:** The department might be better placed than me to give an indication of timelines for these five standards. We expect, over time, that new standards will be developed to deal with newly emerging issues. It could well be that there are new standards drafted in five years time to deal with a newly emerging issue. But what we've decided to do—we feel that there are a certain number of standards that we need right now to make the system work. That's what we're focussing on, and Mr Gaddes has taken you through the five that are the highest priority.

**Senator DEAN SMITH:** When do you expect the five to be—I'm trying to understand.

**Senator Watt:** Yes.

**Senator DEAN SMITH:** Are we thinking July 2026 for the first two, and then are we thinking August 2026 for the next one? Is the timeframe, for the five, calendar year 2026, or is there a chance—I'm thinking of stakeholders here—that the fourth and fifth ones might actually be calendar year 2027?

**Senator Watt:** What do we think is realistic?

**Mr Gaddes:** Senator, ideally we would have most of, or all of, the five standards—subject to them being acceptable to the minister—by midyear. The reason I say that is the standards require proponents to change their behaviour. The new legal tests under the act switch on, at the latest, on 1 December 2026. So we would want proponents to have a sufficient length of time to engage with the standards, to change their practices and to have their referrals that come in when those new provisions come in later in the year up so that their practices have changed and their referrals go through the system in a streamlined way.

**Senator DEAN SMITH:** Thank you very much for that. That's what I was looking for. I was looking for a recognition of the December 2026 expectations or requirements.

**Senator Watt:** And the degree of urgency with which we're drafting and preparing these standards is reflected in the fact that we had the department begin drafting the standards before we'd even passed a bill. My recollection is that those two first draft standards were out for consultation before we'd even passed a bill. We recognise the great interest in this and the need to progress them, and I can assure you there's a mountain of work going into that now.

**Senator DEAN SMITH:** Can I get an update with regard to where the bilaterals are up to?

**Ms Parry:** I'll start off, Senator, and then others can join us at the table. The bilaterals are a feature of the existing act. What the reforms did was, in essence, make them much easier and much more functional. They don't break as easily. We're in the process now of engaging with our colleagues and our counterparts in the jurisdictions to solidify existing bilaterals and initiate discussions on new bilaterals where they currently don't exist.

**Senator Watt:** I'll just give you a very general answer to begin with, Senator Smith, and then hand over to officials again. Even before the bill was passed, we had begun negotiations at both ministerial and departmental levels with different states around forming new bilaterals in anticipation that the bill would be passed. Obviously, now that the bill has been passed, we can progress those negotiations in more detail. You may have heard me say previously that, under the existing law, prior to the amendments, New South Wales was really the only state where we had a strongly functioning bilateral agreement around the assessment of projects. There are agreements in place with other states that go okay, but New South Wales has been operating better. There were some states where we didn't have a functioning bilateral agreement, Western Australia being one of them.

You would be aware that the Western Australian government is very keen to enter a bilateral agreement with us, as are we. I've had discussions with ministers in that government; our department has had discussions with the officials. Maybe they can elaborate, if you'd like, on what further developments there are in those discussions. But, again, it's a high priority to get them done.

**Ms Parry:** I'll just have Ms Gowland go through and outline which jurisdiction we have bilaterals with and then our efforts around getting new bilaterals up and going. As the minister said, it's a strong priority for some jurisdictions and for WA in particular. Queensland is very keen. New South Wales is looking to continue to mature that bilateral arrangement as well.

**Ms Gowland:** We have assessment bilaterals currently in place for five out of the seven jurisdictions: New South Wales, Victoria, Tasmania, Queensland and the Northern Territory. We're working hard to actually establish assessment bilateral agreements under the current legislation with those jurisdictions to put us in a good position to actually start negotiating—well, to put us in a good position to finalise agreements under the new legislation when those laws come in.

**Senator DEAN SMITH:** Can you give the committee a sense of which jurisdictions are the easiest, progressing towards the more difficult or intransigent?

**Ms Parry:** I think that's an opinion question, so I don't think we'll venture there.

**Senator DEAN SMITH:** But there would be some core facts or some core data points that you would use.

**Ms Gowland:** There are some core facts in terms of New South Wales. New South Wales is certainly the jurisdiction where we have the highest percentage of projects going through bilateral agreements and bilateral assessments. Different jurisdictions can also use different tools within the EPBC Act. Bilateral agreements are one tool; strategic assessments are also another. Jurisdictions have entered into those with us as well, so they have different options to them, which is why I'm a bit reluctant to categorise them as recalcitrant states. That's not the case. It's just that they take advantage of different tools. There are regional plans. There are strategic assessments. There are bilateral agreements. But it is true that some jurisdictions have more mature bilateral agreements in place.

**Senator Watt:** One other thing I can add to that, Senator Smith, is that, in the meeting we held of federal, state and territory environment ministers in the fourth quarter of last year, there was unanimous agreement around

the need to enter these bilaterals. I think there's a strong degree of support from all jurisdictions because they can see that that is an efficient means to both protect the environment and speed up approvals—something that everyone wants to see more of.

**Senator DEAN SMITH:** How many bilateral agreements do you expect to be in place when the legislation comes into effect?

**Ms Parry:** Parts of the legislation are already in effect. As Ms Gowland has outlined, there are existing bilateral agreements, so there's nothing stopping us from continuing to enter into those bilateral agreements. We are engaging with every state and territory, as the minister just indicated. We're not reaching any reluctance by any states to enter into bilateral agreements with us. In some jurisdictions where we know there's a higher percentage of projects—for instance, Queensland, New South Wales and Western Australia—that's where our highest case loads have traditionally come from, so it makes sense for us to focus on those jurisdictions. But, as I've indicated, there are other tools that are open to every state and territory to work with us cooperatively in order to streamline assessment and approval processes.

**Senator DEAN SMITH:** Just talk to me specifically about Western Australia. When did the discussions on the bilateral agreements begin?

**Ms Parry:** We have initiated discussions with the Western Australian government on a bilateral agreement. I would have to take on notice exactly when those began. Those have been very active discussions with the WA government officials throughout the course of the reform process. We brief them very, very regularly. Both the minister and I, and Mr Gaddes, were in Western Australia very, very regularly having conversations with the WA government during the reform process and have continued since.

**Senator DEAN SMITH:** What is the progress? What timeframe are you expecting a resolution in?

**Ms Parry:** We go through a process, when we negotiate a bilateral agreement, about what those terms are and what would be contained within them. We're starting those discussions now. We are keen to get these bilaterals in place, but we don't have a definitive timeframe that we would say, 'That's our deadline.' But there is a great desire on the side of both parties to initiate this and land these as quickly as possible.

**Senator DEAN SMITH:** What, if any, are some of the impediments to an expeditious resolution of this with Western Australia?

**Ms Parry:** There are no impediments per se. They have to be agreed to by ministers, and the content has to be agreed to. But there are no stumbling blocks in terms of a difference of view on whether or not a bilateral agreement would be in the interests of both parties.

**Mr Gaddes:** I'll just add to that, Senator. I'll take you back to the conversation we were having about standards. One of the things that the states will want to see before they enter a new bilateral agreement under the revised act would be the standards. They're eager to engage with us on the draft standards as they start talking to us about what a new revised bilateral might look like. There's a logical sequencing as we go through the year, where we need to talk to the states and territories, ENGOs and businesses about the standards. Subject to the states being able to meet the new standards, that's a fairly integral part of the new bilateral agreements that we'll have to have in place before the new legal tests commence. And, as I spoke to you about earlier, they are on 1 December 2026, unless they're proclaimed earlier.

So there are a few things that we need to line up: getting the standards landed and then having those in place, making sure that the states can meet those standards and the assessment for the new bilateral agreements and then having the new legal test commence in the latter part of the year.

**Senator DEAN SMITH:** Exactly. It sounds very convoluted, and the risk is a drawn-out process.

**Senator Watt:** To be fair, Senator Smith, can I remind you that Graeme Samuel provided his review 5½ years ago to the then environment minister, Ms Ley. So I think any independent observer would see that we've made remarkable progress in a pretty short amount of time over the last 12 months.

**Senator DEAN SMITH:** I'm interested in the future because these matters are interrelated, and the disallowable mechanism means that, when the standards do get to the Senate, the Senate might have a view.

**Senator Watt:** What I'd say to that is two things. That is why we are consulting so widely now about the draft standards. We want to get them right, but I guess it'll be a decision for the coalition—if it's a coalition—and the Greens about whether they want to stand in the way of those standards and hold up the development of bilaterals and everything else that relies on it. That'll be a decision for all of you.

**Senator DEAN SMITH:** Has the Western Australian government indicated a preferred timeframe?

**Senator Watt:** Sorry, I won't give my flippant response. They're really keen. They could not be keener to finalise a bilateral. I've spoken about it directly with the Premier on a number of occasions and a number of his ministers. I'm sure the departmental officials—it's been made clear. But, equally, we're very keen as well. The bilateral agreements, while only one tool, as Ms Parry said, are a key tool for us to be able to speed up the assessment and approval process. That was a fundamental objective of these reforms, so we want to get moving.

**Ms Parry:** I can indicate that officials are travelling to Western Australia again next week to continue to pursue those conversations.

**Senator DEAN SMITH:** So everyone is keen, but no-one is working to a timeframe.

**Senator Watt:** Again, it is a negotiation. We only passed these reforms in late November. There were going to be no standards until we passed that law. There were going to be no better—however you want to describe them—bilateral agreements. Notwithstanding that, we began the work on both the bilaterals and the standards before it. We then entered the Christmas period, when officials who'd been working enormous hours on the legislation deserved a little break. They're now back into it. They've been negotiating again with Western Australia and other states since Christmas. We're only in early February. Trust me, the department is very clear on my desire and the government's desire to move quickly on these reforms, including the standards and the bilaterals, but we couldn't have them done on day one after the laws were passed.

**Senator DEAN SMITH:** I don't think anyone is expecting that. That's certainly not what I'm saying. How many rounds of negotiations do you expect there to be with Western Australia on its bilateral?

**Ms Parry:** As many as it takes. We will land a bilateral agreement. That is an agreement to both ministers.

**Senator DEAN SMITH:** What are the live issues in those negotiations with Western Australia?

**Ms Parry:** I'd have to take that on notice. There are none that immediately come to mind. Again, there are just various process issues that we need to go through. In particular, we will zero in on how we want the bilateral agreement to work. The standards will come into play. There are various elements to the negotiation, but there are no particular stumbling blocks at this point.

**Senator Watt:** More broadly, I don't mean this to sound like a stumbling block, but one of the things that we need to achieve, if the aim of a bilateral agreement is to empower a state government to undertake assessments or over-time approvals of projects that meet our standards, is to be certain that the relevant state government's processes can meet our standards. And, in fact, that is also something that will need to be assessed by the new EPA, because one of the roles of the new EPA will be to accredit state processes as meeting our standards and then have an ongoing assurance role to ensure that they continue meeting those standards. One key issue, not a stumbling block—

**Senator DEAN SMITH:** No, I understand.

**Senator Watt:** One key issue will be ensuring that the relevant state processes meet our standards. Some states will be closer than others; it will be a straightforward matter with some states. It might take a bit more time with others.

**Ms Parry:** Just to add to that, there's also a legal overview in terms of needing to make sure that legislation in WA will cover the matters that we regulate, so there's an overlay there that we look at. We look at different sectors that we regulate for that the WA government either does or does not. So there's a legislative and legal overlay to the process as well. Again, this is well-traversed and well-known territory given the extensive bilaterals that we currently have in place across the country.

**Senator DEAN SMITH:** Are you expecting Western Australia to have to legislate itself in order to give effect to the bilateral?

**Ms Parry:** That would be a matter for the WA government.

**Senator DEAN SMITH:** Have you identified or has it identified to you any legislation that it may need? That will affect the timing.

**Ms Parry:** Not to my knowledge, but I'd have to take that on notice.

**Senator DEAN SMITH:** Yes, please. Thank you.

**CHAIR:** Thank you, Senator Smith. Senator McDonald.

**Senator McDONALD:** I want to follow on with some questions around the EPBC changes, particularly those ones that we didn't have an opportunity to test in the committee inquiry, because they were subject to the deal done with the Greens party at the end, particularly around the 15-year threshold. DCCEEW has cited the study

Thomas et al. (2025) for the 15-year threshold. But this study shows that species use of regrowth can be anywhere from three to 68 years, and I'm wondering why there was not an accounting for this variation.

**Mr Gaddes:** Senator, 15 years, as you heard in that study, was considered a midpoint. It was an area where mature regrowth starts to become valuable habitat. The other consideration is that 15 years is consistent with some of the state legislation in Queensland as well. There are other pieces of legislation that align on the 15-year threshold. It's very difficult to get one age class for vegetation that would match everything across the board. That was considered to be the best proxy we could determine.

**Senator McDONALD:** Alright. Lead ecologist Professor David Lindenmayer said that, with regard to biodiversity conservation, you could not do the same management practices everywhere. To your point, you've picked a number that seems very arbitrary for different habitat and biodiversity locations.

**Senator Watt:** I think you would support the idea that it's important for all stakeholders, including landowners, to have clarity in regulation. You need to pick a period of time. Different people will have different views on whether it should be 15 years, 20 years, three years or 68 years, according to what you were saying. But I don't think it's in anyone's interest to have a mixture of years. You need to have some certainty. Some people will agree with that; some people will not, and the department's explained why we went with the 15 years.

**Ms Parry:** I would just add to the minister and Mr Gaddes' point. We looked at the fact that native clearing is one of the greatest contributors to threatened species habitat loss and fragmentation. It's a key factor behind the listing of 60 per cent of Australia's threatened species. When we looked at that, we looked at mature regrowth providing valuable threatened species habitat—that was part of the policy rationale—and the age at that regrowth. We looked at the evidence. Again, it can vary between species. To the minister's point, at some point you have to have a clear marker in order to give that regulatory certainty for proponents as well. The scientific evidence would suggest that 15 years is a broadly appropriate benchmark, and we noted that the Queensland Vegetation Management Act uses 15 years as a regulatory benchmark as well.

**Senator McDONALD:** This same study that was cited by DCCEEW says:

... the median age at which regrowth vegetation provided 75 % of the relative value of remnant habitat was 36 years ...

Again, we're going to keep talking around this, but there is a great deal of concern from land managers. I'm just trying to understand. You've picked out a couple of reasons why, but none of them seem to be reflective of the very varied ecosystems that we have around Australia. You've picked this arbitrary number of 15 years, which is going to be difficult for some communities to manage.

**Senator Watt:** I think it'd be much more difficult for communities to manage if we said, 'For this kind of ecosystem it's 15; for this kind of ecosystem it's 25.' I know the kinds of questions you'd be asking if we did that.

**Senator McDONALD:** I don't know that that would be the case, because you've just applied this 15-year number to some communities where that number is really problematic to appropriate land management, and I'll turn to the north Queensland flood shortly as a specific example of that. To this point about producers getting regulatory certainty, the species of environmental significance distribution modelling relies upon the National Vegetation Information System, NVIS, which has poor consistency across jurisdictional boundaries and huge spatial data gaps. So, to your point about producers and certainty, how does that work when there are data gaps and very poor consistency across each of these regions?

**Senator Watt:** Who's putting that view?

**Senator McDONALD:** This is a view from this Thomas et al study.

**Ms Parry:** There are a couple of points on that I think Mr Wyndham wants to raise, but it does go to the data both the proponent and the assessors are using.

**Mr Gaddes:** Can I just lay out how that revised act works, and then we might go to Mr Wyndham first. It's not a straight ban on clearing land that hasn't been cleared for 15 years. The current act, before the provisions were amended, allowed for continuation of use of land. If an agricultural landholder continuously cleared regrowth in that property, then they don't have to seek an approval. The changes mean that those properties that haven't cleared for 15 years, which is hard to make a case that it's been continuously used if it hasn't occurred in 15 years, would need to then consider whether or not their action is going to have a significant impact on any of those nationally protected matters, so it's not a straight out ban. It means that those landholders are subject to the same laws as every other industry in Australia. They need to go and undertake a self-assessment, seek some advice if they need to about whether or not their action is going to have a significant impact on any of our nationally protected matters. If that self-assessment indicates that they may need approval, they need to go and then refer

their action as per every other industry in Australia. I might get Mr Wyndham to supplement that with some of those questions around the granularity of data.

**Senator McDONALD:** Just to clarify, this is exactly the concern that land managers have raised with me. Say they have land that hasn't been cleared for 14 years, but it is taking at least 18 months to get a decision from departments around if they do think that, under their self-assessment, they need to refer themselves. What happens if they run out of time because of delays in the assessment process?

**Mr Gaddes:** I'm not sure where you're getting 18 months from. There have been very few agricultural referrals, and I don't think we have that much data that would say that it would take 18 months. Our new streamlined assessment pathway, if people have done the right due diligence and submit the right information with their referral, can have an approval within 50 business days. Farmers will need to start to plan for that time, not leave it for 15 years and then put it in at the last minute and say that there's not enough time to do it.

**Senator McDONALD:** This is a new streamlined pathway, which wasn't in place previously, which you're saying has a 50-day hard marker that you'll—

**Mr Gaddes:** A 50-day statutory timeframe if you have all of the information provided. One of the key parts of the reforms is to speed up processes. If you meet the standards and submit all your information in the correct format, 50 days is the statutory timeframe.

**Ms Parry:** But keep in mind that a proponent would have to decide that the clearing has an impact on a matter of national significance. That's part of the self-assessment and referral process. Not everyone who is undertaking clearing would trigger that threshold.

**CHAIR:** Senator McDonald, I will need to move the call shortly, but, if you have more questions, we can come back to you.

**Senator McDONALD:** Okay. I'll finish on this section then. Back to the 15-year threshold with regard to the MNES, given that there are these big spatial data gaps as well as huge taxonomic errors within that—some vegetation species are listed under different species names in different states as well as having different conservation statuses—there are massive regulatory inconsistencies and variations that we're now asking farmers and land managers to be across. If they get it wrong, the penalties are not only onerous but very stressful in the way they're dealt with.

**Ms Parry:** I'm going to ask my colleague to discuss Environment Information Australia and the kind of information that is available for proponents and also what our assessment team and assessors use.

**Mr Knudson:** The good news is that back about a decade ago the then government started a process called the Common Assessment Method. What that is doing is aligning the listing status and the information behind what needs to be done for species across the country. The vast majority of species that we're assessing are actually nominations from the state to make that alignment clear. You're absolutely right that we want perfect alignment between the state listing and the Commonwealth listing so there isn't that ambiguity, and that is well and truly underway. I wanted to give you that assurance.

In terms of Environment Information Australia, one of the key things that we're working towards there is getting agreements with the states and territories to be able to use not only their information but also proponent information and make that available to everyone—so whatever information exists will be available. The other thing, as my colleagues have also mentioned, is that it is a self-assessment. I think most landholders know what they have on their land. They know the age et cetera of the species on that land. So, if we combine those two things—giving certainty over the species that are listed and also as much publicly available information as we have—we think we're setting this up to evolve into a really good system going forward.

**Senator McDONALD:** When you say it will be publicly available, is it something like the globe in Queensland? What's the format for the publicly available data?

**Mr Knudson:** My colleague from Environment Information Australia will be here in a little bit. Oh, she's there on the corner! Maya, do you want to go ahead?

**Ms Stuart-Fox:** Senator, you're right. There are of course all sorts of issues with data. One of the reasons that Environment Information Australia has been set up is to start to tackle those information gaps and start to improve the information that we have available for people, both internally and externally. My colleague mentioned the new data and information standard. One of the things that that will enable us to do is to start to get information from proponents in a form that allows that information to be interoperable and reusable. At the moment, the information that's coming in from proponents isn't routinely reused for other purposes, so there's not a mechanism for continuous improvement in the system. Once we start to get that information in, it will allow us to combine

that with other information that's available through the states and territories and has also been collected through environmental organisations and from researchers around the country—to start to bring that together and improve the confidence that we have in our species distribution models, which was one of the things that you referred to earlier.

When you're working with a very small number of data points, your species distribution models are necessarily fairly crude and need to be fairly precautionary to give us an indication of where we think those species are. As you get more and more data through, you can have a lot more confidence, and that means having much tighter and more accurate, if you like, species distribution models, and that's what we're aiming towards.

**Senator McDONALD:** I'll finish on this, Chair. What we've done is we've imposed a 15-year arbitrary number across species and ecosystems. But, as that data's collected, is there a suggestion then that greater data and greater understanding of the impact of age of vegetation in those regions and its impact on potentially threatened species will mean that different regions will become more nuanced with that decision-making?

**Ms Stuart-Fox:** Yes, absolutely. We're looking to continuously improve the mapping tools that we have available for people—the spatial representation of where species are, where our biodiversity hotspots are or where our areas of high-biodiversity value are. We will look to improve that over time. We're also looking to improve our science and information about species and what their habitat needs are. So over time you will get increasingly granular information available for proponents that will improve certainty in the system.

**Senator McDONALD:** Minister, you'll be happy to examine that? As proponents come forward with this data that demonstrates that 15 years is an arbitrary number that, for the reasons identified by the department, has been put into the legislation now but may not be suitable for different ecosystems, that could be something that the department could examine.

**Senator Watt:** Well, I don't accept the characterisation that this is an arbitrary choice. We've gone through the reasons for settling on the 15-year timeframe. If you're asking whether we would reconsider that 15-year timeframe in the future, I've seen no reason why we would do that. And, again, I just want to repeat the point that the changes that we've put in place for agricultural land clearing mean that agriculture has been brought in line with every other industry in terms of needing to have its environmental impacts assessed and approved by the federal government if they're going to have a significant impact on the environment—nothing more, nothing less.

If you want to build a mine, if you want to build a wind farm—

**Senator McDONALD:** Chair, I'll come back to this.

**Senator Watt:** if you want to do property development, and you're going to have a significant impact on the environment, then you need to get assessed and approved. That's what we're saying will now occur for agriculture as well.

**Senator McDONALD:** I'll come back.

**CHAIR:** Thank you. Senator Whitten.

**Senator WHITTEN:** I'd like to table a letter dated 7 October and addressed to Minister Watt. I haven't received an answer to it as yet. It's referring to the Bunbury offshore marine survey in WA.

**Senator Watt:** Is this the letter that you raised a previous time which we then had some follow-up about to get you your reply, or is this a separate issue?

**Senator WHITTEN:** This is a separate issue. I eventually got that reply; thank you. I'd like to talk about the failure to assess the pygmy blue whale separately. I'm referring to an answer to question on notice No. 297. I want to address the department's implication that the pygmy blue whale does not require separate assessment or that it was covered within the general category of blue whales.

I've asked why the pygmy blue whale has not been separately assessed in the determination, and the answer says that it was. Yet the department's FOI, LEX IR 80629, document 49, fails to list the pygmy blue whale separately in the significant impact and biologically important area tables. It has its own northern and southern migration BIAs and is recognised by the department as a distinct subspecies with distinct ecological behaviour. Under section 75(1) and 136(2) of the EPBC Act, each listed, threatened and migratory species must be assessed individually. The pygmy blue whale is separately listed as both endangered and migratory, yet document 49 did not assess it at all.

I'd also like to table—

**Senator Watt:** Senator Whitten, so we can keep up, can you just repeat the question. Why was a decision made—

**Senator WHITTEN:** I haven't really got to a question yet. I'm just putting what I believe the facts are on the record to start with. I'd also like to table the formal demand for a controlled action from Rainforest Reserves. This notice has been copied to the Auditor-General, Dr McLiesh. I'd like to read point 3 of the notice:

**3. Pygmy Blue Whale not separately assessed (distinct taxon)**

The Pygmy Blue Whale is a listed endangered/migratory subspecies with discrete migration corridors and foraging BIAs within the survey area. Treating this subspecies as merely "Blue Whale" and failing to assess it distinctly breaches s.75 and s.136, and undermines any "no significant impact" conclusion. The Pygmy Blue Whale—

and it's got its taxonomic name, which I'm not going to try—

is separately listed under the EPBC Act and cannot lawfully be assessed as part of the broader *B. musculus* population.

The question is: how can the department say the pygmy blue whale has been assessed separately when the FOI clearly shows that it has not?

**Senator Watt:** We may not be able to answer a question that specific, but I reckon Ms Calhoun is up to the task.

**Ms Calhoun:** The referral or the detail you're talking about was from the marine and offshore surveys from the University of Western Australia, and it was about the geophysical data to do the survey—

**Senator WHITTEN:** I'm sorry, Ms Calhoun. I'm really quite deaf. I don't mind if you yell at me.

**Ms Calhoun:** As you mentioned, the pygmy blue whale was considered as part of the blue whale's consideration at the referral stage. The information based on what the project was actually undertaking, where the impact would be, how they were avoiding it or mitigating it—it was determined not to be a controlled action. I think the pygmy blue whale was incorporated in the blue-whale consideration, which is what happens when we're looking at a referral in terms of what species will be considered at what point.

**Senator WHITTEN:** My understanding is it's meant to have its own listing in the report, not be grouped in with something else.

**Ms Calhoun:** It depends on what the action is from the referral and where it's having the impact. It was part of the consideration for four whale species. It's not listed separately, as you're referring to, but it was considered as part of the decision as to whether it would be a controlled action or not a controlled action, based on the action that was being undertaken for this project.

**Senator WHITTEN:** My understanding is that, under legislation, if it's an endangered species, it has to have its own assessment. It can't be grouped in with something else. Is that not the case?

**Ms Calhoun:** It had an assessment as part of the blue-whale species. The impacts for each of the different species under there were general considerations, I would suggest. There was no further information before us, nor has there been information presented after the decision, that would change that, and the considerations within the referral documents that you have seen captured this species within—

**Senator WHITTEN:** Sorry, but is it not the case that if it's endangered it must have its own individual assessment—not be grouped in with something else because it's also got 'blue whale' in the name. The pygmy blue whale is endangered in and of its own right, and it should be assessed separately—that's my understanding—under the legislation.

**Ms Parry:** Senator, we've just got your letter, so I think we need to have time to go through this. But I think what Ms Calhoun is identifying, without having the benefit of all the facts on the table, is that the assessment officer has to determine whether or not the matter is going to have a significant impact on the protected matter. In this case, it sounds like that threshold was not reached—that the action that the proponent was taking was not having a significant impact.

**Senator WHITTEN:** My understanding is that it doesn't matter whether there's going to be a threshold breached or not; because it's endangered, it must be assessed, and it hasn't been.

**Ms Parry:** Can we take that on notice, Senator, because I don't think that's correct, but I'd like to have the benefit of getting advice on that and I'd like to come back to you on that.

**Senator WHITTEN:** Yes. The question specifically is around the legislation saying that, if something is endangered, it must be assessed individually. You can't lump it in with something else and say, 'We've done a full assessment.'

**Mr Kaiser:** Only a first proposed action is going to have an impact that meets the threshold.

**Ms Parry:** I think what the senator is saying is that it should be assessed even if that threshold isn't determined, and I don't think that's the case, because the impact has to reach a certain threshold.

**Senator WHITTEN:** Let's put that on notice.

**Ms Parry:** We'll take that on notice.

**Mr Kaiser:** Senator, can I also offer you an apology for not having responded to your letter of 7 October. That's not acceptable.

**Senator Watt:** I'm just trying to confirm that we haven't replied. But, if we have not replied, then I endorse that apology. We should have been able to get back to you sooner.

**Senator WHITTEN:** The last reply went to head office in Queensland.

**Senator Watt:** I know. That's why I asked earlier. I wondered if it was the same thing. My apologies.

**Senator WHITTEN:** I'll give you my office number. You can just drop it over.

**Senator Watt:** Yes. But just to be clear—because it's a complicated system that I didn't understand myself until I came to this role—we only assess an impact on a particular matter if it's going to have a significant impact on that matter. What I think we're hearing is that, in this case, it may be that a decision was made that the particular activity would not have a significant impact on the species you're talking about, and therefore it did not require the sort of assessment that you're asking for.

**Ms Parry:** That's precisely the point.

**Senator Watt:** We're confirming that that's what occurred here, but we think that might be the answer to your question, that no assessment was needed, because there was not going to be a significant impact. If that's wrong, we'll come back to you.

**Senator WHITTEN:** In this document, which I'm assuming is your document, under 'likelihood of occurrence', which I'm assuming is a negative impact in some regard for the blue whale, where the pygmy whale is included, it says 'likely'. So I don't know how you've assessed that it isn't likely.

**Senator Watt:** They're different—it sounds like semantics here, but 'likely' doesn't necessarily mean 'significant'. I don't know the detail of this application, so I can give you a general answer. Any time that there is a property development which is going to bulldoze koala habitat, it will obviously have an impact on the koalas in that area. That doesn't necessarily mean that that impact is a significant impact on a national scale. So it may well be that, in this instance, it was determined that there would likely be an impact on the species you're talking about; that doesn't necessarily make it a significant impact. Hopefully, what I'm saying is correct, because I don't know the details of that application.

**Senator WHITTEN:** I understand your analogy with koalas, but I don't know that they're as endangered as a pygmy blue whale, so I think it's quite significant. But please take it on notice.

**Ms Parry:** I'm going to take it on notice. I'm going to try and find the section of the act that we can refer back to you that enables us to reach that conclusion about significance.

**Senator WHITTEN:** Okay. At the last estimates, on Rainforest Reserves Australia's notice of breach, I think you suggested it was not a notice under legislation but merely a claim of breach occurring. I believe that characterisation is incorrect. Under the EPBC Act, there is no prescribed form for notifying the minister of a breach. Once evidence of illegality is presented, as Rainforest Reserves Australia has done, the minister becomes obliged to act lawfully and reconsider the decision under section 78C. A follow-up clarification letter sent on 10 October from Rainforest Reserves addressed this point. It confirmed that the minister has in fact been placed on formal notice and that the distinction being drawn between a statutory notice and a non-statutory notice is legally irrelevant; the obligation arises from the content, not the format. So, Minister, do you understand you've been put on notice?

**Senator Watt:** I'd want to have a look at the facts of that case. Rainforest Reserves have been caught out in another parliament with AI generated submissions that didn't turn out to be true. So let's just be certain that what they're saying here is accurate.

**Senator WHITTEN:** I think the point of this is that, whether it was a statutory notice or a non-statutory notice, given there's no statutory format, you were still being put on notice. Whether it was AI generated or not is not part of the question. It was—

**Senator HANSON-YOUNG:** It's just that you can't trust anything they say. That's the problem. If you're quoting stuff from them, you just can't trust it.

**CHAIR:** Senator.

**Senator HANSON-YOUNG:** It's fake news.

**CHAIR:** Senators, this is Senator Whitten's opportunity to ask questions. Senator Whitten.

**Senator Watt:** Can I just say this, Senator Whitten: my office has advised me that a reply to your letter was sent to your APH email address on 21 October. So, between the two of us, let's work out what happened there. If you need another copy, we can get that to you.

**Senator WHITTEN:** Thank you. I'll leave it there, Chair, but I'd be pleased to receive some of those answers on notice.

**Senator Watt:** And I'm getting a copy of the reply brought up to you, so we can give it to you.

**Senator WHITTEN:** Thank you very much.

**CHAIR:** Senator Walker.

**Senator WALKER:** I've got a few questions about housing approvals under the EPBC Act. As at May 2022, how many housing projects were awaiting approval?

**Mr Wyndham:** As at May 2022, there were 92 housing projects under referral or assessment under the act.

**Senator WALKER:** At a previous estimates round, evidence was provided that, at one point during the previous government, the funding for environmental approvals was so low that no projects were approved in accordance with the statutory timeframe. Is that correct?

**Mr Wyndham:** That's correct, and there was a question on notice. I can get the number of the answer that responded in that regard.

**Senator WALKER:** I presume there were housing projects within that statistic.

**Mr Wyndham:** I don't know.

**Senator WALKER:** Since the election of the current government, how many housing projects have been approved?

**Mr Wyndham:** Since May 2022, the government has given the go-ahead to 76 housing projects supporting about 59,000 homes.

**Senator WALKER:** Is there a geographical spread across those projects—for example, housing projects in regional areas compared to urban areas?

**Mr Wyndham:** There are definitely projects within both city and regional areas. I'll ask my colleague Ms Gowland to step through some details.

**Ms Gowland:** I've only got figures from 24 August, which is when the minister set up the housing strike team. The figures tell us that it's an equal split between metropolitan and regional areas. Twenty projects have been approved under the housing strike team, and we have 20 in regional areas and 20 in metropolitan areas.

**Senator WALKER:** I note that, in August 2025, the government announced a target of approving 26,000 homes by June this year. How is the department tracking against that target?

**Ms Gowland:** We're tracking well towards that target. We've actually passed the halfway mark and, as of 31 January, we're looking at supporting around 17,000 homes towards our target of 26,000.

**Senator WALKER:** Right on track.

**Ms Gowland:** Yes.

**Senator WALKER:** Now that the reforms for the EPBC Act have passed the Senate, what impacts will that have on housing approvals?

**Ms Parry:** Aside from the taskforce and the strike team, where we're reaching in and accelerating those housing approvals, the EPBC reforms are going to have economy-wide benefits. They're going to have significant productivity benefits by making very clear and upfront the kinds of information requirements that proponents need to have. We are looking at different tools—as we've canvassed earlier, whether they're bilateral agreements or strategic assessments—that we can enter into with states to get those approvals working through the systems faster. We've put in clear boundaries of what is acceptable and what is not acceptable—again, giving proponents that information. All of those changes to the act will have an economy-wide benefit and, given that housing is our third highest referral sector, it will have a benefit for the housing sector as well.

**Senator WALKER:** I've got one final question, and it's for the minister. Why is timely consideration of housing developments under federal environmental law necessary, and what are some alternative approaches?

**Senator Watt:** As you can see from the answers you've received from the officials, we've made a significant effort since coming to office to speed up the processes for assessment and approvals—or at least a decision about housing applications. We know, as a country, we need more homes built urgently. If we can get the processes for approval of those homes—or rejection if they're rejected—done more quickly, that will get things moving from a

housing perspective. It's not the only issue that we need to deal with to get houses built, but it's a significant issue, and I really commend the department on the work they've been doing in this space.

**Senator WALKER:** Thank you.

**CHAIR:** Senator Hanson-Young.

**Senator HANSON-YOUNG:** I just want to ask about the Saving Native Species Program. Is it correct that the Saving Native Species Program finishes in June?

**Ms Raynor:** Yes, you're correct that the funding for the Saving Native Species Program concludes on 30 June 2026.

**Senator HANSON-YOUNG:** So there's no direction to have that extended or for new money to go into that?

**Ms Raynor:** At this point in time, that would be a matter for government. We are seeing that 166 of those projects under the program continue to roll out and be delivered, and we expect that they would be delivered by 30 June.

**Senator HANSON-YOUNG:** Okay, so they would be completed by 30 June.

**Ms Raynor:** We would expect that to be the case. I will flag that there are some externalities that are currently affecting some of those projects; we have had recent natural disasters. In those instances, we're working with those project proponents to understand the impacts of those disasters on their projects and to confirm that they will be in a position to conclude their projects by that time.

**Mr Knudson:** This is one of the programs that is terminating at the end of the fiscal year. There are a number of programs across government that terminate each year. There's also a process led by central agencies where they look at all terminating programs through the cabinet process et cetera, so this will be considered in that.

**Senator HANSON-YOUNG:** It was a program that was worth \$225 million over four years.

**Ms Raynor:** \$224.5 million, yes.

**Senator HANSON-YOUNG:** To be precise—thank you. Is there another program that will save native species?

**Senator Watt:** Inarguably, many things that this department does protect native species. But, as you've already heard, this program was funded for a certain number of years. That expires on 30 June this year. Any decision about extension of that funding will be made through budget processes.

**Senator HANSON-YOUNG:** There are 166 projects that this program funded. How many native species have been saved?

**Ms Raynor:** I can talk about the number of species that have had projects that have been allocated to them. At this stage, we're still working with a number of those project proponents to look at the outcomes that have been delivered through those projects, but I'll just run through a few of the high-level figures. What I can talk about is the amounts of money that have been contracted for the different components of the program. In terms of species, there are 110 species that are prioritised through this program, and there are 20 priority places that are prioritised through this program. What we've seen is an allocation of \$94.1 million that has gone towards those two components, and they do look at multiple species, so it is hard to pinpoint the exact outcomes for each of the different species. But I could hand to my colleague Dr Fraser to go through some of the particular outcomes, if that would help. I could also talk through some of the other elements of the program where that funding has gone to, if that would help too.

**Senator HANSON-YOUNG:** Has it been a useful program?

**Ms Raynor:** Definitely. I would say that we're definitely seeing success coming through already, even though we haven't had an opportunity to do a full program evaluation at this point. One of the successes of the program is that it is actually quite a targeted program, so it does draw on evidence and research that's been compiled into the Threatened Species Action Plan. That is a plan that has led and directed actions that are quite strategically focused to address the decline we've been seeing in species and to also support recovery. But, at the same time, it does look at how to bring in a range of different sorts of participants who are responsible for species recovery in the longer term. As an outcome, we have seen that you've got engagement with local communities and the research sectors. You've got governments—state, territory and Commonwealth—also coming together. I think that would be one of the areas in which there has been demonstrated success in the program, and we definitely do still see that momentum building.

**Senator Watt:** If it's useful, I've got some specific examples.

**Senator HANSON-YOUNG:** I'd like some specifics, yes.

**Senator Watt:** I apologise in advance for the pronunciation of some of these species if I don't get them exactly right. There's the Glenelg freshwater mussel, which turns out to be in Victoria's Crawford River.

**Senator HANSON-YOUNG:** And have they been saved?

**Senator Watt:** A world-first release of captive bred Glenelg freshwater mussels has boosted their last remaining population in Victoria's Crawford River. These critically endangered mussels were returned to their wild habitat, where revegetation, fencing and sediment control works have been undertaken to increase their chance to thrive. The Border Ranges lined fern has been rediscovered in Queensland as a result of this program. Adult ferns have been recorded in Queensland for the first time in 40 years, thanks to a Saving Native Species project led by Tweed Landcare. This is the one I was a bit worried about pronouncing—I believe it's the Kroombit tinker frog. More captive bred Kroombit tinker frogs are being released into the wild in Queensland's Kroombit Tops National Park. This is a positive step forward for these critically endangered frogs. The resilience of the noisy scrub-bird population has been increased by moving birds to two habitats in south-western and Western Australia, one where they'd been lost due to a bushfire and one that will act as an insurance population against future bushfires and climate change. I could go on if you'd like me to.

**Senator HANSON-YOUNG:** Thank you, Minister. You said that there were 20 priority places. Could you name them for me?

**Dr Fraser:** Taking a step back, that Saving Native Species Program has been instrumental in the delivery of targets under the Threatened Species Action Plan. Those 20 priority places are published in the Threatened Species Action Plan, and they encompass some of our most important natural and biodiverse landscapes and seascapes around the country. I could name all 20, but we can also refer to them online. There's at least one in each state and territory and also a number of others.

**Senator HANSON-YOUNG:** What's the one in South Australia?

**Dr Fraser:** In South Australia, there's Kangaroo Island. South Australia also includes the Mallee Birds Ecological Community and a priority place that spans the volcanic plains in western Victoria across to the Limestone Coast in South Australia. For each of those priority places—landscapes and seascapes—we've got landscape-scale action underway generally to address threats in those landscapes, which could be invasive species, such as weeds and feral animals. But it also could also be about instigating better fire regimes in those places or focusing on reintroductions in some places as well.

**Senator HANSON-YOUNG:** What species have been saved on Kangaroo Island?

**Dr Fraser:** Kangaroo Island is a priority place. It has a range of endemic and threatened species. One of the key focuses on Kangaroo Island, but certainly not the only one, has been the eradication of feral cats on the Dudley Peninsula. You'll be aware there was a recent announcement on further funding for that under the Saving Native Species Program late last year. The eradication of feral cats on the Dudley Peninsula will be very important. When you say 'saved species', I guess there are different things you can have in mind. But the way I would describe that is that it will be critical for the long-term recovery and protection of many of the birds and the mammals that are threatened, and even those that are not threatened, on Kangaroo Island at the moment.

**Mr Knudson:** If I may come in for a second to get to your question as well, one of the things that have happened in the last couple of years that we could never do before—we would talk about how much money we spent planting trees. We'd only talk about money. Then we got to the point where we could talk about what the input was—what we have done on the ground. But we could never aggregate that up to tell a national story. So, for the first time, we're actually able to tell what the outcome looks like for a number of species because we've got consistent methodologies for measuring what the change in the status of that species is where we've intervened. It's a really important thing because it's showing that when you have sustained funding for a long period of time, along the lines of what the minister has outlined but also what my colleagues have outlined, it makes a difference. So that's one thing I wanted to say. The other thing I wanted to say is that, Dr Fraser would also have information on what we've used the Saving Native Species Program for and that's some emergency funding where they are not the 110 priority species in the Threatened Species Action Plan, when we needed to do an intervention. And, as Dr Fraser just talked about, a number of those species are critically endangered and the interventions are making a difference. We don't have that long-term history of what's happening for the species, but we can provide additional information, if that's what you're looking for, on some of those emergency interventions under the program.

**Senator HANSON-YOUNG:** What I'm keen to understand is where the money has been spent and what the outcome has been, especially seeing as it's finishing in four months time.

**Senator Watt:** That's the current funding. Obviously, your primary interest is in South Australia, being your home state?

**Senator HANSON-YOUNG:** No, my primary interest is saving native species.

**Senator Watt:** Well, you were asking questions about South Australia.

**Senator HANSON-YOUNG:** As a South Australian.

**Senator Watt:** That was the point I was making. I wasn't having a go. One thing we could do is provide on notice some further information about the activities in South Australia as an example, with some more information about the outcomes of that funding. Would that be useful?

**Senator HANSON-YOUNG:** Yes, I'm happy for you take that on notice. That would be useful.

**Dr Fraser:** We do have information. I guess one of the key things the Saving Native Species Program has done, guided by that Threatened Species Action Plan, is not just direct funds to the 20 priority places and the 110 priority species, but we've also developed a specific framework for identifying species which are highly in peril—that's a higher bar than critically endangered under the EPBC Act—and taking specific interventions to prevent those species either going extinct or taking a significant step closer.

**Senator HANSON-YOUNG:** Which species have you done that for?

**Dr Fraser:** All up, the Saving Native Species Program has supported critical actions of that nature for around 80 species. That includes 55 species which were already prioritised under the 110 species in the action plan, but a further 25 species, which were not the focus of the action plan but were identified as falling into that really critical gap, 'highly imperilled'. I won't read all of those out, but we can certainly table those on notice.

At the end of last year, we published what I would call a light-touch progress report for the Threatened Species Action Plan. We've got a much more fulsome report, which is due in after 2027, and that details some of the outcomes as well. It's not just for the Saving Native Species Program, because, of course, we implement that program in a complementary way with initiatives such as the Natural Heritage Trust et cetera.

**Senator HANSON-YOUNG:** Sure. What I'm keen to understand is—I've heard the deputy secretary say it; I've heard the commissioner now say it, that this program has been important and crucial—why would it be ending on June 30?

**Senator Watt:** No. I know the point you're trying to misrepresent.

**Senator HANSON-YOUNG:** I just want to know what's going on.

**Senator Watt:** No decision has been—it is very normal in government programs for funding to be provided for two years, three years, four years at most because that's the length of the forward estimates. This was an election commitment that we made in 2022. We provided what must have been four years of funding, or thereabouts, 4½ years—that is actually a longer period of funding than many programs go for—and decisions are then made about whether to extend that funding for that program, as they are for hundreds of other programs. That decision-making is underway.

**Senator HANSON-YOUNG:** And a decision hasn't been made yet?

**Senator Watt:** No, because we haven't handed down the budget this year. So it would be untrue to argue the decision that the program is ending, that funding is not being extended, because all of those decisions are yet to be made.

**Ms Raynor:** I'll just add that the funding for Saving Native Species, being 3½ years, has now also carried on into another program, through the Local Environmental Projects Program. The LEP was a three-year program that was established following the last election and is made up of \$83.9 million worth of commitments.

**Senator HANSON-YOUNG:** Is that \$83.9 million in addition to the \$224.5 million?

**Ms Raynor:** That's right, yes. So what you'll see in that LEP is that there are 40 projects in total, and they do have a focus on both species and protecting species and achieving biodiversity outcomes. At the same time, it looks at restoring heritage places as well.

**Senator HANSON-YOUNG:** When is that meant to expire?

**Ms Raynor:** This one goes from 2025-26 to 2027-28.

**Senator HANSON-YOUNG:** Are there any other programs in relation to native species that are due to expire in the next six to 12 months?

**Ms Raynor:** I will mention that we have the Saving Koalas Fund. That draws funding both from Saving Native Species and from the Natural Heritage Trust fund. Because of the SNS component, that one does conclude

on 30 June 2026. There are some components for koalas, such as funding for data and data mapping, that continue into the future years.

**Senator HANSON-YOUNG:** How much was that Saving Koalas Fund worth?

**Ms Raynor:** That was \$76.9 million, and 99 per cent of that has been contracted to date.

**Senator HANSON-YOUNG:** How much of that came from the existing \$224.5 million?

**Ms Raynor:** The component that came from Saving Native Species is \$24.39 million, with the remainder coming from the NHT.

**Senator HANSON-YOUNG:** So how many koalas have been saved?

**Ms Raynor:** We don't—

**Senator HENDERSON:** Senator Faruqi is a koala—

**CHAIR:** Senators, no—hold on. Senator Henderson, please don't interject.

**Senator HENDERSON:** I'm just evening up the score from earlier, Chair.

**CHAIR:** I don't want any score evening in this committee. What we need to do is allow people to ask questions and allow the officials to answer. Senator Hanson-Young, I might also indicate that I'll move the call shortly as we approach lunch.

**Ms Raynor:** We actually do invest, and we have invested, in a monitoring program, so I would say that data still continues to evolve for koala monitoring, as it does with other species monitoring. Particularly with koalas, it is quite hard to get accurate numbers, just due to their movements and that, but we have invested over \$10 million into refining the modelling, and that's being conducted by the CSIRO on behalf of the—

**Senator HANSON-YOUNG:** Is that \$10 million from the \$76.9 million?

**Ms Raynor:** The \$10 million actually—I'll just have a look—comes from the Natural Heritage Trust fund, the other funding pool. It's not from the \$224.5 million, but—

**Senator HANSON-YOUNG:** No, but it's part of the \$76.9 million overall which is made up—

**Ms Raynor:** Yes. That's right.

**Senator HANSON-YOUNG:** So that comes from the Natural Heritage Trust.

**Mr Knudson:** Senator, just on the question of koalas, our recent analysis, based upon this monitoring, is showing an increase in the population. It's not a sufficient longitudinal trend. We don't have enough data points over years to give us absolute confidence. Part of this is driven by better technologies to find koalas and identify them in the wild. Nonetheless it's encouraging, and it's another example of us being in a much better position if we invest and we monitor.

**Senator HANSON-YOUNG:** And if we stop chopping down the trees they live in, perhaps that would help.

**Mr Knudson:** It is understood that habitat loss is one of the key things for koalas, yes.

**Senator HANSON-YOUNG:** I will come back to that, but, on notice, could you give me a list of where that saving koala fund money has been spent in terms of the projects that it's been used for?

**Ms Raynor:** Yes.

**Senator HANSON-YOUNG:** Thank you.

**CHAIR:** Thank you, Senator Hanson-Young. Senator Henderson.

**Senator HENDERSON:** I just want to ask about the new EPBC reforms, which are due to commence on 1 July this year, of course. Are there any KPIs in terms of how the changes will be monitored and assessed to determine the success of the new reforms?

**Senator Watt:** While the officials are preparing, I will say that we made the point that one of the objectives of those reforms was to strengthen environmental protection, and that's why, for example, there were provisions in the legislation requiring any environmental offsets to deliver a net gain for the environment—to move towards restoration of the environment rather than just to protect it from decline. We also said that an objective of the reform was to simplify and speed up the process for assessments and approvals of projects. As to KPIs, I suspect that would be work that would be undertaken by the new EPA once it's up and running, so I'm not sure that we have set those at this point in time.

**Ms Parry:** I think there are a couple that we'll certainly build on. We have to report now, through our corporate outcomes, our statutory timeframe reporting as well as our compliance and enforcement reporting. So

we report on our on-time assessments. This quarter we're up around 93 per cent for on-time statutory assessment timeframes. We will continue to report against those types of timeframes.

But the minister is quite right. We will be looking to build in what those other KPIs are, over time, looking at both faster approvals and our compliance activities; it could be ranging in the number of assessments that are undertaken through bilateral agreements, for instance. But right now compliance and enforcement and statutory timeframes are the two that we continue to report on.

**Senator HENDERSON:** The Prime Minister made claims that approvals will go from years to months and from months to weeks. With respect to current projects which have been submitted and are waiting for approval, how many of those will be fast-tracked under the new laws? Can you specify those projects?

**Senator Watt:** We made clear that, by and large, projects that were already lodged or referred under the existing laws before the amendments will continue to be assessed and approved under the existing laws. The new laws will apply, by and large, to new projects that are put into the system.

**Senator HENDERSON:** Of those new projects, Minister—

**Senator Watt:** We don't know what they are yet, because they haven't been lodged.

**Senator HENDERSON:** That's what I'm asking. Have there been any new projects lodged?

**Senator Watt:** Only certain aspects of the amendments have commenced—for example, the land-clearing changes. A range of the other changes which are geared towards faster approvals have yet to commence, and therefore projects wouldn't have been lodged under those, because those amendments haven't commenced yet.

**Senator HENDERSON:** Has there been any attempt to expedite projects that are currently in the system, for faster approvals?

**Senator Watt:** Yes.

**Senator HENDERSON:** That doesn't mean that you can't do everything to expedite approvals, surely, Minister.

**Senator Watt:** No. For starters, you can provide some funding to the division of the department that does approvals, which wasn't done under the coalition but was done under us. That's why, for example—if you heard the question Senator Walker was just asking—we've been able to expedite the assessment and approval of tens of thousands of homes. We've done a similar exercise when it comes to renewable energy as well, which is why we've now approved 132 renewable energy projects around the country since we were elected in 2022. So we've taken a number of steps to speed up assessments and approvals within the existing laws, and now we've passed new laws which should enable even faster assessments and approvals.

**Senator HENDERSON:** Of the applications that you currently have, how many of those applications do you expect will leave the current pathways and move into the new streamlined pathways?

**Ms Parry:** That will be up to the individual proponent. We have 626 current active projects in our pipeline. If a proponent wishes to, at a future date, withdraw their application and re-refer under the new legislation once they are in place, that will be a decision of the proponent.

**Senator HENDERSON:** I appreciate that, but have you received any indication as to which applicants might move from one pathway to the other?

**Ms Parry:** No.

**Senator HENDERSON:** Have you given any advice to that effect?

**Ms Parry:** Again, we are giving advice to proponents all the time around updates of the reforms and where they're up to. Ultimately, that will be a matter for individual proponents and where they're at in the referral and assessment process. They'll have to make those individual assessments as to whether or not it's worth their while to withdraw and re-refer.

**Senator HENDERSON:** I understand that. Mr Kaiser?

**Mr Kaiser:** It's certainly true that there's an active discussion going on with many proponents about the possibility of doing exactly that—them withdrawing. They haven't had the opportunity to do that yet, because certain parts of the legislation have not come into force as yet. But certainly I've had plenty of discussions, as have other colleagues in the department, with proponents who are actively considering doing that because of the benefits of the new legislation—that is, withdrawing their current application and resubmitting it under the new laws.

**Senator HENDERSON:** How many applicants have you had those discussions with?

**Ms Parry:** We'd have to take that on notice. We work with industry associations. We talk to individual proponents. That's hard to group up.

**Mr Kaiser:** It's a matter that's frequently raised with us, though; that's the point I'm making. It's not that we've recorded every one of those conversations or considerations. It will ultimately be up to the proponent. We're not keeping score, in a sense. All I'm seeking to indicate is that proponents are very alive to the possible benefits of withdrawing their current application and making a fresh one.

**Senator HENDERSON:** On notice and with respect to the applicants where you've given advice that they may wish to consider moving to the fast-tracking streamlined pathway, could we have that correspondence please?

**Senator Watt:** I think the answer provided was that advice has not been provided to that effect. What has happened is that proponents, in their discussions with the department, have raised whether they could or could not make a decision to withdraw a project that's already been lodged and then reapply. The department correctly says, 'Yes, you can if that's what you decide you want to do.' But what I heard earlier was that advice has not been provided to proponents that they should do so. It's completely up to them.

**Senator HENDERSON:** I appreciate that, Minister, but Mr Kaiser has just confirmed that there have been a whole range of discussions in relation to current applicants moving their applications to the streamlined pathway. What I'm seeking on notice is any correspondence in relation to discussions that have been had with proponents about how they may wish to consider moving to the streamlined pathway, any potential benefits and any other considerations. Could I ask for that correspondence on notice please.

**Mr Kaiser:** Sure. We'll check whether or not there's correspondence. I don't believe there has been. As the minister said, it's better characterised as conversations. Proponents will come to us and seek an explanation from us about the benefits of the new act. We'll provide that. It won't be specific to their particular project. We'll describe the new processes of the act, and we know from our conversations that a number of proponents are considering withdrawing applications and remaking them under the new act when the opportunity arises as a result of that. It will be very difficult to provide more specific information. There have been general conversations. We haven't been providing advice to proponents to do or not to do that in their specific circumstances—

**Senator HENDERSON:** No, I appreciate the difference—

**Mr Kaiser:** We provide information in relation to the benefits of the new act, and they're free to make up their own mind about that. But we will take on notice whether or not there's correspondence.

**Senator HENDERSON:** Could I also ask for any notes of telephone discussions, any minutes and any other relevant written materials in relation to those discussions please?

**Mr Kaiser:** Sure, we're happy to take that on notice, but I'd just stress again—

**Senator HENDERSON:** I would be very surprised if there have been discussions with applicants and there have not been notes made of those discussions.

**Mr Kaiser:** You're seeking to make more of my comments than I was intending, Senator.

**Senator HENDERSON:** No, I'm not. I'm just genuine, as I always am, in seeking to understand how many applicants may wish to move to the streamlined pathway and what discussions have been had—

**Mr Kaiser:** Sure. We'll take it on notice.

**Senator HENDERSON:** to either facilitate that process or to have various other discussions related to that. It just reminds me of the questions I asked earlier in corporate about why there were no minutes taken in relation to the Treasurer's economic roundtable and the associated roundtable that was held by the department. Could I also ask on notice for any meeting notes or other informal notes made by any attendee or anyone else in relation to that roundtable too? It is very surprising that there would be no notations made, even if they were not formal minutes.

**Senator Watt:** How is that different to the previous question you asked about that?

**Senator HENDERSON:** What I asked for earlier was minutes.

**Senator Watt:** Now you're asking for notes.

**Senator HENDERSON:** Now I'm asking for any informal notes. That's right.

**Senator Watt:** Made by departmental attendees?

**Senator HENDERSON:** That's right, or any other notes in possession of the department or the minister's office. Can I ask how many renewable projects you expect to be submitted in the first six months after the new laws come into effect?

**Mr Kaiser:** Expect to be submitted?

**Senator HENDERSON:** Yes. Do you have any—

**Ms Parry:** We have a current pipeline of 159 renewable projects in our current assessment pathways. It would be unknown to us how many would be coming when the new laws come take effect. Again, that comes down to individual proponents' decisions.

**Senator HENDERSON:** I guess I'm asking because I'm interested in knowing whether some potential applicants are holding back until the new laws come into effect. Do you have any indication of that at all?

**Ms Parry:** No, we don't.

**Senator HENDERSON:** I guess I go back to the question that I raised earlier. The Prime Minister made claims that approvals will go from years to months and from months to weeks. Obviously, the new laws are not yet in effect. What evidence do you have to support that claim?

**Ms Parry:** I will ask my colleague Mr Gaddes to go through and highlight those aspects of the reforms that were specifically designed to speed up approval processes.

**Senator HENDERSON:** I'm specifically asking in relation to the Prime Minister's claim that approvals would go through within weeks. What evidence—

**Senator Watt:** It's probably more appropriate for me to answer a question about the Prime Minister's statements. I don't think even you are suggesting that the Prime Minister claimed that every single project will be approved in months rather than years, but he was making the general point that these reforms will speed up the processes for assessments and approvals and will dramatically reduce the timeframe for those assessments and approvals. That will happen because of a number of the reforms contained. We were talking earlier about bilateral agreements with states and territories. If we can enter, as we intend to, into an agreement with a particular state where, rather than a project requiring an assessment and approval by both levels of government, a state government can do an assessment for itself and for us that will shave years off a process, and it would shave further time off once we get to approval bilateral agreements. There's another option available that is known as strategic assessments. There's another option available that is known as regional plans. All these processes are designed to shave off significant amounts of time from the assessment and approval processes while still ensuring that environmental protections remain strong.

**Senator HENDERSON:** Is there any way of knowing how many bilateral agreements you'll have in place by the commencement of the new laws?

**Ms Parry:** We already have five bilateral agreements in place, so we are continuing to update those bilateral agreements when the new laws come into effect and enter into new bilateral agreements.

**Senator HENDERSON:** That's what I'm talking about: the new bilateral agreements. Can you give us any information about when those new bilateral agreements will be in place?

**Senator Watt:** We had an extended discussion with Senator Smith about this. I don't know if you were in the room at the time, Senator Henderson, but we made the point that it's unlikely that any of the new agreements will be reached until the new national environmental standards are finalised, because those agreements are based on those standards. The aim is to finalise a number of those standards over the next few months, but negotiations have already begun with a number of states about agreements. We want to get it done quickly.

**Senator HENDERSON:** Chair, I might hand over to Senator McDonald.

**CHAIR:** I'm on the cusp of sharing the call with Senator Pocock.

**Senator HENDERSON:** I thought I had a little bit of time that I could hand over to Senator McDonald.

**CHAIR:** You can have three minutes, Senator McDonald, and then I'll move the call, unless you'd like me to come back to you in the usual round.

**Senator McDONALD:** You can come back to me.

**CHAIR:** Senator Pocock.

**Senator DAVID POCOCK:** I'm interested in if any work is happening in anticipation of the sunset of the RFA exemption under the EPBC Act from mid-2027.

**Senator Watt:** 'Yes' is the short answer, and we can take you through it.

**Senator DAVID POCOCK:** I understand this would be you and DAFF. Who's leading that?

**Senator Watt:** When it comes to the accreditation process that's now required of RFA, I think it would be fair to say that this department is leading that work. DAFF is obviously involved. DAFF also has other responsibilities, along with the department of industry, around the Forestry Growth Fund.

I received another briefing from Mr Manning and Mr Knudson about this just last week, so why don't I let them take you through where we're at.

**Mr Knudson:** It's absolutely a joint piece of work. We have different responsibilities under it, but we're doing this joined up. We're meeting with all stakeholders together. That's because the industry and/or other groups have different concerns, and we want to make sure we deal with them comprehensively. We've already begun stakeholder meetings with the sector, and we've had a number of meetings with the relevant states and will continue to do so. We're building a work program that will run most of 2026. We will want to make these decisions as soon as possible to give certainty to the community as a whole, and we're absolutely proceeding at pace.

**Senator DAVID POCOCK:** At this rate, do you see the process of replacing the exemption with an accreditation being fairly seamless?

**Mr Knudson:** It's going to be a decision by each individual jurisdiction about what sort of approval they would like. There are three possible pathways for them. There is accreditation, as we were talking about with the bilateral agreements—a version of that—there is a regional plan and there is also a strategic assessment. Each of the jurisdictions is considering which one they want to pursue, but we're working collaboratively with them. The protections will be the same, effectively; it's just a question of which process they want to use.

**Senator DAVID POCOCK:** So that's New South Wales and Tasmania?

**Mr Knudson:** It's New South Wales, Tasmania and also WA.

**Senator DAVID POCOCK:** WA?

**Mr Knudson:** They still have an RFA in place, even though they've ceased native logging.

**Senator DAVID POCOCK:** Okay. So Victoria has no—

**Mr Knudson:** No. They've surrendered their accreditation.

**Senator DAVID POCOCK:** Could WA continue logging under an accreditation? What happens there?

**Mr Manning:** Western Australia has an active RFA. They describe their current logging operations as 'ecological thinning'. That's how they characterise them. We're looking at that, obviously, according to the same criteria as everything else. But, yes, they could certainly continue those operations under the arrangements once we've worked through the process Mr Knudson was outlining.

**Senator DAVID POCOCK:** Could New South Wales and Tasmania continue logging under one of the three streams that they could choose?

**Mr Manning:** Yes. It's the same. We're working through the states to support them in that. The process they will run will support their logging operations, but it's about making sure that they meet the standards set out in the new act.

**Senator Watt:** The key change, I guess, is that the change we made through the EPBC law was not to stop forms of logging but to ensure that forestry activities undertaken under RFAs will now be required to meet national environmental standards.

**Senator DAVID POCOCK:** When will those standards—

**Senator Watt:** We're currently preparing those standards. Two of them are draft standards—for matters of national environmental significance and for environmental offsets—which have just finished public consultation. They'll be regulations, so there will then be some statutory consultation, which we discussed with Senator Smith earlier. The aim is to have a number of those standards in place by 1 July, remembering that it's not until 1 July next year that the existing exemption sunsets for RFAs.

**Senator DAVID POCOCK:** Minister, do you expect native forest logging to continue and to be able to meet the new national environmental standards?

**Senator Watt:** That will be determined as part of this process. What I've said repeatedly is that this is not intended to end native forestry. But any native forestry that continues beyond 1 July next year would need to meet the national environmental standards.

**Senator DAVID POCOCK:** Do you expect the industry will need a transition package?

**Senator Watt:** At the time we announced these changes, we also announced our \$300 million Forestry Growth Fund. That's being led by DAFF and the industry department. Half is grants; half is concessional finance through the National Reconstruction Fund. That is intended, more than anything, to lift the value adding of the forestry sector and to help it move into higher value products. The kinds of examples we provided at the time included mills seeking to upgrade their equipment such that they can process plantation timber in addition to any native timber that they process. It might be to enable them to manufacture higher value products. It might be to help them train their staff to use that equipment. The fund is still under development, and those departments can probably tell you more about that.

**Senator DAVID POCOCK:** Is the intention of the fund to help transition away from native forest logging?

**Senator Watt:** We're not really taking a policy position that we want to end native forestry or grow it or keep it the same. What we're about is strengthening the forestry sector and strengthening the environmental standards that apply to it. So I guess it will be a matter for individual operators and individual states as to what level of native forestry they undertake going forward once they can demonstrate that those operations meet the national environmental standards.

**Senator DAVID POCOCK:** But you have a policy objective of no new extinctions. We know that native forest logging poses a huge threat to forest-dwelling species in this country, and we have a plantation industry which is doing well and could probably do with the investment. Why won't you take a policy position to say that this native forest logging industry goes directly against our commitment for no new extinctions and we're going to transition to plantations? Why won't your government do that?

**Senator Watt:** As you would know, that transition is already occurring via the market moving towards more plantation timber. There's been over the last decade a continued fall in the amount of native forestry that's occurring. But our position is that requiring native forestry and plantation forestry that occurs under RFAs to meet national environmental standards will deliver a stronger environmental outcome.

**Senator DAVID POCOCK:** To finish, I've got some questions about rabbits. I'm just interested in what's happening in terms of funding biocontrols. It seems to me like we've dropped the ball on this as a country. Rabbits are a threatening process for a number of species like bilbies and others and also a threatening process for some ecosystems. In asking questions of CSIRO, they've basically said they'd need \$3 million and 10 years to deliver the next virus biocontrol. I am just interested what's happening in the department. Why are we in this situation where we have no virus on the horizon and exploding rabbit populations?

**Senator Watt:** Dr Fraser might be well placed to answer this.

**Dr Fraser:** Sorry, I was just rushing to the table. Could you repeat the nub of your question?

**Senator DAVID POCOCK:** How is it that we're in a situation where we're at least 10 years away from the next rabbit biocontrol as a country that has a history of rabbits being a huge issue? How has there not been funding for it?

**Dr Fraser:** I will have the first cut of this question, but I suggest you take the question to my colleagues in the department of agriculture tomorrow, because they're the Australian government lead on the biocontrol work for rabbits. But it is correct that rabbits threaten many threatened species. Probably across the board they're the invasive species which impacts the most. They're not necessarily the most significant impact, but impacts are across agriculture and other sectors as well. I do believe there's funding at the moment supporting biocontrol for rabbits, and I think that's in the order of \$1 million through until June of this year. Again, it would be good to talk to my colleagues in the department of agriculture around this. That includes \$500,000 to co-invest in the next phase of the biocontrol research and also just over \$500,000 to monitor the efficacy of current viruses in suppressing rabbit populations. In the meantime, from our department's perspective we're also funding, as we tend to for invasive species, individual projects where rabbits and other invasives are having an impact on matters of national environmental significance. Our funding tends to focus, in a project way, on being most strategic to protect threatened species and threatened ecological communities from rabbits but other invasive species as well.

**Senator DAVID POCOCK:** I guess my question comes down to strategy. I'm being told it'll be \$3 million to develop the next biocontrol virus. Here in the ACT if you add up the NCA and the ACT government's investment just in the last 12 months, it's almost \$1 million just on rabbits. I think this is some sort of collective insanity where we don't actually collectively invest in the thing that will work at a continent scale. Does anyone in the department know when more money was requested for rabbit biocontrol?

**Dr Fraser:** Again, I think it's best to take that question to the department of agriculture.

**Senator DAVID POCOCK:** I've asked them. But in terms of being a threatening process I'd assume that you guys would say to them, 'Hey, this is a pretty big deal. Can we look to fund some research in the space and get CSIRO working on the next virus?'

**Dr Fraser:** I can try and take that question on notice. However, I'm aware that for quite some years now CSIRO and other stakeholders have been saying biocontrol needs constant investment. Rabbits are a quick-breeding species, so you need to be working continually on biocontrol agents and evolving those. I think this has been on the radar for many years now, and as that funding has come to an end through that original program, there have been many conversations about that. Again, even though rabbits are a key threatening process, we haven't been the lead in that biocontrol work, but we do liaise with our department of agriculture colleagues on that matter.

**Senator DAVID POCOCK:** This may be one for the minister. Minister, we all know rabbits are a big issue. How come we aren't investing in that ongoing research?

**Senator Watt:** I'm not sure that that's the case. What I've heard is that the department of agriculture have a primary role in this, so why don't we compare notes with them and give you a comprehensive answer, because it may not be quite the picture you're receiving.

**Senator DAVID POCOCK:** Sure. I'm just going off QONs from them and CSIRO.

**Senator Watt:** Yes. So we'll take that on notice and work with them to get you a comprehensive answer.

**Senator DAVID POCOCK:** Okay.

**Dr Fraser:** On that, I do know that the Environment and Invasives Committee, which is part of the national biosecurity apparatus, is meeting this week, and that's one of the many things they'll be discussing. It's a constant point of discussion on rabbit biocontrol.

**Mr Knudson:** Senator, I'll just go back for a second to your question on the RFAs. The minister has mentioned the application of the standards. There are also two things in the legislation already that are really relevant. One is the test of not having an unacceptable impact. The layman's way of saying that is that you can't drive a species extinct in the wild in the country by your undertaking of an action. So your point about a number of species being at risk within forestry is very relevant for that. The second test is the requirement to have a net gain. So we'll be working with the state and the forestry corporations to take a look at what they've already put in reserve and what additionally might be required—their forestry practices et cetera—to make sure those two tests are met.

**Senator DAVID POCOCK:** Just on your first test, does that include the cumulative impact?

**Mr Knudson:** It absolutely does, because it's talking about the status of the species in the wild in the country. So, by definition, it's looking at everything that's happened to date and at how you make sure you have a viable population going forward.

**Senator DAVID POCOCK:** Then, just finally—I know we're coming up to lunch—on forestry, do you have any visibility over the methodology put forward by the New South Wales government and its passage through ERAC?

**Mr Knudson:** It is being led by our climate area, but we work very closely with them. There's an interoperability, if I can put it that way, between the Nature Repair Market and the ACCUs market. So we do have some visibility of that, but it's principally being led out of our climate area, which will be on later on today.

**Senator DAVID POCOCK:** Yes. I'll come back for that. Thank you.

**CHAIR:** Thank you, Senator Pocock. We'll take our lunchbreak now and will return at 1.45 pm. I'm in a position to release the Inspector-General of Water Compliance from this afternoon's estimates. Thank you very much.

#### **Proceedings suspended from 13:02 to 13:47**

**CHAIR:** Thank you, all. We'll commence our session. We are still in outcome 2.1 and endeavouring to move swiftly through. We are a little bit behind the program already, but I am in a position now to release officials from the Australian Institute of Marine Science and the Great Barrier Reef Marine Park Authority, so we will pick up that time. But, in an effort to keep us moving along, I'm going to slightly shorten the blocks of questions. I'm just putting senators in the room on notice. On that point—

**Senator Watt:** Sorry, could I just check—before lunch, was it just the inspector-general you released, or was there someone else?

**CHAIR:** It was just the inspector-general.

**Senator Watt:** No problem.

**CHAIR:** Now, it's the Australian Institute of Marine Science and the Great Barrier Reef Marine Park Authority. With that, Senator Smith.

**Senator DEAN SMITH:** Can I ask some questions about the Savanna fire management method here?

**Senator Watt:** That's probably under climate.

**Senator DEAN SMITH:** Okay. And we're not there yet? We're not there yet.

**Senator Watt:** I'm happy to move there.

**Senator DEAN SMITH:** I might just need a moment to regroup. Sorry, Chair.

**Senator Watt:** Senator Smith, would it help if government senators just did 10 minutes to give you an opportunity—

**Senator DEAN SMITH:** I might be here now, but, if Senator O'Neill wants to go first, I'm happy for her to. I might just gather my thoughts.

**Senator O'NEILL:** I'm just here to—

**Senator DEAN SMITH:** Observe?

**Senator O'NEILL:** attend to your fame! Yes.

**Senator DEAN SMITH:** Can I ask some questions about land clearing?

**Senator Watt:** You can.

**Senator DEAN SMITH:** Excellent. I understand that a hotline has been established to assist farmers with queries with regard to land-clearing matters.

**Senator Watt:** Yes, that's correct.

**Senator DEAN SMITH:** How long has the hotline been in operation for?

**Ms Parry:** I'm going to ask one of my colleagues to come up—

**Mr Wyndham:** I've got this one.

**Ms Parry:** That's exactly who I was looking for. I thought you were Shane. Look at us, all organised! Fire away, Tim.

**Mr Wyndham:** New rules commenced in December last year. Since that time, what we've had operating is an arrangement whereby the department contact centre puts people who have concerns about land clearing in touch with experienced assessment officers so that they can work through the particular cases or particular actions that they're looking at and potential environmental impacts, essentially helping people to comply with the rules.

**Senator DEAN SMITH:** Help me understand how it works from a process point of view. There's a telephone number that farmers can ring?

**Mr Wyndham:** That's correct.

**Senator DEAN SMITH:** And what is that telephone number?

**Mr Wyndham:** That telephone number is 1800 920 528.

**Senator DEAN SMITH:** The acoustics in this room are terrible. That number was 1800 920 528, was it?

**Mr Wyndham:** That's correct.

**Senator DEAN SMITH:** And it has been operating since December?

**Mr Wyndham:** That's correct. That phone number is actually the department's contact centre. That has been operating for many years. But the specific arrangement in relation to land clearing has been operating since 4 December.

**Senator DEAN SMITH:** How is the issue triaged when someone calls the departmental contact centre?

**Mr Wyndham:** I don't have the specifics of exactly how the contact centre deals with the range of different issues. But, essentially, again, in relation to land-clearing issues, there's a call forwarded on to an assessment officer if that assessment officer is available. More likely, the contact centre takes that person's name and number and the issue that they want to deal with, and they receive a call back from an assessment officer. The timeframe for that call back has been ranging between one and two days mostly and up to a week at the longest.

**Senator DEAN SMITH:** So how many calls have been received from farmers at the departmental contact number with land-clearing questions or concerns?

**Mr Wyndham:** Around about 180.

**Senator DEAN SMITH:** 180?

**Mr Wyndham:** That's correct.

**Senator DEAN SMITH:** And how many of those have received an answer to their query?

**Mr Wyndham:** All but six as of Friday had received a call back on the issues that they had raised.

**Senator DEAN SMITH:** What has been the longest duration that an assessment officer has taken to call back on an inquiry?

**Mr Wyndham:** As I said, I understand most have been within one to two days. I have heard a report of up to six days. But I'll take that on notice just to confirm for you as well.

**Senator DEAN SMITH:** On notice, if you could, just confirm the number of calls that have been received, the range of time in which it has taken to respond—one day through to six—and what has been the maximum time taken to respond to a query, for which there might have been a justifiable reason. So confirm that if that's available as well. The departmental contact number operates from when to when?

**Mr Wyndham:** Nine to five, I believe, but I will confirm that for you.

**Senator DEAN SMITH:** Nine to five eastern standard time?

**Mr Wyndham:** That's correct.

**Senator DEAN SMITH:** So a Western Australian farmer would have to ring between 6 am and 2 pm.

**Mr Wyndham:** That's my understanding, but, again, I'll check and confirm on notice.

**Ms Parry:** I want to add one point. The contact centre is not the only means by which landholders can obtain information related to the reforms. The contact centre is one avenue, but we also have FAQs on our website. There's been a webinar for members of AgForce and the National Farmers' Federation, which was recorded and distributed very widely. There are also instructions on using the Queensland Globe mapping tool to check the age of vegetation et cetera. So we are using a number of different mechanisms to reach those affected.

**Senator DEAN SMITH:** In previous evidence there was some discussion about how information had been provided to landholders. Can you share with the committee?

**Mr Wyndham:** You're referring to evidence earlier this morning—is that correct?

**Senator DEAN SMITH:** I think it was in previous evidence actually. Mapping information?

**Ms Parry:** Sorry?

**Senator DEAN SMITH:** Just ignore that question from me. Starting again, what information and how has the information been dispensed to landowners?

**Senator Watt:** I think it's pretty much what Ms Parry just said. There's guidance material on the department's website and a webinar, in addition to the phone service for people who have specific inquiries. I've met with AgForce. Others have met with other stakeholders who are also assisting getting information out as well.

**Senator DEAN SMITH:** What mapping information is made available?

**Mr Wyndham:** There are a range of mapping products available depending on what people need. In relation to the changes to laws commencing December, what we have done is provided instructions for how to use Queensland Globe, which is a state mapping service, to identify those areas that are affected by the new provisions. We're also in the process of developing instructions for how to use Google Earth for a similar purpose but covering the other states. Then, my colleagues earlier talked about the mapping information that's available about species, in the event that people do find themselves needing to go through a full assessment and approval process.

**Senator DEAN SMITH:** Of the 180 calls that have been received, how many were about site-specific assessments?

**Mr Wyndham:** I don't have a specific number, but I imagine that most of those calls relate to a specific landowner seeking to undertake a particular action. To give you a sense of the nature of those calls, from our perspective, we're trying to make sure that everybody understands the rules and then help them comply. The best thing we can do for people is help them locate or manage a particular activity so that it doesn't have an impact on species and it doesn't need an approval. So that's the approach that we've taken to those calls. But, as I said, people do come in for lots of different reasons. To give you a sense of it, most have been asking questions in relation to self-assessment and referral and approval. Some have been about mapping. Half the questions have been in relation to the 15-year rule, which we were discussing earlier on, and then there are a range of definitional issues around exactly what land clearing is—'does thinning count as land clearing?' and so on. We talk with those

people, try and understand the circumstance that they're dealing with, the activity, and provide advice on how best to proceed.

**Senator DEAN SMITH:** Do you keep any information about how long the assessment officer spends with an inquiry?

**Mr Wyndham:** I'll take that on notice. What I would say is that, where a person calling has required extensive information, there have been follow-ups I believe the outcome of most of those calls has been that the person has been satisfied. In some cases there has been a need for more-granular work around the self-assessment. In those cases we have provided access to an assessment officer to work through a structured self-assessment, using a template, and we're providing advice back to those people to understand the best options for next steps.

**Senator DEAN SMITH:** How many of those case officers are there? When an inquiry comes through, it gets discussed, it gets understood. But then there might be some granularity that's required in that self-assessment process. Are there specialised case workers or case officers?

**Mr Wyndham:** There are nearly 400 people in the division that looks after assessments and approvals. There is some specialisation within that group. There are branches that focus on particular states—in this case, a lot of focus on Queensland. Within that, though, there are particular officers who have extensive experience in and around land clearing, looking at environmental impacts in regional areas particularly. Obviously they're best placed to provide advice. Our ambition is to connect landowners with those experienced assessment officers who are most appropriate to the circumstance.

**Senator DEAN SMITH:** Can you explain to me again the mapping exercise? There's a Queensland tool, but then you said you were working up other tools for other jurisdictions. Did I understand that correctly?

**Mr Wyndham:** That's correct. Most of the calls—more than 95 per cent of calls that we've received—have been from Queensland, so we have focused on that area. We know that land managers in Queensland are familiar with the Queensland Globe service provided by the state government. In an effort to make it as simple as possible, we provided instruction for people on how to use Queensland Globe to identify those areas that are affected by the new provisions. That solution obviously only works in Queensland. As I said, we're also looking at how people can use Google Earth to achieve the same thing in other states.

**Senator DEAN SMITH:** What's the level of satisfaction with the Queensland maps that are available at the moment?

**Mr Wyndham:** I understand that people are getting the answers they need at this stage. But this is a phase where we know that people are uncertain about the rules. So we're being very active in providing the help that is required, and we'll calibrate that as needed from here.

**Senator DEAN SMITH:** Are you expected to go back to the 180, at the moment, and just do an assessment in terms of the level of satisfaction that people had with the response that was given to them? I can understand that people may be satisfied when they make the inquiry, but then they go away and subsequently go through the process. They might have different satisfaction rates, having gone through the process.

**Mr Wyndham:** I understand. We don't have a formal process for doing that. The thing we have been active in since December is meeting regularly with peak bodies from the ag sector, and they have been a very useful channel for understanding the extent to which people understand the rules and what parts of the process are difficult. We'll continue to rely on that feedback loop as we calibrate the level of help we're providing to the sector.

**Senator DEAN SMITH:** And the engagement with DAFF?

**Mr Wyndham:** Yes. We've been speaking regularly with DAFF. They have been attending meetings that we have with the ag sector, so there's a very good connection there.

**Senator DEAN SMITH:** One last query on the departmental contact line: how long is it intended for that to operate? Or is it an indefinite service at the moment?

**Mr Wyndham:** This is a service that the department provides in an ongoing way. People can call us, regardless of sector, for help with environment assessment and approvals. That's an open offer. And, as I said, we'll continue to provide focused support to the ag sector for as long as that's needed, to ensure a good level of understanding and compliance.

**Senator DEAN SMITH:** So 95 per cent of those 180 are Queensland oriented?

**Mr Wyndham:** That's correct.

**CHAIR:** Thank you, Senator Smith. Senator Ananda-Rajah.

**Senator ANANDA-RAJAH:** I have a question relating to compliance activities. What kinds of activities has the department undertaken to provide awareness of changes to the continuing use exemption under the new reforms?

**Mr Wyndham:** That relates exactly to the issue that Senator Smith was raising. As I said, the general frame that we bring in a moment like this, where it's become clear that some part of the economy, some groups or some communities don't quite understand the rules, is that it's really important that we're leaning into education and that people understand the rules. So we've been seeking to convey as much information as we can and to deal with frequently asked questions and so on through regular meetings with peak bodies from the ag sector as well as through other channels like state governments and catchment management authorities. As I said, it's twofold: we're seeking to help people understand the rules and then we're seeking to help people comply. That's really where the contact centre comes in, seeking to work through the specific cases that individual land managers are dealing with. Obviously, there are some cases of potential noncompliance, and the department does receive reports. Within that context, I think that it's useful to throw to my colleague Ms Yannopoulos about the compliance approach.

**Ms Yannopoulos:** In terms of the compliance element, as my colleague said, prevention is key. We're about protecting the environment, so prosecuting our way out of it is not where we want to be. But unrefereed illegal land clearing is one of our compliance priorities, and it is something that we look at in a risk based and informed way. We use the data and we use allegations from the public. We've had a pilot into the National Vegetation Monitoring System that brings up events for us so that we can have a look at it. We're in the early phases of the changes of the reforms, so education and awareness are first and foremost, but deliberate noncompliance will not be put up with and we will use the full force of the law where we find it.

**Senator ANANDA-RAJAH:** I understand that, since even before the changes to the EPBC Act, clearing of native species has been a focus of the department's compliance efforts. Could you outline what work that has uncovered.

**Ms Yannopoulos:** In terms of the outcomes that we've achieved?

**Senator ANANDA-RAJAH:** Yes.

**Ms Yannopoulos:** Overall, I've just got some headline figures that show that there's been investment in compliance resources and we've had significant results that are higher than in the last two years. We've issued 75 infringement notices, which is over seven times higher than in the two years prior. We've issued 40 directed variations to deal with noncompliance, which is 10 times higher than the two years before. We've undertaken 19 arrests relating to illegal wildlife trade, which is more than four times higher than the two years prior. And we've issued 112 warning letters, which is four times higher than the two years prior. So, as you can see, we've made a concerted effort in the last 12 months.

**Senator ANANDA-RAJAH:** That's impressive. What's the impact of illegal clearing on the environment?

**Ms Parry:** One of the quotes that I used previously was, I think, habitat loss and clearing of habitat account for about 60 per cent of threats to endangered species. So we know that there's a direct link between habitat loss and threats for species survival. That's why compliance and land clearing are a focus in the reform—to bring that sector on an equal level playing field with other sectors—and why it is within our compliance and enforcement priorities.

**Senator ANANDA-RAJAH:** Can I confirm that these changes to the continuous use provision clarify the way that this provision has always been designed to operate—for example, with regard to activity that has increased in scale or in intensity.

**Mr Wyndham:** I can talk through the rules that have applied since 2000 and then give some clarification on the specific change that commenced in December. Under the rules that have operated since 2000, a land manager is exempt from needing an approval if it's a continuous use. Essentially, if it was happening before the act started, that person shouldn't need approval to continue afterwards. That exemption was always limited by provisions around no intensification and activities not expanding, and, if the activity changed in location or nature, then it wasn't covered by the exemption if the impacts increased.

The change that's coming in with the 15-year rule really just clarifies that if land clearing hasn't occurred in 15 years—it's a simple rule—then, actually, the continuing use exemption does not apply. From that perspective, it is more straightforward, albeit I do know that it has created some confusion in the sector that we're seeking to clarifying. To be really clear, it's just about whether the exemption applies. The 15-year rule does not apply to how impacts are assessed or managed after that point.

**Senator ANANDA-RAJAH:** With respect then to landholders, how do we ensure that they aren't going to be subject to compliance activity? We've talked about the challenges of diffusing that sort of knowledge down to the base, right?

**Ms Parry:** I think, as Ms Yannopoulos indicated, our No. 1 priority is ensuring that people have the information they need in order to comply with the law. Compliance efforts can take a full spectrum from education through to full prosecutions, so we're putting a lot of effort into making sure proponents fully understand their obligations under the law. But, when there are wilful acts of contravention of the law, the law will be applied.

**Senator DEAN SMITH:** Could I just make a similar point? There's also the proximity to a watercourse. Is it 50 or 75 metres? I think it's 50.

**Ms Parry:** It's 50 metres.

**Senator Watt:** This is in the reef catchment only.

**Senator DEAN SMITH:** Right. Gotcha.

**Senator Watt:** There are effectively two changes. One is about regrowth, which is national, and one about clearing near water courses in the reef catchment.

**CHAIR:** Senator Henderson.

**Senator HENDERSON:** I wanted to ask you, Minister, about the new EPBC legislation which blocks projects from streamlined pathways—by referencing that I mean gas projects—yet Australia needs to bring in more gas if we're to address the demand for gas and the shortage of baseload power. Did you consult the resources minister at any point in the development of that deal? This, of course, was a deal that was made with the Greens in order to pass this legislation.

**Senator Watt:** I would need to go back and check what consultation happened around that, so can I take that on notice?

**Senator HENDERSON:** Your resources minister has been very, very strong in her support for gas, including the Future Gas Strategy. She said, very clearly:

... we will need continued exploration, investment and development in the sector ...

She's made it very clear that gas will remain an important source of energy through to 2050 and beyond. It just seems extraordinary that you would seek to exclude gas from streamlined pathways when this is such an essential source of energy in this country.

**Senator Watt:** Well—

*Senator Hanson-Young interjecting—*

**Senator HENDERSON:** Sorry, Senator Hanson-Young.

**Senator HANSON-YOUNG:** Keep exporting it at massive levels—

**Senator HENDERSON:** I have the call. Could you not interject, please?

**Senator HANSON-YOUNG:** Let's tax it.

**CHAIR:** Senator Hanson-Young.

**Senator Watt:** You may have seen my comments at the time the legislation was passed when this issue came up. The point I made and continue to make is that the reforms to the EPBC Act—I have to say, the opposition voted against it, so it would seem that you didn't want any streamlining of approvals given you voted against the laws. Those laws will speed up the assessment and approval of projects across the board—

**Senator HENDERSON:** Minister—

**Senator Watt:** Hang on. I haven't finished. In addition to that—

**Senator HENDERSON:** Well, I've asked you to address my question which is about gas.

**Senator Watt:** I was trying to answer your question. All projects, regardless of the industry, will benefit from the faster approvals and assessment processes contained in the reforms that you voted against. That includes things like the bilateral agreements that we were talking about earlier, strategic assessments and regional planning. In addition, there was a streamlined approvals process included in the legislation, which we did exempt coal and gas projects from, but, as I say, all projects, regardless of their industry, will benefit from the faster approvals overall.

There's another point worth making, specifically regarding gas projects—and I'm going to need a bit of help here because of the technicalities—and the streamlined assessment pathway we retained. Could you just say a little bit about that? It's not PID? There is an acronym.

**Mr Wentworth:** In addition to that, the assessment pathway the minister's referring to is that we kept the assessment on the preliminary documentation pathway, which is one of the fastest pathways that currently exists.

**Senator Watt:** PD.

**Senator HENDERSON:** I'll go back to my question, though. Minister, I find it extraordinary that you don't remember whether you've had a conversation with the minister for resources about excluding gas from streamlined projects, which is a very, very dramatic decision, which was not your original proposal, for all the right reasons. Are you telling this committee you cannot remember whether you've discussed this with the minister?

**Senator Watt:** What I want to confirm is whether conversations that were had three months ago were between me and the minister or between my office and the minister's office. That's what I want to confirm. What I find extraordinary is that the opposition voted against the bill altogether to stop stronger environmental protection and to stop faster approvals. So I don't know why you're now concerned.

**Senator HENDERSON:** I'm just interested in the answers to my questions. Minister, did you consult with the resources minister at any point in time?

**Senator Watt:** Regarding the reforms?

**Senator HENDERSON:** No, regarding the deal—the dirty deal, I would say—with the Greens to exclude gas. I say this because how can the government reliably and credibly claim to support affordable energy, manufacturing and grid reliability while locking gas projects out of fast-tracked environmental approvals as a political concession to the Greens?

**Senator Watt:** Well, Senator Henderson, you might recall that your own parties were on the way to the complete disarray that we see before our eyes now back in November.

**Senator HENDERSON:** I would like you to address my question rather than the politicking.

**CHAIR:** Senator Henderson, there was a political gloss on your question that the minister is entitled to respond to and be heard on.

**Senator HENDERSON:** I didn't ask him about us, Chair.

**Senator Watt:** We attempted to reach an agreement with the then coalition, as in coalition version 2 rather than coalition version 3 that we're up to now. We attempted to reach an agreement with coalition version 2. Senator McDonald knows that because she was part of those negotiations, along with at least two other colleagues, because I couldn't work out who was negotiating for the coalition. So it's no surprise that we ended up reaching an agreement with the Greens party.

**Senator McDONALD:** This is appalling! This is a misrepresentation of our conversation, Minister. This is a misrepresentation of conversations, and it is outrageous!

**CHAIR:** Senator McDonald, Senator Henderson.

**Senator HENDERSON:** You should not be doing that, Minister. No, you should not be doing that!

**CHAIR:** This committee will come to order! Senators! We're all senators in this room, including the minister. This committee will come to order.

**Senator HANSON-YOUNG:** Finally, some unity in the coalition.

**CHAIR:** Senator Hanson-Young, please. Senators, we had a moment of silence. The call is coming back to me. What has happened here in my assessment as the chair is that there is a political proposition around the passage of the legislation that's been put—

*Senator Hanson-Young interjecting—*

**CHAIR:** No, just let me finish. The minister is responding to that proposition. I appreciate that there are differences of view on this. We need to come back to the process of asking questions and answering them, and that's where we'll go to now. I think we've got to the end of that particular exchange. Senator Henderson, do you have another question?

**Senator HENDERSON:** Minister, how can the government credibly claim to support affordable energy, manufacturing and grid reliability while locking out gas projects from fast-tracked environmental approvals? Because, at the end of the day, this was the deal that you did with the Greens.

**Senator Watt:** I've explained why we reached an agreement with the Greens, and that was because we were incapable—or your parties were incapable of reaching an agreement with us.

**Senator HENDERSON:** I'm asking about gas, the impact on the gas industry.

**Senator Watt:** I'm not sure whether it was your office that I saw three Angus Taylor supporters emerging from, just as we returned from the lunch break, Senator Henderson. They were certainly coming from the Senate side of the building.

**Senator HENDERSON:** Chair?

**Senator Watt:** We were unable to reach an agreement, because the coalition version 2—

**Senator HENDERSON:** Minister, you are out of order.

**Senator Watt:** I'm just telling you what I saw.

**Senator HENDERSON:** Firstly, don't reflect on me and where I might move in this building—which was wrong. So you've made a false allegation. Secondly—

**Senator Watt:** I'm saying that I saw three Angus Taylor supporters from the House emerging from the Senate side of the building.

**Senator HENDERSON:** rather than having these snide comments, you are required to stick with the standing orders, which require you to answer questions directly relevant—

**Senator Watt:** If we are to reach an agreement with coalition version 1, version 2 or version 3—

**Senator HENDERSON:** No, you're a complete smartypants, and I—

**Senator Watt:** we need to understand what your position is, and we were unable to understand what your position was. [inaudible] your position.

**CHAIR:** Senators! Come to order now. I will take the call back once more. We're into this thicket once more. Ultimately, the question was about the politics of a deal that was done in order to pass legislation. The minister is responding to that question. To the extent that the minister can keep his remarks confined to the nature of the deal and the process or to the substance of the question that was asked, that would be great. But the minister is being relevant, given the political nature of the question.

**Senator HENDERSON:** Thank you, Chair. I've got another question—

**Senator Watt:** Senator Henderson, I've answered your question by saying—

**Senator HENDERSON:** No, you haven't actually.

**Senator Watt:** Well, let's rewind five minutes, to where I said all industries and all projects will benefit from the reforms that we undertook—that you voted against—to streamline approvals. In addition, there is a separate streamlined approvals process that is provided for a range of industries, not including coal and gas. And that was the terms of the arrangement we reached with the Greens, partly because we were incapable of working out what your position was. But all industries will benefit from the changes to the laws around streamlined approvals, and Mr Wentworth has explained one of the other streamlined processes that are used by the fossil fuels sector, particularly gas, which has been retained.

**Senator HENDERSON:** Minister, I would suggest that, if you were incapable of working out our position, you weren't listening. Did you consult with the gas—

**Senator Watt:** Not everyone here wants me to talk about the meetings that I had with members of the coalition version 2.

**Senator HENDERSON:** Can I please finish my question?

**Senator Watt:** Hours of my life I will never get back!

**Senator HENDERSON:** Stop interrupting me, Minister. You are very disrespectful. Did you consult with the gas industry during your development of this deal to exclude gas from streamlined projects? And was it the advice of the gas industry to you that there would be very severe consequences if gas were removed?

**Senator Watt:** We consulted for many months, and of course my predecessor, Minister Plibersek, consulted with a range of stakeholders as well. But I, my office and the department consulted with a range of stakeholders, in representatives of the resources sector, before, during and after the passage of this legislation. One of the things I remember very clearly was that, when I consulted members of the business community, including the resources sector, they agreed with me that it was very difficult for the government to reach a deal with the coalition because you were all over the shop. We had industry representatives telling us that as well.

**Senator HENDERSON:** The Business Council of Australia, which is one of the peak bodies—

**Senator Watt:** Who I met with many times.

**Senator HENDERSON:** for Australian businesses said:

... the Greens' amendments create new barriers that cut against national priorities for the energy transition, including:

- excluding gas projects from streamlined pathways and regional planning
- preventing water-trigger projects from using single-desk approvals.

Why weren't you listening to Australian businesses?

**Senator Watt:** We listened to all stakeholders. We also listened to those stakeholders when they pointed out to us that they were finding it impossible to work out what the coalition believed on this, just as we found it impossible.

**Senator HENDERSON:** We're talking about your legislation, Minister.

**Senator Watt:** Yes, that's what they were talking to us about.

**Senator HENDERSON:** The Business Council of Australia, among many others, raised serious concerns. The Prime Minister and the minister for energy have said gas supply is critical to Australia. Did you consult with the energy minister during your development of the deal that you did with the Greens?

**Senator Watt:** Again, I will want to go back and check my records as to whether I spoke personally to the minister or whether my office spoke to the minister's office throughout this. But all of my ministerial colleagues understood that I was attempting to reach an agreement with either coalition version 2 or the Greens. In the end, we reached an arrangement with the Greens, partly because we didn't know what you wanted, and you still don't know what you want.

**Senator HENDERSON:** As I said, I'd suggest to you that you weren't listening, because we have always—

**Senator Watt:** Who did I listen to of the three people I was meeting with, the nominated negotiators?

**Senator HENDERSON:** been very clear that gas is fundamental. The development of gas projects in this country is fundamental to the energy transition.

**Senator Watt:** This is now the third time that I've explained that all industries will benefit from the faster approval and assessment processes contained in the reforms that you voted against. If you're so obsessed with speeding up projects, why did you vote against a bill that speeds up projects?

**Senator HENDERSON:** Minister, I'm just going to ignore the politicking that you keep insisting on pushing to our committee. We are trying to find out the answers to proper and important questions. Chair, on this point, I think Senator McDonald has got some questions. I'll hand over to Senator McDonald.

**CHAIR:** Senator McDonald.

**Senator McDONALD:** I will just put on the record how disappointed I am that you have so cheapened our conversations—which I thought were respectful and productive—with your political comments.

**Senator Watt:** Well, you'd better talk to your colleague about the kind of questions that she was asking.

**Senator McDONALD:** Minister, I value the relationships that we develop around here to try and get things done for Australians.

**Senator Watt:** And I know you try.

**Senator McDONALD:** And I am personally really hurt that this is the way that we do business now, taking what were productive and positive conversations and turning them into a sideshow. I'm really distressed by that.

**Senator Watt:** I know you tried, Senator McDonald, and I think that was the point I was making before, but you might want to talk to your colleague about the questions she was asking.

**Senator HENDERSON:** I'm asking you—

**Senator McDONALD:** I think it was the answer that you were giving.

**Senator HENDERSON:** reasonable and proper questions, Minister, and this is a deal that you should not have done. That's the bottom line. Australian business is saying that.

**Senator Watt:** You'd better talk to Senator McDonald.

**Senator HENDERSON:** You were so desperate to get—

**CHAIR:** Senators, please come to order.

**Senator HENDERSON:** You've betrayed manufacturers. You've betrayed businesses.

**CHAIR:** Senator Henderson, come to order! Senators, I will take the call back for the moment and just explain once again that, while I know emotions run hot on this topic, in this committee it is my role to try and make sure that we run in a civil and respectful manner. I appreciate that I am not always successful in that respect, but I ask for senators' assistance in maintaining that level of decorum in this place. Senator McDonald, you have the call.

**Senator McDONALD:** I'm not sure who to direct this question to—perhaps Ms Parry. How is the department testing whether the EPBC implementation, whether existing or the new changes, is solving environmental problems? What sort of assessment process and KPIs will you have, and what resources are you putting towards that?

**Ms Parry:** In terms of environmental protection, our nine MNES are still at the core of the reforms and the legislation. So, ultimately, the protection of those is our focus, and that's what we regulate for. I think there were a couple of critical things in the reforms that will go towards that protection—the unacceptable-impact criteria, making that really explicit in the legislation. So it's creating those absolute no-go impacts on those critical matters.

**Senator McDONALD:** It's the outcomes that I'm seeking to understand. What are your measurements going to be? I understand these standards, but how are you going to know whether this legislation is being useful or whether it is just more regulation and legislation?

**Ms Parry:** There are a variety of metrics. We don't currently, under the regulation, report on the state of the environment, but we do in other metrics. Under the EPBC Act, we do not at this point. We measure statutory timeframes and compliance. We are turning our minds to how we can create some metrics in terms of environmental protection, building on the work that we already have across the department through state-of-the-environment reporting and our 30 by 30. We will look to things like the Restoration Contributions Holder and the kind of investments that are made there. We will look to the data and information that is being built up through EIA, but we don't have anything right now that I could put on the table for you.

**Mr Knudson:** Last year, all jurisdictions signed onto a national biodiversity strategy. That's driven from the international agreement to halt and reverse the loss of biodiversity globally. It's our national commitment to deliver on that. In there, as Ms Parry just mentioned, protecting 30 per cent of the country by 2030—both our land and our seas—is one of the key objectives. Another one is to make sure that sustainable development happens. That is where the legislation fits centrally, because that net gain—that is, the environment—will be better off after a project goes ahead than it is currently. It's a really key way of knowing that development is sustainable and will help towards the accomplishment of halting and reversing biodiversity loss. We've also got a fair amount of work. Another of the five key areas is on circular economy, so we're making sure waste isn't entering the environment and therefore impacting—

**Senator McDONALD:** I appreciate what you're saying, but what I'm looking for are tangible measurables, whereas these are all statements of good intention. Thirty per cent of the land locked up may or may not end up in better outcomes for the environment, until you can demonstrate the KPIs. That is what I'm asking you.

**Mr Knudson:** On each of these we will be bringing to the environment ministers in March the implementation plan associated with this. That will then report on our outcomes. To go to 30 by 30 a couple of things are really important. It is a science consensus globally that you need to have 30 per cent of your ecosystems protected to provide a reasonable base for species to deal with climate change and other impacts on them, so there is some substance behind why we have to get there. In 2022 we were at 22 per cent of the country being protected, the land mass. We're close to 26 per cent at this point, so we are making progress on exactly the type of KPIs you're talking about.

**Senator McDONALD:** I appreciate you're going to talk about the scientists going, 'This is all a great idea,' and it may well be. But what I'm seeing practically on the ground is a greater incursion of lantana, rubber vine and other invasive plants and no budget to manage those within those places. We're seeing bigger bushfires come out of them. We're seeing pigs and dingoes and other things. What I'm trying to get to is: who is actually measuring whether or not we get a better outcome, or do we just have this idea that it's going to be better? You have not been able to demonstrate a clear response, and I need to keep moving on, because the chair will call time. On notice, please provide me with that.

**Mr Knudson:** If you're agreeable, on notice I'll provide that, but one of the five other targets, on invasive species, is exactly what you're talking about.

**Senator McDONALD:** In Queensland I'm not seeing any measurement of it yet, so I look forward to that. I want to ask Ms Parry: do the current EPBC settings create new operational, economic or environmental risks for

agriculture? We've had some measurements around housing numbers. The department was able to answer a question from one of the Labor senators about how much more housing is going to be built because of the EPBC changes. What about outcomes for agriculture? Do you seek to measure those?

**Ms Parry:** I'm struggling to understand the nature of your question.

**Senator McDONALD:** Food security and production.

**Senator Watt:** I'm not sure if this answers your question, but there are not an awful lot of agriculture developments that require EPBC approval in the sense of building a new farm, undertaking fencing activity or that kind of thing. That's been the experience to date, and I'm sure we could come back to you with figures about that. As a result of the changes we've made around land clearing there will be some proposed clearing that now requires EPBC assessment and approval and did not require it in the past, and you understand why we've made that decision to do that. But we wouldn't be talking about anywhere near the same number of approvals that had been granted for agriculture projects up until the changes, because they hadn't required them.

**Ms Parry:** I've got some statistics on that. There are 11 active projects.

**Senator McDONALD:** I can give you a number of examples of projects that now don't bother applying, because the tree police and their impacts on people's businesses are now considered so stressful. I appreciate you're saying that you don't have applications. But there are projects that were approved 15 years ago, and there have been no further expansions or activities on those in that time, because there hasn't been a positive environment for agricultural expansion in those regions.

**Senator Watt:** Are you talking about agricultural dams?

**Senator McDONALD:** No; farming and converting what was previously grazing land into farming land.

**Ms Parry:** The only thing I would just go back to emphasise is the changes to the EPBC Act and the changes that we heard canvassed today around continuous use simply bring the agricultural sector in line with every other sector across the economy. We are providing support to that agricultural sector. As you've heard, we are working with them to try and make sure that they understand their obligations. But, at the end of the day, a referral is only ever required if an activity has a significant impact on a matter of national environmental significance. That's the threshold. If, after avoiding and mitigating, an activity is going to have a residual, significant impact on one of the nine matters of MNES that we regulate for, then that landholder has to refer. It doesn't even mean that it can't go ahead. It just means they need to refer it for assessment. So those are the changes that have been brought about.

**Senator McDONALD:** I appreciate that here in Canberra that all sounds incredibly reasonable, but the reason you're getting so many inquiries from farming peak bodies and producers is that that's not their lived experience on the ground. If you want to start an animated conversation in farming communities, you start talking about vegetation management and specifically the 15 years. I appreciate what you're saying sounds very reasonable here. But, for land managers who are trying to make time-efficient and reasonable decisions on their land, this is not their experience, and it is not what they believe is going to happen.

**Senator Watt:** I understand that there are some landowners who probably don't like the change that we made to the law. But you're also the shadow resources minister. If the developments of the mining companies that you deal with in that capacity are going to have a significant impact on threatened species, on the Great Barrier Reef or on the various other matters of national environmental significance, they need to have that assessed and approved under the EPBC Act. The change that we've made means that, if a farmer wants to clear regrowth that is 15 years old or more and that clearing will have a significant impact on threatened species, the reef et cetera, then, like the mining company, they need to get it assessed and approved. We know that agricultural land clearing has been a primary driver of threatened species.

**Senator McDONALD:** That's not reasonable, given the amount of regrowth that has been measured by SLATS, and that data is never reported. And you know that.

**Senator Watt:** Well, we can give you chapter and verse about agriculture and its impact.

**Senator McDONALD:** I know. That is what happens—what is only ever reported on is clearing. Regrowth, thickening and all of those other things are never reported in the same breath. Having lived the experience in Queensland, I've seen the data and I've seen the satellite imaging.

**Senator Watt:** But the point remains that farmers who want to do clearing are brought in line with mining companies, with property developers, with windfarm builders and with solar-farm builders.

**Senator McDONALD:** It's a very different activity, though—the style of the activity; the nature of the activity. And I appreciate that what you're saying sounds very reasonable. But these people who are asking me to get greater clarity, which we hoped we'd get through the legislative committee process, are telling me that this is

not how this works, that it is incredibly opaque, that the Queensland mapping system is not being acknowledged, particularly the 'white' category, and some of the other mapping criteria that's used in Queensland.

**Senator Watt:** We are working on that. That's why we're working with some of the key stakeholders. It's why we've got teams providing advice to people. We know that we've got an obligation to explain to landholders what they do and don't have to do, and that's what we're intent on doing.

**Senator McDONALD:** Alright. I'll go back to my question. Is there any measurement that is going to determine whether or not we've impacted on food security as a result of these changes?

**Senator Watt:** While the department thinks about an answer to that—over time, I presume we will be able to give you figures for the number of referrals for land clearing that are approved and rejected. There has been a change to the law, and people will now be, and now are, seeking assessments and approvals for things where they didn't previously have to. And, over time, we will be able to give you those figures. Different people will have a different view about whether that's going to be impacting on food security. Even now, when mining companies or others seek EPBC assessments and approvals, it doesn't necessarily mean that the project is blocked from happening. What is required is that they alter the design of that project or do it in some way that minimises or avoids environmental damage. And that's what our officials will be doing in working with farmers. They'll be saying: 'If you clear it in that way, like you propose, you're going to wipe out a species, for example. But if you do it this way, you can still do some farming without wiping out that species, and that would be a better way to go.'

**Senator McDONALD:** What about examples like in the North Queensland floods, where river streams are congested with lantana and rubber vine, but because they are river streams, they can't clear those streams?

**Senator Watt:** Is this because of the reef catchment issue?

**Senator McDONALD:** Yes.

**Senator Watt:** Depending on what part of the gulf we're talking about, the reef catchment obviously doesn't go all the way across to the Northern Territory border.

**Senator McDONALD:** We're talking about Ingham.

**Senator Watt:** Ingham, yes. Sorry, I wasn't thinking about Ingham being in the gulf.

**Senator McDONALD:** I know.

**Senator Watt:** In the reef catchment, it's a really important point. Maybe Mr Wyndham can explain the kind of vegetation that would, in general—

**Senator McDONALD:** It affects mangroves, so they couldn't—

**Senator Watt:** yes, not be able to be cleared without an assessment in the reef catchment.

**Senator McDONALD:** Subsequently, the rivers backed up and there was flooding into properties that previously hadn't been flooded. The rules are that they can go in and clear by hand, but with crocodiles and mud—I'm not doing that. Consequently, it doesn't happen.

**Mr Wyndham:** Senator, these are exactly the types of issues that we have been working through with peak bodies and with individuals. The message here really is that the change to the continuing-use exemption is just one layer in what we're talking about. The exemption no longer applies within 50 metres of a watercourse. That does not mean the activity cannot continue. Really, the test then becomes about the level of the environmental impact. So the thing we're seeking to do in cases like that is work through it with the landholder so that they can undertake the management that is required for whatever reason but do so in a way that keeps the impact on things that are protected under the act to a low level, and in most cases that's very achievable.

One layer that I think we're missing in this discussion is that the states actually are the primary regulators of land clearing. So a lot of the frustration that we hear, and that I'm sure you're hearing as well, relates to state laws.

**Senator McDONALD:** No. You've just legislated over the top of the states with this stuff.

**Mr Wyndham:** With a minor change that affects a small number of activities. To give you a sense of the level of regulation in the system currently, we have only 11 out of over 600 projects under referral or assessment that relate to the agriculture sector. That's much smaller than the energy sector, which has over 200 in total and so on. I haven't got to a specific quantification that I think you're looking for, but it is a clear indication that many of the activities that land managers are seeking to undertake can be done in a way that has minimal impacts and without the need for an approval.

**Senator McDONALD:** Can I ask that you visit that community of Ingham and see exactly the specifics that I'm talking about? Minister, I'm sure you'd approve something like that.

**Senator Watt:** Sure. Ingham's a lovely town.

**Senator McDONALD:** It's a fantastic town, and it flooded terribly because of river stream congestion. The idea that you cannot impact mangroves in order to destroy the habitat that's grown up between them is—

**Senator Watt:** I don't think it's been said yet today, but we're intending to have a departmental team visit Queensland very soon for exactly these kinds of conversations.

**Senator McDONALD:** May I ask that they go to places like that?

**Senator Watt:** Yes. Let me see if we can get into Ingham and other places like that.

**Senator McDONALD:** Georgetown would be the other one, if you're going to do a—

**Senator Watt:** Let's see what's possible, but the intention is to get out there and talk to people on the ground.

**Senator McDONALD:** They're the communities that have got real potential for agricultural expansion but are limited by rules that sound really fabulous on paper from a long way away but are not as practical when you are on the ground and you see what's going on.

**Senator Watt:** Sure.

**CHAIR:** Senator MacDonald, I was intending to move the call.

**Senator McDONALD:** Could I just finally, then, have one question. Agriculture, unlike the other projects that you're talking about—mining and housing developments and whatnot—is a continuous land use. What I'm trying to understand is how there's going to be some sort of measurement of impact and whether or not there has been a positive or negative impact on food security and the ability to manage land, because the suggestion from farmers and graziers is that it is limiting productivity.

**Mr Wyndham:** Maybe I can jump in on that one and provide a clarification, again, of the change. You suggested that agriculture at large was a continuous land use. That is not the way that the provision under the act has operated since 2000. It only receives that exemption if the activity was occurring prior to 2000 and it has been continuous since 2000. It does have those limitations that I described earlier where the exemption does not apply if there's an intensification or an expansion of that activity. So, actually, while many people do jump to the assumption that they have a continuous-use exemption, from an act perspective, that applies to a reducing number of cases. That's when we really do need to jump to the practical conversations we're talking about to ensure that people do understand their obligations under the act to self-assess and self-refer if there's going to be an impact. Really, the hands-on help that we can provide, working through the cases on a one-on-one basis, is the best thing we can do there.

**Senator McDONALD:** I appreciate that you think that makes sense, but, unless you've seen thickening and encroachment because of the reduced use of fire in the landscape, then I think you'd see that that is not—areas that previously didn't need to be cleared are needing to be because previously you would have had suckers and trees cleared by fire.

**Mr Wyndham:** That's completely in line with what we're hearing through the calls. I guess I'd make the observation—you talked about lantana as an example. Lantana is not really habitat for many species protected under the act, so—

**Senator McDONALD:** No, when I talk about thickening and encroaching—they'll talk about gidgee and other trees. Alright, if the department is going out on the ground, I look forward to feedback on which communities you go to and what sort of practical examples you understand as people walk you through and say, 'Well, how does this work?' That was what we were seeking to do with the inquiry, but the legislation changed before the committee had finished, so we're having discussions here of things that have not been properly examined publicly.

**CHAIR:** Senator Hanson-Young.

**Senator HANSON-YOUNG:** I've got some questions around wildlife rescue. I'd like to know how much funding goes to supporting wildlife rescue across the country—federal money.

**Ms Raynor:** I'll refer to the Saving Koalas Fund again, which is a \$76.9 million fund. A portion of that does go to wildlife care. What I'll firstly say is that wildlife care is primarily the responsibility of states and territories, but the Commonwealth does recognise the importance of the role that wildlife carers play and so does put an investment of \$19.39 million into projects that go primarily towards that.

**Senator HANSON-YOUNG:** Is that \$19.39 million from various programs?

**Ms Raynor:** No, I'm just referring to the Saving Koalas Fund.

**Senator HANSON-YOUNG:** So \$19 million of the Saving Koala Fund, which is about to end, goes to wildlife rescue.

**Ms Raynor:** Yes. There is a component that would also go from the Local Environmental Projects Program, which I can talk to as well. I'll start with the Saving Koalas Fund. That goes to wildlife hospital service upgrades, expanded services and also vaccine research. We have seven projects.

**Senator HANSON-YOUNG:** And what will happen on 30 June?

**Ms Raynor:** On 30 June you would expect that those projects would have concluded—the scope of what was required under that original funding allocation. So, yes, we are working with them at this point in time to monitor their progress towards that completion.

**Senator HANSON-YOUNG:** Could I ask for, on notice, the status of those seven projects and how much has been spent on each one.

**Ms Raynor:** Yes.

**Senator HANSON-YOUNG:** I can't imagine that there's going to be no wildlife that needs saving, protecting or caring for come 1 July, so what happens then?

**Senator Watt:** It's the same issue that we were talking about. We've got to make decisions about which programs continue and which ones don't. This may well continue, whether it be in exactly the same form or in a different form.

**Mr Knudson:** Senator, I would note that this particular fund, the koala fund, runs till 2026-27—so a year after the Saving Native Species Program.

**Senator HANSON-YOUNG:** I thought Ms Raynor said it ended on 30 June as well.

**Ms Raynor:** The Saving Native Species component ends on 30 June 2026. There is a component that comes in under the Natural Heritage Trust fund. That's mainly for the data monitoring, and that will continue.

**Senator HANSON-YOUNG:** So how much of the \$19.39 million—which bucket of money is that coming from?

**Ms Raynor:** The \$19.39 million actually comes in under the Saving Native Species bucket of money.

**Senator HANSON-YOUNG:** So that will end?

**Ms Raynor:** Yes, but, as I mentioned before, we do have the Local Environmental Projects Program as well. That commenced in 2025-26. There are five projects that are based in New South Wales and Queensland. They total \$9.995 million—so \$10 million. They are geared towards supporting koalas and wildlife hospitals as well.

**Senator HANSON-YOUNG:** Could I have a breakdown of how that money is being spent, please.

**Ms Raynor:** Yes, I'll be happy to take that on notice. At this stage the scope of those projects is subject to negotiations with the Business Grants Hub, and so, as those projects are entered into and grants are entered into, we'd be able to provide details about them. But I'm happy to provide more of the general sort of scope of those projects—what the commitments aim to achieve.

**Senator HANSON-YOUNG:** You'll have to take this on notice, but I would like a breakdown of how much federal money in total has been spent on wildlife rescue in the last 12 months, the last four years and the last 10 years.

**Ms Raynor:** Yes, I'll take that on notice.

**Senator HANSON-YOUNG:** Is there a part of the department that's specifically related to wildlife rescue? Is it someone's job to be across that in particular?

**Dr Fraser:** Our remit is to focus on matters of national environmental significance. So where we get engaged in wildlife rescue is particularly where it's impacting species which are listed under the EPBC Act, and the koala is one example of that. It is not our day job to deal with wildlife rescue. There are dozens of species that come into wildlife centres every day which are not threatened with—

**Senator HANSON-YOUNG:** I understand that. There's no-one who's specifically in charge of how we fund that, how we monitor that, how we're looking specifically at rescue?

**Dr Fraser:** That's right. However, the biodiversity conservation division, with our focus on recovery of threatened species and our programs directed to that, does engage in that at times; hence we have a number of staff who deal with that, depending on the species which might be impacted.

**Senator Watt:** Senator, I'm aware of some funding that goes towards wildlife rescue from other departments as well. For example—I've forgotten the exact name of the fund, but it's the Regional Growth Fund or one of the regional funds that are administered by the department of infrastructure and regional development. I know that they provided at least one grant to a wildlife rescue operation. It was more of a capital grant.

**Senator HANSON-YOUNG:** Yes, capital—infrastructure.

**Senator Watt:** Yes. So it may well be that that department has funded other projects like that as well, but we can see what we can find.

**Senator HANSON-YOUNG:** That would be helpful, thank you. Is the department aware of how much private money—philanthropic money, private money—is being spent on wildlife rescue across the country? Do you have a sense of that?

**Dr Fraser:** No, we don't, and I don't expect we would be able to, either. Like many of our wild animal issues, these are funded either by the Commonwealth government or by states and territories, and in the case of wildlife care that would be substantially the states and territories, but also a number of other actors. So we don't have those figures, and I don't think we would be able to get them, either.

**Senator HANSON-YOUNG:** So there's no work being done in the department about trying to work out where the support for wildlife rescue is coming from beyond government coffers?

**Dr Fraser:** It's handled very differently across the different states and territories that have the responsibility for wildlife care and wildlife rescue. Where the department got quite involved in working with that sector and across different states and territories and different agencies was after the Black Summer bushfires, which were exceptional circumstances, as we can all agree. But with the resources that we have available, and noting what the remit of the Australian government is, we're very much focused on where wildlife rescue and wildlife hospitals and such intersect with species that are threatened with extinction and how we can most effectively impact that.

**Senator HANSON-YOUNG:** But even when endangered species have been brought into wildlife centres, a vast number of those facilities are privately funded. They get some state government funding, but most of them are privately funded—philanthropic; volunteer based; vets donating their time, their resources, their facilities. Surely you need to understand where that support is coming from, where those resources are, if you're engaged in stopping these animals from going extinct?

**Dr Fraser:** For any individual threatened species or threatened ecological communities there are a range of threats, and often the threats that lead to those individual animals coming into wildlife centres are not the most significant threat to the future of that animal. That is not to say that it's not a very important issue and that we don't engage on it. But we're focused on where we can most effectively support the long-term recovery of those species, and for some species that does involve engaging with wildlife care in order for those species to be rehabilitated and then carefully released back into the wild so they can thrive and reproduce and there's habitat there for them to do that. That's not the case for many species that are brought in. So we're really focused on addressing the threats that are most impactful for our threatened species. That often relates to invasive species in the wild, habitat availability, improved fire regimes and translocations at times.

**Senator HANSON-YOUNG:** More wildlife species are in need of support when they're injured, because they're having to cross roads because their habitat's been destroyed, or they're finding their way into suburbs that used to be vegetation.

**Dr Fraser:** Absolutely. They're important issues, and they're hugely distressing for people who live in these communities and are impacting koalas or where flying foxes are suffering—things like that.

**Senator HANSON-YOUNG:** Is there any data that the department has about wildlife rescue at a national level? Do you have any kind of overarching landscape view of where threatened species are facing injury more than others? Is there any data that the department collects or has access to?

**Dr Fraser:** Again, because we don't lead on wildlife rescue and wildlife care, we don't collect data on those species—

**Senator HANSON-YOUNG:** Is that something the new information agency could help with?

**Dr Fraser:** I'm not sure about that, but I would say that the department of agriculture has a funding arrangement with Wildlife Health Australia, which is an independent leadership organisation that operates nationally in close collaboration with states and territories and provides capacity and advice and also reports back to government, particularly on wildlife disease and wildlife incidents and things like that. We don't lead on that contract, and I don't think they would gather that sort of information on the background and the different funding arrangements. But we certainly work in very close partnership with Wildlife Health Australia and the department of agriculture to ensure that Wildlife Health Australia is supported when it comes to providing that capacity, support, advice and veterinary advice.

**Senator HANSON-YOUNG:** Coming back to the Saving Koalas Fund—

**Senator HENDERSON:** Sponsored by Senator Faruqi.

**CHAIR:** Senator Henderson, please.

**Senator HANSON-YOUNG:** The significant amount of funding for the Saving Koalas Fund runs out in June this year. What programs under that fund rely on that money that finishes on 30 June?

**Ms Raynor:** The parts of the program that come under that Saving Native Species fund will be the koala health initiatives that we just talked about earlier. We'll be providing a breakdown of those projects and their progress. We also have a number of other projects around habitat restoration, as well as funding for fauna crossing, that come to a close at that point. They are separate projects and we are also monitoring that progress.

**Senator HANSON-YOUNG:** I know the chair wants to move on. While I've got you, Dr Fraser, could I ask you what work is being done—where are things up to—with nominating endangered species as a result of the toxic algal bloom in South Australia?

**Mr Knudson:** Senator, it's actually Dr Kiessling who'll guide you on that.

**Senator HANSON-YOUNG:** Right. So the Threatened Species Commissioner is not having anything to do with the algal bloom?

**Mr Knudson:** No. But you asked about the listing of species and their level of endangerment. That's the Threatened Species Scientific Committee, which Dr Kiessling supports.

**Senator HANSON-YOUNG:** Okay. I'll come back to that. Dr Fraser, have you been engaged at all on the toxic algal bloom and the impact on native species?

**Dr Fraser:** Yes, I have.

**Senator HANSON-YOUNG:** What's been your involvement?

**Dr Fraser:** There's involvement across many areas in the Biodiversity Division on the toxic algal bloom. Part of it is the species listings work, which is overseen by the Threatened Species Scientific Committee and that part of the department. My area focuses particularly on species that are already listed as threatened with extinction or species that could become threatened with extinction. We've had close contact with our marine division, that is leading on this work. I would say we've had weekly contact on these issues, including with the South Australian government. But we've also been particularly involved in issues such as giant cuttlefish protection. We've helped to run workshops with South Australia and with other experts to understand the risk assessment for that species, which, as you would know, is not listed as threatened with extinction, but there was a significant risk that that would become the case if the algal bloom reached up there. We were looking at measures we could take, and the bubble curtain was one of those, to mitigate that.

**Senator HANSON-YOUNG:** Which has now been found to not be useful.

**Dr Fraser:** The experts can come to the table on that, but I don't think that was the case. The algal bloom did not reach that area, thankfully.

**Senator HANSON-YOUNG:** So therefore it wasn't used?

**Dr Fraser:** Well, it wasn't used, but, of course, it would have been catastrophic if the bloom had reached that area, so having that infrastructure in place to potentially protect that unique aggregation is very important.

**Senator HANSON-YOUNG:** How many species that have been impacted by the toxic bloom are already nominated as threatened or facing extinction?

**Dr Fraser:** I don't know. My colleagues from the oceans branch will be able to answer that. I don't know that off the top of my head.

**Senator HANSON-YOUNG:** Have you received any extra money to help in terms of your work and these species? They're being even further damaged. Their habitat is being further destroyed. They've got no food to eat.

**Dr Fraser:** I'm a bureaucrat in the environment department and I work very closely with my colleagues in the marine division, and Miss Jago can attest to that. We don't separately have money that we provide to events such as that, whether they be floods, fires or algal blooms. But what we do do is work in partnership with our colleagues in other parts of the department, and in the states and territories where these events are happening, to understand how we could assist and, where we have money available, to direct them to some of those efforts. The Saving Native Species Program has been used to respond to natural disasters, including the algal bloom.

**Senator HANSON-YOUNG:** How much of that has been spent on the algal bloom?

**Dr Fraser:** As you know, we've pretty much committed the entire Saving Native Species Program—and I think about \$250,000 went towards the cuttlefish infrastructure. However, some of our work under the H5 bird flu mitigation fund has also gone towards building resilience of populations. There was about \$1.2 million from the bird flu fund which has gone towards building resilience of the Australian sea lion, with the focus on those

populations in South Australia, as, of course, some of those populations are being impacted by the algal bloom—and there is early evidence of that—and may be impacted by H5 bird flu if it arrives in Australia. So those funds have been directed towards that, which has multiple benefits for those species.

**Senator HANSON-YOUNG:** Can you take on notice how much money has been spent in relation to your work—the threatened species element of it—for the toxic algal bloom?

**Dr Fraser:** It's \$250,000, for the cuttlefish bubble curtain, of administered funds under the Saving Native Species Program, and \$1.2 million under the H5 bird flu initiative.

**Mr Knudson:** I think we committed, also, Senator, to come back to you, earlier on, on the overall expenditure for the algal bloom from the Commonwealth, as well as what has been expended. We can break that out by relevant program so you can see what's related to the areas that are of most concern to you.

**Senator HANSON-YOUNG:** Did you have something for me?

**Dr Kiessling:** Sorry, Senator, could you please repeat your question for me.

**Senator HANSON-YOUNG:** My questions were around which animals have either already been listed as endangered or as threatened species, or are in the process of being looked at, to be up-listed, as a result of the toxic algal bloom.

**Dr Kiessling:** Certainly. There are about 2,300. I can give you the exact number, but there are many, many species that are already listed under the EPBC Act. It's 2,315, to be precise. Many of those will occur in South Australian waters and will have been impacted by the algal bloom. They are species that are already listed. In terms of species that have been specifically listed as a result of the toxic algal bloom, there are none that have yet been listed. There is a public nomination process, as we indicated earlier, which is currently open, closing on 31 March. That is an opportunity for the public to bring forward species—plants and animals—and communities as well that may have been impacted by the algal bloom to the point where they are at risk of extinction. It is only after the public nominations close that we will be assessing those nominations to see whether or not they would be eligible for listing under the act.

**Senator HANSON-YOUNG:** Could you give me a list of those that are already listed.

**Dr Kiessling:** The entire list of 2,315?

**Senator HANSON-YOUNG:** No. I assume the department has an understanding of which of those 2,000-odd—I mean, it is just terrible that we've got that many species that have already been listed as in such a perilous state, but I'd like to know which of those are impacted by the toxic algal bloom.

**Dr Kiessling:** What we can do is to provide you with a list of those species that occur in that area where the toxic algal bloom exists. We would not be able to give you a definitive answer of all of those species that have been directly impacted by the bloom, but certainly we can give you a list of those species that occur in the area.

**Senator HANSON-YOUNG:** That would be helpful, but surely you must—I mean, I come back to Dr Fraser's point that the main job, in relation to species here, is those that are on this list, because they're the ones that, as a department, your job is to look after. So you must have a sense of which are—not just in the geographical area of the toxic algal bloom. You must be monitoring and getting data coming through that says: 'This particular species is being impacted,' because they're washing up dead on people's beaches.

**Mr Knudson:** As I said earlier on, this is a joint program with the South Australian government, so I'm going to turn to Ms Maguire just to walk you through, exactly—trying to get at your point. The short answer is: I don't think the state government has yet finalised the complete list of species impacted et cetera, but I'll let Ms Maguire answer—

**Senator HANSON-YOUNG:** I don't think the state government is—

**Senator Watt:** Well, let the—

**Senator HANSON-YOUNG:** I am frustrated by that.

**Senator Watt:** I'm happy for Ms Maguire to answer the question, but what I'd point out is that there is a lot of anecdotal information, and there is photographic evidence, of various species washing up on beaches. I'm not aware that anyone, whether it be in the federal government, the South Australian government or elsewhere, has done the proper analysis of exactly what the impact is in numerical terms, and that's the work that will need to occur. The other point I'd make is that, in addition to the over 2,000 species that are already listed, unfortunately it is possible that there may well be other species that have not yet been listed that may become listed as a result of this process. The whole point of bringing forward that review was to get cracking on recovery.

**Senator HANSON-YOUNG:** I understand. Let's hear from Ms Maguire. I'd like to know if anyone is looking at this.

**Senator Watt:** We've started a process to do so.

**Mr Knudson:** And the process isn't yet finished.

**Ms Maguire:** I would have to take the question on notice to answer it in full, but I can give you a few examples of some of the species that are protected that we know are being impacted. But it won't be the full list. There's the giant cuttlefish, as Dr Fraser said, the Australian sea lion, great white sharks—there have been recordings of nine white shark carcasses—little penguins and the Indo-Pacific bottlenose dolphin. We have data that's been coming through that indicates those species have been impacted, but the range of programs, some of which we ran through earlier today, as well as the national environmental science projects we mentioned are, of course, building our knowledge base about what impacts are occurring on what species. As the minister said, it is going to take some time to get a full picture.

**Senator HANSON-YOUNG:** What resources are currently within the federal department, your department, to help make that happen as fast as possible?

**Ms Maguire:** I think the funding we've provided under those three packages as well as through—

**Senator HANSON-YOUNG:** But that was money that was given to the South Australian government. It is your responsibility, as the federal department, to do what you can to stop these species going extinct. Where are the extra resources for the Commonwealth department to do its job in a way that is timely enough to save these animals from going extinct?

**Ms Maguire:** The funding the Australian government provided to South Australia is about a partnership, investing in a coordinated way in the research and science so we don't have two different jurisdictions running off in different directions and also participating in the South Australian science advisory panel to prioritise where work needs to be done in the shorter term and planning for the longer term.

**Senator HANSON-YOUNG:** Are you, Ms Maguire, in charge of the threatened species data collection analysis? Who in your department is responsible for this?

**Ms Maguire:** I think it's a combination of different areas. In my division we coordinate across the department our engagement with South Australia, the summer planning work and the transfer and facilitation of the funds being provided to South Australia. We meet with them very frequently to understand how the program is rolling out and, as I said, to participate in science workshops along with the science community in South Australia to make sure we are focused on the right things in the immediate term and also undertaking considered planning for future activities.

**Senator HANSON-YOUNG:** Can I just have clarification. Have any ecological impact assessments been done at all in relation to native species in South Australia, where the toxic algal bloom is, and the impact on threatened species? Have any of those assessments been done?

**Ms Maguire:** My understanding is that the South Australian government, both the fisheries department and the environment department and through SARDI, have been undertaking species and habitat research and the national environment science projects. My colleague Miss Jago can run through what those NESP projects are because I think that will give you a sense of impact analysis work that's being undertaken on species and habitat.

**Miss Jago:** In short, they are underway at the moment. Under the NESP, the National Environmental Science Program, there are specific projects. There's one on assessing the impacts of the harmful algal bloom events on South Australian benthic habitats, there's a trophic ecology based tool to assess HAB impacts on marine ecosystems, there's a learning from the field rapid assessment on the composition and ecotoxicology of the HAB in order to both look at existing activities and prepare for the future and then there's an additional project on the national assessment of HAB preparedness and future events.

**Senator HANSON-YOUNG:** They're all underway?

**Miss Jago:** Correct.

**Senator HANSON-YOUNG:** There's no data that's been uploaded or publicly available for any of that so far?

**Miss Jago:** That's all underway at the moment. That's right. Through that engagement with the South Australian government, both through our one-to-one more informal engagement, frequently, and through the South Australian science panel, where we have a member of our team that attends, we receive those regular updates. And, of course, we're probably accessing the same platform you are, iNaturalist, where we can get a sense of what people are seeing. They're able to upload photos, and then those particular photos go through a process of confirmation of species and such.

**Mr Knudson:** With the law reforms happening, we're now going to have the state of the environment report every two years. The next report is due at the end of this year. That will give you a national perspective on the trends on species, including those affected by the algal bloom. That will then be complemented by much more targeted in-situ science on the local impacts beyond that national assessment.

**Senator HANSON-YOUNG:** Could I ask you to provide on notice any formal communication between the federal government and the South Australian government, specifically in relation to ecological impact assessments. The reason I'm asking is that, in the South Australian parliament, the government has said nothing is happening. So I'm a bit confused. I want to know what's really going on.

**CHAIR:** I'm going back to Senator Henderson briefly.

**Senator HENDERSON:** Minister, I want to pick up on the Chamber of Minerals and Energy WA submission to our inquiry into the EPBC amendments. In that submission they state:

All projects must have immediate access to more efficient assessment pathways.

The Premier of WA said he supports this submission. So why did you block the gas industry from streamlined pathways and overlook the support of that submission and of that position by the WA Premier?

**Senator Watt:** I refer you to my earlier answers. I don't think we want to get back into that discussion about why we passed the bill with the support of the Greens and not of the coalition, do we? I've said at least three times—

**Senator HENDERSON:** Australian businesses and industry are so important, particularly in the west, where mining and gas are so fundamental to the economy in Western Australia. Could you address that specific issue raised in the submission?

**Senator Watt:** I've answered at least three times that the reforms that we passed that you voted against will streamline and speed up assessments and approvals for all industries. I had a very positive meeting again last week with the Chamber of Minerals and Energy WA. They said that they were looking forward to working with us on the implementation of these reforms, as have a number of environmental organisations.

**Senator HENDERSON:** The Australian Energy Producers say:

... the Government has chosen more red tape and uncertainty instead of enabling new gas supply.

This approach ignores the expert advice of the ACCC and the Australian Energy Market Operator to remove barriers to new supply, undermines investor confidence, and risks higher energy costs for households and businesses.

Minister, why didn't you consider the impact on energy costs when making your decision?

**Senator Watt:** I did, and that's why we passed reforms that will speed up approvals for all industries—reforms that you voted against. You don't have any credibility here.

**Senator HENDERSON:** Minister, gas was excluded from these streamlined projects.

**Senator Watt:** You have no credibility to talk about reforms speeding up approvals. You voted against every single part of that bill that is about speeding up approvals, and now you want to come in and say that you care about approvals. You voted against it.

**Senator HENDERSON:** Minister, we voted against it for a whole range of reasons, including because you excluded gas from streamlined projects, which has jeopardised businesses and Australian households.

**Senator Watt:** You voted against the bill because you couldn't work out what your position was. I know that because I was in the meetings.

**Senator HENDERSON:** You are continuing to decline—

**Senator Watt:** You weren't in the meetings.

**Senator HENDERSON:** to answer the question.

**Senator Watt:** I've answered. I think I'm up to four times or five times.

**Senator HENDERSON:** Australian Energy Producers has warned about the dire consequences of your deal with the Greens, and all you can do is make smart political comments.

**Senator HANSON-YOUNG:** You left the field.

**Senator Watt:** If you want me to, I can get government senators to read out statements from the business groups supporting the reforms, just as I can get statements from environment groups supporting the reforms. You voted against all of them. You voted against the improvements to bilateral agreements. You voted against improvements to regional planning. You voted against improvements to strategic assessments. You voted against

National Environmental Standards. You voted against net gain for offsets. You voted against all of it. You've got no credibility.

**Senator HENDERSON:** Minister, thank you for your commentary. I will just ask my next question. Farmers, through the National Farmers' Federation, have said that your reforms have left them bitterly disappointed. Why didn't you take the views of the agriculture sector into account when you made your deal?

**Senator Watt:** I did, and that's why I continued to meet with the numerous representatives from the coalition who were negotiating for the coalition—coalition version 2. But I still don't know what the coalition's position was on the EPBC reforms.

**Senator McDONALD:** That's truly outrageous.

**Senator HENDERSON:** Minister, you need to take responsibility. It is your dirty deal with the Greens that has betrayed the farmers, has betrayed the gas industry, has betrayed businesses and manufacturers.

**Senator Watt:** Do you know what these stakeholders said about the coalition? And that was in the good old days when the coalition was still together.

**Senator HENDERSON:** Yes, you can make your smart-a comments, but—

**Senator Watt:** You are a joke. You have no organisation.

**CHAIR:** No. hold on.

**Senator Watt:** You don't know what your policies are. You're falling apart by the day.

**Senator HENDERSON:** Minister—

**CHAIR:** Senators! This is—

**Senator HENDERSON:** Point of order, Chair.

**CHAIR:** I think there are offences against the standing order both in the question and in the answer.

**Senator HENDERSON:** I did not—

**CHAIR:** Yes, you did. You put it—

**Senator HENDERSON:** impugn, and that was unparliamentary and I would ask the minister to withdraw that question.

**CHAIR:** No. Hold on. 'Smart-a' is also unparliamentary.

**Senator HENDERSON:** Well, I didn't say what I was thinking.

**CHAIR:** I think we're all grateful for that. Everyone, come to order. This is ground that we have now traversed, I think, three to four times. Are there specific questions, Senator Henderson? Otherwise I am very keen to move on to the next outcome, because we have a packed schedule. If there are further questions you wish to put on this, do so either very quickly or on notice, because we're still running a long way behind. But I will just finish on this: we all need to do this in a manner that is respectful and civil. Please, go on.

**Senator HENDERSON:** Minister, regarding the forestry amendments to the EPBC Act that will see current jobs in Tasmania and New South Wales disappear, the CEO —

**Senator Watt:** No, it won't. That is lie and you should withdraw it.

**Senator HENDERSON:** I'm just asking my question.

**Senator Watt:** That is lie and you should withdraw it.

**Senator HENDERSON:** The CEO of the Australian—

**CHAIR:** Minister!

**Senator HENDERSON:** Excuse me!

**Senator Watt:** That is a lie.

**Senator HENDERSON:** No. You withdraw that, Minister.

**Senator Watt:** So you can launch personal attacks—

**Senator HENDERSON:** I am not—

**Senator Watt:** You can launch personal attacks—and then complain if, in fact, people fight back.

**Senator HENDERSON:** You cannot accuse me of being a liar. The CEO of the Australian Forest Products Association said that the government has ignored the evidence showing Australia's native forest industry is sustainable and already delivering strong environmental outcomes. The CEO also said that the Federal Court

confirmed last year that RFAs are an alternative mechanism by which the objects of the EPBC Act can be achieved. Why did you ignore the evidence of experts and the courts?

**Senator Watt:** Senator Henderson, all of the stakeholders that you've named, and more, came to meet with me during the negotiations and prior to the negotiations. I listened to all of them. I explained to them what we were prepared to move on and what we were not prepared to move on. I encouraged all of them to lobby the coalition, as it then stood, on these points. They all universally said that they were trying but that they couldn't get a position out of the coalition. You have no-one to blame but yourselves.

**Senator HENDERSON:** Minister, I'm going to reject that characterisation very clearly.

**Senator Watt:** We were prepared to pass the laws with the support of the coalition as late as the day before the agreement was reached, but you couldn't work out what you wanted.

**Senator HENDERSON:** You're not reflecting on the decisions that you made. You've been able to recall your discussions with stakeholders during these negotiations. Are you able to recall whether you consulted with the minister for energy or the Minister for Resources, pursuant to my earlier question?

**Senator Watt:** I've told you that I'm checking that.

**Senator HENDERSON:** Could you maybe bring that back to the table?

**Senator Watt:** I've taken it on notice.

**Senator HENDERSON:** I'm asking if you could bring it back to the table as soon as possible.

**Senator Watt:** I've taken it on notice.

**Senator HENDERSON:** It just seems curious to me that you can remember all of these stakeholder discussions in a lot of detail but you don't actually remember whether you spoke to your own ministers, the minister for energy and the Minister for Resources.

**Senator Watt:** I've taken it on notice, and I've explained why I've taken it on notice.

**Senator HENDERSON:** Could you ascertain what discussions your office has had?

**Senator Watt:** I've taken it on notice.

**Senator HENDERSON:** In relation to any potential discussions between either you or your office, could we please have, on notice, all correspondence in relation to that particular deal made with the Greens, with both the energy minister's office and the Minister for Resources' office, including any messages, WhatsApp chats, emails, letters and the like so we can have a proper understanding of that consultation?

**Senator Watt:** Sure.

[15:26]

**CHAIR:** On that note we'll now move off outcome 2.1. In order to avoid depressing the room I won't say precisely how far behind we are, but I will move to shorter blocks for questioning in an attempt to move things along in the next outcome. We now go to outcome 2.2, protecting Australia's cultural, historic and First Nations heritage. Could those officials please come to the table? Welcome to the new officials. Thank you for joining us.

**Senator HANSON-YOUNG:** I've got some questions around the Great Australian Bight. I'm wondering if there's any work that's been done on nomination for World Heritage listing.

**Ms Dumazel:** We have had some preliminary discussions with our colleagues in South Australia and Western Australia on what would be required to progress any potential nomination.

**Senator HANSON-YOUNG:** When was the last time there was communication between the federal government and South Australia about World Heritage for the bight?

**Ms Dumazel:** I'd have to take the exact dates on notice, but I had conversations with my colleagues in the weeks preceding the shutdown, so end of 2025.

**Senator HANSON-YOUNG:** I'm happy for you to take the precise dates on notice, but what I was trying to understand is: was it 12 months ago or two months ago? It sounds like it was more like two or three months.

**Ms Dumazel:** It's recent.

**Senator HANSON-YOUNG:** This might be a question for the minister, but does the federal government have a position on whether the Great Australian Bight should be nominated for World Heritage?

**Senator Watt:** I don't know that we've reached a position on that. I'm certainly aware of a number of groups who would like us to do so. There are many groups who would like us to World Heritage list many properties, but I'm not sure that we've taken a position on that.

**Senator HANSON-YOUNG:** The South Australian premier has written to the federal government at least once, if not more than that, seeking Commonwealth support.

**Senator Watt:** There are a number of properties and sites in South Australia that the South Australian government is keen to have World Heritage listed. I think I'm right in saying we can only put forward one per year, and, of course, there are other states who would also like their sites listed as well.

**Senator HANSON-YOUNG:** It has significant community support in South Australia, World Heritage listing for the Great Australian Bight, and it's been a long-term campaign of many of us in South Australia, including the traditional owners. Has there been any discussion with traditional owners from the Commonwealth's perspective?

**Ms Dumazel:** Going through the process for a nomination for World Heritage listing is quite lengthy. It can take between five and seven years for us to go through the process. The World Heritage Committee have put forward a new aspect of the process, which is a preliminary assessment phase, as well. We're in very early discussions around what might be possible. Generally, when a World Heritage nomination is put on the table, it's the state or territory that will start the discussions and engage with us on a potential way forward, but at the moment we're just having very early discussions on it.

**Senator HANSON-YOUNG:** There's obviously a nomination process each year. When is the next round of nominations due?

**Ms Dumazel:** We have a long list of properties that are on the tentative list, and we work quite methodically around that list. We have not started work. We're having initial, preliminary discussions on this one. Our priority is to work through the commitments made by the government on existing assessments, and, as you outlined, that does include a full process working with traditional owners. We're working through the existing work program.

**Senator HANSON-YOUNG:** Has there been any funding earmarked for a World Heritage listing of the Great Australian Bight by the government?

**Ms Dumazel:** No.

**Senator HANSON-YOUNG:** Has there been any preliminary work done as to how much a World Heritage nomination for the bight would cost?

**Ms Dumazel:** No. As I was saying, we're having initial discussions with our counterparts in South Australia and Western Australia to consider what might be possible in the future. Our priority at the moment, as a team, is to move forward with those assessments that are already on our work program.

**Ms Parry:** To add to that, the other factor, obviously, is there's the WA government as well, which would have an interest. It has to be on the agreement of both state governments.

**Senator HANSON-YOUNG:** It doesn't, actually. That was going to be my next question. I'm worried that things are being dragged out because WA are being sticklers. It doesn't actually—

**Ms Parry:** It would depend on the scope and scale of the listing. Generally, the management of the property itself would go to a state government, so it would, again, go to the scale and scope of a potential property. As well, during an assessment process, it would depend on the kinds of values that the states and the Commonwealth were interested in pursuing, and then, obviously, achieving FPIC is a big part of that as well. There's a lot to go through.

**Senator HANSON-YOUNG:** Is the WA government being a pain on this?

**Ms Dumazel:** We are having constructive conversations with our counterparts in South Australia and WA to start the discussion around what might be possible. As Ms Parry was outlining, we need to really first think about what the outstanding universal might be, whether it's marine or whether it's terrestrial. As Ms Parry was saying, it's really up to the states and territories, as the managers of those sites, to come forward, and we will support a process, noting that we have a very full program at the moment, it does take five to seven years and it is an extensive process. We're in the early stages, but we are having conversations with both.

**Senator HANSON-YOUNG:** Surely you're not going to sit back and let South Australians not get their world heritage protection for the bight because the WA government doesn't want to do anything. Surely, at some point, there needs to be federal leadership on this.

**Senator Watt:** There are at least two South Australian properties that I'm aware of that are on the tentative list or whatever the list higher up than the tentative list is. South Australia's views are well-known, and we are actively progressing a number of bids from South Australia.

**Ms Dumazel:** For example, we've just recently submitted a full dossier for the Flinders Rangers to the World Heritage Centre.

**Senator HANSON-YOUNG:** I'll come back with some other questions on notice around that, but if you could get me any formal communication between the federal government and the SA and WA state governments in relation to the bight that would be good.

**CHAIR:** Senator Walker.

**Senator WALKER:** I've got some questions regarding Indigenous protected areas.

**Ms Parry:** That's actually not in this outcome.

**Senator WALKER:** That's okay. I can revisit that.

**Ms Parry:** Indigenous protected areas will be under parks.

**CHAIR:** We're in 2.2, 'Protect Australia's cultural, historic and First Nations heritage'. Which outcome would that be in?

**Ms Parry:** The Indigenous protected areas are actually managed out of our parks group. I think it could have come under outcome 2, but I don't think the Director of National Parks is appearing today.

**Ms Dumazel:** We'll have to take those questions on notice if there are particular ones—

**CHAIR:** Okay. We can put them on notice. That shouldn't be a problem. I'm going to go then to Senator Waters.

**Senator WATERS:** Hello, everyone. Hello, Minister. I appreciate your time. I have a few questions about the reef and then cultural heritage. Starting off with the state of conservation report for the Great Barrier Reef—have we got the right folk at the table for that?

**Ms Parry:** We do. It's a crossover between our oceans and reef division and our world heritage division. If it's about the content of the report, we'll get our ocean and reef colleagues.

**Senator WATERS:** We'll give it a crack. The 2026 state of conservation report on the Great Barrier Reef says:

Both the Australian and Queensland governments are prosecuting an evolving energy transition with renewable energy at its core ...

The report doesn't mention that the Queensland government has repealed its renewable energy targets. It doesn't mention that the Queensland government has discontinued a large number of renewable energy projects. It doesn't mention that the Queensland government has withdrawn CleanCo Queensland's equity stakes in projects like the Moah Creek Wind Farm, and it doesn't mention that the Queensland energy roadmap has explicitly extended the life of coal-fired power stations to at least 2046. Does leaving this information out paint a misleading picture of action to address climate risks to the Great Barrier Reef?

**Mr Foster:** Just to go to how the state of conservation report is prepared, it's prepared jointly between the two governments. Queensland's content is essentially cleared by Queensland, including by their cabinet, so the material that you see in the report from Queensland has been approved by the Queensland government. Out of respect for the material that we've provided, we don't generally change that content. In terms of the climate change targets, those targets are determined by the Australian government—climate colleagues will be here later today—and remain unchanged. Those overarching targets around emissions remain the same. They're not necessarily something that, in terms of the national perspective, the Queensland government has any input into in terms of this particular report.

**Senator WATERS:** So, are you saying that the phrase 'both the Australian and Queensland governments are prosecuting an evolving energy transition with renewable energy at its core' wasn't ticked off by anyone at your federal level? You just accepted that Queensland was prepared to assert that, and there's no kind of sense check, fact check, reality check on assertions that deny a whole lot of other facts that point to the contrary?

**Mr Foster:** The report itself is cleared by both governments—by the Queensland and the Commonwealth government. In terms of the energy and climate change content of that report, colleagues who will appear later are probably better placed to talk about the sort of message that goes with that in terms of how up to date that is in terms of Queensland's policies versus the Commonwealth's.

**Senator WATERS:** Okay. So, who would have ticked off on that sentence being included?

**Senator Watt:** I approved the report being submitted, so I'm happy to take responsibility for the report.

**Senator WATERS:** So, Minister, do you think the Queensland government is prosecuting an evolving energy transition with renewable energy at its core?

**Senator Watt:** I think you were at a conference where I said quite a lot about the Queensland government and its approach to energy policy. It's well understood that the Albanese government has a much more ambitious approach to renewable energy than the Queensland Crisafulli government does.

**Senator WATERS:** Why, then, tick off on a statement that is glossing over all those anti-climate actions taken by the Queensland LNP government?

**Senator Watt:** I think it would be fair to say that the Australian and Queensland governments are prosecuting the energy transition at different levels of urgency, the Albanese government being more urgent than the Queensland government.

**Senator WATERS:** So why didn't you say that in the report?

**Senator Watt:** Well, I don't think the statement itself is untrue. I guess what's different is the level of urgency with which the different levels of government are pursuing that transition.

**Senator WATERS:** Okay. Is it possibly also in your interest to pretend to the World Heritage Committee that everything's fine, that the state of the reef is okay—

**Senator Watt:** No. I think if you have a look at the report you'll see that we acknowledge that there's more to be done to protect the reef.

**Senator WATERS:** Okay. But you're not prepared to acknowledge on the record in the actual *State of conservation* report that the Queensland government has repealed its renewable energy targets, extended the life of coal-fired power stations and pulled public funding from renewables?

**Ms Parry:** As the state party, we are responsible for reporting against the Australian state party climate change commitments, and we report against the Commonwealth commitments around climate change. So, that's what we report against, as the state party, around our UNFCCC obligations, and those obligations would take account of what's happening across jurisdictions.

**Senator WATERS:** It just seems a bit odd to include arguably falsehoods in the report to the World Heritage Committee.

**Senator Watt:** I don't think they're falsehoods. And, as Ms Parry said, our obligation as the state party is to report on Australian government commitments, policies. Of course—and I've made this point before—if any state government slows down its transition towards renewables, that puts extra pressure on the remainder of the country to deliver the commitments we have made. So obviously we've increased our emissions reduction targets. We've got our renewable energy target. If any individual state government walks away or slows down their own transition, that will put extra pressure on the remainder of the country to meet those targets. But we remain committed to meeting them.

**Ms Parry:** I want to note that the Queensland government has a follow-up on page 21 of the report that talks about their commitment to achieving net zero emissions by 2050.

**Senator WATERS:** Thank you. Minister, will you issue a supplementary 'state of the reef' report or some kind of appendix or letter advising of those policy changes to correct the assertion?

**Senator Watt:** No. I stand by everything we've got in that report.

**Senator WATERS:** Right. Well, that's going to make for some very interesting future conversations.

**Senator Watt:** Well, if the Greens party wishes to campaign to have the Great Barrier Reef listed as 'in danger' and destroy the 77,000 tourism jobs reliant on the Great Barrier Reef, that's up to you.

**Senator WATERS:** I think it's climate change that's destroying those jobs and the reef, not the Greens. Telling the truth about something is actually trying to help fix the problem.

**Senator Watt:** Well, that will be up to you to decide. But we are presenting the facts to UNESCO—

**Senator WATERS:** Except where they're inconvenient.

**Senator Watt:** including the ambitious targets the Albanese government has set for renewable energy, emissions reduction and all the other spending commitments we've made on reef protection.

**Senator WATERS:** Yes, those targets that you're not on track for either. Okay. Let's come to water quality. The reef water quality improvement plan expired in 2022. The World Heritage Committee called on Australia to update the plan by 2025 and to include ambitious new water quality targets. There are none. There's only a draft plan that was released in 2025, which has been strongly criticised by environment groups, by industry, by farmers and by First Nations groups. Can I have an update, please, on what is happening with the water quality plan.

**Mr Foster:** As you indicated, Senator, a draft plan was released in October, and that plan was heavily criticised. We're working closely with Queensland to update that strategy, and that includes finalising the review of the water quality targets. The outcomes of that review will be considered as that new plan is finalised.

**Senator WATERS:** Okay. Can you say that in plain language, please. When is the plan going to be finalised?

**Mr Foster:** At this stage, we understand that it'll be completed towards the end of April, early May. It's important to point out that, as Queensland is responsible for land and water management in Queensland, the strategy is essentially a Queensland strategy, so they are leading the development of the strategy. We're working quite closely with them to finalise it and to ensure that it meets the requirements of UNESCO, those being that it protects the outstanding universal value of the World Heritage site.

**Senator WATERS:** Are you concerned that that slow or lack of progress and potentially weak targets, if history is anything to go by, could impact the upcoming listing of World Heritage in danger?

**Mr Foster:** I think the important point is that the strategy is done right and that we get the strategy right, and that there is a thorough review of targets, that the science that sits behind the targets is the best available science and the modelling that sits behind it—I'm not sure of the right words, but that there are no glitches in that modelling—to ensure that the targets we get will deliver what we need to deliver for the reef so that those targets continue to be ecologically relevant and they deliver the sort of quality for the reef that will protect its outstanding universal value.

**Mr Knudson:** Senator, I think it's a positive sign that Queensland has asked for a bit more time to finalise this report. They did get the feedback on their draft report. They took it seriously and are taking that time. But, as was just mentioned, it's going to be really important that they use really accurate modelling. We had some issues with the model that was being developed—that it was spitting out, effectively, inaccurate information. So getting that model right so that we can have a robust report go to UNESCO is paramount.

I want to tie back to Ms Parry's point about that supplemental input from Queensland—again, just to emphasise that that commitment to net zero is a statement of Queensland government policy that went through an approval-making decision, including, presumably, cabinet et cetera. That is something they're willing to stand behind, and that's why that's in that document.

**Senator WATERS:** Okay. Can we come back to those glitches in the water quality modelling. Not only were the targets weak and we weren't on track to meet them but you're now saying that the modelling behind them was plagued by inaccuracies. What was the source of that problem, who's in charge of fixing that and how much got spent on that rather than on fixing water quality?

**Mr Foster:** In terms of the modelling issue, the models that are used for the development of the targets also inform the water quality report cards. There were reviews of both the water quality report card process and the water quality targets. When the final outputs from the reviews came out, there were a number of anomalies. As a result of that, both the Queensland government modellers—they're Queensland government models—and the consultants reviewed the models and found that there were some problems with some of the inputs to those models. As a result, we're now going back and working closely with Queensland. Queensland have since updated the models. Those updated models will then be re-run through the water quality target review.

**Senator WATERS:** Is that the cause of the delay, or are there other reasons as well?

**Mr Foster:** In terms of the water quality target review, that's the source of the delay. In terms of the water quality strategy, the delay in timing is so that we can respond to the criticism and ensure that we get the strategy right.

**Senator WATERS:** When will the 2026 report card be published?

**Mr Foster:** The process for the next water quality report card is being finalised by Queensland at the moment, so I don't have a date for the next report card. We'd need to take that on notice.

**Senator WATERS:** When would it be due, if they were on track?

**Mr Foster:** The timing of the water quality report cards vary; it's not always on the same schedule. It's a matter for Queensland in terms of the timing of those water quality report cards.

**Senator WATERS:** Is it going to be before the next draft decision of UNESCO?

**Mr Foster:** I wouldn't be able to say. I'd need to take that on notice.

**Senator WATERS:** Is that being deliberately delayed so that it's not before the next draft UNESCO decision?

**Ms Parry:** No.

**Senator WATERS:** You're confident the Queensland government isn't delaying it for that reason?

**Ms Parry:** I think the Queensland government are working through the feedback that they've received on their report and their scientific understanding and working through the report card.

**Senator WATERS:** But you're not sure whether it will be produced before the next draft UNESCO decision.

**Ms Parry:** That's a matter for Queensland government.

**Senator WATERS:** Is there anything you can do to hurry them along so that they can get information in a timely manner to influence that decision—or is that a matter for them too?

**Mr Foster:** We're working with Queensland on a range of issues to ensure that we have not only the water quality strategy, the target review, completed before the World Heritage Committee meeting in mid-2026 but also some of these issues around water quality report cards and the like. Again, it's important that we get these things right and that the modelling that underpins them is right so that we're not reporting on data and other things that are incorrect and lead us down the wrong pathway, both in terms of how we're tracking against the targets and in terms of government investment.

**Senator WATERS:** How many FTEs have you got working on fixing up this mess?

**Mr Foster:** In my team? At this point in time, it's approximately two FTEs, but I'd have to take that on notice. Primarily, the Queensland government are the lead on this, so they will have a number of people working on it, as well as a consultant that's been engaged to support the work.

**Senator WATERS:** I've got some questions on cultural heritage, but, Chair, shall I go to those quickly now?

**CHAIR:** It depends how long you're going to take. I would like to share the call and also give Senator Pocock an opportunity.

**Senator WATERS:** I might push on, and then I'll leave you all to it.

**CHAIR:** Sure.

**Senator WATERS:** Thank you. The Juukan Gorge Senate inquiry report made clear recommendations for the government to co-design cultural heritage legislation with Aboriginal and Torres Strait Islander people, and it set minimum standards for state and territory laws. I'm after an update, please, of the review of cultural heritage laws and the timeframe for any new legislation.

**Ms Dumazel:** We continue to work in partnership with the First Nations Heritage Protection Alliance on options for cultural heritage reforms. Certainly our focus has been on making sure that we're taking on board the feedback that we've received so far; making sure that we're strengthening protections and standing for who speaks for country, because it's been very clear from proponents that that's one thing that they've been struggling with; making sure that there are streamlined processes; and also giving certainty and confidence in the system.

**Senator WATERS:** So what is the timeframe for the new legislation?

**Ms Parry:** That'll be a matter for government.

**Senator WATERS:** Are you working to any sort of hopeful timeframe?

**Ms Dumazel:** We're working through, as quickly as we can, the material for consideration for next steps.

**Senator WATERS:** Minister, is there any timeframe that your government has set for cultural heritage laws?

**Senator Watt:** We haven't committed to a particular timeframe. Obviously this is subject to drafting instructions, drafting resources and other legislation that's in the parliament. But we certainly see it as a priority to progress this. In fact, just last week I met again with one of the co-chairs; I think Ms Perkins is co-chair of the First Nations cultural heritage—

**Ms Dumazel:** Chair.

**Senator Watt:** Or chair—I've forgotten her title.

**Ms Dumazel:** She's the key officer reporting to the alliance on the reforms.

**Senator Watt:** Yes. I met with her last week to talk through the reforms. So we're actively engaged.

**Senator WATERS:** I'm interested in the interaction between the as yet undrafted cultural heritage laws and the new national environmental standards for First Nations engagement. Is anyone across the likely interaction of those? Can you outline that for me?

**Ms Dumazel:** One of the key things from the very start is we wanted to make sure both proponents and traditional owners weren't going to have duplicative processes. The idea is that the principles that are in an engagement standard for the cultural heritage reforms are mirrored in the First Nations engagement standard for EPBC. We're working through that at the moment. As was outlined earlier this today around the timing of the First Nations engagement standard in relation to EPBC, we're working through a document that will be ready for

consultation shortly. The focus on any standard in relation to engagement needs to be around genuine early engagement with the right people.

**Senator WATERS:** You've said they will interact with each other and not be inconsistent. Is there any further thought there? If there's any further detail, perhaps you could provide it to me on notice. I'm conscious my colleagues have questions as well. Of course they're going to be consistent, but I'm interested in whether there's any further level of detail on how.

**Ms Parry:** We can provide some level of detail on notice.

**Senator WATERS:** I'm also interested in particular whether both the cultural heritage laws and the standard will be consistent with the UNDRIP principle of free, prior and informed consent—and self-determination, for that matter.

**Ms Dumazel:** UNDRIP has been a consideration in the development of the reforms.

**Senator WATERS:** Yes, but will the product be consistent with it?

**Ms Dumazel:** The principles of UNDRIP have been a key consideration in the development of the reforms. We are still working through what the details of the reforms are.

**Senator WATERS:** You've considered it, but you're not necessarily going to reflect it.

**Ms Parry:** We haven't said that. I think what you're hearing is it's an incomplete product. We're absolutely taking those principles into account, but we don't yet have a final piece of legislation in front of us.

**Senator WATERS:** Minister, is that a commitment? Surely your government wants to be consistent with UNDRIP in the new legislative framework and standards that you create.

**Senator Watt:** We've heard that that's the intent. I think the reason the officials are understandably hedging a little bit is that the work is ongoing.

**Senator WATERS:** I'm pleased to hear you say that is the intent. I think that's important. Lastly, will those cultural heritage laws provide a framework for truth-telling as recommended by the Juukan Gorge inquiry?

**Ms Dumazel:** The cultural heritage reform development is in line with the recommendations from *A Way Forward*, so we're working through those principles that are in there. I'll hand to my colleague Dr Beswick.

**Dr Beswick:** The Juukan Gorge inquiry made a number of recommendations in *A Way Forward*. Recommendation 3 was the one that principally went to the shape and nature of the reforms. There are a number of other recommendations, including the one that I think you're referring to, that are also the responsibility of a range of other agencies—NIAA, AGD, Office for the Arts. The reforms as they're currently framed are focusing on those elements of recommendation 3 in terms of working in a co-design partnership with First Nations peoples to develop a reform of the current cultural heritage protection law. That's the focus that we've taken to this point.

**Senator WATERS:** When I spoke with NIAA earlier today, they said they've still only got half a person looking at truth-telling and treaties and that half a person is just tracking what the states are doing, and they confirmed there was no new funding for Makarrata. Am I hearing from you that you're leaving it to them? I've heard from them that they're leaving it to the states. I don't want to misquote you; is that what you're saying?

**Dr Beswick:** In terms of portfolio responsibility, truth-telling and Makarrata would sit with National Indigenous Australians Agency, that's correct.

**Senator WATERS:** And they're not working on it either.

**Senator BARBARA POCOCK:** I want to go to some questions in relation to a significant building in South Australia, the Walker tower. Minister, when we last met in estimates the department said that if there is significant evidence to suggest a referral should be made and a significant impact is likely the minister can call in a project and require it to be assessed. It's my understanding that Walker Corporation submitted the original three-storey development proposed for the Festival Plaza site in Adelaide for assessment, but the 38-storey development now to be built on this very important site was not referred. I just want to make the point here that this is like putting a 38-storey building next to the opera house or plonking it down in the middle of Federation Square. This is a very sacred site for South Australians. It's right on the edge of our river, just to the north of the parliament, and it will change the profile of our city and buildings. It will change citizens' access to public space, and many, many South Australians are exercised about this.

I'm advised that Walker Corporation briefed the Australian Heritage Council on this project in late January this year. Have Walker Corporation provided the heritage impact assessment and other self-assessments to the Australian Heritage Council, and, if not, why not?

**Senator Watt:** I don't know whether they have. I'm not sure whether one of the officials knows.

**Ms Dumazel:** I'm not sure. I'd have to take on notice exactly what they have received, but this has not been referred for assessment.

**Ms Calhoun:** We have not received it from an environmental regulation perspective. We have discussed it with them, but we have not received the report.

**Senator BARBARA POCOCK:** Sorry, you've discussed it with whom?

**Ms Calhoun:** With Walker Corporation.

**Ms Dwyer:** I can also update you, Senator. The Heritage Council met with Walker Corp again last week, and they intend to meet again. But, in terms of whether actual documents have been provided, we'd need to take that on notice.

**Senator BARBARA POCOCK:** What's happening at those meetings?

**Ms Dumazel:** That would be a matter for the Heritage Council.

**Senator BARBARA POCOCK:** Have you had any briefings from anyone in relation to these discussions?

**Ms Dumazel:** We have provided advice, and, to date, this is not a matter that has been referred for assessment in relation to the heritage values. I understand the Australian Heritage Council has met with Walker. I am not aware of the documentation that has been provided, but, as I said, it is not under assessment.

**Senator BARBARA POCOCK:** Can you provide to us the nature and the notes of your briefings?

**Ms Parry:** We can take that on notice for you, Senator.

**Senator BARBARA POCOCK:** Does the Australian Heritage Council, whose responsibility it is to advise the minister on matters of national heritage, agree with the findings of Walker Corporation with respect to the impact of this proposed development?

**Ms Dumazel:** The Australian Heritage Council would take into account whether the values that are currently listed as part of the National Heritage listing would be impacted, as we would. That's the remit in terms of the requirements under EPBC. But, as to whether there have been broader discussions with the Australian Heritage Council, I'm unaware.

**Senator BARBARA POCOCK:** Why would it be appropriate for Walker Corporation to refer a three-storey plan for review by the department, but not a 38-storey plan? I'll just draw your attention to what this actually looks like in Adelaide. There's this tiny, three-storey—very significant nonetheless—building that they referred, and now there's nothing in relation to this monster of a building, which actually cantilevers over the top of parliament house. Why not?

**Ms Parry:** Again, without knowing the ins and outs of the case—so I'm speaking quite generally but trying to give you a sense of the kinds of things that we would take into consideration as part of an assessment or that a proponent might take into consideration as part of assessment—it would depend on the values on which that National Heritage property was listed and whether or not the proposed building would have a significant impact on those values. I think that's generally what would be taken into account. The proponent is clearly in discussions now with the Heritage Council. It's not yet been referred for an assessment, so they are clearly determining whether or not their proposed project would have a significant impact.

**Senator BARBARA POCOCK:** South Australia's old and new parliament houses are listed as National Heritage places because they 'hold a central place in Australia's democratic history for a series of radical reforms to political laws and processes'. In addition, the Adelaide Park Lands are listed on the National Heritage site because of the innovative and historic way they have built a city on the edge of a river, on a rising plain. It's recognised in the statement about why the Parklands are of national significance. It's very clear that it has very important significance in technical and city design and creative design. Minister, I refer to your letter to me on 1 December. It made no reference to the Parklands and their listing. You referred only to the parliament house, which, as many South Australians would disagree with you, absolutely needs to be preserved and protected from the impact of this building. Why is so little attention paid to the question of these internationally significant parklands and Colonel Light's very innovative technical design of the city?

**Senator Watt:** I remember signing that letter. I'd probably want to have a look at the letter that you wrote to me and whether that also raised the Parklands. Each of the discussions we've had at estimates about this matter has focused on the parliament house site rather than the Parklands. So it may well be that I was replying to the issue that you raised in your letter to me.

**Senator BARBARA POCOCK:** I'd make the point to you, as many South Australians have, that it is both. This is a prize area. It's very, very significant. In your letter to Steve Georganas MP dated 14 January 2026, you

write, 'These heritage values do not extend to the building's setting or view,' whereas, I think, for many South Australians, certainly for me, this place does not only hold social value. It's of very significant architectural and parklands value. The description on the database makes clear that the physical building itself is a landmark. Your statement in this letter appears at odds with the department's own guidelines, which say:

An action is likely to have a significant impact on the National Heritage values of a National Heritage place if there is a real chance or possibility that it will cause:

... ..

- one or more of the National Heritage values to be notably altered, modified, obscured or diminished.

I think it's pretty hard to say that this building does not alter, diminish, obscure and modify the view of our parliament house and its amenity along with the amenity of its parklands on which it's located.

**Senator Watt:** I'm sure the officials can elaborate on this, but the advice to me has always been that the building's setting, views or sightlines are not part of its National Heritage listing and are thus not protected. Different people will have different views about the proposed development and whether it's a good thing or a bad thing, whether it's pretty or ugly, but our job is to assess the impact of that development on the listing, and the advice to me has been that the building's setting, views and sightlines are not part of that listing.

**Senator BARBARA POCOCK:** Plenty of South Australians are against this, including a large group of very significant figures who took out a full-page ad in the *Advertiser*. I can't remember how many there are, but there are a lot of them. There are the 71 per cent who put in submissions to the state parliament saying that this is a travesty and that it should not be done. Why are you so determined to defend this project rather than to allow important heritage protection processes to be undertaken in this case?

**Senator Watt:** I'm just acting in accordance with the law. I think it's a misrepresentation to say that I am or anyone else is so determined to do anything. What we're doing is assessing the impact of a proposed development on a National Heritage listing. From time to time, people want us to list certain properties or to stop certain developments from happening because of what they say are their impacts on a listing. We don't always agree. There are times when I've stopped developments from happening because of the impact they would have on heritage listed areas. There are times that I haven't. I'll always apply the law.

**Senator BARBARA POCOCK:** There are a lot of people. This is not some small thing. There are a lot of South Australians who are looking at that and saying, 'What are you doing?' I understand from your letter to me dated 1 December that you're not planning to use your ministerial powers to call in the proposed tower to action. The department's referral guidelines advise that, if there is uncertainty about whether or not the action is likely to have a significant impact, then a referral should be made. Given the uncertainty of the South Australian community and heritage experts, why are you against allowing a process of proper review for a place that surely deserves the highest possible scrutiny under the EPBC? You're talking about a place in the centre of our city that citizens really care about that goes to the heritage values that go way back. It's a very significant place also, of course, for First Nations people but certainly for Colonel Light and the heritage. It's core to the amenity of our city.

**Ms Dumazel:** In relation to obligations under EPBC, we have gone through to look at the values that are listed as part of that National Heritage listing. That's based on the values, and that's all we can look at—the values that are included in the National Heritage listed place.

**Senator BARBARA POCOCK:** Have you looked at both the listings—the parklands and the parliament itself, historically?

**Ms Dumazel:** My team has looked through the information that is on the heritage listing, so the values against that, and the obligations under EPBC.

**Senator BARBARA POCOCK:** Minister, why won't you call this in, given the uncertainty and very strong controversy around this building?

**Senator Watt:** I don't base my decisions on controversy. I base my decisions on the law.

**Senator BARBARA POCOCK:** The law says it's uncertain. You should call it in.

**Senator Watt:** That's your opinion and the opinion of the people who have signed that open letter. My job is not to listen, respectfully, to opinions for or against a development. If I did that, I would constantly be tying myself up thinking about what people think. My job is to apply the law, and the advice to me has been to not exercise the call-in power for the reasons that I've already explained.

**Senator BARBARA POCOCK:** Many South Australians are very unhappy about this. I asked you in the last estimates for the correspondence between the department and Walker Corporation or the state government in

relation to this building. You've refused to supply that. People in our state are very concerned about the lack of transparency in your decision-making and correspondence. I had a very specific scope in my request; it's not an unreasonable request. Why have you not supplied what I've sought?

**Senator Watt:** I suspect I probably provided a reason, but I'm happy to go back and look at what that reason was.

**Senator BARBARA POCOCK:** Could you do that on notice please?

**Senator Watt:** Sure.

**Senator BARBARA POCOCK:** Either way, it's incredibly unacceptable to the citizens of South Australia that, for such an important decision, you will not be transparent about your communications.

In 2023, the total income of Walker Corporation was half a billion dollars. According to the ATO, they've paid no corporate tax. In 2024, the median rent for a house in Adelaide was \$580 a week—it's a lot more than that now—and that equated to 43 per cent of the average take-home pay of a nurse. In contrast, the South Australian government have determined it's perfectly reasonable to lease inner city public land to Walker Corporation, a multibillion dollar asset base, for \$1 per year for a hundred years. That's for this key site in the middle of our city—a dollar a year for a hundred years. I'd like to know, as a minister in the federal Labor government, are you happy to tell the people of Australia who are struggling to keep a roof over their head that you consider the rate that the South Australian government has leased this public land to Walker Corporation for to be fair and reasonable?

**Senator Watt:** I'm not going to offer an opinion on a decision of a state government. What I'm going to do is apply the law irrespective of controversy, opinion and all the other things that you are suggesting that I should base my decision on. My decision will be based on the law.

**Senator BARBARA POCOCK:** I think there will be plenty of people all around our country, not just in our state, who think that rent of \$1 a year for a hundred years is outrageous.

**Senator Watt:** That's fine. They're entitled to their view. I'm not here to express an opinion on state governments. I'm here to apply federal law.

**Senator BARBARA POCOCK:** Concrete has already been poured on this site, preparing foundations for this tower. This is despite the PlanSA decision-making notification form showing that, although Walker Corporation received planning consent on 11 June 2025, there is no building consent or development approval for this building. Given your responsibility to protect National Heritage places as the Minister for the Environment and Water, will you ask the South Australian government how this development can legally proceed without it having obtained building consent and development approvals? It is just incredible, and you should have an opinion about this.

**Senator Watt:** Can you direct me to a section of the legislation that empowers me to do those things? My job is to apply Commonwealth law, and, in this case, it's to make a decision whether to call in a project or not. I've told you why I've decided not to, based on the advice that I've received. You seem to be asking me to do all sorts of things that are completely outside my responsibility.

**Senator BARBARA POCOCK:** Minister, it strikes me that you are reading down your powers. You have a real power here.

**Senator Watt:** What power do I have?

**Senator BARBARA POCOCK:** You have a significant responsibility to preserve National Heritage.

**Senator Watt:** Yes, I do.

**Senator BARBARA POCOCK:** This is double, for two very specific criteria, on our National Heritage. You have the power to call this in and do something to protect a very significant place, and you choose not to do so.

**Senator Watt:** I have the power to do so if a proposed development will impact on a National Heritage listing. The advice to me is that this proposal would not do so. It doesn't mean that people think it's great, but my job is to apply the law. If I go around making decisions based on controversy or community opinion, then every decision I make will be overturned by a court. I happen to believe that my decisions should be based on the law, and that's the way that they can be legally robust.

**Senator BARBARA POCOCK:** You have the power to make a difference on this decision, Minister, and you're choosing not to. It is truly a scandal, and I'm willing to predict that years ahead you're going to look at this—if it goes ahead, without proper permissions at present—and share some of the regret of South Australians. I

really hope that it doesn't happen and that you don't feel that regret. But you're really not doing what South Australians want you to do.

**Senator Watt:** No, I'm applying the law, Senator Pocock. If you want to—

**Senator BARBARA POCOCK:** You're choosing to do it.

**Senator Watt:** If you want to move an amendment to the law that says that a minister can block a development because of local controversy, go your hardest. That's not how the law works. What the law says is that I can call in a development if it's going to impact on a National Heritage listing. The advice to me is that it's not. If I do something different to that, my decision will be overturned by a court.

**Senator BARBARA POCOCK:** Well, I look forward to seeing your correspondence with Walker Corporation around this development. I think it will be very interesting to see.

**Senator Watt:** I don't remember ever having written to them, but I'm happy for us to go and have a look.

**Senator BARBARA POCOCK:** In which case, I'm looking forward to seeing it. I've been refused access to it today, and it is important for us to see.

**CHAIR:** We will now go to our afternoon tea break.

### Proceedings suspended from 16:16 to 16:33

**CHAIR:** We're going to outcome 2.3, but, before we commence questioning on outcome 2.3, I'm in a position now to release the Threatened Species Scientific Committee officials. You go with the committee's thanks, and I appreciate my colleagues' assistance in that regard. Senator Whish-Wilson.

**Senator WHISH-WILSON:** Can I get an update on the RaWR Act review and when that's going to be coming to parliament.

**Mr Tregurtha:** That review is in the process of being finalised now. I know originally the department had expected to finalise it late last year. However, given there were a number of pertinent issues that arose last year to the review, most specifically the development of the PC's report on the circular economy—but also, as you're aware, there were a few issues raised with the department around the export of soft plastic, which go directly to the contents of the RaWR Act—the department did extend the time somewhat. We're in the process of finalising it now and expect to be providing that to the minister and the government shortly.

**Senator WHISH-WILSON:** I'm just looking at a question on notice that I put to you in December last year around whether the RaWR Act would be suitable for a new extended producer responsibility scheme for plastics. You said the department is progressing work to inform government consideration of options for reform of packaging regulations, including a preferred legislative model. Will that review be making a recommendation around a preferred legislative model?

**Mr Tregurtha:** Certainly we would, in providing advice to the minister and government, provide the department's recommendation about what the preferred optional model would be. It's certainly the case that, as part of our development of options, we are including consideration of extended producer responsibility treatment and how that might best be given effect if that were to be the option pursued.

**Senator WHISH-WILSON:** Minister, have you got any comments about this?

**Senator Watt:** I'm certainly, from time to time, briefed by the department about their progress on this. You've heard from Mr Tregurtha about where the review is up to, so once that is provided to me we'll obviously consider it. But I'm certainly aware of the very strong desire from a range of stakeholders in this space to see change. I've done a couple of roundtables myself with representatives from the packaging sector in particular. My office is in regular dialogue with them. We're certainly conscious that people would like to see change.

**Senator WHISH-WILSON:** Minister, have you read a recent analysis from key recycling industry representatives and peak bodies which demonstrates that, if a mandatory packaging product stewardship scheme regulations are not introduced in the first six months of this year, 2026, Australian recycling business will likely reach a point of financial no return, causing business closures and reducing our recycling capacity? Have they expressed that to you directly?

**Senator Watt:** Yes. I think the report you're referring to is the one that was released by members of the industry at some point in January, from memory. I'm certainly aware that that is their view.

**Senator WHISH-WILSON:** It was called *Securing Australia's plastic recycling future* and it was ACOR and APCO. Are you concerned by what they've told you? Your government's, on the latest data, invested—I'll give you the exact number that you gave me recently in the Recycling Modernisation Fund—\$110.3 million in upgrading and in new capacity in recycling, and you've got another \$109.1 million committed. That's a good

investment, but what's the point of that if there's no demand for recycled product, like recycled plastic, in this country?

**Senator Watt:** I'm concerned about that. As I say, I've met with representatives of the industry to hear about their concerns, and that's why we've got this work underway.

**Senator WHISH-WILSON:** In response to another set of questions that I put to the department around the National Waste Policy Action Plan, I asked for an update on the various components of that plan. Target 4 relates to government procurement, which obviously has been a key ask for a number of years now by the recycling sector. In the response that I got from the department, it said:

Significantly increasing the use of recycled content by governments and industry (on track). Currently, four governments have whole-of-government sustainable procurement policies in place. All other governments have taken steps towards sustainable procurement.

The industry tell me that basically governments aren't procuring anything from the sector. How do you reconcile that with this feedback from the sector that they need markets for recycled product or that otherwise this is not going to work?

**Mr Tregurtha:** Certainly from the Commonwealth's perspective, as you'd be aware, we have introduced a government procurement policy. My information is that we're already seeing results from the implementation of that policy, certainly at a Commonwealth level.

**Senator WHISH-WILSON:** Could you give me some examples of that?

**Mr Tregurtha:** Yes.

**Senator WHISH-WILSON:** I've been asking questions of the infrastructure department for years about when they're going to put stuff in road base and building materials and a whole bunch of different stuff, but I haven't received any information at all on this.

**Ms Geiger:** What I can tell you is that this procurement policy has rolled out in two phases. The first phase only applied to construction services, and the second phase is furniture, fittings, equipment, ICT goods and textiles. To date, the Commonwealth policy has been applied to 16 construction services contracts, representing the combined value of \$956 million.

**Senator WHISH-WILSON:** Can you put a dollar value on what's been procured by government?

**Ms Geiger:** The policy has been applied to 16 construction services contracts, representing a combined value of \$956 million.

**Senator WHISH-WILSON:** That's \$956 million over just this financial year or since the policy was implemented?

**Ms Geiger:** That's right.

**Mr Tregurtha:** And, as Ms Geiger said, that's in relation to the first phase. The second phase is now in place, which is around furniture and fittings for fit-outs for various Commonwealth agencies, and it's connected to the Commonwealth's procurement framework. So we would expect to see that start to come online and flow through the Commonwealth's purchasing as well, which should then make a difference in terms of the procurement of goods that have recycled content in them.

**Senator WHISH-WILSON:** Do you have an estimate as to what the Commonwealth might procure?

**Mr Tregurtha:** We don't have an estimate, but I would say that there are some very big procurers in the Commonwealth. I'm thinking, of course, of the Department of Defence, for example. But certainly as a purchaser and a procurer of those goods, the Commonwealth has quite a large footprint.

**Senator WHISH-WILSON:** Have you been in discussions or negotiations with the recycling industry? How far as this got? Have you got to the point where you're talking about innovation and R&D and the kinds of things you need, or are you just talking about basic recycle here that then gets value added?

**Mr Tregurtha:** You're right; there are two aspects to that. The first is that the policy is around procuring of goods with recycled content embedded within them. So that's more the goods than the source of the recycle, which I think is where your question is going, if I've understood you correctly. But the department is regularly in contact with the recycling industry. With regard to the report you referenced earlier in relation to plastic recycling, in addition to the minister, the department has also engaged with both APCO and ACOR in relation to that report, and we continue to do that as we develop up those options for reform that I touched on earlier.

**Senator WHISH-WILSON:** Perhaps this is a question for you, Minister. I'm after a really basic understanding as to what the barriers have been to progress or action on getting packaging reform under your

government. It's obviously coming up to four years now. Over the many years that I've been pushing for this, I'd say that some of the barriers have been that the packaging industry hasn't been on board and that APCO has either been agnostic or hostile to regulations. Under the previous government, I think they were allergic to mandatory regulations and settled on voluntary regulations, which have failed. The explanation I got from you previously was that you were focused on the EPBC laws and getting that done, which I accept. But they're largely through now, and I know the regs are coming. What is the barrier to progress in actually getting this done?

**Senator Watt:** It probably is all of those things. Under my predecessor, Minister Plibersek, we obviously made some far more ambitious commitments in the circular economy space than what we'd seen from any government before, and work began to start on what would be needed to deliver on those. In the time that I've been in the role, I've made no secret of the fact that passing those EPBC laws was my overriding priority, but, in the meantime, the department has been busily working behind the scenes—working with stakeholders, working with other departments—on the kinds of reforms that might be needed. So just because we haven't been out there talking, or just because I haven't been out there talking about it a lot, doesn't mean that work hasn't been happening behind the scenes. I don't know if you were here earlier, when we had the discussion about cultural heritage laws, but there's been a similar approach there as well—work has been happening behind the scenes while I personally have been focused on another matter. So we would certainly be hoping that, over the course of this year, we can make some progress on these issues. I've already begun talking with the department about what might be possible, even as an interim step, while we work on broader reforms. I would hope that over the next little while we'll have a bit more to say about that.

**Mr Tregurtha:** I'd also note that, earlier this month, the government announced the solar panel recycling pilot.

**Senator WHISH-WILSON:** I've got some questions on that.

**Mr Tregurtha:** And I'm happy to answer them, but I guess that's a demonstration that there are things happening, as the minister's saying.

**Senator WHISH-WILSON:** That's not a mandatory scheme, though, is it?

**Mr Tregurtha:** I'm sorry?

**Senator WHISH-WILSON:** Is it a mandatory scheme?

**Mr Tregurtha:** No. It's a pilot that's aimed to improve the information that we have available, and I'm happy to talk more about that one at length. But I guess the point I was trying to make is that the department continues to do work and to advise the government on where the best possible options might be to engage on the topic. The other point I'd make is that, as we've learnt through our discussions with industry and stakeholders, it is quite difficult. The recycling and the viability of recycling in this country is a very complex situation. It interacts with both with both feedstock markets and demand markets and internationally as well as domestic. Be assured, we are—

**Senator WHISH-WILSON:** I understand all of those things, Mr Tregurtha, but these issues have been raised now for 10 years and we're still no closer—well, hopefully we are closer, based on what you've said today.

**Senator Watt:** The officials can't say this, but I would argue that there has been a lot more effort put into this space since the Albanese government came to power. That doesn't mean that it's done automatically. As you say, there have been issues to resolve with stakeholders about what their ask is. I'm not saying that's still a problem, but—

**Senator WHISH-WILSON:** They are largely resolved now. It's the first time I've seen the planets align, with APCO calling for regulation.

**Senator Watt:** Yes, exactly. And that's a really important development that makes it easier to move forward. I'm not trying to say that it's all the industry's fault. It's not that at all.

**Senator WHISH-WILSON:** My respectful question is: why aren't we working on it?

**Senator Watt:** We are working on it. It's not yet finalised, but we have been working on it. We are working on it, and I've already flagged that we'll have a bit more to say about that once we've finalised our position.

**Senator WHISH-WILSON:** You said an 'interim step', Minister.

**Senator Watt:** I guess the solar panels is an example of that, where the review of the raw act overall is a obviously a big process, but there may be things that we can do along the way that start making a difference. The solar panel recycling scheme is an example of that. There may be other things that we can do in the meantime while we move towards that full review being implemented.

**Senator WHISH-WILSON:** As a matter of interest, during the EPBC reforms, the latest information I've received from the department is that you've got 147 full-time equivalents working in the circular economy branch.

**Mr Tregurtha:** 141.

**Senator WHISH-WILSON:** I've got 147.

**Mr Tregurtha:** That 147 would have been at the time at which we answered your question, so that was the exact figure at that time.

**Senator WHISH-WILSON:** And between eight to 10 working on packaging reform out of that.

**Mr Tregurtha:** I beg your pardon?

**Senator WHISH-WILSON:** And between eight to 10 out of that 147 were working on packaging reform.

**Mr Tregurtha:** Eight to 10 are in the section that does packaging reform, but other staff in the division contribute to that work. As you'd be aware, for example, the chemical composition of plastics is an important thing, so our chemical staff would contribute to those reforms. That eight to 10 does not include our staff who are busy working on the global plastics treaty. So that eight to 10 is the number of people in the packaging policy section.

**Senator WHISH-WILSON:** How many staff were working on the global plastics treaty, as a matter of interest?

**Mr Tregurtha:** Pardon me?

**Senator WHISH-WILSON:** How many staff were working on the global plastics treaty, as a matter of interest?

**Mr Hutchison:** The global plastics treaty team would have something in the order of about six FTE, but I'd want to take the precise number on notice.

**Senator WHISH-WILSON:** Were any staff from the circulate economy seconded to work on the EPBC reforms out of the 141-147?

**Mr Tregurtha:** No.

**Senator WHISH-WILSON:** I have some questions on solar panel recycling. I'll get through these fairly quickly, Chair.

**CHAIR:** Thank you, Senator.

**Senator WHISH-WILSON:** The \$25 million announced recently is for a pilot program. Is that correct?

**Mr Tregurtha:** That's correct.

**Senator WHISH-WILSON:** And the pilot program is designed to inform a bigger program nationwide?

**Mr Tregurtha:** It's designed to inform options for a national product stewardship scheme.

**Senator WHISH-WILSON:** So how does this cut across the responses I got recently around a regulatory impact statement? I understand you've been working with New South Wales and other states to develop a regulatory impact statement.

**Mr Tregurtha:** It will happen in parallel. The regulatory impact statement will be prepared by New South Wales in response to the energy ministers council, which commissioned that work. It will be one component informing how both the states and territories and the Commonwealth seek to take forward product stewardship for solar panels. The solar panel pilot, which is focused on the collection and the logistics around managing solar panels, will also inform the same body of work, which is around what the most appropriate solution is for solar panel recycling moving forward nationally.

**Senator WHISH-WILSON:** And are we still seriously considering a voluntary product stewardship scheme in 2026?

**Mr Tregurtha:** I don't think we've taken any options off the table. The department will prepare advice for all governments.

**Senator WHISH-WILSON:** Is there something about solar panels that might make them more amenable to a voluntary scheme than a mandatory scheme?

**Mr Tregurtha:** We haven't finished our work in relation to either the regulatory impact statement or the pilot scheme, which has just been announced. Those two things, along with other work the department and the states and territories will also be doing, will help us make a determination about what the most appropriate scheme is for those products. I should note that solar panels themselves actually have quite a high value in terms of the

materials that are embedded within them. Given that industry suggests they're potentially highly recyclable, for want of a better term, it's quite possible that the economics might work, if you can solve the logistics problem. Now, that's just me musing on it, but once we have done this work around the pilot and the work with New South Wales, we'll be in a better position, as I said, to provide advice to government and then for that to move forward.

**Senator WHISH-WILSON:** Ultimately, is that advice going to come down to whether you recommend a national scheme for solar panels, or are you going to outsource this to the states, like just about everything else I've seen in the last 15 years?

**Mr Tregurtha:** Again, I think that will depend on the work that is underway at the moment to prove up potential solutions and what might be the most appropriate way of managing that particular issue.

**Mr Knudson:** Senator, your questioning is also going to this point: we have learned a lot of lessons on the voluntary schemes, and they do have some pretty significant weaknesses. We would consider whatever needed to be taken into account, including free riders. The reason why APCO, I think, has changed their positioning is they just couldn't keep their base.

**Senator WHISH-WILSON:** I understand that.

**Mr Knudson:** I just want to acknowledge that we know the weaknesses of the voluntary schemes, and they will be taken into account.

**Senator WHISH-WILSON:** Could you give me an update on whether anything's happening on batteries? I'm just following up on earlier questions that I've asked.

**Mr Tregurtha:** Bear with me, Senator.

**Senator WHISH-WILSON:** There are lots of different kinds of batteries, but I'm mostly interested in small lithium batteries.

**Mr Tregurtha:** As you're aware, the department has accredited B-cycle for small batteries—under five kilograms, I think. Yes, that's correct. So that voluntary product stewardship scheme is underway. B-cycle continues to operate in relation to the small batteries. Beyond that, as I think we talked about the last time we appeared, the environment ministers determined that New South Wales, I think—I'm looking at my colleague—would put in place model legislation around a product stewardship for batteries. Other states and territories then agreed that that would be a pathway for them to introduce similar mirror legislation in their states.

**Senator WHISH-WILSON:** So the plan, just to be clear, is to leave it to the states, not to have a national scheme.

**Mr Tregurtha:** Certainly, the Commonwealth remains engaged with the states and territories as that work happens, but, yes, at this stage we're not—

**Senator WHISH-WILSON:** How do you remain engaged? What's your role if the states are going it alone? New South Wales clearly got sick of waiting and went it alone. So what's your involvement?

**Mr Hutchison:** Under the auspices of the environment ministers meeting, through senior officials, we continue to work through working groups that will report up to environment ministers on what New South Wales is leading on with the legislation that my colleague Mr Tregurtha mentioned. New South Wales has introduced its Product Lifecycle Responsibility Act, and I believe there are some regulations now to follow beyond that. They are designed to be model regs that the other states and territories can pick up as well. But we are doing that through a coordinated process under the auspices of the environment minister's program.

**Senator WHISH-WILSON:** It just fascinates me that we look at all these different schemes. We've got batteries, we've got tyres, we've got solar panels, we've got e-waste—I could go on. We've got this kind of hotchpotch of different state regulations. CDS is a very good example at the moment of where there are some issues. Does the department or the minister not see a role for federal coordination or federal schemes? Isn't that what industry wants at the end of the day?

**Mr Tregurtha:** I might get my colleagues to weigh in in a second, but, I guess from my perspective, this does go back to that overall reform of the Recycling and Waste Reduction Act that we talked about at the start of providing evidence today—where we are right now in the space of finalising the RAWR Act review and providing advice on options to government. I've already said to you that, as part of those options, we'll look at things like extended producer responsibility. But, going more broadly, of course we would consider that—

**Senator WHISH-WILSON:** Mr Tregurtha, what does 'look at' mean? Why don't we just do something? There's been no legislation before parliament under this government in the waste space—nearly four years. Why don't we actually just do something? Surely we've been working on this for long enough with enough stuff.

**Senator Watt:** The review is underway to guide that 'something' that you're talking about, but it does take—

**Senator WHISH-WILSON:** I've heard this language before a number of times.

**Senator Watt:** We want to do it right. We're doing the policy work that will lead to amendments, but we need to work out what the correct position is first. I understand this is something you've been working on for a long time—since well before this government was ever elected. Since we were elected, we have picked up the ball. We're moving towards making change.

**Senator WHISH-WILSON:** Okay. Thank you for acknowledging that, Minister. I've heard the same kinds of responses going back 12 or 14 years—10 years ago, five years ago. We've been working on this stuff for a long time. Here we are in 2026, and we're still not there yet.

**Mr Knudson:** 2036?

**Senator WHISH-WILSON:** Sorry?

**Mr Knudson:** I heard '2036', Senator. I didn't think it was that bad!

**Senator WHISH-WILSON:** I hope I'm still around in 2036! I can guarantee you I won't be here! But I'll be very happy if we finally get it done.

I will ask my last question—a follow-up point of clarification on the global plastics treaty. Is there anything happening on that now? I understand that there was in August.

**Mr Tregurtha:** Yes. INC-5.2 was the total given to the August meeting. At that meeting, as you're aware, agreement couldn't be reached on text for the treaty. Since that time, the chair—

**Senator WHISH-WILSON:** I wasn't surprised, by the way. It's the same thing that's been bothering us for years—companies not wanting to be regulated.

**Mr Tregurtha:** Since that time, the chair of the negotiations has resigned. In fact, just over the weekend, a new chair—there was a one-day meeting that happened over the weekend to elect a new chair. A new chair has now been elected. The Chilean representative was successful in that. It will now be up to the new chair to work with the secretariat to set up an agenda for this year and beyond in terms of the next round or in terms of intersessional meetings and negotiating meetings for taking that work on the global plastics treaty forward. Australia remains fully committed to participating in that process. Indeed, we had someone in the meeting over the weekend representing Australia's interests. We will continue to play an active role as a participant in the work that continues to happen globally in relation to the global plastics treaty.

**Senator WHISH-WILSON:** As long as we're not waiting for anything to happen on the international front before we do something.

**Senator Watt:** No—quite the contrary.

**Senator WHISH-WILSON:** This is a really good example of something for us to lead on.

**Senator Watt:** We've had some discussions about this. We will remain involved in these negotiations for action at the global level. I think we all understand that there are some significant barriers to progress, in the form of other countries, but we have made an internal decision that we need to push on with our own measures while we do what we can to prod the rest of the world. But that shouldn't get in the way of making progress ourselves.

**Senator WHISH-WILSON:** I've said it you personally, Minister. The Greens are waiting for you to bring something forward so we can pass it and have a world first, be a leader—or whatever it takes. But it's been too long.

**Senator Watt:** It's an area that we're keen to make progress on.

**Senator WHISH-WILSON:** Okay. Thank you.

**CHAIR:** On that note, we'll move on from outcome 2.3. Thank you to the officials who have been here to give evidence and who have given evidence on that outcome. I invite the officers from the Bureau of Meteorology, including Australian Climate Science, to the table.

#### **Bureau of Meteorology**

[17:02]

**CHAIR:** I welcome Dr Stuart Minchin, Chief Executive Officer and Director of Meteorology, and your colleagues. Do you wish to make an opening statement?

**Dr Minchin:** Given you were so generous last time we appeared, no, we won't make an opening statement this time.

**CHAIR:** You have my gratitude. In that case, I'll go to the coalition for questions to the bureau. Senator Smith.

**Senator DEAN SMITH:** I have some general ones. The national water information system has been in operation, I think, since 2008. Can you give me an indication of how much money has been expended thus far on the national water information system?

**Dr Minchin:** I'm going to call my colleague Peter Stone.

**Dr Stone:** Since 2007, the bureau has received \$708.6 million.

**Senator DEAN SMITH:** I thought the act was 2007.

**Dr Stone:** Yes, and since 2007 the bureau has received \$708.6 million across three separate funding allocations.

**Senator DEAN SMITH:** What were the three separate funding allocations?

**Dr Stone:** There was \$419.6 million from 2007-08 over 10 years as part of the National Plan for Water Security; \$268 million from 2017-18 over nine years to deliver essential Commonwealth water functions under the Water Act; and \$21 million from 2023-24 over three years to deliver water market reforms.

**Senator DEAN SMITH:** Is the national water information system at a level of maturity where it doesn't require the hundreds of millions of dollars invested in it that happened earlier in its life? Is that how I should read the significant drop-off in funding?

**Dr Stone:** For the essential Commonwealth water functions it's remained at roughly \$29 million over that full period. Occasionally there's extra investment to create particular artefacts that meet particular needs. There's more recently been investment to enable provision of real-time market data.

**Senator DEAN SMITH:** I understand that. For each of those three tranches can you provide on notice a summary of the initiatives that were included in those tranches?

**Dr Stone:** I can say they're less initiatives than ongoing provisions of a whole range of services. I can go through those now if you wish.

**Senator DEAN SMITH:** That would be great.

**Dr Stone:** There are 15 major functions that are delivered. There's Water Data Online. Let me know if you'd like little details on each of these. Australian Groundwater Explorer provides access to data for over 900,000 groundwater bores across the country. The Australian Water Resources Assessment landscape model. Design rainfalls are used by engineers and planners as a fundamental reference in hydrological and engineering design. Hydrological reference stations allow for detection and attribution of long-term streamflow variability in the country. Sixth is water storage information, so provision across the country of water storage levels and volumes for over 300 sites across Australia. The Australian Water Resources Information System generates consolidated water storage information, so surface water, groundwater, water trading and quality. Australian Hydrological Geospatial Fabric, or Geofabric, is a system that maps the interrelationships between key hydrologic features, so rivers, dams, lakes, aquifers et cetera. The National Water Account. The national flood forecasting and warning service was provisioned under that. Australian water resources, so annual national assessments of water resources.

**Senator DEAN SMITH:** Did you say annual?

**Dr Stone:** Annual, yes. Two more. For a considerable period there was an arrangement known as WIRADA, the Water Information Research and Development Alliance, which actually did a lot of the science around hydrology that enabled a lot of those functions I've mentioned to be delivered accurately. Finally, in terms of the ongoing services there's the Australian Water Data Service. That makes the information available via things like APIs, a range of websites and reports. To give you an idea of how frequently those things are used, the design rainfall function I mentioned is used around 400,000 times a year, Groundwater Explorer is accessed about 58,000 times a year and the National Water Account is used about 55,000 times a year et cetera—so a lot of them used.

**Senator DEAN SMITH:** I think I've got 13 there—we'll use the word 'program' loosely. Did you say 15 in your earlier remarks?

**Dr Stone:** I said 15. Sorry, you're right: it's 13.

**Senator DEAN SMITH:** Finally, looking at those 13 programs, is it possible to disaggregate the \$708.6 million across that so we can see over which years?

**Dr Stone:** I understand what you're saying. It'd be a bit made up. They're highly interrelated.

**Senator DEAN SMITH:** So not completely accurate.

**Dr Stone:** No, it wouldn't be all that accurate.

**Senator DEAN SMITH:** It would be indicative, though, wouldn't it?

**Dr Stone:** We could have an indicative one.

**Senator DEAN SMITH:** Just caveat it to say that these are whatever the scientific word for 'loose' is.

**Senator Watt:** Is that Latin?

**Senator DEAN SMITH:** It's Senator Smith's Latin. Thank you very much for that. That's most helpful. Turning to some questions of the Australian Climate Service—I can ask those here as well, I think? Thank you very much and welcome. When the National Climate Risk Assessment project was being undertaken it was my understanding that there were positions which were time limited and specifically established to support the delivery of the national assessment. I was under the impression that there were 20.4 new ASL positions in 2023-24 and 18.9 in 2024-25. Have I understood that correctly?

**Ms Manson:** That's correct.

**Senator DEAN SMITH:** What are those positions doing now? Are they still engaged in the national assessment work?

**Ms Manson:** No, that national assessment work has drawn to an end. The Australian Climate Service staff are doing a range of engagement and activities to communicate the National Climate Risk Assessment, but those ASL are no longer allocated to the ACS. Some of them were non-ongoing staff and have left, and others might have been redeployed to either parts of what the partners do or parts of things within the Australian Climate Service.

**Senator DEAN SMITH:** How many people are involved in communicating the Climate Risk Assessment report at the moment?

**Ms Manson:** I have three climate communications staff, but I would say every staff member of the Australian Climate Service has a role in communicating the National Climate Risk Assessment in the way we work to help government and industry understand what the risk assessment means for them.

**Senator DEAN SMITH:** How many people are employed in the Australian Climate Service group as of today? Do we call it a group, a division or an agency?

**Ms Manson:** We're an agency. It's at 37 ASL.

**Senator DEAN SMITH:** What are they doing now, those 37 people?

**Ms Manson:** The Australian Climate Service's role is to provide authoritative data and information on climate risks. That ranges from information on climate and hazards, understanding exposure vulnerability and integrating that into climate risk to providing a range of services to both government and industry. There are a wide range of projects that we're working on. Some of those are improving the way we can access data, helping people visualise that data. Some data in its current format isn't useful to look at for climate risk. A good example of that is business location data. Prior to the Australian Climate Service it wasn't spatially enabled, so we really couldn't tell you what the impacts to businesses were. We had to do a bit of work to update and improve that data.

**Senator DEAN SMITH:** Could you just provide on notice a list of the projects that the Australian Climate Service is currently working on?

**Ms Manson:** I'm happy to.

**Senator DEAN SMITH:** Has any effort been made to clarify or correct any of the data that was in the most recent climate risk assessment report?

**Ms Manson:** We have received information from some people where we've had some errors, and we're in the process of doing some addenda.

**Senator DEAN SMITH:** So the climate risk assessment report contains errors.

**Ms Manson:** They're typos. It's not—

**Senator DEAN SMITH:** They're not substantive ones.

**Ms Manson:** Yes, they're not substantial ones.

**Senator DEAN SMITH:** That's not completely true, because we've talked previously at estimates about the calculations that were used to estimate collapses in Australian property values.

**Ms Manson:** I stand by them. We had a systems approach, and we looked at a range of data. There were multiple lines of data that we used, including the source that you're referring to.

**Senator DEAN SMITH:** You stand by the suggestion that Australian property values will collapse by \$770 billion in the next five years?

**Ms Manson:** I think, if you look at the whole system analysis in that chapter, the risk of climate change to property and other parts of our economy is substantial.

**Senator DEAN SMITH:** On notice, could you provide the committee a list of those errors or changes that have been necessary to incorporate and where they've come from.

**Ms Manson:** I'd be happy to.

**CHAIR:** Senator Smith, I'm going to move the call in a minute or two.

**Senator DEAN SMITH:** I think I might be able to do it in a minute or two. The climate assessment report includes a table which talks about key climate hazards for the system on page 131. I think there's been some commentary around some of these figures already. It suggests that gust events, which are identified as separate from cyclones—have you got that in front of you there?

**Ms Manson:** Yes.

**Senator DEAN SMITH:** Gust events are identified at line 4, and cyclone events are identified at line 5. It estimates that there will be 564 deaths from gust events in the period from 1967 to 2022—have I read that correctly?

**Ms Manson:** That's correct.

**Senator DEAN SMITH:** —and then 509 deaths from 1990 to 2022. The percentage increase has gone from 16.4 to 21.5. How is that figure calculated?

**Ms Manson:** That's done by Risk Frontiers, who do PerilAUS data analysis. They do a lot of work for the insurance sector and others. I can take that on notice and come back to you on how that's calculated, but that's sourced directly from their work.

**Senator DEAN SMITH:** What sort of independent verification does the Australian Climate Service do of that data that's provided?

**Ms Manson:** A range—it depends on the source. For that one in particular, we've spent a lot of time looking at some of the Risk Frontiers data and how we apply it in other areas. I'd have to check for that table specifically, though.

**Senator DEAN SMITH:** Was that table provided by the same source—Risk Frontiers, did you say?

**Ms Manson:** Risk Frontiers are consultants who deliver services, and they produce a report. There's a database that we have drawn on from their work.

**Senator DEAN SMITH:** You're quite right; it's there in the footnote. On notice, can you provide the committee with some information about how the Australian Climate Service has verified that information provided by Risk Frontiers, that PerilAUS data, and satisfied itself that that has been verified?

**Ms Manson:** Yes.

**Senator WHISH-WILSON:** This might be very short. Are there any plans for a new, separate BOM funded website for climate services? This is on top of the BOM website that has been done and the Robust project. Are there any plans for another website?

**Ms Manson:** The Australian Climate Service already has a website—acs.gov.au. We've had it since we were established.

**Senator WHISH-WILSON:** Are there any plans for a new one on top of that?

**Ms Manson:** Not a new website. That's our website. We will, over time, continue to improve it to align with our role of making data and information more accessible for Australians.

**Senator WHISH-WILSON:** So there are no plans for contracts for a separate funded website on climate risk data at all? You're just updating the current one?

**Ms Manson:** No, we do have some procurements underway that would be related to the website, but it's not a website procurement.

**Senator WHISH-WILSON:** Can you tell us about those procurements?

**Ms Manson:** As part of our role to provide data and information, we need to have a secure way to share data across the partnership and with other providers. We didn't have that capability, and we're looking to build that capability and exploring ways to do that at this stage.

**Senator WHISH-WILSON:** What contractors—have you awarded a contract for that?

**Ms Manson:** No—

**Senator WHISH-WILSON:** It's all internal, is it?

**Ms Manson:** Yes, it's still under consideration.

**Senator WHISH-WILSON:** For my last question—Chair, I told you I'd be brief!—I'm just wondering whether there have been any conversations between BOM executives and CSIRO executives about, I suppose, backfilling Climate Service's capability, with the CSIRO job cuts about to get underway.

**Ms Manson:** With the way that the Australian Climate Service works, we have four partners, and we work with government to identify priorities for what we work on. We already provide resources to all of those agencies to do the work that we do. We haven't allocated resources for the next financial year. As part of that, we'll clearly be talking to executive in the Bureau of Meteorology, CSIRO, the Australian Bureau of Statistics and Geoscience Australia.

**Senator WHISH-WILSON:** About?

**Ms Manson:** Not specifically about backfilling or utilising staff from CSIRO, but, in the context that we're all working in, that's clearly something that we will think about and talk about with our executive colleagues in those partner agencies.

**Senator WHISH-WILSON:** I know you can't speak for CSIRO, but Minister Ayres has said publicly that the possibility is that some of the scientists who are going to be made redundant at CSIRO could be re-employed in other agencies. Have there been any discussions with Minister Ayres's office about this, Dr Minchin?

**Dr Minchin:** No, there hasn't been any direct conversation about redeployment of climate science capability. I think it's worth mentioning that ACS is not the only source of climate science funding and activity. They're a key user of our climate science capability, but our climate scientists are engaged in a whole range of other modelling processes as well. So there's clearly still a strong need for climate science capability in the country.

**Senator WHISH-WILSON:** You were specific with your comment there about 'no discussions about redeployment'. Have there been discussions about loss of capability, intellectual property and a whole range of other things with job losses at CSIRO, particularly at the environment and climate division?

**Dr Minchin:** CSIRO have shared with us that they're looking at their own capabilities more generally, not just in climate science but prioritising their capabilities. But, as I understand, there's no decision being made about those changes. If they do intend—

**Senator WHISH-WILSON:** Well, I would hope they talk to you before they do make those decisions, given the collaborative nature of what they're doing, and the same for the Australian Climate Service.

**Dr Minchin:** They've certainly highlighted that they're thinking about prioritisation, and we're engaging with them on that. But, to my knowledge, there has been no specific decision made by CSIRO or anyone else. I'd direct your questions to them on that issue.

**Senator WHISH-WILSON:** We will have a Senate inquiry into it very shortly. So there have been some top-level discussions, or they've consulted with you?

**Dr Minchin:** They're partners with us on ACS, for example, so it's normal for them to share what constraints they're facing in the future, and, yes, we continue to engage as partners and colleagues on the Australian Climate Service.

**Senator WHISH-WILSON:** Alright. Thank you.

**CHAIR:** Senator Roberts.

**Senator ROBERTS:** Thank you for appearing again today. Who issues the extreme weather warnings—sheep graziers, snow, ice, extreme heat? Who issues them?

**Dr Minchin:** The bureau does.

**Senator ROBERTS:** We had a few days of hot summer weather recently. Apparently, there were a few days down in Melbourne and a few days in Sydney. However, we were getting extreme weather warnings for days below 30 degrees. What temperature is the trigger or the threshold for an extreme heat warning?

**Dr Minchin:** I might ask my colleague Mick Logan to come up to the table. But let me start with a general observation, and that is that our warnings will often come before events. So, while you may be experiencing a 30-degree day in a particular location in Australia, other parts of Australia may be experiencing much hotter events. What we saw in this recent heatwave—

**Senator ROBERTS:** I appreciate that—excuse me for interrupting—but I'm talking about extreme weather warnings in a locality when the temperatures were under 30 degrees.

**Dr Minchin:** I will throw to my colleague Mick on that, but heatwave warnings are not about just the temperature on the day but, in many cases, the cumulative impact of heatwaves. I'll pass to Mick to give you some more detail on that.

**Mr Logan:** The crux of it is that the heatwave warning isn't based on just the single heat for a day. It's accumulated heat over a couple of days. You could have a significant spike day within that three-day period, and it's also the overnight temperatures, the humidity and whether you're at the start of the season or towards the end of the season. There are a few factors that go into it, but if you do have a cool change coming at the end of that three-day period, the heatwave warning can still be out for that day. Or if there's a cooler day right at the start of the period followed by some extreme heat and some hot nights, then the heatwave will cover that three-day period. It's an accumulation across that period, and that's what's going on.

**Senator ROBERTS:** If the heatwave has passed, you're saying it continues under the cumulative heatwave.

**Mr Logan:** It can. If it's over a three-day period, by the time you get to the third day and that cool change has gone through, then that would be when we're at the tail end of that heatwave.

**Senator ROBERTS:** Using data straight off your website, the Mildura Post Office page shows temperatures in January 1908 ranged as high as 50.7 degrees and only fell below 30 degrees twice. February 1908 was the same until late in the month. A national heatwave in December 1895 to January 1896 caused 435 deaths nationally. Temperatures were over 40, not—well, you didn't give me a trigger, so it's not your temperature. I accept a heatwave can kill; I certainly do accept that. Anywhere in the world, heatwaves can kill. That's nothing new. Can you please substantiate the decision to give heat warnings on what is nothing more than a normal summer's day, which averages 28.5 degrees?

**Mr Logan:** Certainly. We can go into details and provide the triggers for a heatwave, but, as I mentioned, the main ingredients are the accumulated heat over a three-day period. If there's a cool day in there, particularly if it's at the start or the end of it, the accumulated heat can still trigger the heatwave product.

**Senator ROBERTS:** Let's go back to the new weather radar. Implementation of the new weather radar has been a failure. Has anyone been fired for wasting \$96 million of taxpayers' money?

**Senator Watt:** We went over this at the last estimates hearing. I think you were talking about the change to the bureau's website rather than a weather radar.

**Senator ROBERTS:** The new website.

**Senator Watt:** Yes. It was explained at the last hearing that the portion of money attributable to the website costs was partly about an overall systems upgrade across the bureau's meteorology systems in general. So, with that introduction, Dr Minchin might want to—

**Senator ROBERTS:** Minister, it has tarnished the reputation of the BOM.

**Senator Watt:** I understand that.

**Senator ROBERTS:** It has made a lot of people unhappy with the BOM's service, so I'm wondering if anyone's been counselled, demoted or had a note put on their service record for this failure.

**Senator Watt:** I'd need to have Dr Minchin answer.

**Dr Minchin:** Senator, I'm not aware of anyone being fired or demoted on this basis.

**Senator ROBERTS:** Chastised?

**Dr Minchin:** Senator, as I think you may be aware, I joined the bureau about three weeks after the website was launched. My focus as CEO is on moving forward, and, as I said at last hearing, I accepted that the website redesign had not met all users' needs and that we were working hard with the team on addressing the feedback that we've received. We've received significant feedback from the Australian community and we are actively working on making releases to the website to improve it to meet people's expectations. My philosophy on this as CEO is that I have a very committed team, who are working incredibly hard to meet the Australian public's expectations. That doesn't mean we get it right all the time, and I'm very confident that the team is totally focused on the task of improving Australians' access to weather information, including through upgrades to the website as it goes forward.

**Senator ROBERTS:** I accept, Dr Minchin, that sometimes it's not appropriate to chastise until you know the source of the problem, but has anyone been questioned about it? Have you done an investigation into it? It seems

to be significant funds, and you've got to make sure that it doesn't happen again. What reassurance can you give us that it won't happen again?

**Dr Minchin:** What I can say is I don't believe the website is a complete failure, and I've been public in saying that before. I think what has happened is it's met 80 to 90 per cent of its intended outcomes and it's missed the boat on a few key user experiences for some parts of the community, and we are working hard on addressing those. It's clear the radar is part of the assessment. We moved quickly to adjust the view of the radar to improve that. We've made adjustments to the navigation of the website and we have a number of other rollouts happening over the next few months that will improve that. I can absolutely assure you that the team within the bureau are really dedicated to their task and are totally focused on improving the situation so that all Australians can have access to the weather data that they require.

**Senator ROBERTS:** Have you required contractors to complete the fixes for free, owing to their failure, or are you throwing more money from taxpayers at the problem? Are you rewarding contractors for failing?

**Dr Minchin:** You've categorised this as a contractor failure. The contractors have done what we asked them to do. What I think is very clear is we did not get all of the user experience testing and did not capture all of the subsequent detail and feedback that we've received from the community. So we're working hard on addressing that. That will inevitably require investment, but that investment was already planned for as part of the website release. We always knew that there would be fixes that would be required. What probably caught the bureau a little bit unawares was the extent of the feedback that we received, but we're working through that very actively.

**Senator ROBERTS:** It was pretty strong. If we look at topography, the colour graduations used to be based on topography, and now the national parks are just all green. Did the people who did the map understand topography?

**Dr Minchin:** Sorry, Senator, are you referring to the radar map?

**Senator ROBERTS:** Yes, I'm sorry.

**Dr Minchin:** The background to the radar map is a compromise, always, of the features that are of interest for the community—primarily about the townships. We are adjusting that. Just as one example of an upcoming upgrade, we will be bringing that into line with our iPhone and Android app that actually shows a background of the reach of the radars as well. So it will be clear where radar coverage exists and where it does not within the country. That's an evolving process. I should also highlight that the public can choose their view of what appears on that map through various choices in the settings of the map view.

**Senator ROBERTS:** I'm told that the old map, which did show topography colour graduations, is appearing to visitors who search something like 'weather Brisbane', rather the new site, but the address is the new site. Have you gone back to using the old site for certain functions?

**Dr Minchin:** I think what you're referring to is that there are a number of third-party providers who provide our radar data and other information through their applications. They receive those through our FTP service. They don't access it directly from the website. In some cases they choose to visualise that data differently to the way that the bureau chooses to do that. I think that's actually a good thing, meeting different user needs out in the community. They're still accessing the same information, but it is, as I said, coming through our registered user services, which are not through the website itself.

**Senator ROBERTS:** Usability of the website is poor. Users are complaining that it takes multiple clicks to see what used to be available at a glance. What timeframe can you give people for getting the new site up to the standard of the old site?

**Dr Minchin:** There are ongoing releases happening over the next few months. We accept, as I said, that some users have found aspects of the website difficult and have been providing feedback on that. Another good example is navigation. We'll be rolling out the ability to navigate by postcode in one of the next releases. We're continually bringing those updates on board so that, as we get feedback about what is useful to the community to make their experience with the website better, we're acting on that and we're rolling that out with regular updates.

**Senator ROBERTS:** So what timeframe can you provide for getting the new site up to the standard of the old site, so that people will know?

**Dr Minchin:** I don't accept that we're trying to reach the standard of the old site, because the old site was a problem. It was very difficult to navigate. It was inaccessible to many sectors of the community. Website updates will never finish. As new information and new products come on board, we will continue developing the website. But we are hoping to address most of the major tranches of concern in releases over the next six months.

**Senator ROBERTS:** The old radar is still available on the 'reg' subdomain, I'm told. Will you give an undertaking that the old site will remain available until the new site can be made to work?

**Dr Minchin:** We certainly will not be turning off our 'reg' capability until we are confident that the Australian community are comfortable with our new radar capability.

**Senator ROBERTS:** Thank you.

**CHAIR:** Senator McDonald.

**Senator McDONALD:** While we're talking about the website, as an avid user of the bureau's website and coming from a community where everybody has it saved on their phones and it is probably the most-looked-at website, I'm interested that you said that the old website wasn't fit for purpose, and yet all the feedback I've had from that community—so regional Queensland and Australia—is that it was fit for purpose and they were able to access the information they wanted. So what, specifically, did you find about the old website that was not fit for purpose?

**Dr Minchin:** It's repeating what I said last estimates, but I think it's worth highlighting again. The old website was insecure; we were hacked in 2015. The website infrastructure, including all the connections to our in situ instruments in the field, was vulnerable to hacking. Those communities would not be happy if someone took over or cancelled access to that data through a hacking event. So this was about hardening the website.

Secondly, it was about accessibility. The old website, because it was very graphically based, was actually not accessible to all sectors of the community. For example, people with sight impairment who rely on text readers for websites were unable to access the data on the website. Also, we had 77,000 web pages on that website. Content on those pages was written, in some cases, to the point that you needed a PhD to understand it. The focus of the new website is to make the whole of the weather information accessible to the broader community.

I fully understand that people got used to the old website. I fully understand that people were very comfortable, once they found what they needed, with utilising the old website, but it really wasn't meeting all of the community's needs, and we needed to act on that to make it more secure, make it more accessible and make it more understandable to much of the community. Now, as I said, we clearly didn't get it right for every sector of the community, and we really do value the feedback that we're getting from all of our stakeholders, including in your area, to help us make it better and to meet those expectations.

**Senator McDONALD:** I think what's happened is that everybody I know has got the young person in their life to save to their phone or their device the link to the old website. Just while Senator Roberts was talking, I took the opportunity to go back to the new one again, and I still find it almost impossible to navigate simply and easily to get the information that I'm looking for. I take on board everything you've said. I just think that the design of the new one remains problematic. Without being a web designer myself, I remain optimistic that you'll be able to take the look and feel of the old one and translate that into a more secure, robust site, because the new one just isn't very handy, I'm sorry to say. You're not going to turn off the old one anytime soon?

**Dr Minchin:** No. The reg site is there for registered users, primarily, so that will continue to be available. But we hope that, by working on improving the details of the new website, over time the use of the reg website will diminish. It is primarily used by a small sector of the community at the moment. It's not the majority of the use. In fact, most people are using our app for access to weather—six million users a day for the app, about two million for the new website and roughly, at its peak, about 400,000 for the reg site.

**Senator McDONALD:** I suspect that the people using the new website don't have a young person who's given them access to the old website. I want to talk to you about the floods in North Queensland recently and the flood gauges. I understand that the Bureau of Meteorology is taking over the flood gauges from local councils and state governments. I want to talk to you about that. Has the bureau taken over all of those flood gauges yet?

**Dr Minchin:** It's important to realise that our flood warning network nationally is a complex beast. It has many different owners of flood gauges. In total, we own, operate and maintain about one-third of the flood gauges, and about two-thirds are owned and operated by state government entities and by local councils, in the case of Queensland, and by other entities. The FWIN program, the Flood Warning Infrastructure Network program, which was funded by the federal government is aimed at us acquiring a number of those sites—about 1,600 across the country—and bringing them into the bureau's network, where we are responsible for monitoring, maintaining and ensuring their high-quality data flow to harden, if you like, the operation of the network. There's no doubt that, at the moment, the challenge is different people operating with different standards—not always replacing equipment or not having a structured maintenance program like the bureau does with its network.

**Senator Watt:** Just to be clear, Senator, it's not that the BOM is taking over all gauges across the country. I think the number is about 1,600 nationally. The majority of those, from memory, are in Queensland, in

recognition of the flood risk posed in Queensland. The choice, if you like, about which gauges the bureau will take over and the priority order for taking them over has been made in conjunction with the states, because, obviously, within a particular state or even within a particular region, there are some gauges that are of a very high priority and some that are of a lower priority.

**Senator McDONALD:** Okay. To talk specifically about the Mackay-Mirani region of North Queensland during the life cycle of ex-tropical-cyclone Koji, have the flood gauges in that region—and tell me if I'm being too broad—been taken over by the bureau, or are they ones that are still being managed by the council?

**Dr Minchin:** I can give you the overall picture for Queensland, because the Flood Warning Infrastructure Network has only been going for just over a year—a year and a half. Queensland has very clearly been the first priority of that program, as the minister mentioned. About 1,100 of the 1,600 gauges will be in Queensland. So far, as of 27 January, 685 site assessment reports have been completed. This is just in Queensland. There are 365 sites that have confirmed scope of remediation, because many of these sites require engineering works to bring them up to standard. There are 275 sites that have been acquired from the other owners. There are 113 transfer-of-equipment agreements with councils for signing, where they have to sign over the assets. There are 260 sites undergoing tenure finalisation. There are 88 sites undergoing clearance with the Aboriginal Cultural Heritage Act and 71 sites undergoing clearance with the Native Title Act. There are 287 sites undergoing environmental assessments. These are complex processes of land acquisition and ensuring that we can manage those sites.

To answer your question specifically for Mackay, I'd have to take it on notice. But what I can share is that, while the floods were happening in those coastal catchments, I believe there were four monitoring sites the bureau managed that were not operating. Two of those washed away in previous floods and were prioritised as part of the Flood Warning Infrastructure Network program, and two of those had recently, before the flood season, failed and been notified to the local emergency management. Adjusted service levels had been agreed to. So none of those were a surprise to the councils in those areas. There were a number of other gauges that were not working, but they were not bureau gauges.

**Senator McDONALD:** Okay. On notice, then, would you mind taking that question about the flood monitors and perhaps doing them by region. I'm specifically asking about Mackay and Mirani at the moment. It's my understanding that all the flood gauges were offline in that area.

**Dr Minchin:** No, that's not true.

**Senator McDONALD:** Okay. Could you clarify that, then. I also have specific examples of flood gauges reporting water levels that were between one and two metres in difference to the manual reading at the site. That was north of Julia Creek. But, again, I don't know who the owner was. So, when you provide me with the information on notice, it would be really handy to be able to understand which ones are the council and which ones the bureau is taking over.

**Dr Minchin:** Just to help you a little bit more, can I highlight—because it's very important that the public understand this—that flood gauges are only part of the process for flood warning. We use satellite images, we use radar data, we use rain gauges in the catchment and we use complex numerical models of the stream flow. One gauge or two gauges not being there can make a big difference to the local community near that gauge, because they know that, when it gets above a certain level, the bridge might flood, but it doesn't actually impact our ability to forecast the flood overall. The community should be very confident in the flood warnings that we provide and listen to them.

I fully understand that that situational awareness from particular gauges is something that's very valuable for the community, but it's actually not that important to us in forecasting the overall flood because we use key, high-priority gauges as our calibration points for the flood warnings overall, and that's why they've been prioritised in the Flood Warning Infrastructure Network program.

**Senator McDONALD:** I appreciate what you're saying. I'll give you a reverse example. The Barron River at Cairns flooded two Christmases ago. We're still having disputes with insurers because the flood gauge was out. They're using flood gauge measurements from the airport and then much further up the catchment, and it's making it very difficult for the property owners to be able to manage their information with the insurers. So it's not just for the purpose of the flood in advance; it's also that data behind. When will the automation of gauges project be complete?

**Dr Minchin:** The upgrade project is a 10-year program. As I've mentioned, there is a lot of effort that goes into acquiring these gauges, including engineering works, acquisition of land, installation of telemetry and upgrade of equipment. The prioritisation of that, as the minister mentioned, is done in conjunction with the state governments and local councils. That said, not all gauges will be automated. There will still be manual gauges.

Perhaps just one other bit of information for you is that our new website has made a change in the way that we report the gauges. If we had a manual gauge, for example, that had no reading, which is entirely normal in some of these floods, the old website would not show that gauge. We now show that gauge with a zero reading, and that's what I think has confused some members of the public, who think that that gauge is broken. It may not be broken; it may be a manual gauge that is only read at certain points of the hydrograph. I wouldn't want people to think that a blank line next to a gauge means that that gauge is automatically not operating anymore. It may just be that it's a manual gauge, and it's not part of its normal program to send someone out during a flood to measure it.

**Senator McDONALD:** You might have to give it a different symbol or something to make it clearer.

**CHAIR:** Senator McDonald, may I just inquire as to—

**Senator McDONALD:** Just a couple more, maybe two or three, questions.

**CHAIR:** Thank you.

**Senator McDONALD:** So not all of the gauges will be automated. It's my understanding that some of the gauges weren't measuring because they needed to be regassed or have that maintenance program that you were talking about. Also, it's my understanding that there is new technology and there are new gauges that would require less of that kind of maintenance. What sort of process is the bureau going through to examine the technology that you're using on gauges that would be fit for purpose for these remote locations?

**Dr Minchin:** It's a great question. There are always advancements in technology, and we're always assessing what's possible. I would highlight that these pieces of equipment are sitting in very exposed conditions in very remote locations in many cases. Many people don't quite understand why it might be difficult to manage or why it might cost a lot to put one of these gauges in when you can, for example, buy a rain gauge at Bunnings for a few hundred dollars. The reality is that, to get that level of accuracy and reliability that we require, it costs a lot more, relatively. We always go out and test the market on these things on a regular basis. We're very open to new technologies when they come along, but they have to meet the accuracy and reliability standards that we require.

It's important to realise we have hubs in each state that are our maintenance and fieldwork hubs. They are there, and they go out and do preventive maintenance. When a gauge or a radar or something fails, they're out there fixing it straightaway. They have to have the spare parts for that, so, if we have a mix of different technologies, that makes it more difficult. It's very much considered by us to be part of the program overall.

**Senator McDONALD:** As part of the answers to my questions on notice please, would you be able to list for me the gauges, the location, the tech that's being used and whether or not it's in service. What we found in North Queensland during these most recent floods is that the gauges weren't reporting at all, or, like the example I gave, they were reporting metres difference on the flood level. I appreciate that the bureau wants to be very accurate, and that's very commendable, but there's a difference between no information and some information. Some information would be really helpful. These were devastating floods, as you're aware.

**Senator Watt:** Is there a particular geographic region that you'd like the bureau to focus on in its answer? That could be a pretty massive task for the whole of the country.

**Senator McDONALD:** Yes, I know. Why don't we start with North Queensland then.

**Senator HENDERSON:** Just a small part of Australia!

**Senator McDONALD:** Yes! It was the North Queensland floods, the Etheridge floods, the Mackay and Mirani floods.

**Senator Watt:** Yes.

**Senator McDONALD:** The same issue just kept coming up over and over—that they were flood gauges.

**Senator Watt:** As the bureau defines regions, there's a tropical north region. So maybe we'll try and pick up the catchments, or the regions, that cover Mackay and north, up into the gulf.

**Senator McDONALD:** Yes. I appreciate that that's a big task otherwise. But I think it would be really helpful to the community to be able to see, and then it will hopefully assist with understanding—at a bare minimum and at a high level—what the bureau can and can't do. The feedback from this latest round of floods was they were very disappointed in the data that was available. Because the floods were devastating, that compounded the impact.

**Senator Watt:** I think there was also a lot of misunderstanding as to who owned what gauges and who was responsible. You may have seen me push back on certain comments that were made by certain state and local

government reps in North Queensland that it was all the bureau's responsibility when actually they were criticising the failure of their own gauges in some cases. There was a misunderstanding.

If you haven't heard this already, Senator McDonald, Dr Minchin, at his own initiative, last week, went to Mount Isa to meet with the North West Queensland Regional Organisation of Councils—

**Senator McDONALD:** Terrific.

**Senator Watt:** to have a direct conversation with them, which I've had very good feedback about. It was great that he did that, and hopefully we can see more of that.

**Senator McDONALD:** Thank you. That is incredibly valuable, and hopefully they took you on a tour to some of the locations.

**Dr Minchin:** It was a wonderful meeting. It's important to me to hear from all the regions as well that are impacted by this. If I could just give you one extra bit of information, Senator, because I think it's relevant—

**Senator McDONALD:** Yes.

**Dr Minchin:** There is this perception in Queensland that the bureau dropped the ball on a bunch of gauges. I can highlight our availability for gauges in the December-January period was 95 per cent for the flood warning network and 97 per cent for the priority 1 sites in the network. That includes scheduled downtime or maintenance downtime. When the bureau takes on these gauges as part of its network, it does an enormous amount of work to maintain and manage those gauges. That's not to say that they won't fail. They're sitting in a river system. Sometimes they get washed away. Sometimes they get vandalised. Sometimes unforeseen things happen. But the Australian public can be confident that, when that does happen to the small number that aren't working, the three or four per cent, it's not impacting on our ability to issue the warnings that they require. I don't want people to feel that this gauge issue is reducing their confidence in the warnings that we provide. It's really critical that people listen to those warnings and act on them. We are committed and we are funded to bring more sites into that network and bring them up to that level of reliability.

**Senator McDONALD:** This is my last question. You've just given me a statistic of 97 per cent, but I'd like to know what the number of gauges is, because it might be three.

**Dr Minchin:** No, it's 1,200 gauges, I think, that we currently manage in Queensland.

**Ms Brinsmead:** That number is not just for Queensland.

**Dr Minchin:** No. That's the national number.

**Senator McDONALD:** You're absolutely right. That is the community's perception—that the bureau failed. Regardless of who owned them, the data wasn't there to have satisfactory data coming back from it. I'd appreciate whatever information you can give me to assist me to communicate that.

**CHAIR:** I'm going to go to Senator Whish-Wilson for one follow-up question, and then I'm coming back to Senator Henderson for a short block, and then we are going to endeavour to move on.

**Senator WHISH-WILSON:** I have one question. Speaking about flooding, obviously there was some community feedback or pushback on the flash floods on the Great Ocean Road. We saw the cars getting washed into the ocean at Wye River. Has there been any consultation with the community or the Victorian government? Have you got anything to say about the capability there? I understand that there was record rainfall in that area. It is prone to flash flooding, but it was a record rainfall at the time.

**Dr Minchin:** Certainly. I will pass, in a moment, to Mick to explain the detail. My understanding is that very localised and intense events like this are notoriously hard to predict. But, in this case, we were actually able to predict two hours beforehand and issue warnings during that time. It's not one that I would promise we would get in other locations, because it's so localised and very difficult to forecast. Mick, do you want to share the timing of our warnings?

**Mr Logan:** Yes, certainly. For these events it's not just about the warning itself, because they're very localised, so they can be a challenge. There were thunderstorms on the forecast four days in advance of that event. In our regular briefings with Emergency Management Victoria, we were briefing them and talking about the possibility of heavy rainfall in those thunderstorms the day before the event itself. As Stuart has mentioned, there were warnings out with one to two hours lead time just as that intense rainfall fell. It was a very localised warning targeted in on that area. But, for the local community, there was obviously still a devastating impact that actually occurred from that. We did have one of our staff members go down and visit the local community afterwards as well. They were available to talk through the nature of that event. At that point in time, and from the feedback that we've had, they were very appreciative of having someone there, but they were very focused on the recovery response and recovery, really, at that point. We haven't had too much feedback around concerns, in terms of the

forecast and warning systems leading up to that event. That's not to say that we don't continue to review and talk to Emergency Management Victoria about these events and try and learn. But this is one localised event where there were warnings in place. These are really hard to predict exactly in space and time, so that's a good result.

**CHAIR:** Senator Henderson, for a short block.

**Senator HENDERSON:** Thank you very much, Chair, for your ambition. Dr Minchin, I wanted to, firstly, ask about the concern of the Wye River community following that dramatic flash flood a number of weeks ago, where cars were washed out to sea and much of the Wye River was inundated by floodwaters. There certainly was some criticism that no-one seemed to receive any appropriate warnings in relation—

**Senator Watt:** Is this the event we were just talking about?

**Unidentified speaker:** Yes, it is.

**Senator Watt:** Senator Whish-Wilson just asked these exact questions.

**Senator HENDERSON:** I've got other questions. Dr Minchin, that community has been hit by a number of very dramatic disasters. Are you able to give the community some confidence that you have the systems in place to ensure that there are appropriate warnings in the future?

**Dr Minchin:** As we just elaborated with Senator Whish-Wilson, the nature of these very localised events is very difficult to forecast. In this particular case, we did have warnings out in the one to two hours before the event happened. We were able to forecast that there was going to be an intense rainfall event there. Emergency services were aware of those warnings as well. I think that, in this case, we did everything we could reasonably do to predict what was a very, very localised and intense rainfall event. I'm not at all confident that we could do that many times over. The team did incredibly well in picking up the possibility of this really intense, localised rainfall over the Wye River area. Of course, we totally feel for the campers and residents in Wye River who were impacted. The impact of the flood and the cars being washed out to sea was very visible and alarming. At that scale, it's very difficult to forecast this kind of extreme event. But, as I said, in this case, we actually got it. We picked it and we had warnings out in time.

**Senator HENDERSON:** Where was the communication breakdown? So many people were taken by absolute surprise. If this had occurred after sunset, during darkness, it would have perhaps had a really catastrophic result, where people couldn't see what was going on.

**Dr Minchin:** It's our role to forecast as accurately as we can, but then we partner with and rely on local emergency services, local police and others to take that advice and do warnings or community assessments. As you see during the fires, for example, we might forecast the fire risk rating, but it's not up to us to issue the evacuation orders or anything like that. That's for the local emergency services. We were in communication with the local emergency services before this event, and they received our updated warnings at that time.

**Senator HENDERSON:** Could you provide on notice those communications prior to the event between the BOM and emergency services.

**Dr Minchin:** Yes. It's also on the record. I think Mick Logan just outlined them in the answer to Senator Whish-Wilson.

**Senator HENDERSON:** Could I have on notice all of the correspondence.

**Dr Minchin:** Yes.

**Senator HENDERSON:** Given the conversations that were had with emergency services, where did things break down? Are you able to make that assessment?

**Dr Minchin:** I'm sorry; I don't believe anything broke down from that perspective. I think that the community was affected—

**Senator HENDERSON:** I'm talking about the communication. So many campers, for instance, were not aware of this massive inundation of water coming down the Wye River.

**Dr Minchin:** I think that's something that we're not in a position to easily answer. A post-event kind of analysis would need to be done with the local emergency services to know why people didn't receive warnings or other things. We have a set process in place. Mick, do you want to share how we engage with the emergency services?

**Mr Logan:** We'll take that question on notice for the very specific details, but, in general, we have very strong partnerships with all the state and territory emergency service agencies in Victoria. We have embedded staff at the State Control Centre. It's so that everything that's going on from a weather and warning point of view translates right through to meet their needs and their understanding of that. Whenever warnings are issued, we do talk to our

emergency partners about what the nature of that warning is and try to make sure that the end-to-end flow of that information is as strong as it possibly can be for the community. That absolutely will have happened in this instance. There would have been no deviation from that, with embedded meteorologists out at the State Control Centre. But we'll still come back to you and take on notice the nature of the specifics for that event.

**Senator HENDERSON:** If you're a camper facing that catastrophe—it was very dramatic for a period of time—you're not concerned about who's responsible for what. What I'm asking is: Where did things break down? Did the BOM undertake all of its communications correctly? Did emergency services not communicate to those potentially affected?

**Senator Watt:** The officials have said this to you. I don't think it's possible for officials from the bureau to answer that question. What the officials can do and have done is tell you what their role is and what they've done, but anything beyond that is not really possible for officials from the bureau to answer.

**Senator HENDERSON:** Minister Watt, there may well have been correspondence—say, from the local police service or fire brigade or whatever; I don't know—where there may have been issues identified. I'm not necessarily attributing blame to the BOM. I am just trying to unpack and understand why so many people were blindsided by the river with this inundation of water. Why didn't they receive the warnings? Are you going to conduct a post-event assessment, Dr Minchin?

**Senator Watt:** It wouldn't be the role of the bureau to do that. It would be the role of emergency services.

**Senator HENDERSON:** Please just let me ask that question. Dr Minchin, are you going to investigate and do a post-event analysis of what happened?

**Dr Minchin:** As the minister has rightly said, it's not really our role to do that. Mr Logan's highlighted that we did send a staff member down after the event to meet with the local community and emergency managers. The feedback from emergency managers was very positive about the bureau's warning being available to them in time. So there may be perceptions out there that we didn't warn people, but we had those warnings out, and the emergency management authorities were aware of that.

**Senator HENDERSON:** Just to be clear, I'm not attributing blame. What I'm trying to do is understand what went wrong.

**Dr Minchin:** I totally understand your question, Senator.

**Senator HENDERSON:** I'm genuinely seeking information. Clearly, during any sudden event such as this, what the community, including the wonderful people of Wye River, is interested in is ensuring that whatever went wrong on that occasion doesn't go wrong again.

**Dr Minchin:** I totally understand. I'm sure that the local emergency services will be assessing what they do if they receive a warning like this in future. There may be many potential responses to that, but it's not our role to do that. We'll cooperate and engage and continue to work in partnership with the emergency services to understand what we can learn from these events and do better next time.

**Senator HENDERSON:** Were you able to predict the level of water coming down the river and the level of inundation of the Wye River community? I understand you predicted intense rainfall, but my understanding is that that did not translate to the community understanding that there was going to be this mass inundation of water.

**Dr Minchin:** I think that's a correct categorisation. It's very difficult to predict the size and intensity of a flash flooding event like that. It really depends very much spatially on exactly where the rain falls and how intense it is at that point in time. We can forecast rainfall intensity, but translating that into an exact flow in the river would be a very, very difficult task that would require a lot more instrumentation and a lot of extra modelling effort that is not able to be done at the scale that we're talking about here.

**Senator HENDERSON:** Given the propensity for very significant rainfall through the Otways, have you considered whether you might upgrade the way in which you forecast sudden inundations of rain?

**Mr Logan:** I'll just give you some quick context on this one. We're talking flash flooding here, which is very different to the major riverine flooding, where there's a bit more response time and the ability to model it. As was outlined, flash flooding is a real challenge. So the warning service there very much focuses on the heavy rain that is conducive of or could lead to flash flooding. Flash flooding, as it's set out in the intergovernmental agreement, is not actually the responsibility of the bureau, and this is not trying to pass the buck here. It's just part of how the total warning system works. Because it's so localised in its nature, it needs that deep local understanding. So it's the responsibility of local government, and we work in partnership in how that may work.

**Senator HENDERSON:** Mr Logan, with respect, that wasn't my question. I was asking whether the BOM had looked at how they could upgrade their localised equipment—gauges or the like—to better determine when

you might have those inundations. I understand the complexity, but I'm wondering whether there's been any consideration of this. As you mentioned, Dr Minchin, the complexity of forecasting this sort of flash flooding is very high. But have you looked at how you could better forecast these types of dramatic flash floods?

**Dr Minchin:** We're always looking at how we can better forecast—

**Senator HENDERSON:** No, I mean in this case.

**Dr Minchin:** It's not something that we can suddenly react to and change the way that we forecast for Wye River at the absence of what we do everywhere else in the country, because the next rainfall event will be at Kennett River or at some other location within one of our states. What I would highlight again is that we did get the forecast right for the intense rainfall. This really highlights this point that, when we issue a warning of intense rainfall with the potential for flash flooding, the public needs to treat that seriously, right? So the understanding needs to be that there is a real risk of flash flooding. That won't always eventuate, but in this case it did, and it has had devastating impacts. I totally understand your question—how does the community differentiate these issues? That's a really difficult question in a situation where we've accurately forecast the intense rainfall, but you can't always perfectly predict the outcome of that intense rainfall.

**Senator HENDERSON:** Dr Minchin, thank you. I look forward to receiving that information, that correspondence, on notice. Can I move to the BOM website. Could you please update the committee on any further costs attributed to any aspect of the website or the upgrade of the website?

**Senator Watt:** Chair, I'll seek your guidance. We have gone over this earlier and answered questions from Senator Roberts. Given we're hours behind schedule, do we need to—

**Senator HENDERSON:** Minister, I have some other questions to ask.

**Senator Watt:** Okay. Let's focus on the new questions. Surely, for efficiency, can I encourage you to focus on questions that have not been asked already.

**Senator HENDERSON:** Thanks for your help, as always, Minister. Dr Minchin, have there been any further costs incurred?

**Dr Minchin:** I can confirm that, as I mentioned earlier, we're continually doing incremental improvements to the website. This is always budgeted after a website release. There is a need to adjust. Across November and December 2025, incremental improvement has cost \$1.15 million over that period.

**Senator HENDERSON:** Is that on top of the \$96 million?

**Dr Minchin:** Yes. This is all of the upgrades and adjustments that we've made already to the website.

**Senator HENDERSON:** So we're now at \$97.1 million. Is that the total cost?

**Dr Minchin:** That would be close, yes.

**Senator HENDERSON:** What is the \$1.15 million for?

**Dr Minchin:** I'll pass to my colleague Nichole to answer the breakdown of what we've done.

**Ms Brinsmead:** As also with our app, we actually set aside money every year for ongoing incremental improvements and feature releases for both the app and the website. We've done that for this financial year, and we will continue to do that in future years as well. As we get feedback and as new products and services come online, we will continue to invest and upgrade and enhance the website. So there is always going to be additional investment in the website. That's not going to stop. There's not going to be a day where we stop spending money on the website. Every year we will set aside a budget for ongoing feature releases. We did that this year, and, as Dr Minchin mentioned, we've spent \$1.1 million of that this financial year to date.

**Senator HENDERSON:** Ms Brinsmead, am I to understand that you're responsible for the management of the website?

**Ms Brinsmead:** Yes, that's correct.

**Senator HENDERSON:** So could I ask you about the indirect costs and other associated costs involving the website? My information is that it's much more than \$96 million or \$97.1 million when you look at all of the associated costs. For instance, the website was delayed for several years, and during that time there were software licences and hardware maintenance costs incurred. What were those costs?

**Ms Brinsmead:** They were included in the \$96 million. The website build included infrastructure and new channels, platforms and software upgrades. It took a number of years to build the platforms and all the integrations and all the new data feeds, and that needed ongoing updating and maintenance over those years as well. So it's not a set-and-forget environment. You need to continue to upgrade and patch that technology to

maintain its security, its reliability and its supportability. So, while the program was in flight, those incremental costs to continue to maintain the licensing and the hardware were included in that \$96 million.

**Senator HENDERSON:** Could we on notice please have a copy of every contract connected with the website, both direct and indirect costs? My information is that it was well in excess of \$96 million when you take into account all indirect costs.

**Ms Brinsmead:** The website was built under the Robust Program, which, as we've discussed before, was an \$866 million upgrade of the bureau's infrastructure and observing network. So there are underlying costs that contributed to the bureau's network and infrastructure upgrades that the website takes advantage of, which we would have spent whether we built the website or not. So I'm not sure what your guidance is, but, if it's done within the ecosystem of the whole Robust investment, it's very difficult to hive off this bit of infrastructure being for the network, because we share infrastructure, share platforms and share licensing across the whole technology ecosystem, and then some of it is specific to the website as well.

**Senator Watt:** Senator Henderson, I'm not sure whether you were here when we talked about this at the last estimates, but it is worth remembering that the Robust Program, which is what is responsible for the vast majority of the \$96 million, was entered into by the former coalition government.

**Senator HENDERSON:** Yes, I do understand that, and for very good reasons, Minister.

**Senator Watt:** I just got the impression that you were unhappy with those costs because—

**Senator HENDERSON:** No, and please don't reflect on me. In fact, the Robust Program was not just in relation to the website. It was also about the modernisation of IT infrastructure. There was a new supercomputing capability, improved cybersecurity stability and system reliance, upgraded digital platforms and software systems, and, of course, the new public website. The Robust Program was put in place for very proper reasons. What we're concerned about is how that money is being spent and the blowouts that have been involved.

**Senator Watt:** It has been suggested by some on your side of politics that there was a budget blowout of tens of millions of dollars in this program, which is not the case.

**Senator HENDERSON:** I'm not suggesting that, Minister. What I'm suggesting is that the indirect costs which concern the website were in excess of \$96 million.

**Senator Watt:** What's your evidence for that?

**Senator HENDERSON:** I'm asking the questions, Minister. What I'm asking for is to access and have on notice all contracts in relation to the website, the direct and indirect costs, and all external contracts under the Robust Program, please.

**Ms Brinsmead:** All those contracts—

**Senator HENDERSON:** My understanding is that 90 per cent of this money was contracted out to third parties, roughly.

**Ms Brinsmead:** It was a combination of vendors and also labour hire as well.

**Senator HENDERSON:** That's right. I'd put to you that there were a number of consultants who saw this honeypot of a massive amount of money. We're talking close to a billion dollars. I'm not reflecting on any government ministers, by the way.

**Senator Watt:** I was going to say that those decisions were obviously made under the coalition government.

**Senator HENDERSON:** What I'm concerned about is the integrity issues of managing these contracts, Ms Brinsmead. So I'm seeking details of every contract under the Robust Program because I don't believe that you have applied proportionately how some of these other contracts also played a role in supporting the website. Is there any—

**Senator Watt:** I heard Ms Brinsmead say five minutes ago that the \$96 million figure included those costs.

**Senator HENDERSON:** That's right. That was in relation to the software licensing and the hardware maintenance, which I asked about. Are there any other contracts that support the website in any shape or form?

**Ms Brinsmead:** No, we have the Accenture contract, which is the main contract that supports the website, and we've previously talked about that extensively. The website sits on shared platforms that the website leverages. It's not just the website; there is also our data platform and our integration platform. There are contracts in place to support those. They are built as a shared enterprise service, regardless of whether the website uses them or not. The website leverages their technology, but they're shared enterprise platforms that other products and services use as well. So—

**Senator HENDERSON:** What's the value of those other contracts where the website shares some of that technology, but it's not solely the website?

**Dr Minchin:** While Ms Brinsmead's looking that up, I'll highlight again that all of the contracts that were formed as part of the Robust program and for the website have been available on AusTender and have been previously shared with the committee. I would also highlight that the overall Robust program, which includes the website, has been subject to—

**Senator HENDERSON:** Sorry, Dr Minchin. I just missed that. What was that?

**Dr Minchin:** The overall Robust program, which includes the website development, has been subject to eight gateway reviews by the Department of Finance, and the most recent review, which was completed in November, resulted in a green light review for the program as a whole.

**Senator HENDERSON:** Thank you.

**Dr Minchin:** There were also a number of Digital Transformation Agency reviews undertaken throughout the process. We're very confident that, overall, the program has delivered value for money and delivered what it set out to do when it was originally designed.

**Senator HENDERSON:** Thanks, Dr Minchin. I want to go back to those additional contracts that support, in part, the website. Ms Brinsmead, could you go through those?

**Ms Brinsmead:** We've discussed the Accenture contract, which is the main contract—

**Senator HENDERSON:** What's the cost of that?

**Ms Brinsmead:** \$78 million, and that includes build and ongoing run costs. That runs to 2027.

**Senator Watt:** And, just to be clear, is that within the 96?

**Ms Brinsmead:** Yes.

**Senator Watt:** That's within the \$96 million. That's not on top of.

**Senator HENDERSON:** Yes, sure.

**Ms Brinsmead:** Then there was the Deloitte user experience design contract which was \$3.5 million. Then we have a data management platform which provides us with metadata management for all our data, not just for data that feeds the website.

**Senator HENDERSON:** Sure.

**Ms Brinsmead:** That's \$68.4 million. Again, that's a contract that expires in June 2027.

**Senator HENDERSON:** Who's holds that contract?

**Ms Brinsmead:** That's with Leidos, and then we also have the Deloitte contract that manages our integration platform. That's a platform that manages our data flow across the organisation. It takes all our data in, processes it, puts it in different data formats and then distributes it out to different products and services, including the website. There are two contracts there. It's \$19.7 million, but the actual spend was 13.9. And then, there was another additional \$3.1 million—actually, no, that was the contracted amount, but the actual spend was 1.2.

**Senator Watt:** Can I suggest that we come back to you on notice with the contracts entered that relate either directly or indirectly to the website. Some or all of those figures that have just been cited are contained within the \$96 million. Let's come back on notice with a very clear answer.

**Senator HENDERSON:** I'd rather obtain the information as to the extent that I can now. Thank you. I certainly have asked for the contracts on notice. So far we've got \$78 million. Then we've got another \$68.4 million. You've made it clear that this, in part, supports the website. Then there are other contracts of roughly another \$20 million. Are there any other contracts that support the website, in whole or in part?

**Ms Brinsmead:** No.

**Senator HENDERSON:** Can I ask about contract CN3623750. It was originally costed at \$31 million, and now it's \$78 million. Is that the Accenture contract?

**Ms Brinsmead:** Yes, that's the Accenture contract.

**Senator HENDERSON:** So that's the total amount of third-party contracts which support in whole or in part the BOM website. Are there any other contracts?

**Ms Brinsmead:** There was the Deloitte user experience design, which was \$3.5 million, as well as the Accenture contract that you just mentioned. Those contracts are specific to the website.

**Senator HENDERSON:** Have there been cost blowouts on the other contracts—the \$68.4 million contract with Leidos, the two contracts for around \$18 million or \$20 million, depending on what was contracted and what was spent? What was the original contracted amount, and has that blown out?

**Ms Brinsmead:** I don't have that information right in front of me. They were also subject to ongoing complexity impacted by COVID and delays. So the original contracted value will be different from what the final cost was for similar reasons that the Accenture contract also increased. As we did the ongoing discovery and the integration complexity and the delays related with COVID, we did see additional effort required to deliver on the scope that was contracted.

**Dr Minchin:** Senator, can I just add a bit of context here too? I think it's important that you understand. We've spoken more generally about ROBUST before. ROBUST was originally funded in the 2017-18 budget, and there were three tranches to ROBUST. When the contracts were let through tender, they were not just for a single tender amount for the whole period of ROBUST. There was an initial contract let because we only had certainty for tranche 1, but there were options for tranche 2 and tranche 3 already built into that procurement process.

**Senator HENDERSON:** That's why I've asked for details of every contract.

**Dr Minchin:** So, when you say blowout, that's not actually a blowout. In most cases this was part of a stepped program of work which was signed off by cabinet at the time. Those three tranches were funded in the budgets of 2017-18, 2018-19 and 2020-21 in three different steps. Each time a tranche was approved, we were able to contract those extra tranches of external providers' contracts, if you like. They initially tendered for these options for extension if we were successful in gaining the separate tranches. So I don't want it to be categorised as we blew out over that time. This was actually a proposed program of work that relied on coming back to government each year to get the next year of resources under the ROBUST program.

**Senator Watt:** And, to state the obvious, all of those stages were approved by the former coalition government.

**Senator HENDERSON:** Thank you very much, Minister. As I say, we're concerned about the total costs incurred for the website. Can I just again confirm that there are no other contracts, in whole or in part, associated with the website.

**Ms Brinsmead:** There are probably some labour hire contracts where people are contributing to work but not in terms of consultancy-vendor-type contracts.

**Senator HENDERSON:** Can you tell me the value of those labour hire contracts?

**Ms Brinsmead:** I could not. I don't have that information available to me. Over the seven-year period that the website was built, there were a number of labour hire contractors who were involved in that process. I'm assuming, if you're referring to contracts, you want to cover those as well.

**Senator HENDERSON:** Including every contract, yes.

**Ms Brinsmead:** They were factored into the \$96 million as well. So, the way we collected our costs was, if they worked on that project, their costs were attributed to that \$96 million as well.

**Senator HENDERSON:** Were they individual contracts or were they through a third-party labour hire firm?

**Ms Brinsmead:** They were hired through labour hire firms.

**Senator HENDERSON:** Alright. Could we also have a copy of those contracts, please?

**Ms Brinsmead:** They were engaged individually, but they were hired through a firm. There won't be one contract with a labour hire firm; it'll be individual labour hire contracts.

**Senator HENDERSON:** But there would be a contract with the labour hire firm. Could we have a copy of that and the total cost of each individual employed pursuant to that third-party labour hire agreement or agreements as well? What further work and costs will be incurred on the website?

**Ms Brinsmead:** As I mentioned, as we do with the app, we set aside investment every year to continually improve and add features and services. Every year the bureau executive will make a decision on what that investment will be for the next year. We will continue to build features, enhancements and improvements. There's also an ongoing annual amount that needs to manage support and ongoing maintenance of all the infrastructure and technology licensing. Every year there will be ongoing costs to maintain and continue to enhance.

**Senator HENDERSON:** Given the quantum of these contracts, who has responsibility for signing off on them or any upward adjustment?

**Ms Brinsmead:** The CEO is the delegate for these current contracts.

**Senator HENDERSON:** Alright, I look forward to receiving that further information on notice.

**Department of Climate Change, Energy, the Environment and Water**  
**Murray-Darling Basin Authority**  
**National Water Grid Authority**

[18:37]

**CHAIR:** We are now in a position to excuse the Bureau of Meteorology. Thank you for your attendance here today, your evidence and the work that goes into preparing for it. At this point we move to outcome 4, which relates to, in shorthand, water. I welcome officials from outcome 4 to the table. Thank you for your attendance. Outcome 4 relates to improving the health of rivers and wetlands and enhancing the sustainable, efficient and productive use of Australia's water resources. Outcome 4.1 is to protect, restore and sustainably manage Australia's water resources, and that includes the Commonwealth Environmental Water Holder and the Murray-Darling Basin Authority. I welcome Dr Andrew McConville, chief executive officer of the Murray-Darling Basin Authority, and Dr Simon Banks, Commonwealth Environmental Water Holder, and ask if either of you wish to make opening statements.

**Mr McConville:** Thank you for the promotion in my academic qualifications, but no opening statement.

**Dr Banks:** I don't have an opening statement.

**CHAIR:** In that case we'll proceed to questions. Apologies for the error on the title.

**Senator ROBERTS:** Thank you all for appearing again today. I have some brief questions about water infrastructure. I'm told this needs to be asked here. Is anyone familiar with Paradise Dam?

**Senator Watt:** Oh yes!

**Senator ROBERTS:** It's about the new dam wall for Paradise Dam. The last update we can find on this project is the conduct of foundation geological mapping conducted by Sunwater in November 2024. Has anything progressed beyond that and, if so, what?

**Senator Watt:** While the officials are getting ready, I'll say that this is a Queensland government project. There will be a limit to the role that this department has in that project, but obviously the officials can share whatever they have.

**Mr Darrough:** The detailed business case was finalised in July 2025 and is being considered by the Queensland government. The Queensland government hasn't submitted a proposal for the new project with the revised dam wall arrangements. Infrastructure Australia published its evaluation of the detailed business case in September 2025.

**Senator ROBERTS:** Who's funding the new dam wall and in what proportions?

**Mr Darrough:** The Australian government made a commitment of \$600 million; \$50 million of that is contracted with Queensland to deliver early enabling works and the detailed business case, and the balance of the funding remains available in the budget.

**Senator ROBERTS:** What do you expect the total cost to be? How much will the Queensland government pay?

**Mr Darrough:** I think it's on the record that it's an estimated \$4.4 billion.

**Senator ROBERTS:** So the vast majority will come from the Queensland government?

**Mr Darrough:** The Queensland government hasn't put forward a proposal to the Australian government for funding.

**Senator Watt:** In case you're unaware, Senator, the commitment that our government made of \$600 million was 50 per cent of the funding for—was it going to be a new dam originally?

**Mr Darrough:** It was originally to reinstate the old dam wall, but, when the early work was done on that, Sunwater realised that it couldn't be restored and that they needed to do a new dam wall downstream, so the price has been revisited. That's also some time ago, so the estimates have gone up through escalation factors in any case.

**Senator ROBERTS:** So you're waiting on the Queensland government to get the total cost?

**Mr Darrough:** Yes.

**Senator ROBERTS:** Is there any formula for funding of that from federal compared to state?

**Mr Darrough:** No. The National Water Grid Infrastructure Investment Framework puts in place arrangements whereby states and territories can ask for up to 50 per cent of funding for capital and construction projects, but there is no formulaic base. The level of contribution that the Australian government would make is a matter that's

decided by the government, and it's informed by the business case evaluation from Infrastructure Australia, the proposal from Queensland and advice from the department.

**Senator ROBERTS:** So, in summary, you're waiting on the Queensland government.

**Mr Darrough:** Yes.

**Senator ROBERTS:** Let's move on to Urannah Dam. It was cancelled by the Albanese Labor government in 2022, I understand. We have the preliminary business case, which was released. I don't have the final business case and environmental impact study, which I'm assuming showed why the project was not feasible. Were these completed?

**Mr Darrough:** On Urannah Dam, the then Australian government committed \$22.65 million to support the business case, environmental approvals and geotech. On 16 December 2022, the delivery agent, Bowen River Utilities, announced it had withdrawn the scheme from environmental assessment processes in Queensland.

**Senator ROBERTS:** Was any reason given?

**Mr Darrough:** I'd need to take that on notice. The funding that was actually in the budget for construction of Urannah Dam was within the infrastructure portfolio, not the water elements that transferred to DCCEEW.

**Senator ROBERTS:** In whose hands is the final business case?

**Mr Darrough:** I'll need to take that on notice.

**Senator ROBERTS:** And also the environmental impact study?

**Mr Darrough:** Again, I'll take that on notice. We encourage jurisdictions to publish business cases that the Australian government contributes to, but, ultimately, the Commonwealth-state relations and the funding arrangement that we have puts ownership of those documents in the hands of the jurisdiction. It's ultimately a matter for them to decide whether or not they publish.

**Senator ROBERTS:** That's the state?

**Mr Darrough:** Yes, but we encourage in all cases that it be published.

**Senator ROBERTS:** If you have access to it, may we have a copy, please?

**Mr Darrough:** I'll need to take it on notice.

**Senator ROBERTS:** Yes, that's fine. If the business case says there's not enough use for the water, then are you aware that there's a Project Iron Boomerang or, actually, Capricorn Steel, which is a large project—I won't go into the details—that would involve putting a steel mill at Collinsville?

**Mr Darrough:** I can talk more broadly about the Burdekin Basin, of which the Urannah area is part. The Commonwealth is partnering with Queensland on the Burdekin Regional Water Assessment, and that process is under way, looking at a basin-wide assessment of demand and supply for water in the catchment.

**Senator ROBERTS:** I don't expect you to know this, but I'll ask it anyway. Are you aware of the potential for a steel mill at Collinsville and other steel mills in Central Queensland?

**Mr Darrough:** Only from newspapers.

**Senator ROBERTS:** How much is the remaining water for the environment in gegalitres? What's outstanding? How much more will we claim back?

**Senator Watt:** There are a couple of different categories, so maybe one of the officials can give you the updated figures.

**Mr Southwell:** Are you referring to the 450 gegalitres of environmental water, Senator?

**Senator ROBERTS:** I thought it was 292. That's the remaining water for the environment, as I understand it. Am I wrong?

**Mr Southwell:** Do you mean the sustainable diversion limit, Senator?

**Senator ROBERTS:** I mean the total buybacks yet to be bought.

**Mr Southwell:** Okay. Perhaps I can start by answering the question around the 450 gegalitres of environmental water, as I think that might go to part of your question. We're around halfway towards that target. As of 31 December, we've recovered 221 gegalitres towards that. That's a mixture of purchases and infrastructure as well as other mechanisms. I'm hoping that that goes to your question.

**Senator ROBERTS:** So you've got about 229 left to go.

**Mr Southwell:** Correct, Senator. We're about halfway.

**Senator ROBERTS:** Thank you. Minister, the Legislative Council of New South Wales has voted unanimously to call on the federal government to convene a royal commission into water. Your own party, the Labor Party in New South Wales, voted for this measure. Do you support a federal royal commission, and, if not, on what basis do you disagree with your state counterparts?

**Senator Watt:** I'm not sure that it was a unanimous vote of the legislative council. I am aware that there was a vote of the legislative council. It's not my view that we need yet another royal commission into water policy or the Murray-Darling Basin. I recognise there are some Independents, particularly in the New South Wales parliament, who support that. This year, we have several reviews under way around the future management of the Murray-Darling. You may have seen, just last week, the Murray-Darling Basin Authority released a discussion paper about the next version of the plan. My view is that we should proceed with the work that is already intended, rather than launch an expensive repeat of a royal commission.

**Senator ROBERTS:** The *Third review of the Water for the Environment Special Account* report has found that the money in the account used to buy back water will only last until December 2026. How much more money is needed to complete the 450 gegalitres of buybacks the Albanese Labor government is intent on undertaking?

**Mr Sullivan:** In terms of the money required, traditionally we wouldn't give you that figure because it's a commercial tender process. The money is available inside the contingency reserve to complete the government's commitment to 450 gegalitres. But, in terms of the water purchasing component of that, my understanding is that that is a figure that is not for publication—

**Senator ROBERTS:** Because you don't want sellers to find out.

**Mr Sullivan:** Exactly.

**Mr Southwell:** I'll just add to that. We're trying to maximise the value for taxpayers through this process.

**Senator ROBERTS:** According to the report, at 1.1.1, recent purchases have averaged at \$5,040 per megalitre. Water for actual farming is uneconomic above \$100 to \$200 a megalitre, depending on the crop. Is your buyback forcing up the trading price of water to ludicrous levels, forcing family businesses off the land?

**Mr Southwell:** I'll start and perhaps ask for some of my colleagues to come to the table. We're very much well aware that water purchasing has an impact. As you're aware, as part of the process for initiating a purchase program, there is a consideration of socioeconomic impacts. That process is a routine part of our decision-making when conducting these water purchase programs.

**Senator ROBERTS:** Average water trading prices in the December quarter 2025 were over \$500 per megalitre, which is 250 per cent higher than in the same quarter 10 years ago. Both quarters had similar rainfall below long-term averages, with some areas in drought. So they've got similar inflow in the period. If water prices have not been inflated by buybacks, what has inflated them?

**Ms MacRae:** Water prices, particularly the temporary water prices that I think you're referring to, are \$200 to \$500 per megalitre for the annual purchase of water as opposed to the permanent purchase of water, which is what we focus on in the department. Permanent access is more like buying a house as opposed to renting a house. Of course, it is more expensive to buy a house outright permanently than it is to perhaps buy that house, for example, for a 12-month period. That's the price difference you mentioned. We're paying on average \$5,400 per megalitre, but temporary trades are in that \$200 per megalitre range.

I think over the last 10 years there have been many shifts in irrigated agriculture as well as water reform that have led to a change in pricing. This can be compounded by many things, including—

**Senator ROBERTS:** You have affected the market though.

**Ms MacRae:** There is an impact on prices in the market from the government purchasing water. There are many reports that do talk about that. But in many cases, while there is an initial impact, that does settle down initially after a period of time.

**Senator ROBERTS:** To get to this point so far you've bought up water that farmers didn't need, and/or you've bought up water that farmers did need but who needed your money more than they needed the water. You've bought up water that only appears in a flood, and now you're down to buying water that's needed to grow food and fibre to feed and clothe the world. What price do you expect to pay for the remaining acquisitions?

**Mr Southwell:** We run open and competitive tender processes. Those processes are underway. As I said earlier, we seek to obviously maximise the return for the taxpayer through this process, and we will evaluate those purchases based on the offers that are made and determine them based on value for money.

**Senator ROBERTS:** The report at 1.1.2 also found current funding was insufficient to make up for the damage your buybacks are doing to rural and regional communities. What increase in allocation will you need to provide just compensation for the loss and damage you're causing to rural communities?

**Ms Johnson:** The government's Sustainable Communities Program is providing \$300 million over four years for community adjustment assistance. That was something that was referenced in the WESA third report. It found that the Sustainable Communities Program has the potential to offset some impacts in these communities that receive adjustment assistance. But because, of course, that program is still in the early phases of delivery, the third WESA report, which was tabled last year, found it was too early to assess the outcomes. But that's certainly an important program when we think about community adjustment assistance in this space.

**Mr Coates:** That's actually in section 1.1.2 of the WESA report, where it refers to funding sufficiency. It's talking about constraints measures, not the Sustainable Communities Program or programs to mitigate socioeconomic impacts.

**Senator ROBERTS:** What do you mean by that?

**Mr Coates:** Constraints is a whole different program under the Basin Plan. It's not my area of expertise, but it's about achieving environmental outcomes.

**Ms Johnson:** Senator, on that one, the report found that the funding available to 31 December this year, 2026, is sufficient for the projects that are likely to be delivered in this period. Others can talk to constraints; there is quite a significant body of work that can be done. But, for the projects that are underway, you'll see in that section 1.1.2 that it found that the funding available is sufficient for those projects expected to be delivered this calendar year.

**CHAIR:** Senator Roberts, may I just inquire as to remaining questions and if there's any possibility of putting some of those on notice. I'm not going to cut you off.

**Senator ROBERTS:** I'm nearly finished, I think. I think they'll be short answers.

**CHAIR:** Okay.

**Senator ROBERTS:** Minister, what specifically will the remaining quantity of what will actually be 229 gigalitres for the environment be used for?

**Senator Watt:** What will it be used for?

**Senator ROBERTS:** What are the KPIs? What environmental need is so critical that farming needs to be so damaged by these buybacks?

**Mr Southwell:** I'll start and then hand over to my colleague Simon Banks. The water purchasing and water recovery for that 450-gigalitre target is to acquire water to support environmental outcomes to meet the Basin Plan. Dr Banks can talk through the detail of what that water is used for, but effectively it will deliver outcomes that support the—

**Dr Banks:** Any water that is recovered through the program entitles us to a greater share of water in any particular year that we can then use to return to the environment. We're able to support variations in flows and support the movement of native fish and the building of condition of native fish. We've been able to support waterbird breeding, which again is about how we improve the overall basin outcomes for the environment. So I can assure you there will be plenty of opportunity to use the available water, and my job is to make sure that we get the best out of the water that we're responsible for managing.

**Senator ROBERTS:** Let's move on. Referencing the New South Wales Supreme Court case of Doyle's Farm Produce Pty Ltd atf Claredale Family Trust and others versus the Murray-Darling Basin Authority and Anor, a class action—this is claiming up to \$1.5 billion in damages. Have you made a contingent liability for any sum at all in connection with this case or any other such claim?

**Mr McConville:** The court action has been completing, and we are awaiting the judgement on that. We work with the AGS through normal insurance processes, so there's not much more I can say on that.

**Senator ROBERTS:** You haven't made a contingency; you're just relying on insurance?

**Mr McConville:** It's the task of the government's insurer to make those contingencies.

**Senator ROBERTS:** Okay. Minister, this report discusses the \$3 million allocated by the Labor government to the states for the development of a proposal to buy farms with water allocations through intermediaries, which would, I am sure, include union superannuation funds. Those corporations would then operate the farms. Minister, where did the \$3 million come from, and how does purchasing a water allocation from a government farm make it environmental water?

**Senator Watt:** Unless one of the officials knows the answer, I will have to take that on notice.

**Senator ROBERTS:** Anyone? This is my last question. Didn't Chairman Mao and Joseph Stalin already try that, Minister? I'm just curious—once you have destroyed family farms through the Murray-Darling Basin Plan and emptied out the bush, what will Australians in your cities, and your millions of new arrivals, eat?

**Senator Watt:** The government's view is that the long-term health of the Murray-Darling Basin system and the future of the agriculture industry in that region rely on better environmental management of water in the basin. We think this is essential to future food security.

**Senator ROBERTS:** I'm sure many, many farmers don't agree with you on that one.

**CHAIR:** Senator Pocock.

**Senator DAVID POCOCK:** Thank you for your time this evening. I've got some questions about the Upper Murrumbidgee and wanted to thank all involved in developing the Upper Murrumbidgee Drought Operating Framework. It's great to hear that the first releases have happened. Thanks to everyone in the department and, Minister, thank you for your work on this and for your letter that you sent me just today.

But I have some questions relating to the ongoing implementation of the framework and whether there's information available in relation to how much water has been released and when. One of the concerns I have is that it seems like there's very little transparency as to water releases into the upper Bidgee from Tantangara. I think, given the SWIOID review process, I'd love to see a bit more visibility over there.

**Mr Southwell:** As I think you're aware, Senator, we now have arrangements in place for the release of that water. That's to meet the immediate commitments around the Upper Murrumbidgee and to the release of water that will support drought-like conditions based off the drought operating framework. As you said, the longer term arrangements relate to the SWIOID review that is underway, and there's a consultation occurring with community and stakeholders around that. That will determine the longer term actions that will support environmental outcomes in that system. Regarding releases to date around volumes, my understanding is that the water started being released back on 30 January.

**Ms Koeneman:** I can answer that if you like. On 31 January, water was released under the Snowy Hydro water release agreement. There were 15 megalitres of water released from Tantangara under Mittagang Crossing trigger by Snowy Hydro. Then again, on 4 February, there was water released—it turned out to be about five megalitres per day—from Tantangara under, again, the Mittagang Crossing trigger. I understand that there has been continuing monitoring of Lobs Hole, and there may well be water released further in this by Snowy.

**Senator DAVID POCOCK:** So there's 15 megs and then you said five megs a day. How many days was that?

**Ms Koeneman:** I don't have that information, but I can take that on notice.

**Senator DAVID POCOCK:** That'd be great. How did they arrive at 15 megalitres? How's that sum been done?

**Ms Koeneman:** That would be something that we would have to confer with Snowy Hydro about.

**Senator DAVID POCOCK:** Sure. Maybe you can take it on notice then.

**Mr Southwell:** The answer to that is that it's based on the triggers that are in the drought operating framework. I think I've got that here somewhere. But that sets out the arrangements around what has to be released and why to meet certain flow criteria in the river system.

**Dr Banks:** We're happy to take it on notice, though, in terms of details.

**Senator DAVID POCOCK:** Yes, that'd be great. Do you have the days on which the triggers were met?

**Mr Southwell:** I think we have to take that on notice as well. But I would say we've got in place arrangements with Snowy Hydro and with the New South Wales government now around the operating arrangements for that. There's active monitoring around the water flows at those various trigger points. Snowy Hydro will release water when those triggers are met.

**Senator DAVID POCOCK:** Why isn't this publicly available information so the community can see triggers and water flows?

**Mr Southwell:** I would say that the drought operating framework and the operating arrangements under that are published on our website.

**Senator DAVID POCOCK:** How often are they updated?

**Mr Southwell:** Well, that's the framework and the operating arrangements that specify what the triggers are.

**Senator DAVID POCOCK:** I understand that—yes, thank you. But, regarding the actual releases, why isn't there a way to actually have visibility over triggers that are met and releases that happen?

**Mr Southwell:** I think that's a matter for Snowy Hydro, who actually make the releases.

**Senator DAVID POCOCK:** Okay. For the 15 megs and then the five megs per day—on notice for how many days—is that water that the Commonwealth has compensated Snowy Hydro for, or is that water from the CEWH?

**Mr Southwell:** We do have an arrangement in place with Snowy Hydro to compensate them for that water. That will be calculated towards the end of the financial year, and then my colleague Dr Banks puts in place arrangements to protect that water.

**Dr Banks:** We've made available up to 10 gigalitres of water. Basically, we're wearing the losses associated with the releases. For us, the losses are ultimately part of the environmental outcomes that we're trying to seek. So, as part of this trial, we've been able to make water available, which has enabled the releases to happen without having any third-party impacts.

**Senator DAVID POCOCK:** You said 10 gigs. Is it a concern that we've only seen releases of 15 megalitres, given the state of the river? It's pretty dire when I talk to river ecologists and others.

**Dr Banks:** I think that goes to the drought framework and the triggers there that dictate the flows.

**Mr Southwell:** Absolutely. In the Drought Operating Framework we do outline what those triggers are, which relate to Tantangara Dam, Mittagang and Lobbs Hole, and they specify certain volumes of water that are to be maintained through the river system at those trigger points when certain conditions are met. The allowance that Dr Banks talks about is that we expect, obviously, there will be multiple releases of water, depending on the conditions in the river.

**Dr Banks:** It's the first time we've been able to, as part of these arrangements, have the Commonwealth's water used in that system, because we don't hold entitlements in that area.

**Senator DAVID POCOCK:** On 30 January, the NSW water minister, Minister Rose Jackson, said, I think, that 14 gigalitres will be released. Dr Banks, you've said 10. I'm wondering whether—

**Ms Koeneman:** The 14 gigalitres relates to the total amount over that year, in terms of the contingency reserve.

**Dr Banks:** And then I've made an amount of water available, subject to the triggers being met, to meet any of the losses associated with the flows that have been released.

**Senator DAVID POCOCK:** But isn't that what the \$30 million contingency from the federal government is for?

**Mr Southwell:** The \$30 million is \$10 million a year to Snowy Hydro to, basically, reimburse them for the opportunity cost of reduced generation from the water that they would otherwise hold in their system for power generation.

**Senator DAVID POCOCK:** How is that different to Dr Banks' water? He's saying he's going to wear the losses.

**Mr Southwell:** I think probably the best way I could describe it is that we're funding Snowy Hydro to release that water from Tantangara dam, which they could otherwise use to generate electricity, but that water needs to be protected downstream so that the environmental outcomes are achieved.

**Dr Banks:** Part of that is losses, which is what the Commonwealth's water is contributing to. I think at this sort of rate that would be a relatively small amount.

**Senator DAVID POCOCK:** Minister, do you think that this information—flows, triggers met, releases—should be publicly available data in 2026?

**Senator Watt:** I think I heard the officials say that at least some of that data is publicly available.

**Senator DAVID POCOCK:** No; they said the framework, the agreement, is publicly available. But as to the flows and releases, I've got to come here and ask.

**Mr Southwell:** I think I'd need to take it on notice as to what Snowy Hydro have published around water releases. I don't have that in front of me, sorry.

**Senator DAVID POCOCK:** Okay. I'll take it up with them as well.

**Mr Kaiser:** I would just point out Snowy Hydro is on our agenda for later this evening.

**Senator Watt:** I would want to take some advice on that. There may well be good reasons to not publish that data. I just don't know, so I can't really give you an answer.

**CHAIR:** Senator Pocock, I'm just touching base about whether we can move on?

**Senator DAVID POCOCK:** Okay, I'll chuck my other questions in as QONs. Apologies to officials for that.

**CHAIR:** I'm very grateful, Senator Pocock; thank you very much. On that note, we are moving off Outcome 4.

[19:08]

**CHAIR:** We'll move now to Outcome 3, Advance Australia's environmental, scientific, strategic and economic interests in the Antarctic region by protecting, researching and administering in the region, including through international engagement; and Program 3.1, Contribute to Australia's national Antarctic interests through science, environmental management and international engagement, including delivering Australia's scientific research and operations in Antarctica and the Southern Ocean. I welcome officials.

**Senator WHISH-WILSON:** First question: any updates on implementation and funding for a decadal plan?

**Ms Campbell:** As you know, we've been working for a long time on the decadal strategy and the implementation plan. We have had some progress on funding. You would have seen in the MYEFO government provided \$208 million, which included money for ACEAS for additional shipping days on the back of the successful Denman marine voyage and—

**Senator WHISH-WILSON:** I'm sorry; I don't have long, Ms Campbell. I don't mean to cut you off, but I want to know about the decadal plan—the 10-year plan.

**Ms Campbell:** I might pass to Professor Abram to talk a little bit about the process for the decadal strategy.

**Prof. Abram:** We are making good progress on developing the implementation plan for the decadal science strategy. That involves consulting with the science community. So far, I've held two community workshops focusing on different priorities of the decadal strategy. I have a third one in March that's waiting on some of the key scientists who are currently in Antarctica to come back. But we are making some good progress on that, of course helped by the MYEFO announcements, which have given us certainty, particularly around the additional at-sea days for *Nuyina*. We already have a number of programs that are delivering on the decadal strategy as we develop that implementation plan, including the million year ice core project, the campaigns to Heard Island and McDonald Islands—

**Senator WHISH-WILSON:** In terms of the strategy, the implementation plan and the funding, though, my understanding from the inquiry we had was that there were a couple hundred stakeholders involved in putting together the plan, which you released late last year, and 50 experts on top of that. You're now doing more workshops on some of the priorities that were identified in that plan; is that correct?

**Prof. Abram:** That's correct. We had the overall strategy, and now we're developing the activities that we'll be delivering to deliver on those outcomes.

**Senator WHISH-WILSON:** My question about this was actually partly in relation to ACEAS. You mentioned them just there. They get \$5 million over two years; they used to get \$6.7 million per annum, which was a cut from what they had previously got. They had seen it as a short-term band-aid fix, though welcome nevertheless. Is it fair to say that there won't be any long-term funding for ACEAS without a decadal plan or even with a decadal plan?

**Ms Campbell:** For me, I think we're working at those in parallel. I know about the request for long-term funding for those institutes, and that's certainly something on the agenda as well with the development of the decadal plan. Ultimately, government will decide about long-term science funding.

**Senator WHISH-WILSON:** What do we say to Tasmanians that are at ACEAS, which has got \$5 million for two years? They're either going to have to find some money from somewhere or let people go. Will we say to them, 'When the decadal plan and implementation plan funding has been finalised, you'll have certainty,' or will there be something else that we should say?

**Ms Campbell:** The two years of ACEAS funding brings ACEAS up to where SAEF and the Australian Antarctic Program Partnership, the other big science funding programs, are. That brings them into line, and so that allows government to look at the university partnerships as a package. We are still continuing to do that work.

**Senator WHISH-WILSON:** I'll put some more questions on that on notice. I have a couple of other quick ones. Could I ask you, Mr Sullivan or Ms Campbell, as the executive of the AAD, have you had any discussions with CSIRO around potential loss of capability with impending job cuts and how that might impact the great work you guys do, especially on long-term climate modelling and data collection in Antarctica?

**Mr Sullivan:** The answer is yes in terms of discussions with CSIRO, because it's part of our key science relationship not just inside the AAD but also across broader marine areas in terms of marine protected areas and with respect to Parks Australia as well. The answer is yes in terms of making sure that we keep the dialogue open with CSIRO around their priorities moving forward but—

**Senator WHISH-WILSON:** But they've consulted with you about these situations?

**Mr Sullivan:** Yes—also around our priorities. It's where we work in partnership, because we are a key partner of CSIRO.

**Senator WHISH-WILSON:** Okay. I went to an Antarctic Parliamentarians Assembly in Wellington late last year, and there was a lot of concern about the US pulling out of their programs in the Antarctic. No-one was completely sure—and people probably still aren't sure—about the impacts. Are there concerns at the AAD around the United States government—in particular around their National Snow and Ice Data Center and the satellite observation feed being cut off in October this year?

**Ms Campbell:** The short answer is yes. We're certainly hearing stories about the US's priorities, and some of those—for example, the examples you talked about—will have impacts on a range of Antarctic science. Do you want to talk to that?

**Prof. Abram:** Yes. There are a number of nations that contribute to the information that we have for Antarctica. The international community is certainly working to look at what the prospects are for where our data comes from and what are the next missions that would be delivering that. That's an international conversation. In terms specifically of sea ice data, I believe that the cuts in the US have affected the amount of processing or the different products that are delivered, but the baseline scientific data is still available.

**Senator WHISH-WILSON:** Once again, the chair's put me under the pump here. I might put some questions to you on notice on that. Very briefly, in terms of broader geopolitical concerns—I don't have time to go into them now—one of the recommendations from the Senate inquiry was that DFAT set up an Antarctic office to coordinate a whole-of-government approach to the Antarctic. Have there been any developments in that area at all?

**Ms Campbell:** We work very closely with DFAT as co-leads on the Antarctic. DFAT leads our engagement in the Antarctic Treaty Consultative Meeting, and you know our role. That's probably a question best answered by DFAT, but they are certainly aware of the changing geopolitical landscape and we talk to them regularly about that.

**Senator WHISH-WILSON:** Okay. You've got the additional days for *Nuyina*, which is very welcome. Thank you, Minister. I'm proud to be part of a country that is stepping up its Antarctic science program. I was interested in a second vessel and whether there'd been any development on either procuring a second vessel or leasing one for future summer voyages.

**Ms Campbell:** I believe I talked about it at the last hearing. We're looking at supplementary shipping to support some of our infrastructure work at Macquarie Island and at Davis Station. That work is underway. We're hoping to have a vessel for next season to support that work, which will stop *Nuyina* being diverted to that critical workplace health and safety work. That's really our focus at the moment—supplementary shipping to support infrastructure and then the additional days for *Nuyina* on science so we can use *Nuyina* for more science.

**Senator WHISH-WILSON:** My last question is to you, Minister. In terms of this budget, will the contribution to Antarctica be shaped in terms of a decadal plan? Has the department got you to the point where you can do that?

**Senator Watt:** I'm sorry but, as we've said earlier today, all budget matters we don't discuss here. They'll be discussed—

**Senator WHISH-WILSON:** Without asking you the quantum, are you able to say whether, at least, in terms of forward planning—

**Senator Watt:** I'm not in a position to talk about what we may or may not be seeking or doing via the budget. But certainly I can say that the department are keeping me informed of their work around the decadal plan. As that thinking evolves, that will obviously inform decisions that we make.

**Senator WHISH-WILSON:** Thank you, Chair. That was very quick.

**CHAIR:** Thank you, Senator Whish-Wilson. Your brevity is very much appreciated. Thank you to the witnesses from the Australian Antarctic Division. Thank you, Minister. I understand we'll have a new minister when we commence outcome 1 after the dinner break. We will resume programming on outcome 1.

**Proceedings suspended from 19:19 to 20:10**

**CHAIR:** I now welcome Senator the Hon. Tim Ayres, Minister for Industry and Innovation and Minister for Science, representing the Minister for Climate Change and Energy. Minister, do you wish to make an opening statement?

**Senator Ayres:** No.

**CHAIR:** I now call officers from the department in relation to outcome 1, Support the transition of Australia's economy to net zero emissions by 2050; transition energy to support net zero while maintaining security, reliability and affordability; support actions to promote adaptation and strengthen resilience of Australia's economy, society and environment; and take a leadership role internationally in responding to climate change. That includes program 1.1, Reduce Australia's greenhouse gas emissions, and program 1.2, Support reliable, secure and affordable energy. I invite questions, and I'll go first to the coalition. Senator Smith.

**Senator DEAN SMITH:** Thank you very much, Chair. Can I confirm that I can ask questions here in regard to the PBS statement and 'extending Australia's international climate change engagement', which identified the \$79.1 million in new funding.

**Ms Munro:** Yes.

**CHAIR:** Sorry, Senator Smith. I omitted to give Mr Kaiser an opportunity to elaborate on those two outcomes.

**Mr Kaiser:** Because program 1.1, Reduce Australia's greenhouse gas emissions, and program 1.2, Support reliable, secure and affordable energy, are so interrelated and because we observed that the committee's had its issues with distinguishing those issues before, we've decided to bring officers of the department for both of those programs to the table so that we can just deal with the entirety of outcome 1 together.

**CHAIR:** Thank you, Secretary. Senator Smith.

**Senator DEAN SMITH:** We're talking to the \$79.1 million that has been included in the portfolio additional estimate statements for 2025-26. Can you step me through what that \$79.1 million is? What are the contributing elements to that \$79.1 million? Did I hear you correctly that it's over two years?

**Ms Munro:** Yes. The \$79.1 million, which is over two years from 2025-26, supports Australia's continued international engagement on climate change and energy transition issues and is particularly focused on our means to deliver on the Türkiye-Australia partnership modalities for COP31. A significant part of that is hosting the pre-COP in our region and supporting our role as president of negotiations. For a little bit more detail, I'll pass to my colleague Mr Higgins.

**Mr Higgins:** Further to what Ms Munro was just outlining, some of the elements that would fall within that envelope would pertain to things like the operational elements associated with the pre-COP. Some examples of that would be accommodation costs, venue and catering, event management, transport, security, ICT and communications. There are elements associated with giving effect to our role as president of negotiations in partnership with Türkiye. There is a requirement for a range of events to be held in Australia as part of that role as president of negotiations. They pertain to elements of the intersessional negotiations, and there are a range of mandated events. So some of the funding would be to support those activities.

We will engage with Australian and Pacific peoples as part of our responsibilities. We will nominate a youth champion, which is a mandated role under the process, and support a youth advisory council linked to that youth champion. The arrangements with Türkiye also foresee the identification of other champion roles for the Pacific and on themes, all of which are yet to be worked through. But they are foreseen in that funding envelope. Then there's further support for Australia's international climate engagement within the envelope as well. That would include elements such as staff travel, sponsored travel of the kind we talked with Senator Henderson about this morning, Pacific delegate travel to events including the COP itself, and commercial and legal support in relation to the pre-COP and its delivery in the Pacific.

**Senator DEAN SMITH:** So \$79.1 million over two years is a large sum of money. Where in the portfolio budget statement do I find it disaggregated?

**Ms Munro:** The measure is as you see it. It doesn't go down into a disaggregated form. That's the total cost over the two years. That covers a number of activities, as Mr Higgins has just outlined.

**Senator DEAN SMITH:** Are you able to identify for me what proportion of the \$79.1 million envelope is for the operational elements of the pre-COP?

**Mr Higgins:** No, I'm not able to provide that detail. In fact, we're yet to work those elements through. We don't yet know, for example, where the pre-COP will be held in the Pacific or the elements therein. So, in short, no, we don't have a breakdown.

**Senator DEAN SMITH:** Can you provide me details of what proportion of the \$79.1 million is to be used for Mr Bowen's role as president of negotiations?

**Ms Munro:** On that question, as I said this morning, this is funding provided to the department. Maybe it's useful to explain the context of Minister Bowen's role and that of the department. As is the case, the department and senior executive have a very critical role to be able to represent Australia's interests as the president of negotiations. This is funding provided to the department. Minister Bowen's role is significant in its own right, but his costs, which will largely relate to travel, will be determined on a case-by-case basis. So this is not funding that goes to Minister Bowen's role as president of negotiations. It more goes to Australia's role and to DCCEEW's role to actually be able to execute it.

**Senator DEAN SMITH:** So the costs for Mr Bowen in his role as president are open ended?

**Ms Munro:** No, they're not open ended. They will be determined on a case-by-case basis.

**Senator DEAN SMITH:** But they're not calculated yet. They're not budgeted for.

**Senator Ayres:** Ministerial travel is approved in a different kind of way—or it certainly is under this government.

**Senator DEAN SMITH:** Mr Higgins, which events have been identified? In your remarks you identified that the \$79.1 million was to be used for operational pre-COP activities. You mentioned communications, ICT, transport et cetera. Then in the second subset you mentioned costs associated with the president of negotiations and events. Which events have been identified as being funded from that \$79.1 million?

**Mr Higgins:** Those events haven't yet been determined. We expect that it is likely that there will be a number of events that we'll be responsible for organising and putting on, as part of our role as president of negotiations, but they are not yet determined. They are linked in part to the negotiating agenda, which has not yet been fully developed given we're very early in the calendar year and we're working towards an end point that is in November.

**Senator DEAN SMITH:** When will that calendar of events be finalised? Obviously, it's a program of events involving the international community, so everyone would need a degree of certainty and time to prepare, particularly when we're dealing with significant figures of government et cetera.

**Mr Higgins:** That's right. I think it's our hope that the first of those events would be the pre-COP—not the first in terms of the calendar necessarily but the most major piece in the events for which we will be responsible. As I mentioned this morning, we have been in consultation with the Pacific through the Pacific Islands Forum, and we're awaiting advice with respect to the location. From there, we'll be able to sort out the timing. That's the most major of the events. The others have yet to be determined.

**Senator DEAN SMITH:** Is there a draft program of events?

**Mr Higgins:** There is not.

**Senator DEAN SMITH:** And we're in February.

**Mr Higgins:** Correct.

**Senator DEAN SMITH:** When will a draft program start to take shape?

**Mr Higgins:** It will start to take shape over the course of the coming months. We're in discussions with Turkiye, president of the COP itself, to determine our shared priorities and the way in which we want to stage the year. But it's not uncommon for the majority of events associated with a COP to be in the second half of the year. There's a large intersessional meeting that happens in June or July in Bonn, and the second half of the year is when the bulk of elements associated with the negotiations take place.

**CHAIR:** This is an appropriate place to pause, Senator Smith, unless you would like to put one last question.

**Senator DEAN SMITH:** Will the pre-COP program for 2026 look similar to previous pre-COP programs?

**Mr Higgins:** I wouldn't hazard a guess. The pre-COP is something that we will have to work through with our Pacific partner and with the government of Turkiye, which also has an interest. Our Pacific partner will want to be working with the other members of the Pacific Islands Forum to ensure that we elevate Pacific priorities in the way that we intend. I think all of those factors will play into the shape of the pre-COP agenda. There will also be the overlay of the negotiations themselves. We're expecting the pre-COP to be in the latter part of the year, in the run-up to the COP. It's very early at this point to say what the agenda will look like. I think the overall scope of the program is likely to be consistent with previous pre-COPs, but not necessarily the substance.

**Senator DEAN SMITH:** This is my last question, Chair. Is there a formal mechanism by which Australia and Turkiye negotiate around various issues?

**Ms Munro:** This is governed by the agreement that was endorsed at COP30 in Belem. It's called Turkiye-Australia Partnership Modalities. That really does set out the definitions of the roles and responsibilities of Turkiye and Australia and, effectively, also governs how we will find agreement in terms of the respective roles that we play.

**Senator DEAN SMITH:** I'm thinking—

**CHAIR:** Sorry, Senator Smith. I now will cut you off. We'll come back to you once we've made our way around. Senator Hodgins-May.

**Senator HODGINS-MAY:** Thank you for being here. I've got a few questions about government subsidies for fossil fuel projects. The Morrison government's 'gas-fired recovery' was all about subsidising gas companies, and Minister Bowen was very critical of that. In 2022, Minister Bowen said that there would be no government finance for new coal and gas fields. Is this still government policy?

**Senator Ayres:** It was the position that was articulated by the minister. It's the case now. It remains the policy of the government.

**Senator HODGINS-MAY:** Is the department aware of any government finance currently being given or made available to coal and gas fields?

**Mr Kaiser:** Not through this department—not that I'm aware of.

**Senator HODGINS-MAY:** In 2024, Senator McAllister answered a question on behalf of the minister about pipelines in the Beetaloo basin: 'The Albanese government has not provided and has no plans to provide public funding of financial support for the construction of pipeline infrastructure to deliver gas out of the Beetaloo sub-basin. Investing in any such infrastructure would be a commercial decision for private sector investors.' Is this still the government's position?

**Senator Ayres:** This is, I think, a question that would be more appropriately directed to resources estimates. Yes, I think that's more of a resources estimates question—

**Senator HODGINS-MAY:** So there's no-one here who—

**Senator Ayres:** unless there's something the department can add.

**Mr Brine:** No, I'm not aware of any government programs in this portfolio. As the minister says, that would more naturally be a matter for the resources portfolio.

**Senator HODGINS-MAY:** I saw a couple more people join the table. Do you have any contributions?

**Mr Archer:** I think the answer that you've received is the correct one. There are a range of initiatives that the government is pursuing to ensure that gas markets are working well and addressing the potential risk of future shortages and gas supply—but not in the nature of subsidies that you're discussing.

**Senator HODGINS-MAY:** So you're not aware of any government funds available or potentially available to new coal and gas projects?

**Senator Ayres:** As the official has described, there are no subsidies for producers. As was announced by the government prior to Christmas—an announcement that I participated in—there was a decision to provide for a reservation strategy for Australian gas so that Australian gas is available in the Australian interest—that is for heavy industrial gas users, for example—so that we deal with the potential supply shortage questions that Mr Archer referred to. That means that there's an intervention by the government in that gas market, which is why there's a little bit of caution about the way that that statement interacts with decisions that government has yet to make about the design of that scheme.

**Senator HODGINS-MAY:** The gas market review won't involve public funding to new pipelines?

**Senator Ayres:** There are decisions for government to make.

**Senator HODGINS-MAY:** But if those earlier statements are—

**Senator Ayres:** I'm not ruling in or ruling out. We've embarked upon a design process, which is why I'm being a little bit cautious. We'll be engaging with heavy industry, with gas users and with state governments. The objective is to make sure that, while the vast majority of gas from these fields is for export, we have sufficient gas at the right prices for Australian industry and for Australian households—while we're going through a process, of course, in parts of industry and in households at the Commonwealth and state level of reducing gas use where it can be reduced.

**Senator HODGINS-MAY:** So, if it did go down that pathway, there is the possibility of deviating from that earlier government policy that I outlined?

**Senator Ayres:** No, it would be entirely consistent with the approach that was—

**Senator HODGINS-MAY:** So not publicly providing government funding for coal and gas?

**Senator Ayres:** You've asked about public funding, from which I take it you mean subsidies. That's been the position of the government.

**Mr Archer:** It is certainly not a feature of the recommendations of the Gas Market Review report.

**Senator HODGINS-MAY:** I suppose you're talking subsidies, grants, loans—any public funding, essentially. There's been talk of a government 'bulky buy' of gas, to help bail out industrial facilities. Is this still on the table?

**Mr Atkin:** Again, that's not a feature of the findings or recommendations as part of the Gas Market Review that was released at the end of last year.

**Senator HODGINS-MAY:** So it won't be a feature? Okay.

**Senator Ayres:** There's a series of questions there that go to programs and efforts, led by me and the department of industry, in relation to smelters, and some of that—not all of that—relates to energy prices and energy availability for industries, like parts of the chemical sector, where gas is a feedstock. It's not like in some of these other sectors where gas is a source of industrial heat. These are processes where gas is a chemical part of the process, and very substantial industrial facilities are engaged there. I'm happy to answer questions about that in industry estimates in more detail, because there's a lot of interest in the government intervening to protect industrial capability and blue-collar jobs in regional areas, and to ensure that we've got the capacity for a lower-carbon industrial future for those regions. But it's a bit hard for these officials to answer some of those questions, because they're engaged at a design level but not in the day-to-day work in relation to some of these smelters in particular.

**Senator HODGINS-MAY:** Staying with the Gas Market Review, what timeline are you working to? And when can we expect it to be announced? I'm sorry if you've been asked that previously; you may have been.

**Mr Atkin:** That's fine. At the end of last year, the government released the Gas Market Review report and opened up a round of consultation on the detailed design of the recommendations that are set out in that report. The department's website is currently open to receive submissions through until the end of March. Once we receive those submissions on the detailed design, the next step will be a process of public consultation on turning that detailed design into legislative instruments by way of preparation for implementation in 2027.

**Senator HODGINS-MAY:** Is there an approximate timeline for that process's next phase?

**Mr Atkin:** We would hopefully be out for consultation on a draft instrument by the middle of the year, ahead of preparation for implementation in 2027.

**Mr Archer:** Just to add to that, that relates specifically to the domestic gas reservation mechanism. There are a range of other recommendations that the government has agreed to in the Gas Market Review report, and we will be developing a program of work around the implementation of those recommendations as well, but certainly our focus at the moment is on the reservation scheme.

**Senator HODGINS-MAY:** Domestic—yes.

**CHAIR:** Senator Hodgins-May, just one more minute.

**Senator HODGINS-MAY:** Okay. Can you provide any more specificity around what policy components are being worked on? For example, is a gas export tax open to the government to implement?

**Mr Archer:** That's not something we are actively considering as part of the agenda around the Gas Market Review. There are other gas market reforms that we are considering, including under the auspices of the Energy and Climate Change Ministerial Council. That goes more to the regulatory arrangements and the powers of the Australian Energy Market Operator. We're not actively considering a tax.

**Senator HODGINS-MAY:** Is it perhaps to the minister? Are you actively considering a tax as an option, considering prices have tripled since exports on the east coast started in 2015? Is that something that your government is considering?

**Senator Ayres:** There's a very good answer from the official. I wouldn't want to deviate from that. What is being contemplated and worked through is a very significant step to make sure that sufficient gas is reserved for Australian use, because it's foundational, particularly for parts of our heavy industry sector, and it provides a pathway through to not just sustainable footing for current industry but also future investments for metals production and all sorts of industrial processes that are vital for Australia's future.

**Senator HODGINS-MAY:** Is an export tax totally off the table, or are you saying that it's not being considered but it potentially still could be considered? Thinking of cost-of-living relief, it seems like a fairly obvious mechanism.

**Senator Ayres:** I'd refer you to the official's answer. I think it was a pretty good answer.

**Senator HODGINS-MAY:** Minister, you're a minister.

**Senator Ayres:** Yes.

**CHAIR:** Senator Whitten.

**Senator WHITTEN:** I'd like to talk about the Capacity Investment Scheme. Last week during question time, Senator Hanson asked Minister Gallagher about the Capacity Investment Scheme. I wasn't clear on whether we were or weren't going to get an answer, but I'll ask it again. What is the cost of the Commonwealth Capacity Investment Scheme in the 2025-26 budget?

**Mr Brine:** There's an element of the scheme that relates to the departmental costs of running the scheme, and then there's an element of the scheme that relates to the underwriting element. In terms of departmental allocations of funding for the scheme, the department was allocated \$200.2 million over nine years in the 2023-24 budget, and that was to design the scheme, administer the tenders and run contract management. On top of that, there was \$7.4 million per year from 2032-33 through to 2042-43 for contract management, so those contracts will be 15-year contracts and complex contracts. That amount was topped up by an additional \$34.9 million in the 2024-25 MYEFO, which was allocated to increase the amount of funding to run the tenders. The tenders were heavily oversubscribed. I think the first tender was oversubscribed by 10 times and the following tenders have been four to five times oversubscribed. Having to assess that number of bids means there are more costs for our tender delivery partner, so that \$34.9 million was added to the earlier amounts. Then, in the most recent 2024-25 MYEFO, an additional \$17.1 million was allocated. That is really about, now that we've got a better understanding of the contracts, how we manage the contracts and also how we're going to verify the payments to the producers. That's the departmental side.

On the administered side, those costs will depend on energy prices over the future period. It's an underwriting scheme: proponents bid in, there's a floor, a ceiling and a cap each year, and the amount of support they receive depends on how energy prices play out over the next 15 years. Our estimate of that, when we first designed the scheme, was not for publication. In the budget measures, when we release a measure, sometimes they put 'NFP'—not for publication. Generally, the Commonwealth government does that when we're embarking on a tender process and we don't want to disclose to the bidders how much we've set aside for that tender. This is one of those occasions where it's marked 'not for publication'. The reason we do that is to extract the best value for the taxpayer. Obviously if we're looking to fund 40 gigawatts, if we announced the total amount, you could just divide that by 40, and that's what people would bid in. It's about maintaining competitive tension in the tenders.

The government has not at this time disclosed its estimated underwriting costs. But, as I said before, that really is a function of energy prices. In a welcome world where energy prices are low, the scheme will have a higher cost, but there will also be benefits to the economy in terms of additional bill relief for households, more competitive businesses and more employment. In a world where energy prices are unfortunately higher—I hope that isn't the case—if the scheme doesn't work, then the scheme is not going to cost very much. Hopefully, that's helpful.

**Senator WHITTEN:** In the MYEFO, in the contingent liabilities that are quantifiable, it's saying 'modified'. I'm assuming 'modified' is 'modified up'?

**Ms Wiltshire:** I assume it's to take account of—the projects that we have on our books change each year, so these numbers will get changed each year as we contract more projects.

**Senator WHITTEN:** So 'modified' means it's increased or decreased?

**Mr Brine:** They don't recognise the contingent liability until a contract is signed. As we run through the tender program and sign more contracts, the contingent liability will increase. They also recognise a contingent asset—so the companies make a number of obligations to us in return—and that contingent asset is on the books as well as the contingent liability. That will also grow as we receive more project bonds.

**Senator WHITTEN:** Can you give any definition of what the asset might be?

**Mr Brine:** When entities sign a Capacity Investment Scheme agreement, they have a period of 20 days to lodge with us a project bond where they promise they'll deliver the project. If they don't, then we can keep some or all of that project bond, if they fail their obligations to us.

**Senator WHITTEN:** Can you confirm that the pro forma document published on 27 August 2024, which included the underwriting of network related curtailment, was the version the scheme participants would have used when preparing their bids for financial value for tender 1?

**Mr Brine:** It was published as an indicative contract, so they would have taken that into account. But there was always an understanding that we'd work through the detail. Project proponents were invited to submit changes to that contract. Once we worked through all those submitted bids, we took all their ideas on board. The final contract was offered to the successful proponents, and then they could make a decision whether to sign it or not.

**Senator WHITTEN:** Did you communicate the change to remove the curtailment from the underwriting payments applicants prior to the issuance of the final execution version?

**Mr Brine:** Yes. They had the final contract.

**Senator WHITTEN:** They were all aware of it.

**Mr Brine:** Correct.

**Senator WHITTEN:** We're chasing 82 per cent renewables by 2030. How many projects have made it to financial close since the announcement of tender 1?

**Mr Brine:** How many of the Capacity Investment Scheme projects? While my colleague gets that figure, I will just remind you that the Capacity Investment Scheme is seeking early-stage projects. These projects are to be delivered by 2030. To hit financial close, you need to have your land secured and your environmental approvals and your DAs through as well as your financing agreement. We're looking to have those projects, land all those approvals, hit financial close and then have constructions before 2030. We knew a lot of the projects we were funding were a fair way away from financial close when we funded them. If they're at financial close, they probably don't need a lot of support from the federal government. We're expecting most of the projects we've signed up so far will hit financial close in this calendar year. My colleague might have the exact figures of how many have already reached financial close.

**Ms Wiltshire:** We have around nine projects that have achieved financial close. Just to reiterate and add to what Mr Brine—

**Senator WHITTEN:** Sorry; did you say nine projects have hit financial close for tender 1?

**Ms Wiltshire:** Sorry—that is of the projects that have executed a contract with us. We track these milestones for the projects that have executed a contract—so that's of the ones that have executed a contract.

**Senator WHITTEN:** Thank you.

**CHAIR:** Senator Ananda-Rajah.

**Senator ANANDA-RAJAH:** I've got some questions regarding coal-fired power stations. We know that AEMO has reported that the coal generators are becoming increasingly unreliable. What are the impacts of this on prices and reliability?

**Mr Brine:** That is correct. A number of coal-fired generators are reaching the end of their effective life, and we do see correlation between unplanned outages of those coal-fired generators and price spikes, which do lead to higher bills for consumers. My colleagues—the cavalry has arrived—will be able to provide better insights about that.

One definite point to keep in mind is that a key part of the government's energy plan is to manage the exit of these ageing coal-fired generators in an orderly way, to maintain both affordability and security in the energy system. There are a number of mechanisms there—the Orderly Exit Management Framework, the opt-in transition backup for the NEM that enables governments to manage exit of thermal coal generators. All those really go together just to manage a system that is increasingly facing these risks of unplanned outages as coal-fired power stations reach the end of their effective life. We've recently seen the announcement of the extension of Eraring. I think, alongside that extension, there was an observation that the owners of that power plant wouldn't be spending any more on maintenance. So this goes—

**Senator ANANDA-RAJAH:** They won't be—or will not be?

**Mr Brine:** They won't be; that's right. That is not unsurprising given the proximity of its exit, but it does suggest an increasing risk of unreliability.

**Senator ANANDA-RAJAH:** How often do these unplanned outages occur? Are they daily, weekly or monthly?

**Mr Brine:** It's quite frequent, I understand. January had a number of outages, but colleagues will be able to speak in a little bit more detail.

**Ms Gowans:** Thinking about coal outages, obviously coal plant is made up of a number of different sorts of turbines. At the station level we've seen, over the past year, 100 per cent of stations experiencing an outage in quarter 4, in the last quarter of the year. At the turbine level it's closer to 82 per cent. On a capacity weighted basis, an average of about 3.3 gigawatts of coal capacity is unavailable due to coal outages. That's around 15 per cent of the coal fleet's registered capacity on average for that quarter. Obviously, if you want specific details over the whole period, we would have to take that on notice. But we do see considerable increases in coal outages on a general basis as the coal fleet ages. Of course, as some plant exits, you can see younger plant being the remaining plant. So you can see, for example, in AEMO's forecast of coal reliability where they had predicted Eraring to exit, that the exiting of Eraring caused a lift in reliability. But with Eraring staying in, coal reliability is, on average, lower as the assets reach end of life.

**Senator ANANDA-RAJAH:** Can you just explain to me how Eraring will be extended if no one's going to invest in maintenance. Is this what the term 'sweating the asset' means?

**Ms Gowans:** All of the generators invest in maintenance. There's no generator that doesn't pay some attention, or a reasonable amount of attention, to maintenance and safety. The issue, of course, is that the cost of maintenance gradually increases as the asset ages. Those are questions, in terms of the investment in maintenance, mostly for the plant operators. In the case of Eraring, Origin Energy is making those choices about the maintenance and operation of its fleet.

**Senator ANANDA-RAJAH:** In light of the unreliability of the coal fleet, why is it important that we continue the job of building out new large-scale renewable energy storage and transmission projects?

**Ms Gowans:** Each coal plant is relatively large in terms of its megawatt capacity, and so, for that plant to retire, we need sufficient replacement capacity. That replacement capacity needs to be, presumably, the least-cost combination of assets that can replace that capacity, both in terms of generation and in terms of availability. So, as plant ages, we need new plant replacing it, and fundamentally it's driving the energy transition here in Australia to a fairly considerable degree.

**Senator ANANDA-RAJAH:** What are the likely consequences of a slowdown in renewable investment, storage and transmission? What would be the impact on the customer, for example, and on our wider economy?

**Ms Gowans:** On the very basic level, Senator—not to suggest that you want a basic answer—clearly price is a factor of supply and demand. So, if we have supply coming out of the market and demand rising, we could expect to see higher prices.

**Senator ANANDA-RAJAH:** What would be the impact on industry, for example?

**Ms Gowans:** I would assume that the impact on industry of higher prices would not be a positive impact. A component of every business's cost of business is electricity, and so rising electricity prices are not positive for business.

**Senator ANANDA-RAJAH:** What does the CSIRO *GenCost* report find about building new sources of electricity? What does the lowest-cost energy system going forward look like according to the experts at CSIRO and AEMO?

**Ms Gowans:** The lowest-cost or optimal development pathway for the energy system, as put in AEMO'S integrated system plan, is that a particular combination of renewable energy, storage and firming gas-fired power generation represents the lowest pathway, together with transmission.

**Senator ANANDA-RAJAH:** I understand we've now approved 132 renewable energy projects. Is that right?

**Mr Brine:** That's correct, since May 2022.

**Senator ANANDA-RAJAH:** Fantastic. It's a record. Sorry, did you want to add something?

**Mr Brine:** No, that's fine.

**Senator ANANDA-RAJAH:** Okay. I will just move on to home energy. Have we got the right people here?

**Mr Brine:** Sorry, Senator. Could you say that again.

**Senator ANANDA-RAJAH:** I'm just moving on to some of the home energy schemes that we've got on offer.

**CHAIR:** You have about two minutes left in this block, Senator Ananda-Rajah. Do you want to start this or should we start it on the next turn?

**Senator ANANDA-RAJAH:** The next turn, I think.

**CHAIR:** Wonderful. Senator McDonald.

**Senator McDONALD:** Good evening. I wanted to ask you about the beef cattle herd management methodology. My question is: what is the figure that agricultural industries have invested in research and development to support the government's emissions reduction program?

**Mr Searson:** That question relates to R&D investments across all departments of government, especially the Department of Agriculture, Fisheries and Forestry, I would assume. So I don't have that information to hand. We'd need to take it on notice.

**Senator McDONALD:** Alright. Thank you.

**Mr Hutchinson:** If it helps, we could talk to some of the programs that government has been investing in in that space. But your question, as I heard it, was about industry investment.

**Senator McDONALD:** That's correct. If you wouldn't mind, I'll just go through my questions, and then we might get to circle back to where you wanted to get to. Do you know the figure that the red meat industry specifically has invested in research and development to support the government's emissions reduction program?

**Mr Hutchinson:** We don't have those figures in front of us, but we're very happy to take that on notice and do our best to answer.

**Senator McDONALD:** Thank you. What percentage of Australia's greenhouse gas emissions does agriculture produce?

**Mr Hutchinson:** We do have those figures. You've got the full bench as we try to provide the best answers that we can. While Ms Pentony is setting up, the headline figure that we have is that agriculture accounts for 18.4 per cent. That is 80.4 million tonnes of Australia's emissions in the year to June 2025, and that is, of course, a combination of livestock, cropping and those sorts of activities.

**Senator McDONALD:** That leads me neatly to my next question which is: what percentage of Australia's greenhouse gas emissions does beef production produce?

**Mr Hutchinson:** I'll have to defer to my colleague Ms Pentony on that one.

**Ms Pentony:** I don't have those figures to hand. I'm sorry.

**Senator McDONALD:** Would you, on notice, be able to supply that?

**Ms Pentony:** Yes, I can.

**Mr Hutchinson:** My colleague Mr Ryan might be able to assist.

**Mr Ryan:** I've got figures here for agriculture in megatons in 2025 if that's helpful—43 million tonnes of grazing beef and 2 million tonnes of grain fed beef. There's dairy with 7 megatons.

**Senator McDONALD:** So 43 from grass fed, 2 from grain fed and 7 from dairy.

**Mr Ryan:** Yes. Were you just after cattle? I've got sheep as well.

**Senator McDONALD:** Let's just leave it at cattle at the moment so the chair remains happy with me.

**Senator Ayres:** We can get to ducks and chickens—

**Senator McDONALD:** Yes, exactly. We're not going to go there, Senator Ayres. Is the beef cattle herd management method the main policy for reducing emissions?

**Mr Hutchinson:** Between Mr Ryan and me and perhaps Mr Searson, we can provide you with the best answer. It was one of several policies. There are a range of investments that government has made both indirectly and directly assisting agriculture in general and livestock industries to reduce, better account for and build capacity to reduce emissions. I'm happy to talk you through some of those, but the beef herd method is certainly not the only policy instrument.

**Senator McDONALD:** Okay. Let's put a pin in that one for time. I might have to ask you to provide that information on notice. Did the sunset clause for the beef cattle herd management method take effect on 1 October last year?

**Mr Searson:** Yes. Legislative instruments methods under the Australian Carbon Credit Unit Scheme such as the beef cattle herd management method sunset after 10 years of operation, and that occurred on 1 October 2025.

**Senator McDONALD:** What are the other methods that remain in place?

**Mr Searson:** Under the ACCU scheme?

**Senator McDONALD:** Yes.

**Mr Hutchinson:** We can provide you with the full list on notice, but there are 14 methods currently on foot under the scheme.

**Senator McDONALD:** For beef cattle?

**Mr Hutchinson:** No. Sorry, I heard your question as applying to all methods under the scheme. Apologies.

**Senator McDONALD:** No, I'm sorry. I'm specifically looking for other methods available under the ACCU scheme for beef cattle.

**Mr Searson:** There was one method, the beef cattle herd management method, which sunsetted as you were referring to earlier on 1 October 2025.

**Senator McDONALD:** So that means there is currently no other method available for emissions reduction under the ACCU scheme for beef cattle?

**Mr Searson:** For beef cattle.

**Mr Hutchinson:** I'm sorry. Everyone's very keen to assist, and I promise I'll stop talking in a second. There are, as you'd be well aware, a range of opportunities for farmers that do run cattle on their property to participate in the ACCU scheme beyond the emission reductions from beef itself. That could include storage of soil carbon, revegetation, and, depending on the size and location of the property, potentially savannah burning. There's also the method that the department is working with industry to develop around integrated farm land management, which I believe has just finished its consultation period and potentially will have a range of different modules under there. Again, we're looking wherever we can to provide opportunities for the agricultural sector. Sorry, Matt. Did you want to add to that?

**Mr Searson:** To be helpful, there's a carbon farming outreach program that used to be with the department. It's transitioned over to DAFF. That actually takes landholders, including First Nations people, through the different things that might be available, whether it's Commonwealth government funded or state government, like ACCU methods that may be in place and also directs them to things like the MERiL program, which is a methane reduction program that's run out of DCCEEW. That's about a couple of things. One was looking at the R&D and how effective it was. Those stages of MERiL have run, and they found there were very promising results in some of those additives. There was also deployment of said additives and how best to do deploy them, depending whether it's grazing or feedlot. It's looked at how that might be best implemented in a farm or a cattle herd, as well.

The Carbon Farming Outreach Program is available online. It goes through a number of modules and talks about all the different tools. That might be a subsidy, but it also might be different techniques for farming—grazing management, use of rotation through different pastures, shelterbelts or other types of things that might assist a farmer in managing it.

Just one last thing—recently there were funded voluntary emission guidelines for farmers and farm managers. The department is doing a bit of work on that at the moment to put some information out to landholders about how to manage their farm, what the emissions might be and how they might reduce them, and there's associated funding to develop some calculators for farm and land managers to be able to do that. So there are quite a few things in that space at the moment.

**Senator McDONALD:** Perhaps on notice you could tell me which of those programs have an ACCU credit attached, please.

**Mr Ryan:** Yes.

**Senator McDONALD:** Has the Emissions Reduction Assurance Committee finalised its sunseting review?

**Mr Searson:** I think you're asking about the beef cattle herd management method.

**Senator McDONALD:** Yes.

**Mr Searson:** Yes, that's right. The assistant minister asked the Emissions Reduction Assurance Committee to undertake a review of the merits of making a new beef cattle herd management method. I can confirm that the ERAC completed that work in October last year and it's currently being considered by government.

**Senator McDONALD:** So it's waiting for the minister to either approve it or otherwise. That was October 2025?

**Mr Searson:** Yes.

**Senator McDONALD:** What is the current status of the beef cattle herd management method?

**Mr Searson:** As we were discussing earlier, the method has sunset; however, projects that were registered under the method continue until their crediting period expires, so there are a number of projects ongoing under that method.

**Senator McDONALD:** Was your advice just then that the ERAC review will be released when the minister provides approval or otherwise?

**Mr Searson:** That's my understanding, yes.

**Senator McDONALD:** What I'm trying to get at is—we started with there being 43 million grass-fed megatons, two million grain megatons and seven million dairy megatons, but we've not been able to identify anywhere that graziers and farmers have been able to get an ACCU method for reducing cattle emissions. You did talk to soil methodology, shelterbelts, tree plantings and some other things, but I'd imagine they would be not as big as those numbers—not as significant.

**Mr Hutchinson:** Only a slight clarification—up until October of last year there was the beef herd method. In the intervening few months since that was sunsetted, the projects that were registered have continued, and the government is currently considering advice from ERAC.

**Senator McDONALD:** How many projects were approved before it was sunsetted?

**Mr Searson:** I don't have that information to hand. The Clean Energy Regulator might be able to help you with that.

**Senator McDONALD:** Okay. So, in summary, beef cattle producers currently have no methodology to be approved for Australian government ACCUs, as we stand today—for beef cattle emissions reductions.

**Mr Brine:** That's correct.

**Mr Searson:** As we were just discussing, there are existing projects under the method that has now sunsetted; they are ongoing.

**Senator McDONALD:** I suspect that when you come back to me on notice there's going to be less than a handful.

**Mr Searson:** I think that could be right, yes.

**CHAIR:** Senator Hodgins-May.

**Senator HODGINS-MAY:** I've got some questions about fuel tax credits.

**Senator Ayres:** While officials are assembling themselves for this question, that's a tax system question that Treasury would be in a better position to respond to. But, if officials are able to answer your questions, we'll see how we go.

**Senator HODGINS-MAY:** Is this the correct panel?

**Mr Brine:** We don't know what the question is yet.

**Senator HODGINS-MAY:** It's coming up to five months since the 62 per cent target was announced, but there have been no policies, to my knowledge, announced to support that target, and the department's emissions projections report that current policies will only get us to 48 per cent by 2035. Are you working on new policies for this budget to get us there?

**Ms Munro:** This is not related to the fuel tax credits, but, when the government announced its 62 to 70 per cent target, it outlined a number of measures that were already underway. Significant amongst those is the safeguard mechanism, the national vehicle emissions scheme and a range of other measures. Chief amongst one of those announcements was a \$5 billion Net Zero Fund under the National Reconstruction Fund, and a number of other measures. I just want to correct the record saying there are no policies that were announced or that are going to be reviewed and improved over time—which is what the government's policy was.

**Senator HODGINS-MAY:** That's the safeguard mechanism, and the \$5 billion—

**Ms Munro:** There's also the new vehicle emission standard. I just called out a couple of the very significant legislated schemes.

**Senator HODGINS-MAY:** Are there any more, other than those ones, just to clarify?

**Ms Munro:** Yes, there are a number of policies. Would you like us to go through those policies for you?

**Senator HODGINS-MAY:** Yes, at a high level, if there are.

**Ms Munro:** Ms de Hosson, would you like to go through those policies?

**Ms de Hosson:** Yes, sure. Just to clarify, are you after the new policies that were announced alongside the Net Zero Plan?

**Senator HODGINS-MAY:** Yes, please.

**Ms de Hosson:** I can provide some details on those. As Ms Munro noted, there was a \$5 billion Net Zero Fund announced, within the National Reconstruction Fund. There was an additional \$2 billion for the Clean Energy Finance Corporation to include a focus on the rollout of renewable projects, \$1.1 billion for the Cleaner Fuels Program to encourage production of clean fuels in Australia, \$40 million to accelerate the rollout of kerbside and fast electric vehicle chargers, and \$85 million to accelerate energy performance. That includes modernising the Greenhouse and Energy Minimum Standards Act, investing in the National Australian Built Environment Rating System for non-residential buildings, expanding the Commercial Building Disclosure Program to more commercial building types beyond current office buildings, expanding the Nationwide House Energy Rating Scheme to cover existing homes and establishing a demand-side statement of opportunities to complement the existing system planning by the Australian Energy Market Operator.

**Senator HODGINS-MAY:** Thank you, Ms de Hosson. Fuel tax credits cost the budget \$10 billion a year in expenditure. Has the department done any work on whether this program is slowing down the transition?

**Mr Kaiser:** It's not really our area of responsibility. You'd need to ask Treasury that.

**Senator HODGINS-MAY:** You don't have any information about that. Alright. Has DCCEEW shared any advice or insights on fuel tax credits with Treasury or provided any formal or informal advice to Treasury?

**Mr Kaiser:** If we did, that would be a matter between us and Treasury, but I'm not aware that we have. Those tax credits are an area of responsibility for the Commonwealth Treasury. I'm not ruling out that we've provided information to them, potentially. I'm not aware of any, but I'm not ruling that out.

**Senator HODGINS-MAY:** Is that something you can take on notice?

**Senator Ayres:** We're certainly happy to take it on notice.

**Senator HODGINS-MAY:** Does the government have any oversight of when these big capital investment decisions are being made by mining companies—for example, new truck fleets or diesel generators—because right now the FTC regime tells them to invest in polluting instead of clean energies. Do you have any oversight of when those big capital investment decisions are being made?

**Mr Kaiser:** Not in this department.

**Senator Ayres:** It's certainly something that in my work you come across regularly. In the iron ore sector, for example, there are significant R&D investments, and rail transport would be an alternative to diesel in that sector. In the copper sector, in copper mining, moving from trucks to rail has very significant cost and emissions advantages for mines. There's certainly a high level of interest from elements of the sector, as you say, as they approach the end-of-capital cycles in their internal transport infrastructure, motivated by cost as much as anything else.

**Senator HODGINS-MAY:** From an outside perspective, it does seem to be a scheme that does encourage pollution. Is that not a concern of DCCEEW?

**Senator Ayres:** That it does what?

**Senator HODGINS-MAY:** That it encourages investing in pollution.

**Senator Ayres:** What does?

**Senator HODGINS-MAY:** The fuel tax credits.

**Mr Brine:** I think Treasury colleagues would argue that it's an input tax credit. There's a very complicated argument they will put to you about whether it's a good idea to tax intermediary products or final products. That's been the longstanding rationale for the diesel fuel rebate scheme. Treasury colleagues are able to speak to more detail on that. What we are doing in this department is looking at additional support for low-carbon liquid fuels as a replacement for diesel. On 17 September 2025, the government announced, as Ms de Hosson mentioned, \$1.1 billion as support for low-carbon liquid fuel projects. That will support that market for low-carbon liquid fuels and will replace fuels like diesel. That's a production linked incentive that will support projects that are ready to go and are near final investment decision and commercial production in the near future. That's a real opportunity, I think, for Australia to benefit from the transition to a low-carbon future. At the moment, liquid fuels account for more than half of all energy demand and 30 per cent of our net emissions. If we can transition those fuels to low-carbon liquid fuels, it'll deliver a massive benefit to regional Australia but also help with those emissions.

**Senator HODGINS-MAY:** On those fuels, we are hearing that there isn't really much of a market for low-carbon fuels given the expense. Are you doing any work on this—examining the demand side rather than the supply side of those liquid fuels?

**Mr Brine:** There is the Cleaner Fuels Program, which builds on the efforts to build a low-carbon liquid fuels program. That's \$250 million under the Future Made in Australia Innovation Fund and \$33.5 million under the SAF Funding Initiative to support aviation fuel development projects. Those are the main components of that \$1.1 billion.

**Senator HODGINS-MAY:** In terms of the fact that these low-carbon fuels can't compete with the subsidised diesel, is that a question for Treasury, or do you have any remarks on that?

**Mr Brine:** The design of the diesel fuel rebate is certainly an issue for Treasury. In terms of setting the environment for a successful low-carbon liquid fuel market, that's something this department is very active in. It's engaging with a range of industry representatives from diverse sectors to understand preferences, risks and challenges. It's not something where you can just turn the tap on overnight. The first step there is that research and those production incentives that have been put in place.

**Senator HODGINS-MAY:** Do you think, though, that it's unlikely that they're going to transition to those cleaner fuels whilst the FTC scheme is in place? Are you doing any work to push or advocate for that shift to happen and advocate that they de-incentivise the use of—

**Mr Brine:** Yes. We're doing that work, that consultation with industry and that impact analysis of demand-side measures. We're further consulting on the costs and benefits of different things, so that consultation is happening. It's a bit of a chicken and egg. It's hard to get people to transition to a fuel that doesn't exist yet.

**Senator HODGINS-MAY:** Especially when they're getting such a generous subsidy through the FTC.

**Mr Brine:** Again, I don't think Treasury colleagues would see that as a subsidy, but that's probably something to take up with them.

**Senator HODGINS-MAY:** I'll move to data centres briefly, if I may.

**CHAIR:** I'm sorry, Senator; that is exactly 10 minutes, so if you're moving on to a new topic, we'll come back to you.

**Senator HODGINS-MAY:** It was worth a try!

**CHAIR:** Senator Ananda-Rajah.

**Senator ANANDA-RAJAH:** I have a couple of questions on home and building energy ratings and some of our community energy schemes. What are home and building energy ratings, and why are they important to unlocking energy efficiency?

**Dr Atkins:** Energy ratings for buildings, both homes and commercial buildings, are important because they provide the building occupants and owners with information that can help them lower the cost of energy—the cost of their building running—and also improve the comfort and safety of living or working in that space.

**Senator ANANDA-RAJAH:** And how do people determine their energy rating? Is there an app or a website?

**Dr Atkins:** There are predominantly two main schemes. In the commercial building space, there's the National Australian Built Environment Rating Scheme, or NABERS—a bit reminiscent of the TV show, but a different meaning and a different acronym. That is a world-leading and performance based scheme which looks at the energy costs of various commercial buildings, and the tools are specific to the commercial building types: there's an office building tool, there's a data centre tool et cetera. I'll throw to my colleague Mr Videroni, who'll speak a bit about the residential side of things.

**Mr Videroni:** The Nationwide House Energy Rating Scheme, or NatHERS, as it's known in the industry, provides information on a home's energy performance and emissions. That enables regulation of the energy performance of new homes, but it also supports households and the finance sector to invest in home energy upgrades for existing homes. The way that works in practice for new homes is the builder or the proponent of a new home build will obtain a NatHERS rating based on the design of the home as part of the building approval process. That's undertaken by an accredited NatHERS assessor. We're in the process at the moment of expanding NatHERS to make it available for existing homes. In that case, an accredited assessor attends the home, undertakes an assessment of the home and then generates a rating based on the energy performance features of that home.

**Senator ANANDA-RAJAH:** What is it called?

**Mr Videroni:** NatHERS.

**Senator ANANDA-RAJAH:** Nutters?

**Mr Videroni:** NatHERS.

**Senator ANANDA-RAJAH:** How do you spell that?

**Mr Videroni:** N-a-t-h-e-r-s—Nationwide House Energy Rating Scheme.

**Senator ANANDA-RAJAH:** That's better! How are private investors using these energy ratings to help tenants and developers achieve more from their investments?

**Mr Videroni:** There's an opportunity for both owner-occupiers and property investors, landlords, to obtain a home energy rating, which provides information on the energy efficiency features and the comfort of a home. In the case of existing home ratings, it also means that the occupant or the property owner can obtain upgrade guidance that they can use to make improvements to the home that will ultimately improve comfort for occupants but also reduce the running costs and emissions associated with the dwelling.

**Dr Atkins:** On the commercial side, the Commercial Building Disclosure Program, which the department administers, obliges office building owners with buildings over 1,000 square metres to disclose ratings at time of advertising. There has been a strong correlation between the running of that program and a very significant reduction in the energy usage per square metre of buildings in the program. It's of the order of a 40 per cent reduction over the 13 or so years of the program, so really statistically and commercially significant reductions in running costs from that program. NABERS tools are also available to uptake on a voluntary basis across a wide range of commercial building types, and, as I mentioned, they are specifically tuned to that commercial building type. The hotel tool is tuned for hotels, for instance. And that correlation between buildings getting ratings and seeing those reductions in energy consumption is there across all building types. Part of the advertising for office buildings is the NABERS rating, and it potentially can be a selling point.

**Senator ANANDA-RAJAH:** Do you have similar data for the residential sector as well—for the new homes, I guess?

**Mr Videroni:** Yes. The scheme for new homes has been in operation for about 30 years, so there is data available that CSIRO provides through the Australian Housing Data portal. They've actually recently commissioned a new initiative by which that is searchable at the property level. But for existing homes we're just in the process of rolling that out, so it's fairly limited at the moment.

**Senator ANANDA-RAJAH:** But you have aggregate data. In the way that for commercial buildings you can see a 40 per cent reduction over time, have you got that sort of aggregate data? Is it 40 per cent as well for new residential homes?

**Mr Videroni:** We do know, for example, that around 70 per cent of Australia's 11 million homes were built before the introduction of minimum energy efficiency requirements. The average existing home is estimated to rate less than three out of 10 stars; 10 stars is the rating that a NatHERS assessment provides. That compares to the seven-star minimum requirements for new home builds. Analysis has shown that improving a home from three to five stars, for example, could reduce the energy needed for heating and cooling a home by around 40 per cent.

**Senator ANANDA-RAJAH:** I have a question regarding the Games On program. What are some of the broader benefits for education and the energy transformation of activating sports clubs with solar and batteries, such as through the Games On program?

**Dr Atkins:** The Games On program aims to have communities see the benefits of the energy transition and of climate adaptation in contexts that are relevant to them through their sporting clubs. It's really a very grassroots program that we're aiming to run and for grassroots sporting clubs to see direct benefits from—for example, putting solar and batteries on their clubhouses, putting shading over playing surfaces or practice surfaces so they can expand the window in which they can practice in less seasonal weather, or improving lighting or drainage. I might ask if my colleague Mr Sheldon has anything further to add on that.

**Mr Sheldon:** I think you answered that well, Mr Atkins.

**Senator ANANDA-RAJAH:** When will that open?

**Dr Atkins:** That program was announced last year and is currently in detailed program design.

**Senator ANANDA-RAJAH:** Are clubs applying now?

**Dr Atkins:** Not yet. It hasn't opened for application yet, but we're in detailed program design.

**Senator HENDERSON:** I wanted to ask about the official communique from the energy ministers' meeting of 16 December 2025. There's no disclosure that a review into AEMO's governance and scrutiny would be occurring. Can I understand why that was kept secret. Mr Kaiser, who could best answer that?

**Ms McGrath:** I'm happy to answer that question. Not all decisions of energy and climate ministers are made public at the time. Although generally they are disclosed through the communique, there are times when they're market sensitive or there are other reasons why they're not disclosed immediately. In this case, while ministers did agree the scope of the review, there were additional matters to be worked through at the senior officials level and also some processes within the Commonwealth, such as the appointment of Mr Nigel Ray to lead the review.

**Senator HENDERSON:** Mr Kaiser, that was a very substantial part of the agreement of ministers. Why was that not included in the minister's communique?

**Mr Kaiser:** I think, as my colleague has indicated, not all of the details had been worked out. It certainly wasn't any secret at the meeting. It was openly discussed with state ministers and, obviously, Minister Bowen. So it wasn't any secret at the meeting, but we weren't ready for an announcement at that point in time, because there were a number of details yet to be agreed. The communique was agreed by state and territory ministers with us.

**Senator HENDERSON:** Oh, yes. I'm not questioning that.

**Mr Kaiser:** Sure. So, if there was a conspiracy, it was a very broad one.

**Senator HENDERSON:** No, I'm not saying that, Mr Kaiser. Let's be serious here. It was a very substantial element of the ministers meeting, and it wasn't disclosed. I understand that not all the details have been worked out. Transparency is obviously vital in terms of these meetings, isn't it?

**Senator Ayres:** Well, the decision was kept secret through the medium of releasing it in a media release when it was ready to be released.

**Senator HENDERSON:** I'm talking about at the time, Minister. I understand that it was—

**Senator Ayres:** The officials have answered your question.

**Mr Kaiser:** I suppose one way to think about it was that it was an initiative still under development at the conclusion of that meeting.

**Senator HENDERSON:** What can you tell me, Ms McGrath, about this review?

**Ms McGrath:** If I can finish answering on the previous question, the additional context was that the meeting was held in the week prior to Christmas, so there were, as I said, a few additional things to attend to. So that was disrupted by the fact that many of our own officials, and state and territory officials as well, have been on leave over that Christmas period.

**Senator HENDERSON:** The *Australian Financial Review* reported on 5 February that the divestment of AEMO subsidiary AusEnergy Services is under consideration. What actual or perceived conflicts of interest have been identified? I note that AusEnergy Services assists AEMO in assessing which projects should be underwritten under the Capacity Investment Scheme.

**Ms McGrath:** I think I'd refer to the minister's comments that it's timely to have a review of AEMO governance with the expansion in its powers since its establishment and in the context of a range of bodies of work, such as the NEM review, the Gas Market Review and the proposed expansion of gas powers. The scope of the review is set out in the terms of reference, but ultimately that's a matter for the review itself to work through issues related to that and to form a view. What's been identified is what should be the scope of the review.

**Senator HENDERSON:** I was specifically asking about the actual or perceived conflicts of interest. I guess I'm asking: how can the public have confidence in AEMO's grid planning and investment advice when it owns a subsidiary involved in advising governments on which multibillion-dollar projects to support?

**Ms McGrath:** Senator, if I understand you correctly, you asked me to comment on a position put forward in a media article rather than something that's been announced by Minister Bowen or energy and climate ministers.

**Senator HENDERSON:** No, I'm asking you to comment on the factual matter that I put before you, which is the public confidence in the functions of AEMO when it owns a subsidiary involved in advising governments on which multibillion-dollar projects to support, which I would put to you is potentially—or, in fact, may actually be—a conflict of interest.

**Mr Brine:** I can help there. The CIS tender process involves AusEnergy Services Ltd limited assessing all bids against the proponent and project eligibility criteria. They assess eligible bids against the merit criteria, and then they rank the bids. They undertake due diligence on bids, and then they recommend bids to the Australian government for consideration and approval by the Minister for Climate Change and Energy. We in the department

work very closely with AEMO and ASL to implement appropriate tender governance and assessment processes, including, of course, a probity framework and a conflict management plan. Each stage of that process requires a sign-off from probity advisers, ensuring the assessment process is undertaken in accordance with the tender guidelines. Then projects are finally recommended by the Capacity Investment Scheme investment committee on the basis of advice provided by ASL through its technical advisory committees. AEMO's role is to appoint the CIS investment committee in consultation with the Australian government. That combination of measures gives us a very high level of confidence in the integrity of the Capacity Investment Scheme tender process, and it's a process that, certainly, has ticked every probity box so far in the process.

**Senator HENDERSON:** I raised those concerns, and you may have probity measures in place, but the ownership issues between AEMO and AusEnergy Services are there for all to see. Clearly, some state ministers have expressed concerns about AEMO—that it's no longer sufficiently accountable to governments which fund and empower it. Can I ask about the specific failures of oversight which prompted what appears to be an urgent review of AEMO?

**Mr Brine:** I think Ms McGrath addressed that well. As these market bodies grow and evolve over time, it's appropriate to, at regular periods, ask whether the governance has kept up to date. AEMO is playing an incredibly important role in the transition through documents like the ISP and the EC reports. We talked earlier today about some of the work they're looking on in terms of the gas markets, and they are also playing an important role through their subsidiary, ASL. I don't think there are any concerns about any conflicts of interest between AEMO and ASL in the administration of CIS contracts. I think it's more a review—just asking, given the evolving nature of energy markets and AEMO's role, if the governance structures can be improved. It's not jumping to mind for me what conflict you are getting at. Maybe I'm missing something.

**Senator HENDERSON:** Can I quickly ask about the LTRSA tool—the long-term reliability and supply adequacy tool—which allows AEMO to underwrite gas projects without even considering the price. Is this not fiscally reckless, given the scope of AEMO's powers?

**Mr Pankowski:** The expanded powers that are being looked at for AEMO are currently being consulted on. Ministers have put a consultation paper out with a possible mechanism—the LTRSA tool. There are a range of guardrails and protections that have been built into that mechanism, but it's also out there for consultation at the moment to seek stakeholder feedback on whether that design is appropriate or not.

**Senator HENDERSON:** So you are taking feedback and consultation? The gas industry is strongly opposed to this on the basis that it could significantly distort market outcomes.

**Mr Pankowski:** I have seen some of the media around that. It's fair to say that we've had discussions with a range of gas stakeholders as part of this consultation, and there are different views that have come forward in those discussions, but we will get that information and the views of stakeholders through that consultation process, which closes at the end of this week.

**CHAIR:** We're going to break now for 12 minutes.

**Mr Kaiser:** Chair, could I ask, before we break, if the committee has any further advice to portfolio agencies. Given the hour, it's very unlikely that we'll get to all of them, and I'm wondering if there are some who can be released. I'm sure they would appreciate it.

**CHAIR:** It remains at the top of my list, Mr Kaiser. I will see, at the break, if that is possible. I'll see if I can confirm when we return.

#### **Proceedings suspended from 21:34 to 21:46**

**CHAIR:** We will recommence outcomes 1.1 and 1.2.

**Senator HODGINS-MAY:** Data centres is where I will pick up. There's a backlash occurring in the US because of the massive energy demands of data centres driving up energy bills for nearby homes and businesses. What's the government doing to ensure that that doesn't happen here?

**Ms McGrath:** It is the case, as you said, that there's much commentary about the situation with data centres in the US. We're still in the relatively early stages of data centre rollout in Australia. It's about two per cent of NEM grid supplied electricity and is forecast by AEMO to grow to six per cent by 2030. As you'd be aware, digitisation is a key driver of productivity in Australia, and so having data centres in Australia is essential to our modern economy and deployment of technologies. In terms of what the government is doing, through energy and climate ministers, which we were just talking about prior to the break, the government is working with states and territories, energy market bodies, network service providers and the data centre industry to harness the opportunities. In particular, there is a range of work that's been commissioned by ECMC, principally—my

colleague can provide more details—to make sure that costs are not being passed on to consumers through the increase of data centres in Australia and also to manage grid impacts and particularly to look to have flexibility in the way that data centres draw power from the grid. There's a lot more I could say, but there are a lot of opportunities as well in terms of data centres, so we're seeking to leverage those too.

**Senator HODGINS-MAY:** I suppose 'early stages' seems like the exact time to be putting those guardrails into place, and I didn't get a lot from your answer about what specific measures are being considered. I think it does have some parallels to the gas exporters doing the same thing to prices here in Australia. I just want to be, I suppose, reassured that guardrails are being put in place and it's not just a talkfest.

**Ms McGrath:** Let us talk you through the specific initiatives.

**Mr Earl:** As Ms McGrath said, we're working closely with the states and territories, energy market bodies, network service providers and industry itself to manage implications of data centres for the grid. When the energy ministers met in December, they commissioned a range of work to essentially manage those grid impacts, and I'll just go through some of the things that we're working on.

We're working very closely with AEMO. Ms McGrath mentioned their forecasting. Forecasting is really important because it feeds into the integrated system plan and ensures that we've got sufficient investment in supply coming in to manage the increase in demand. Data centres can support the grid by soaking up excess demand in the middle of the day, which reduces curtailment from solar. But a crucial tool for managing the integration during peak periods is demand flex. We're working with industry on what potential opportunities there are to incentivise demand flexibility.

We're also considering how we can leverage data centre investment to deploy some additional renewables into the grid, or other options to support the transition. So that's things like onsite batteries, the use of low-carbon liquid fuels in their diesel backup generators and other things like that to support the transition. Energy efficiency improvements are also an option to take some of the pressure off the grid.

We're also reviewing the cost-recovery frameworks to ensure that, when data centres connect to the network, the costs of any network upgrades or augmentation are not being passed on to broader consumers. So there are a range of activities that were set out by ministers and tasked to officials, and we're working closely with the states to progress those.

**Senator HODGINS-MAY:** Is there a formal process that is happening around this? Will there be a consultation period? Can you say with confidence that we're going to put in place requirements that data centres contract their own energy and water so that, for example, they don't impose these costs on everyone else, like we're seeing in the US?

**Ms McGrath:** What I can say is we have been tasked by energy and climate ministers to do this work and we'll then report back to them, and there is consultation happening throughout the process.

**Senator HODGINS-MAY:** Is there a timeline on that?

**Ms McGrath:** From memory it's at the first meeting of this year. Is that correct?

**Mr Earl:** Yes, there's—

**Ms McGrath:** It's scheduled for May.

**Senator HODGINS-MAY:** So 'scheduled for May' is you reporting back to the ministers on the guardrails—

**Ms McGrath:** The outcomes—and what generally happens when we report to ministers is we also put recommendations as to next steps.

**Mr Brine:** Senator, you mentioned data centres bringing along their own energy. I think the story of data centres and the renewable transition is really interesting. We mentioned earlier the need to deploy a lot of renewable energy very quickly for it to be online when our ageing coal fired generators reach the end of their effective life. There is a real urgency around that.

One of the key challenges that big wind farms in particular are facing is a lack of power purchase agreements in the market at the moment, which is exacerbated by the expected fall in wholesale prices over 2026. Falling prices is a good thing, but it's not a great thing if you're trying to build a wind farm. A lot of those proponents, when we talk to them, see data centres as a key source of those PPAs. So it's a complicated story. On the one hand, they do add some challenges to demand. On the other hand, they may be the key to solving some of the challenges around the rapid deployment of renewables, wind farms in particular. It's a complicated story, but there are a number of opportunities there.

**Senator HODGINS-MAY:** Minister, I understand that this will require significant network upgrades because of data centre development. Will it be the data centres or bill payers in the local areas who will be required to pay those costs?

**Senator Ayres:** There are a set of different responsibilities here. In terms of this estimates and Minister Bowen's responsibilities, that has been pretty clearly articulated by the officials here. I have additional responsibilities, and you're welcome to come along to industry estimates, and there'll be an opportunity to engage on the data centre principles that will be informed by the deliberations of the ECMC process.

The trick here is not to end up in a zero-sum game. The trick here is to have demand from data centres—which will be substantial, as Mr Brine indicated—underwriting power purchasing agreements that effectively make additional wind, solar and storage and transmission infrastructure happen. In the same way, the previous government's failure to build electricity generation and transmission infrastructure is what has imperilled the ongoing operation of big electricity users like Tomago electricity or the Boyne and Gladstone facilities, which use a very big amount of power. The Tomago facility uses 12 per cent of New South Wales's electricity. That is a good thing because it underwrites new development in generation and transmission. That's what those principles will be driving at.

**Senator HODGINS-MAY:** So at least you'll be considering requirements on data centres themselves to fund network upgrades. That will be part of the consideration and discussion at that May meeting—that's an option on the table.

**Mr Earl:** The advice that we've got from the Australian Energy Regulator is currently data centres do pay most of the costs of network upgrades. We're just doing a review to ensure there's no possibility that costs could be passed to consumers. But the advice we got is they do pay for the upgrades.

**Senator HODGINS-MAY:** Thank you. I'm conscious I'm running out of time, so I'll quickly finish my line of questioning, and it goes back to my initial questions around public funding going towards subsidising coal and gas. Does DCCEEW consult with the NAIF in its due-diligence stage of assessment of any projects or initiatives that may have a particular climate or environmental impact—for example, new gas projects?

**Mr Brine:** In terms of consulting about the environmental aspects, that might be a question for our colleagues in the environment group, who have left. But I would hazard a guess that, to the extent they need to secure environmental approvals, that would be through the normal EPBC process—

**Senator HODGINS-MAY:** Around emissions then?

**Mr Brine:** In terms of around emissions, I'll leave that to the colleagues.

**Mr Kaiser:** Not that I'm aware of—there's no requirement to do so, and I'm not aware that NAIF has consulted us.

**Senator HODGINS-MAY:** Have you been consulted at the assessment stage of the Comet Ridge project, in Queensland, which has recently progressed to due-diligence assessment by the NAIF?

**Mr Kaiser:** Unless it's been referred for EPBC assessment processes, we wouldn't be involved. I'm not certain whether it has or not.

**Senator HODGINS-MAY:** Would you mind taking on notice—

**Mr Kaiser:** Sure.

**Senator HODGINS-MAY:** to double-check that they haven't consulted with you? We just came out of questioning with the NAIF, and they said they consult with nearly every government department.

**Mr Kaiser:** Just because the secretary's not aware, it doesn't mean it hasn't happened!

**Senator HODGINS-MAY:** Yes, I appreciate that.

**Mr Kaiser:** I'm happy to take it on notice, and I'm certainly not aware of any discussions.

**Senator HODGINS-MAY:** Okay. I'm not sure if you're familiar with Comet Ridge, but it is a gas project that's progressing towards securing quite significant funding in the range of around \$110 million in a concessional loan, which does seem to contradict some of the statements that have been made by ministers about not subsidising new coal and gas or not using government money for new coal and gas. It seems like a bit of an alignment issue, which we've raised with the NAIF. So I'm interested in hearing back about whether that's something you've deliberated on. That's all from me.

**CHAIR:** Thank you, Senator Hodgins-May. On that note, we are able now to move from outcomes 1.1 and 1.2. I thank officials for their answers and for all the work that's gone into preparing for today. I now call officers from the Climate Change Authority to the table.

### Climate Change Authority

[22:01]

**CHAIR:** I now welcome officers from the Climate Change Authority. I welcome the Hon. Matt Kean, the Chair, and Ms Kath Rowley, the Chief Executive Officer. Do you wish to make an opening statement?

**Ms Rowley:** I appreciate the time. I'll make a very short opening statement.

**CHAIR:** A very short statement would be wonderful. Thank you very much.

**Ms Rowley:** Good evening, senators. This is my first appearance before the estimates in my new role as Chief Executive Officer of the Climate Change Authority. I'm delighted to have the opportunity to support the authority in delivering its independent expert advice, backed by rigorous analysis, on climate change mitigation and adaptation. As the committee will be aware, late last year the government accepted the authority's advice to set a 2035 emissions reduction target of 62 to 70 per cent below 2005 levels; this year, the authority will be focused on delivery. We'll be providing rigorous, independent advice to support Australia in meeting its targets.

Our work program for the year includes completing our statutory review of the Australian Carbon Credit Unit Scheme, for which consultation is already well underway; providing advice on the Safeguard Mechanism, including advice to inform the government's 2026-27 review; strengthening progress tracking and delivering our annual progress advice, which will be published alongside the government's annual climate change statement towards the end of this year; providing advice on opportunities to reduce fossil methane emissions; and deepening engagement with community and business leaders to inform our advice and build momentum for climate mitigation and adaptation action.

We also stand ready to support the Minister for Climate Change and Energy in the government's role as president of negotiations for COP31 as and where requested. Throughout this work we will continue to engage with other climate councils, including those within Australia and internationally, through the International Climate Councils Network. Thank you.

**CHAIR:** Mr Kean, I take it you don't have an opening statement.

**Mr Kean:** No.

**CHAIR:** I'll now turn to Senator Henderson.

**Senator HENDERSON:** Good evening to you all. Mr Kean, I want to ask you about the issue of management of conflicts of interests given your full-time role with Wollemi Capital. For those who don't know much about Wollemi, it's a private investment and advisory firm focused on climate, energy and decarbonisation markets. Its core functions include climate and energy investment; carbon markets and climate finance; strategic advisory services, relating to energy, climate, technology and emissions reduction; our regulatory and policy engagement; and partnerships and capital formation. You have the role of head of fundraising. Does that cover the entire operation of Wollemi?

**Mr Kean:** I think, broadly, Senator, yes.

**Senator HENDERSON:** Mr Kean, I'm worried about your role at Wollemi because it appears to be in such stark conflict with the role as chair of the Climate Change Authority. Could you update the committee on what's been done to manage the conflicts of interest? I particularly want you to address the issue around Wollemi Capital spending nearly a year negotiating the \$100 million acquisition of MPower, and that occurred during the time you were serving as chair. I want to understand the safeguards that were put in place and the decisions that have now been made in relation to these either perceived or actual conflicts of interest.

**Mr Kean:** I should start from the outset by saying that we take these issues very seriously at the Climate Change Authority. There is a very strong governance framework to manage pecuniary interests, material pecuniary interests. In fact, that framework has been put in place and is consistent with the statutory requirements of the Public Governance, Performance and Accountability Act 2013, the Climate Change Authority Act 2011 and also Australian government guidance. So there is a rigorous framework in place that manages material pecuniary interests, and I follow the rules. So that's the confidence you can have that there is integrity in the process.

**Senator HENDERSON:** I'm not questioning the rigorous framework; I'm questioning whether you've overstepped it. For instance, you have been required to step back from the Climate Change Authority's review of Australia's Carbon Credit Unit Scheme because of a potential conflict with your role at Wollemi. Can you give the committee further information in relation to that decision?

**Mr Kean:** Yes, absolutely. As I mentioned, there is a very strong governance framework that is in place that I follow. You can be proud, Senator, that that framework was put in place by the former coalition government. It

was applied to my predecessor, Grant King. Grant King was the chair of Australia's largest carbon developer—I think it is—GreenCollar. Those rules applied to Grant King when he did, I believe it was, the 2023 ACCU review. We're following the same frameworks, which I believe have been strengthened since I took the role. I don't know if I could ask the new CEO to talk about the strengthened frameworks.

**Senator HENDERSON:** Mr Kean, if I could just stick to my question, though, please. I don't want to talk about Mr King.

**Mr Kean:** I just want to give you some information about the frameworks we're following that have been strengthened so that you have that confidence. The framework that the coalition government put in place has been strengthened.

**Senator HENDERSON:** What I'd like to do, Mr Kean, is go to the substance of what I asked you, which was about the substantial nature of the conflict of interest. You were asked to—

**Senator Ayres:** Hang on, you just repeated the question that you just asked. You're just repeating the question that you just asked.

**Senator HENDERSON:** I'm in the middle of my question, please. If I could just finish my question—

**Senator Ayres:** You're in the middle of repeating your question.

**Senator HENDERSON:** No.

**Senator Ayres:** And your question was—

**Senator HENDERSON:** Minister, I'm asking a question.

**Senator Ayres:** Implicit in the question, at the beginning, you said, 'I'm worried that Mr Kean has overstepped,' and then you said, 'By stepping back from some process about some issue.' That is evidence of the procedure being followed.

**Senator HENDERSON:** You misunderstood my question, Minister. If I could just finish my question, please. Mr Kean, you were required to step back from the Climate Change Authority's review of Australia's Carbon Credit Unit Scheme. Can you please explain the basis on which there was a conflict such that you were required not to participate in that review?

**Mr Kean:** There's a strong framework in place to manage pecuniary interests. As you mentioned in your opening, Senator, Wollemi Capital invests in carbon development projects. That's a very similar situation to my predecessor, Grant King, who was the chair of Australia's largest carbon developer. He stepped back from the process when it came to the 2023 ACCU review. That was appropriate then because he followed the framework that was put in place by the former coalition government, a strong framework. You should be proud of that framework. We've strengthened that framework. I'm following the framework.

**Senator HENDERSON:** I want to go back to my question about the \$100 million acquisition of MPower by Wollemi, your firm, in September 2025. What safeguards prevented you from using non-public policy insights to derisk or inform this private investment?

**Mr Kean:** With regard to the acquisition of MPower and that process—Wollemi Capital invests in businesses. They've invested in a battery developer. Again, when it comes to advice that the authority provides, I follow the strong governance frameworks that have been put in place, as is appropriate.

**Senator HENDERSON:** I was asking about the safeguards. This acquisition occurred over a period of about a year. You were working and you had not stepped away from that particular—I'm putting to you—apparent conflict. What safeguards, if any, did you put in place to ensure that Wollemi would not benefit from any understanding or knowledge that you had in relation to public policy insights that had not been made public? What I'm asking is: What were the safeguards? Did you recuse yourself? Did you walk away from certain decisions or meetings? Could you just address the safeguards.

**Mr Kean:** I'll get the CEO to address that. We took appropriate steps, following the framework that we discussed earlier that the coalition put in place. Maybe the CEO could talk to that.

**Ms Rowley:** There are a couple of things. First, in terms of the framework, it's grounded in identification of interests; disclosure of those interests; consideration by the other members of the authority with respect to whether there are any concerns arising from the intersection of those interests with the matters under consideration; and then decisions with respect to handling, which may include being excluded from discussion or decision-making on those matters.

With respect to the MPower acquisition, our chair provided a disclosure in relation to investment that was under consideration. This discussion occurred at the 3 October 2024 meeting. He did not indicate the company

but identified that there was an intersection between that company and one of the matters that was being considered in the context of the annual progress report for 2024. In that instance, with Mr Kean excluded from the discussion, the other members of the authority, in accordance with our governance framework, decided that he ought to be excluded from decision-making in relation to that recommendation. They considered that out of an abundance of caution, noting that Wollemi did not have any actual investments in the matter at that time. So they felt that they were probably going beyond what was required but thought that an abundance of caution might be appropriate. Subsequently, when the MPower purchase was completed, that interest of Wollemi was also disclosed by the chair at the next relevant meeting of the authority.

**CHAIR:** Senator Henderson, I'll just note that it's about a 15-minute block that you've had now.

**Senator HENDERSON:** I will be as quick as I can. Mr Kean, the issue, as you would well know, being a former member of parliament and a former minister, is that declaring a conflict of interest sometimes doesn't remedy the conflict of interest when it's so entrenched. Given your new role as the head of fundraising, I would perhaps raise concerns that there is such a deep conflict of interest that disclosure alone or stepping away from certain functions may not be sufficient to cure the conflict of interest. The CCA has admitted that you have been excluded from ACCU decisions because Wollemi owns projects like Permagen and RegenCo. Given the depth and significance of these private interests, such that you can't see the draft report, can I ask what your involvement is in relation to ACCU decisions and whether there should be any knowledge carried by you at all in relation to that work of the Climate Change Authority?

**Mr Kean:** The process that the authority has agreed when it comes to the ACCU review, which the Climate Change Authority is undertaking, is that I will recuse myself from the decision-making process with regard to that review. That is exactly the same process that my predecessor, Grant King, followed. He was the chair of Australia's largest carbon development company. In fact—

**Senator HENDERSON:** Just to be clear, you're not making decisions, but you're still contributing to the carbon credit review.

**Mr Kean:** We have disclosed Wollemi's involvement in this. The fact that you're asking these questions is because we have followed the very strong framework that the previous coalition government put in place. It's a good framework. It was good enough for my predecessor, Grant King. We're following those rules, which have been strengthened since.

**Senator HENDERSON:** I just want to clarify this. I understand you're not making any decisions in relation to the carbon credit review, but, as I understand, you're continuing to contribute to the carbon credit review.

**Ms Rowley:** The authority members have agreed, following consideration of the chair's interests in this matter, that it is appropriate for him to be involved in the discussions in relation to this review but to not be involved in decision-making and to not receive drafts of the report. I would go back—

**Senator HENDERSON:** But that's—

**Ms Rowley:** If I could just finish my answer, Senator. I'd just step back one step and recognise that the authority members are appointed on the basis of their knowledge, experience and standing in fields that are relevant to the activities of the authority, and the Climate Change Act envisages that members will bring substantial experience in areas including the trading of environmental instruments, such as carbon markets. So this process of disclosure of interests, consideration by the other members and then agreement with respect to how those interests ought to be managed is standard practice. It's not unique to the Climate Change Authority. It's a governance framework established under acts that apply to all public organisations.

**Senator HENDERSON:** Ms Rowley—

**Ms Rowley:** I've nearly finished my answer.

**Senator HENDERSON:** Ms Rowley, I do need to address the question here.

**Ms Rowley:** I would note that the authority—

**Senator HENDERSON:** I'm actually asking Mr Kean.

**Senator Ayres:** These are unacceptable interruptions. She's entitled to answer the question. You're not entitled to talk over the top of her. You ought to stop.

**Senator HENDERSON:** Minister, I'm entitled to ask questions.

**Senator Ayres:** You're not entitled to talk over the top of witnesses. It's unacceptable behaviour, yet you persist in it.

**Senator HENDERSON:** Don't berate me, Minister.

**CHAIR:** Senators, I'll just take the call back once more. We are nearly at the end of what is a long day. I will observe that Ms Rowley would have finished her answer by now if we hadn't got into this. Ms Rowley, please finish your answer and then, Senator Henderson, you'll have a chance to ask your question.

**Ms Rowley:** Thank you, Chair. I was just going to note that, as we are an advisory body on climate policy, all of the CCA's work is public. It undergoes public consultation, and the advice that we provide to government is also in the public domain. The authority administers no grant programs, administers no funding and has no regulatory functions. So, in terms of the nature of the conflict that arises, that is also a matter that is considered by authority members in determining what is an appropriate handling for the identified interest.

**Senator HENDERSON:** Thanks, Ms Rowley. I want to specifically address this question to Mr Kean because it goes to your dual role, Mr Kean. My concern is that you're not making decisions in relation to the carbon credit review but you are contributing. Therefore I would put to you that you are still able to influence the discussion and influence the way this review might go. Surely that—

**Senator Ayres:** I might just intervene.

**Senator HENDERSON:** Is Mr Kean not able to answer this question, Minister?

**Senator Ayres:** I'm going to intervene.

**Senator HENDERSON:** Are you running a bit of a protection racket for him?

**Senator Ayres:** This is the lamest smear job—

**Senator HENDERSON:** It's not a smear job.

**Senator Ayres:** I have seen from somebody who claims—

**Senator HENDERSON:** It's not a smear job. That's ridiculous.

**Senator Ayres:** The point of these things is that what you've got to do—

**Senator HENDERSON:** Do you know what, Minister? Stop filibustering.

**Senator Ayres:** is you've got to ask a series of questions that gets you to a point—

**CHAIR:** Hold on.

**Senator Ayres:** before you do the lame smear job.

**Senator HENDERSON:** Minister, you are the very biggest—

**CHAIR:** Hold on now. Senators, please come to order.

**Senator HENDERSON:** Don't fool yourself.

**CHAIR:** No. Senator Henderson, when I call you to order, that means you too—not just the minister, not just the other senators. We have gone down this road a number of times today and each time I've endeavoured to pull us back, so what we're going to do here in the limited time we have left is focus on questions and answers. You've put a political proposition, Senator Henderson. The minister has responded to that, so—

**Senator HENDERSON:** No. I was asking Mr Kean a question. It was a substantive issue.

**CHAIR:** I will now offer Mr Kean—

**Senator HENDERSON:** And Mr Kean is very capable of answering for himself.

**CHAIR:** I agree with that, but I'll now give Mr Kean an opportunity to answer that, and then we'll come back to you for another question.

**Senator HENDERSON:** Thank you. Mr Kean.

**Mr Kean:** Senator, we take these matters of integrity very seriously. I've always acted with the highest level of integrity in this role and in my previous roles. I'll continue to do that. There's a very strong framework that was put in place by the previous coalition government. It applied to my predecessor, Grant King, who I note is an eminent Australian chair of the Business Council, a former chair of Origin Energy, a chair of GreenCollar. He was appointed by Angus Taylor to those roles. Angus Taylor felt that that framework was appropriate to manage Mr King's pecuniary interests. I note you're a tremendous supporter of Mr Taylor. It was good enough for the previous coalition government. It's been strengthened since, and we follow the rules. I love following the rules, and that's what we'll do in this role.

**Senator HENDERSON:** What I'm asking—and this is a serious issue, as you well point out—is: in relation to the carbon credit review, given your interests with Wollemi, doesn't it potentially raise a conflict of interest if you are able to influence the discussions which will then lead to decisions?

**Mr Kean:** No. The best way to deal with these issues is full transparency. That's exactly what we're doing in this process—declaring these things, making sure it's open to the public, following best governance practice. Senator, I'm sure you would want strong governance frameworks. That's why I'm sure you supported the ones that were put in place and that were applied to my predecessor, who was appointed by former minister Angus Taylor. It was good enough for you then. They've been strengthened since, and I intend to follow the rules. I love the rules you put in place and I'll continue to follow them.

**Senator HENDERSON:** Are there any other potential matters that you're considering you might need to declare a conflict of interest in relation to?

**Mr Kean:** No. The work program that CEO Rowley set out is very clear. If there are issues that could give rise to a pecuniary interest or potential conflict, they'll be managed through the very strong governance frameworks. I'll continue, in addition to that, to act within the rules. I love the rules that you put in place. I'm very proud of the coalition's strong rules. I'm a proud Liberal who was proud to be part of a strong coalition government that followed rules in New South Wales, and that's how I'll approach this rule.

**Senator HENDERSON:** Thank you very much, Mr Kean. Chair. I'll leave it at that for the moment.

**CHAIR:** Okay. Are there any further coalition questions to the CCA? If not, we will say thank you very—

**Senator HENDERSON:** Sorry, Chair. I thought you were hurrying me up to go to someone else.

**CHAIR:** If you're going to spend more time with this agency, I'm conscious of the waiting agencies that we might be able to release. I don't think we're going to get to all of them if we continue with the CCA now. So, if you're going to continue your questioning, I might take the opportunity to release some of those agencies first and then continue, because we've got, I think, six more to go, or something like that.

**Senator HENDERSON:** Alright.

**Mr Kaiser:** Eight, in fact.

**CHAIR:** Eight. Thank you, Mr Kaiser.

**Senator Ayres:** Eight agencies. Is there a possibility of a joint position from the coalition senators here about how that issue might be approached? Is there any chance of that?

**CHAIR:** Senator, I'm not sure that that would help.

**Senator HENDERSON:** Chair, firstly, I will leave my questions with the Climate Change Authority at that.

**CHAIR:** Thank you.

**Senator HENDERSON:** Secondly, Minister, I've actually been working very closely with the chair in relation to releasing and to managing the time.

**Senator Ayres:** Well, there are still eight here. There are eight to go.

**Senator HENDERSON:** That work continues.

**Senator Ayres:** It's 25 past 10 and there are eight to go.

**CHAIR:** Thank you very much, Senator Henderson. We'll let the Climate Change Authority go. We thank you for your appearance here and for your evidence, and for the work that sits behind that. We're in a position to release officials from the Clean Energy Regulator. Thank you for your attendance to this point, and the committee would like to offer its thanks as well.

### **Clean Energy Finance Corporation**

[22:25]

**CHAIR:** I now call officers from the Clean Energy Finance Corporation, and I welcome Mr Ian Learmonth, chief executive officer. Mr Learmonth, do you want to make an opening statement?

**Mr Learmonth:** No opening statement from me.

**CHAIR:** I'll now go to questions.

**Senator HENDERSON:** I just wanted to ask about the CEFC subsidy of electric vehicle purchases. What can you tell the committee about the issues that have arisen in relation to—I'm particularly raising concerns about the offer of an interest rate discount of around \$1,900 for electric vehicles priced below the luxury car tax threshold. Is that discount on the finance rate only possible if you finance the vehicle through, I think, Hyundai Capital Australia? Or is the discount available across the board?

**Mr Learmonth:** We, for quite a number of years, have been providing concessional finance through a number of channels—major banks like CBA, non-bank lenders like Plenti and more recently, as you would have seen in

the press, the captive finance vehicle of Hyundai—to allow Australian consumers to buy electric vehicles or access concessional finance through those lenders to make electric vehicle purchases more affordable. We make no bones about that. We see the importance of increasing the uptake of electric vehicles here in Australia, with their contribution to emissions, particularly as other sectors like energy are decarbonising. So, yes, we provide concessional finance to Hyundai to allow people to access cheaper cars.

**Senator HENDERSON:** Is this a demand driven program, or is it capped at \$60 million?

**Mr Learmonth:** The program with Hyundai covers a number of different sorts of vehicles, including Kia as well as Hyundai, and at the moment, yes, that's its current size of finance. Remember it's returnable capital. I think there were reports about us spending that money. That is effectively a wholesale loan to Hyundai that is then on-lended to people who come in and buy their vehicles and access concessional finance.

**Senator HENDERSON:** I raise the concern: isn't this a case of the government favouring one car company or finance company over others?

**Mr Learmonth:** It isn't, because we do it with quite a number of other financiers. As I say, there's CBA, NAB and Plenti, which is a very large non-bank lender. So there are a raft of other channels and other places that people can access that finance. So it's not in any sense exclusive to Hyundai.

**Senator HENDERSON:** I will leave my questions at that. I know we're trying to move very quickly through the program, Chair.

**CHAIR:** Senator Smith, do you have any further questions?

**Senator DEAN SMITH:** Just for Snowy Hydro, I think.

**CHAIR:** Okay. Thank you very much for your attendance. The committee appreciates your evidence and the work that sits behind it. I will now call officers from the Emissions Reduction Assurance Committee to come to the table.

#### Department of Climate Change, Energy, the Environment and Water

[22:31]

**CHAIR:** Welcome, Dr Karen Hussey, who's the chair of the committee, and colleagues from the department. Do you wish to make an opening statement, Dr Hussey?

**Prof. Hussey:** No, Chair. I'm happy to go to questions.

**CHAIR:** Thank you. I'll now go to Senator McDonald.

**Senator McDONALD:** I understand the Emissions Reduction Assurance Committee to be an independent statutory committee established under the Carbon Credits (Carbon Farming Initiative) Act 2011. Have I got that right?

**Prof. Hussey:** Correct.

**Senator McDONALD:** Terrific. Is the primary role of ERAC to assess the compliance of method determinations against the legislated offset integrity standards to maintain the integrity of the ACCU Scheme?

**Prof. Hussey:** Yes. And we have one additional role, which is to support the minister's decision-making in relation to the prioritisation of new methods for development.

**Senator McDONALD:** Excellent—that was my next question. Does ERAC operate independently of the department?

**Prof. Hussey:** Yes, inasmuch as the committee makes its own decisions and has its own deliberations. But we're supported by a secretariat, which is in the department.

**Senator McDONALD:** In relation to the ERAC secretariat, what are the salary bands of employees? Do you want to take that on notice?

**Prof. Hussey:** It's not something I have any oversight of or insight into.

**Mr Searson:** We have a range of officers working in the secretariat, around 13 people. I can take on notice the information you've requested around salaries.

**Senator McDONALD:** Thank you. What is the status of the employees? Are they contractors or public servants?

**Mr Searson:** All staff within the secretariat are employees of the department.

**Senator McDONALD:** How many full-time and part-time employees are there, and what is the full-time equivalent?

**Mr Searson:** It's around 13 people. I'd have to take the full-time equivalent on notice. It would be probably around 10 or 11.

**Senator McDONALD:** And that split between full time and part time—please. Do officers ever move, or have officers ever moved, between the committee secretariat and the department?

**Mr Searson:** Yes, they do.

**Mr Kaiser:** The committee secretariat is part of the department.

**Senator McDONALD:** I understand, but I'm trying to get a picture of just how integrated they are in the department or how standalone, for this independence piece. Thank you. Could I get some detail on how often that occurs and—

**Mr Hutchinson:** We're very happy to take that on notice, but, just to reiterate Secretary Kaiser's point, the secretariat are public servant officials; they are part of the department. They play a role to support the independent ERAC. It is the ERAC that is independent of the department, as the secretariat are officials.

**Senator Ayres:** The officials can provide later on what is useful. But I think what you'll find is the secretariat is department staff within the department and are allocated by the department, from time to time, as the department sees fit. It's a department secretariat for an independent committee.

**Senator McDONALD:** So there are no contractors used in the secretariat.

**Mr Searson:** No, there are no contractors working in the secretariat.

**Senator McDONALD:** Okay. Did the suspension of the beef cattle herd methodology, which was announced on 19 December 2024, follow a periodic review by ERAC?

**Prof. Hussey:** Yes.

**Senator McDONALD:** Can you confirm that the pastoral industry identified weaknesses in that review, and what were they?

**Prof. Hussey:** The pastoral industry felt that we hadn't relied enough on the lived experience of the industry itself in the application of the method. We suspended the method—I think you said the 19th; I thought it was the 17th, but we can check that. That was in December. It was an opportunity under the act for a method to be paused. In the process of that pause occurring, we had the opportunity to dig in with a little bit more detail to find out whether or not our concerns about noncompliance with the offsets integrity standards were justified. To cut a long story short, we worked very closely with the industry in that suspension period to gather more information and more evidence in relation to the methods' compliance with the standards. We landed in exactly the same spot, which was that it wasn't. It's now expired, as you know. But it was not compliant with one or more than the offsets integrity standards. But we did use that period to dig into the additionality of the method, which we had felt was uncertain when we originally suspended the method. By the time we got to the end of that additional period six or seven months later, we had reversed—or not reversed it, but we had moved from uncertain to thinking it continued to comply with the additionality standard.

**Senator McDONALD:** How often does ERAC conduct periodic reviews of the beef cattle herd method?

**Prof. Hussey:** I'm familiar with the one periodic review that the committee started about 18 months before I arrived. There had been a crediting period extension review immediately before that, and it was the crediting period extension review that triggered the periodic review.

**Senator McDONALD:** So that was a scheduled review then?

**Prof. Hussey:** No, it wasn't. Oh, sorry—the crediting period extension review would have been a statutory requirement. The periodic review was on the basis of concerns that the committee had found at the time.

**Senator McDONALD:** So who would have requested the review?

**Prof. Hussey:** That would have been the previous chair.

**Senator McDONALD:** And do you know when that request was made?

**Prof. Hussey:** It was March or April 2023, from memory, but that was before my time, so I would need to go back to the secretariat.

**Senator McDONALD:** Take that on notice, please. Do you know if a deadline was put on the review?

**Prof. Hussey:** No.

**Senator McDONALD:** Who wrote the first and subsequent drafts of the review?

**Prof. Hussey:** The secretariat would have written the first draft. With all of our review processes, the secretariat conducts the original research, does the consultation with stakeholders and the like and pulls together a

draft report. It then comes to the committee for our review. If we feel like changes need to be made then we recommend changes be made. If additional research is needed or if we need to ground truth something then we'll ask the secretariat to go back and do that. We'll work iteratively until we think we've got what we need and have confidence in the final product.

**Senator McDONALD:** Okay. I'm going to put a couple of my questions on notice and I'll just pick out the ones that I'd like to hear on from you on specifically. On page 11 of the review, there's a reference to an expert consultant providing rudimentary economic modelling. Who was that expert consultant?

**Prof. Hussey:** That was IntegrityAG.

**Senator McDONALD:** And who used the term 'rudimentary economic modelling'?

**Prof. Hussey:** From memory, that would have been in the draft review report that would have come to us, but we sign off on the report, so it's the committee that owns it.

**Senator McDONALD:** Did the review consider any other project activities or modelling other than the rudimentary economic modelling?

**Prof. Hussey:** It did do some in house. The secretariat did some in-house modelling to try to understand what the contribution of ACCUs was to the project costs associated with applying the method. For the period in which we worked more closely with the industry, from January 2025 to mid-2025, there was more research found, reviewed and used to inform the subsequent addendum to that periodic review.

**Senator McDONALD:** Was the sunset review completed in September 2025?

**Prof. Hussey:** October was when we sent it to the assistant minister.

**Senator McDONALD:** Was the sunset review considered at the ERAC meeting on 12 September?

**Prof. Hussey:** Yes, it would have been.

**Senator McDONALD:** Has a review been presented to the minister or assistant minister?

**Prof. Hussey:** Yes—in October.

**Senator McDONALD:** Were any changes from the method reviewed in 2024 to that considered in the sunset review that would lead to any different outcomes?

**Prof. Hussey:** Sorry. Say that again.

**Senator McDONALD:** Were any changes from the method reviewed in 2024 to that considered in the sunset review that would lead to any different outcomes?

**Prof. Hussey:** I think the answer is yes in so much as the periodic review that we undertook of the method raised a range of issues that the committee felt needed to be addressed should the method be remade following its sunset. The two went seamlessly from one to the other. The change that I suspect lies behind this question was in relation to that additionality piece. The committee had very much gone into the periodic review back in 2023 with concerns about additionality. Those concerns were maintained by the committee in the periodic review report that produced the suspension period. That subsequent five or six months of deliberations, engagement and further intelligence gathering with the industry produced that shift from being uncertain about whether or not the method is additional to confirming that we think it is additional, which means that it would have changed the tenor of the sunset review report to be more favourable.

**Senator McDONALD:** I understand. So that's with the minister now. We're waiting for the minister to provide a response. You would have heard this in my questions of the department earlier. My concern is that there's been a great deal of emphasis put on emissions reduction. This is the only pathway available to beef herd managers to generate ACCUs. I think it's most urgent because there's been some talk about inclusion in the safeguards mechanisms and other whip hands or whips rather than carrots. And so I'm keen to make sure this is resolved quickly.

**Prof. Hussey:** I can give you some comfort in so much as the committee was of the view that the beef cattle herd management method ought to be remade. It is one of a number of interventions that could usefully be applied to the sector.

**Senator McDONALD:** Thank you for being so quick. The chair now will be able to release you with enthusiasm and gratefulness.

**CHAIR:** I appreciate the brevity of your questions as well, Senator MacDonald. I also take this opportunity to thank Dr Hussey and members of the team at the Emissions Reduction Assurance Committee. Thank you for your work and for your appearance and evidence here today.

**Snowy Hydro Ltd**

[22:43]

**CHAIR:** I now call officers from Snowy Hydro Ltd. I welcome Mr Dennis Barnes, the chief executive officer, and your colleagues at the table. Mr Barnes, do you wish to make an opening statement?

**Mr Barnes:** Given the time, I'll decline today.

**CHAIR:** Thank you. I'll give the call to Senator Roberts.

**Senator ROBERTS:** Thank you for appearing again tonight. Good evening, Mr Barnes.

**Mr Barnes:** Good evening.

**Senator ROBERTS:** Your principal contractor is FGJV, Future Generation Joint Venture, which is three companies: Webuild, Clough and Lane Construction. Webuild as an Italian company who has across the construction arc of Snowy Hydro bought out Clough and Lane Constructions, so the joint venture is Webuild, Webuild and Webuild. Is that correct?

**Mr Barnes:** Yes.

**Senator ROBERTS:** It's significant because one arm of Webuild is unlikely to find fault or offer a cheaper option than another arm of Webuild. They really have this project in their grip, don't they?

**Mr Barnes:** We have a principal contractor called Future Generation Joint Venture. That joint venture was chosen through a competitive process before my time. Circumstances meant that Clough, who went into receivership, I believe, in 2022, was acquired by Webuild at that time. The contractual counterparty for Snowy Hydro has not changed.

**Senator ROBERTS:** So who's the contractual partner?

**Mr Barnes:** Future Generation Joint Venture.

**Senator ROBERTS:** Which is Webuild, Webuild, Webuild.

**Mr Barnes:** There are three Webuild subsidiaries.

**Senator ROBERTS:** That's right. So the current contract with Webuild uses an incentivised target cost model, also called a cost-plus margin. Is that correct?

**Mr Barnes:** The important part is the incentivised bit. There are elements of the project which are more complex and challenging, which are on a cost-recovery basis, but is a large proportion of the contract where the contractor Future Generation Joint Venture is incentivised to do a better job on time, on cost, and, if they don't, then they suffer some penalties.

**Senator ROBERTS:** But, essentially, it's cost-plus margin.

**Mr Barnes:** Elements of it are cost-plus margin; elements of it are incentivised target costs, where the contractor is incentivised to deliver the lowest cost and fastest outcome, and, if they don't, then they incur penalties.

**Senator ROBERTS:** Being cost-plus, the higher the cost, the more money the contractor makes through the plus margin part.

**Mr Barnes:** There is a series of triggers and caps within the contract which mean that the contractor doesn't continue to earn as the cost of the project increases. In fact, the recovery from the contractor means their return goes down.

**Senator ROBERTS:** Do you use external auditors to ensure every cost is legit?

**Mr Barnes:** We have a monthly process conducted by Ernst & Young, who go through every line item and every subcontractor payment and assure those to us.

**Senator ROBERTS:** So they're external auditors?

**Mr Barnes:** Yes.

**Senator ROBERTS:** This question might actually be good news. How many apprentices and trainees are working on Snowy Hydro? I understand you have a school based apprenticeships and traineeships program.

**Mr Barnes:** I think the round number—and we can provide the detail on Snowy Hydro as opposed to Snowy 2—is more than 40 people in what we call development programs. That include apprentices, vacation students and graduates—across that spectrum. We can provide the detail. We do produce a report each year with that input. We're happy to provide that.

**Senator ROBERTS:** One Nation believes very much in apprenticeships. They used to be a fantastic system, and they've been peeled off.

**Mr Barnes:** I'm a product of an apprenticeship myself, Senator.

**Senator ROBERTS:** This is my last question. Minister, without reflecting on the performance of Mr Barnes, who is making good progress, you understand that the taxpayers are annoyed that the cost just keeps going up and up under the current model. It started without an open business case or cost-benefit analysis. Costs will continue to go up through 2028. Is that correct?

**Senator Ayres:** Yes. I think this was a project that commenced under the—

**Senator ROBERTS:** Turnbull government.

**Senator Ayres:** Turnbull government, when Mr Joyce was the deputy prime minister. Mr Joyce and that government announced the program. It's a little bit like some of the dam projects that Mr Joyce constantly talks about. I think he said he was going to deliver 100 dams during the life of the Abbott-Morrison-Turnbull catastrophe—and delivered one.

**Senator ROBERTS:** Which one was that?

**Senator Ayres:** I don't know, but one out of 100—one per cent. A lot of talk, not much water.

**Senator ROBERTS:** He found it very frustrating, didn't he?

**Senator Ayres:** Well, he wasn't much good. The assessment that was made on Snowy 2.0 was that the cost escalation was partly due to what was described as design immaturity at final investment decision and site conditions and geology, which should have been known at the time. Unlike Mr Joyce and Mr Turnbull and Mr Morrison and Mr Taylor—all these characters—we haven't covered up—

**Senator ROBERTS:** You haven't mentioned Sussan Ley.

**Senator Ayres:** I'm only pointing at the people who are responsible. I don't know about—maybe, maybe; certainly Mr Joyce is at the heart of this free-wheeling catastrophe. We haven't covered up the costs, and we haven't covered up the delays. What we, as a government, have done is work with Mr Barnes and the team to make sure that this nation-building project gets back on track. It is an important project for our future energy security. Despite the damage of a ham-fisted start, with a focus on announcements and the sort of approach that was taken by Mr Joyce and his colleagues, we are working hard. The project is now 70 per cent complete. It's still got some quite substantial work to go. You are right to point to work that has been done by Snowy and contractors in terms of apprenticeships. That's a good contribution. We're very focused on this project proceeding as quickly as possible in as low cost a way as possible but transparently. We don't think good public policy is supported by deliberately concealing facts about important national projects like this.

**Senator ROBERTS:** It did bother me that Prime Minister Turnbull at the time heavily redacted the business case. That certainly did bother me because I wasn't in favour of it at the start. But its cost has gone from roughly \$2 billion, I think, to about \$20 billion.

**Senator Ayres:** I might go to Mr Barnes on the cost questions because I think we should be precise. The cost has escalated significantly, but let's have some precision.

**Senator ROBERTS:** We've had a lot of imprecisions in the past. Is it worth continuing?

**Mr Barnes:** The cost approval that was budgeted was \$5.9 billion, and the project reset that we concluded in 2023 was \$12 billion.

**Senator Ayres:** I thought the figure was closer to \$12 billion than \$20 billion.

**Senator ROBERTS:** With all the extra transmission lines and all the ancillaries?

**Senator Ayres:** Yes, well these are nation-building projects that are required to deliver an electricity system. I agree with Mr Joyce 1.0, not 2.0 or whatever version he is now. In 2020, he said:

The Federal Government has delivered millions of dollars of investment already for renewable energy generation right here on our doorstep in places like Inverell and Glen Innes.

He then went on to say:

We've made massive investments in the New England into renewable energy—

I'm passionate about this because it's where I come from.

We've made massive investments in the New England into renewable energy, in fact we're one of the biggest renewable energy hubs in Australia.

Just like the Inland Rail, others talked about it for years and I made sure it happened.

**Senator ROBERTS:** And he now has the courage to admit his folly.

**Senator Ayres:** In 2021, he then went on to say, 'In the long term, we understand that there may be a transition to other fuel sources, and we've got to make sure that we're also part of that transition,' something his constituents agree with. In 2017, he said:

With other projects like the Sapphire Wind Farm going ahead—

and here he is backing in a wind farm that he was cutting the ribbon at, extolling the virtues of this very important development—

**Senator ROBERTS:** And he's had the courage to recognise he was wrong.

**Senator Ayres:** He said:

With other projects like the Sapphire Wind Farm going ahead, it also shows that the New England is leading the way in renewable energy production and I will continue to advocate for the region as a growing power supplier for Australia.

Before his decline to where he's got to now, he said some quite commonsense things, this bloke.

**Senator ROBERTS:** Well, at least he's got the strength of character to admit he was wrong.

**Senator Ayres:** He's a long way away from common sense now.

**Senator ROBERTS:** That's something that you haven't done, despite the rising cost of electricity.

**Senator Ayres:** He's a long way away from common sense now.

**CHAIR:** Senators, thank you for that exchange. Senator Roberts, I will have to wind you up.

**Senator ROBERTS:** I've finished my questions.

**CHAIR:** Senator Smith.

**Senator DEAN SMITH:** I thought I might just echo Senator Ayres's commitment to not covering up costs and the need for precision. I'm just curious to know what the total cost is of the EBA that was signed in mid-September.

**Mr Barnes:** The total cost of that will be part of the line-by-line cost reassessment that we're currently concluding. The rates applicable to that EBA are as described in the Fair Work Commission report on it, but, obviously, you've got to times rate by quantity, and we're yet to complete that work.

**Senator DEAN SMITH:** So, in all the various iterations with regard to the EBA negotiations, you didn't think to do a cost estimate or a budget estimate of what those various EBA iterations might look like?

**Mr Barnes:** Certainly. The first thing to note is that Snowy Hydro is not the employer of the workers covered by the EBA. That's a company called SC Hydro, which is a subsidiary of Future Generation Joint Venture. Clearly we have some involvement in the process, which was not that protracted, but the employer, Future Generation Joint Venture, is the one responsible for concluding the EBA.

**Senator DEAN SMITH:** What is your level of awareness with regard to the total cost of the EBA?

**Mr Barnes:** As I said, we're conducting a line-by-line cost reassessment which will take that into account.

**Senator DEAN SMITH:** That was the excuse that was given at the last estimates.

**Mr Barnes:** And in October we said it would take up to nine months, and that takes you to June.

**Senator DEAN SMITH:** You don't have any level of awareness in terms of what the range might be of that EBA?

**Mr Barnes:** I think it's appropriate for the line-by-line cost reassessment to complete.

**Senator DEAN SMITH:** When will that line-by-line assessment be completed?

**Mr Barnes:** We've committed to no later than nine months from October, so June this year.

**Senator DEAN SMITH:** Again, you're not in a position to disclose to the committee what you may understand to be or your level of awareness in terms of the total cost of that EBA?

**Mr Barnes:** Again, that will be covered through the line-by-line cost reassessment, which, of course, will also have oversight as to the robustness of the process by the Department of Finance.

**CHAIR:** Thank you, Senators. I will say thank you to Snowy Hydro Ltd and your staff for your attendance, your evidence and your work to this point.

**Senator DEAN SMITH:** Just continuing, if I may, Minister Ayres, does the department have any level of awareness about what the cost of that EBA may be over one year, two years, three years or four years?

**Mr Kaiser:** I don't think we have anything to what the CEO said. We're not in possession of any level of information that's beyond his.

**Senator DEAN SMITH:** You don't need to take that on notice? You have no information.

**Mr Kaiser:** That's right.

#### **Australian Energy Regulator**

[22:57]

**CHAIR:** Thank you for your attendance and for coming to the table for what will be a cameo.

*Witness interjecting—*

**CHAIR:** I'm glad there's still an opportunity for levity at this time in the evening. Welcome, Ms Savage and your colleagues. I'll take it from that joke that you don't wish to make an opening statement. Senator Henderson, you have time for a couple of questions.

**Senator HENDERSON:** Our apologies for bringing you on so late and that we are running behind the program. I wanted to very quickly ask you about the grant funding that ARENA has approved for Fortescue between May 2022 and February 2026.

**Ms Savage:** Was that question for ARENA? We're the Australian Energy Regulatory. It's late for all of us!

**Senator HENDERSON:** Sorry, Chair. I thought we'd released the Australian Energy Regulator. We had a confusion.

**CHAIR:** We have released the Clean Energy Regulator but not the Australian Energy Regulator.

**Senator HENDERSON:** Sorry. My apologies.

**Ms Savage:** That's okay. That's fine.

**Senator HENDERSON:** I don't have any questions.

**CHAIR:** Well, on that note, thank you for your attendance. I'm not going to call any further agencies. It is now 10:59, so we will wrap this up.

**Ms Savage:** Are we—

**CHAIR:** Yes, you're dismissed. Thank you. That concludes today's hearing. Thank you to all witnesses who appeared and to Hansard and Broadcasting for their assistance. Thank you to all the witnesses who prepared for today's proceedings, and, to those who didn't get called, you leave with the committee's thanks. I remind senators that the committee has agreed that any written questions on notice should be lodged with the secretariat by 20 February 2026. Thank you.

**Committee adjourned at 22:59**