Responses to Questions on Notice arising from public hearing in Port Augusta on 3 September 2018

Flinders Power

Question A

Senator PATRICK: To avoid any issues of commercial in confidence, let's stay away from any absolute numbers. It's very easy to see from the progress to date—and I take this opportunity to thank you for the tour that you provided to the committee this morning—that you're a certain way along the pathway. What percentage of that fully funded money set aside have you spent to date? I appreciate that some of it is contingency.

Mr Georgaris: We would have to respond to that on notice. Our whole program is intertwined with the demolition together with the ash storage area.

Senator PATRICK: You would understand that the community watching from a distance, while they don't need to necessarily know the exact number, can see progress. They understand that more work needs to be done. To get a feeling that there are sufficient funds to cover the rest of the work and, indeed, maybe to respond to new requirements that may eventuate by law or whatever, it would be advantageous to the community to get a sense of that number.

Mr Georgaris: That's something I can take on notice and provide. At the end of the day, we're confident about how it's going and how it is progressing. The other element is that we are speaking to a number of parties who are interested in using this site. So there is an opportunity there for other parties coming in to understand what the obligations are at a particular point in time, together with developing the site and using it for beneficial purposes. *(Proof Hansard transcript, p. 27).*

Question B

Senator PATRICK: Would you be prepared to table on notice the scientific advice that I presume you got from Tonkin, and you mentioned one other, as to your approach for that top layer?

Mr Williams: We'll take that on notice and respond after hearing. *(Proof Hansard transcript, p. 28)*

Question C

Senator PATRICK: To be very blunt, having been present, or at least in and around the parliament, when we've looked at things like corporate tax avoidance, the Cayman Islands comes up as one of those places where those sorts of activities are common. Has your company signed up to the ATO's tax transparency code?

Mr Shaw: We'll have to take that on notice. I came on to the board that at the time of closure. Tax avoidance isn't something we're terribly interested in at this point. I have no idea what the basis of that structure was before, but we can take that question on notice. *(Proof Hansard transcript, pp. 28-29).*

Senate Inquiry Hearing 3 September 2018

Flinders Power – Questions on Notice

A. The percentage of the fully funded amount spent to date is commercial in confidence. There are sufficient funds for completion of all current obligations at the Port Augusta Power Stations site, including additional contingency funds.

B. All independent scientific reports received are subject to strict confidentiality requirements and Flinders is unable to provide the reports. Outcomes have been used to formulate the strategies deployed and plans developed, all of which have been reviewed by the appropriate regulators. The Ash Storage Area Rehabilitation Plan is already publicly available and may be found on the SA EPA site at https://www.epa.sa.gov.au/business_and_industry/industry-updates/flinders-power-port-augusta

C. Flinders Power's does not meet the threshold requirements that would mandate adoption of the Tax Transparency Code (TTC). Flinders Power has met all of its tax reporting obligations irrespective of the adoption of TTC. It is our understanding that companies (including entities treated as companies for Australian tax purposes) that are medium or large businesses are encouraged to adopt the Tax Transparency Code (TTC). This includes Australian-headquartered businesses and foreign multinationals that have operations in Australia.

   For the purpose of the TTC:

   a. 'Medium businesses' are businesses with aggregated TTC Australian turnover of at least A$100 million but less than A$500 million.
   b. 'Large businesses' are businesses with aggregated TTC Australian turnover of A$500 million or more.

   Flinders Power's turnover is well below any of the thresholds that mandate adoption of TTC as set out by the ATO.