

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

**Question No:** 196  
**Hearing:** Additional Estimates  
**Outcome:** Corporate  
**Programme:** Policy Analysis and Implementation (PAAI)  
**Topic:** Reviews  
**Hansard Page:** N/A  
**Question Date:** 19 February 2016  
**Question Type:** Written

**Senator Ludwig asked:**

Since the change of Prime Minister on 14 September, 2015:

1. How many new reviews (defined as review, inter-departmental group, inquiry, internal review or similar activity) have been commenced? Please list them including:
  - a) the date they were ordered
  - b) the date they commenced
  - c) the minister responsible
  - d) the department responsible
  - e) the nature of the review
  - f) their terms of reference
  - g) the scope of the review
  - h) Who is conducting the review
  - i) the number of officers, and their classification level, involved in conducting the review
  - j) the expected report date
  - k) the budgeted, projected or expected costs
  - l) If the report will be tabled in parliament or made public
2. For any review commenced or ordered, have any external people, companies or contractors being engaged to assist or conduct the review?
  - a) If so, please list them, including their name and/or trading name/s and any known alias or other trading names
  - b) If so, please list their managing director and the board of directors or equivalent
  - c) If yes, for each is the cost associated with their involvement, including a break down for each cost item
  - d) If yes, for each, what is the nature of their involvement
  - e) If yes, for each, are they on the lobbyist register, provide details.
  - f) If yes, for each, what contact has the Minister or their office had with them
  - g) If yes, for each, who selected them
  - h) If yes, for each, did the minister or their office have any involvement in selecting them,
    - i) If yes, please detail what involvement it was
    - ii) If yes, did they see or provided input to a short list
    - iii) If yes, on what dates did this involvement occur
    - iv) If yes, did this involve any verbal discussions with the department
    - v) If yes, on what dates did this involvement occur
3. Which reviews are on-going?
  - a) Please list them.
  - b) What is the current cost to date expended on the reviews?

4. Have any reviews been stopped, paused or ceased? Please list them.
5. Which reviews have concluded? Please list them.
6. How many reviews have been provided to Government? Please list them and the date they were provided.
7. When will the Government be responding to the respective reviews that have been completed?
8. What reviews are planned?
  - a) When will each planned review be commenced?
  - b) When will each of these reviews be concluded?
  - c) When will government respond to each review?
  - d) Will the government release each review?
    - i) If yes, did this involve any verbal discussions with the department

**Answer:**

1. Refer to Table 1.
2. Refer to Table 2.
- 3.

Ongoing Reviews	Cost to Date
Review of the Australian National Guidelines for Whale and Dolphin Watching 2005	\$53,199.
Joint Committee on Public Accounts and Audits review of the Australian National Audit Office's performance report of Great Barrier Reef Marine Park Authority's permission system	Nil to agency.
Review of the Water Trigger legislation	\$213,067 (GST inclusive), of which \$165,067 is for Secretariat salaries, approx \$38,000 for travel, \$10,000 for consultant.
Review of the Ozone Protection and Synthetic Greenhouse Gas Management Programme	\$163,178 (GST inclusive). Staff costs are not included in this figure.
Review of the <i>Fuel Quality Standards Act 2000</i>	\$330,400 (GST inclusive).
Review of Cost Recovery arrangements for EPBC Act assessments	\$89,546 (GST inclusive).
Review of Cost Recovery arrangements for Hazardous Waste Permits	\$43,556 (GST inclusive).
Review of the National Industrial Chemicals Notification and Assessment Scheme (NICNAS)'s Inventory Multi-tiered Assessment and Prioritisation (IMAP) framework	Costs managed by the Department of Health.
Clean Energy Finance Corporation Act, section 68(6) review of Investment policies	Nil
Clean Energy Finance Corporation Investment Mandate Directions, s8 review of investment practices	Nil

4. Nil.

5.
  - Commonwealth Marine Reserves Review
  - Midterm evaluation: Biodiversity Fund and Caring for our Country (Targeted Area Grants).
6. Commonwealth Marine Reserves Review – 18 December 2015.
7. They will be released publically once they have been fully considered.
8.
  - a)
 

Review of legislative instruments under the <i>Fuel Quality Standards Act 2000</i> .	March 2016.
Technical Review of the EPBC Act Environmental Offsets Policy.	2016.
Mid-term review of 20 Million Trees.	2016.
3 <sup>rd</sup> year programme review of Green Army.	2016.
Review of National Landcare Programme – National Heritage Trust.	2016.
  - b)
 

Review of legislative instruments under the <i>Fuel Quality Standards Act 2000</i> .	Estimated to be mid 2017.
Technical Review of the EPBC Act Environmental Offsets Policy.	Estimated to be late 2016.
Mid-term review of 20 Million Trees.	To be determined.
3 <sup>rd</sup> year programme review of Green Army.	To be determined.
Review of National Landcare Programme – National Heritage Trust.	To be determined.
  - c)
 

Review of legislative instruments under the <i>Fuel Quality Standards Act 2000</i> .	Estimated to be late 2017.
Technical Review of the EPBC Act Environmental Offsets Policy.	Estimated to be late 2016.
Mid-term review of 20 Million Trees.	To be determined.
3 <sup>rd</sup> year programme review of Green Army.	To be determined.
Review of National Landcare Programme – National Heritage Trust.	To be determined.

d)

Review of legislative instruments under the <i>Fuel Quality Standards Act 2000</i> .	Yes.
Technical Review of the EPBC Act Environmental Offsets Policy.	Yes.
Mid-term review of 20 Million Trees.	To be determined.
3 <sup>rd</sup> year programme review of Green Army.	To be determined.
Review of National Landcare Programme – National Heritage Trust.	To be determined.

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**Table 1: New Reviews Commenced**

Date review was ordered	Date commenced	Minister responsible	Department or Agency responsible	Nature of the review	Terms of reference	Scope of the review	Person conducting the review	Number of officers involved in the review	Expected report date	Budgeted, projected or expected costs	To be tabled in parliament or made public
At its meeting of 15 December 2015, the Great Barrier Reef Ministerial Forum requested that, in accordance with the scheduled five year periodic review of the joint Great Barrier Reef Field Management Program with Queensland occur.	The review commenced immediately following the Great Barrier Reef Ministerial forum.	The Minister for the Environment is the Co-Chair of the Ministerial Forum along with the Queensland Minister for the Environment and the Great Barrier Reef.	The Great Barrier Reef Marine Park Authority.	The Great Barrier Reef Intergovernmental Agreement 2015 requires periodic review of field management arrangements, delivery and performance against the outcomes of the IGA and the resources, investments and arrangements needed for effective and efficient field management for the following five years and beyond, including a review of base funding and the need for any periodic funding supplementation.	Terms of reference are under development.	The scope is under development.	The Great Barrier Reef Intergovernmental Agreement establishes a Strategy Group of Executive level officers of the GBRMPA and Queensland through the Department of the Premier and Cabinet and the Queensland Parks and Wildlife Service.	The Strategy Group comprises seven Executive level officers, three from GBRMPA and four from Queensland. The three Great Barrier Reef Marine Park Authority officers are SES Band 1.	December 2016.	\$50,000.	The report will not be tabled in parliament and no decision on making it public has been made by Ministerial Forum.
3 December 2015, the Joint Committee on Public Accounts and Audits (JCPAA) decided to review the Australian National Audit performance report of the agency's permissions system.	The Review commenced immediately.	The Joint Committee on Public Accounts and Audits reports to Parliament.	The Great Barrier Reef Marine Park Authority.	Review of the Australian National Audit Office performance report of the agency's permission system.	Terms of reference located at: <a href="http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Public_Accounts_and_Audit/Reports_Nos_5_2_3_and_9/Terms_of_Reference">http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Public_Accounts_and_Audit/Reports_Nos_5_2_3_and_9/Terms_of_Reference</a>	The committee is reviewing the Australian National Audit Office's performance audit of the permission system, and is focusing on implementation of the Australian National Audit Office report's recommendations.	Joint Committee on Public Accounts and Audits.	13 members of Parliament (both the House of Representatives and the Senate) <a href="http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Public_Accounts_and_Audit/Committee_Membership">http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Public_Accounts_and_Audit/Committee_Membership</a>	June 2016.	Nil.	The report will be tabled in Parliament.

Date review was ordered	Date commenced	Minister responsible	Department or Agency responsible	Nature of the review	Terms of reference	Scope of the review	Person conducting the review	Number of officers involved in the review	Expected report date	Budgeted, projected or expected costs	To be tabled in parliament or made public
Water Trigger Review was not 'ordered' - s25 of the EPBC Amendment Act 2013 that established the trigger required the review. In addition, Office of Best Practice Regulation requires legislation that was introduced without a Regulatory Impact Statement to be subjected to a Post Implementation Review within two years of commencement. Both requirements are being met through one review.	September 2015- preparation for the Review commenced with preparation of Issues Paper, appointment of Reviewer and engagement of personnel. 29 November 2015 - Review was opened to the public with the release of the Issues Paper and call for public submissions.	Minister for the Environment.	Department of the Environment.	Review the appropriateness, efficiency and effectiveness of the legislation and requires a regulatory burden measurement.	Terms of reference are available on the Department's website (refer to page 2): <a href="http://www.environment.gov.au/system/files/consultations/11c6034d-fc8e-4f06-a703-e51a16dec95c/files/water-trigger-review-issues-paper.pdf">http://www.environment.gov.au/system/files/consultations/11c6034d-fc8e-4f06-a703-e51a16dec95c/files/water-trigger-review-issues-paper.pdf</a>	The legislation requires the Commonwealth Minister to assess potential impacts of CSG and large coal mining developments on water resources. See also <a href="http://www.environment.gov.au/epbc/what-is-protected/water-resources/review">http://www.environment.gov.au/epbc/what-is-protected/water-resources/review</a>	Mr Stephen Hunter.	EL2 full time. EL1 part time (approx 30%FTE). APS6 (approx 80% FTE).	Report will be provided to the Minister (May 2016).	Total project budget is \$413,000 of which \$50,000 is for external consultant (with 20% contingency allowed due to complexity of matters involved). Other costs: salaries for Secretariat travel for stakeholder meetings and editing of the report.	Both. The report will be published on the Department's website once it is tabled.
Review of Ozone Protection and Synthetic Greenhouse Gas Management Act was not 'ordered' but commenced in May 2014 by announcement from the Minister. The Programme had not been reviewed since 2001 with the last large scale amendments stemming from a review commencing in 2003.	May 2014 - with release of the Terms of Reference to the review for public consultation.	Minister for the Environment.	Department of the Environment.	Review the efficiency and effectiveness of the programme and seek further emissions reduction opportunities.	The terms of reference of the review are available at: <a href="http://www.environment.gov.au/system/files/consultations/86374e44-c4e1-43b7-b9fe-86e95a3b032d/files/tor-ozone-act-review.pdf">http://www.environment.gov.au/system/files/consultations/86374e44-c4e1-43b7-b9fe-86e95a3b032d/files/tor-ozone-act-review.pdf</a>	The scope of the review is equivalent to the scope of the OPSGGM Programme as granted to it through constitutional powers.	The Department of the Environment.	SES as needed (0.15% of FTE) EL2 as needed (equivalent of 0.15 - 0.4% of FTE) EL1 Project Manager (full time) EL1 (other) equivalent of 2 FTE APS 6 - equivalent of 4 FTE APS 5 - equivalent of 2 FTE.	Report will be provided to the Minister (April 2016).	Total project budget \$461,000 for supplier expenses drawn over 2013-14, 2014-15 and 2015-16 financial years from budget appropriations and special account as appropriate. Other costs: salaries for dedicated staff, travel for stakeholder meetings and editing of the report.	Both. The report will be published on the Department's website once it is tabled.

Date review was ordered	Date commenced	Minister responsible	Department or Agency responsible	Nature of the review	Terms of reference	Scope of the review	Person conducting the review	Number of officers involved in the review	Expected report date	Budgeted, projected or expected costs	To be tabled in parliament or made public
Clean Energy Finance Corporation Act, section 68(6) review of Investment policies - 24 December 2015 by force of law	24 December 2015 by force of law.	Minister for the Environment.	Clean Energy Finance Corporation Board per the provisions of the Act. The Department of Environment is the portfolio Department but was not responsible for conducting the review.	Statutory.	See Clean Energy Finance Corporation Act, s68(6).	See Clean Energy Finance Corporation Act, s68(6).	Clean Energy Finance Corporation Board.	There is presently a Chair and five other members of the Board.	Before end of the current financial year.	Nil - absorbed in house.	The revised Policies will be amended and placed on the Corporation's website in accordance with the Act.
Clean Energy Finance Corporation Investment Mandate Directions, s8 review of investment practices - 24 December 2015 by force of law.	24 December 2015 by force of law.	Minister for the Environment.	Clean Energy Finance Corporation Board per the provisions of the Mandate. The Department of Environment is the portfolio Department but was not responsible for conducting the review.	Statutory.	See Clean Energy Finance Corporation Investment Mandate Directions 2015 (No.2), s8.	See Clean Energy Finance Corporation Investment Mandate Directions 2015 (No.2), s8.	Clean Energy Finance Corporation Board.	There is presently a Chair and five other members of the Board.	Within six months of the date of effect of the mandate.	Nil - absorbed in house.	The report will be provided to the Minister.

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**Table 2: Reviews Already Commenced**

<b>Review</b>	<b>External people, companies or contractors engaged to assist or conduct the review</b>	<b>Managing director and the board of directors or equivalent</b>	<b>Cost associated with involvement of external people or companies</b>	<b>Nature of external parties</b>	<b>Are they on the lobbyist register?</b>	<b>Contact between the Minister or their office and external provider</b>	<b>Selection of external provider</b>	<b>Minister or their office's involvement in selecting or appointing the external provider</b>	<b>Minister or Minister's Office input to a short list</b>	<b>Verbal discussions involved with the Department</b>
Great Barrier Reef Field Management Program periodic review	No external people, companies or contractors have yet been engaged.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.
Joint Committee on Public Accounts and Audits Review of the Australian National Audit Office's performance report on the agency's permission system.	No external people, companies or contractors have yet been engaged.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.
Review of Water Trigger legislation.	Stephen Hunter, independent policy consultant (ABN 47 102 941 370).	Sole Practitioner.	Contract value for consultancy is \$50,000. The contract includes 3 milestones: 1. \$10,000 - completion of stakeholder meetings as agreed with the Department 2. \$20,000 - delivery of draft report 3. \$20,000 delivery of final report that meets the Department's requirements.	Commissioned to conduct stakeholder consultation, prepare regulatory burden measurement and prepare a review report.	No.	Nil contact (apart from letter of appointment).	The Minister appointed Stephen Hunter, with agreement to his appointment from the Prime Minister (28 Oct 2015).	The Minister agreed to the independent reviewer nominated by the Department. Stephen Hunter was selected from a list of suitably qualified and available consultants held by the Department.	Minister's office discussed the needs of the review with Department.  The Minister agreed to the nominated independent reviewer, Mr Stephen Hunter on 17 September 2015. The Minister signed a letter to the Prime Minister seeking his agreement to the appointment on 17 September 2015.	Discussions were held between the Minister's Office (Erin Pears) and the Department.  The Department has fortnightly meetings with the Minister's advisors. Discussions occurred in these meetings in August 2015.



Review	External people, companies or contractors engaged to assist or conduct the review	Managing director and the board of directors or equivalent	Cost associated with involvement of external people or companies	Nature of external parties	Are they on the lobbyist register?	Contact between the Minister or their office and external provider	Selection of external provider	Minister or their office's involvement in selecting or appointing the external provider	Minister or Minister's Office input to a short list	Verbal discussions involved with the Department
Review of Ozone Protection and Synthetic Greenhouse Gas Management Programme.	Jacos Group (Australia) Pty Limited, (ABN 37 001 024 095).  Expert Group, Peter Brodribb of the Expert Group (A.C.N. 122581159) and Michael McCann of Thinkwell Australia Pty Ltd (A.C.N. 113454112).	Jacobs: Steven J. Demetriou, Noel G. Watson, Joseph R. Bronson, John F. Coyne, Juan Jose Suarez, Robert C. Davidson Jr, Ralph Edward Eberhart, Dawne S. Hickton, Linda Fayne , Peter J. Robertson, Christopher M. T. Thompson  Expert Group: Peter Brodribb	Jacobs - \$107,051 includes 6 Milestones 1 - Workshop \$11,407 2 - Plan/Methodology Report \$26,982 3 - Draft Report \$34,520 4 - Workshop (with Technical Working Group convened for Review) \$10,000 5 - Workshop (specifically regarding Fire Protection) \$5060 6 - Final Report \$19,082  Expert Group Report Includes two Milestones 1- Initial research and presentation \$23,232 2 - Final Report \$14,847.80 and additional \$1900 in other charges.	Commissioned to undertake Cost Benefit Analysis of emissions reduction options considered as part of review.	No.	Nil contact.	Tender procurement panel assessed tender submissions and picked the best value for money.	None.	Not applicable.	Not applicable.
Clean Energy Finance Corporation Act, section 68(6) review of Investment policies.	Nil.	Not applicable.	Nil.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.
Clean Energy Finance Corporation Investment Mandate Directions, s8 review of investment practices.	Nil.	Not applicable.	Nil.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.	Not applicable.