

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice
Environment and Energy portfolio

Question No: 104
Hearing: Budget Estimates
Outcome: Outcome 1
Program: Environment Standards Division (ESD)
Topic: Briefing of the Minister - Adani
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Question Type: Spoken

Senator Waters asked:

Mr Cahill: Ongoing conversations with companies. Sometimes companies approach us and sometimes it is just in a normal engagement. What I would say with Adani is that in the conversation with them—and I was not involved in that—they would have wanted to understand how the Reef Trust would work before they agreed to any variation, which is what you would expect of any company when they are trying to ensure that they accord with the conditions we have set.

Senator WATERS: Was the minister briefed on this proposed change?

Ms Collins: No, he was not.

Senator WATERS: Are you telling me that in this highly charged project, which has been in the news for the last three months solid, the department was proposing to change the conditions and did not think it necessary to brief the minister?

Ms Collins: The variation was consistent with government policy around the establishment of the Reef Trust. The Reef Trust was set up specifically to enable offsets to be delivered from proponents who had approval under the EPBC Act. The decision was made in accordance with current government policy.

Senator WATERS: Has the minister subsequently been briefed?

Ms Collins: The minister's office has received information. I do not know whether the minister has been briefed personally.

Senator WATERS: Did they ask for it or did you provide it?

Ms Collins: I would have to take that on notice. I cannot recall.

Senator WATERS: Thank you.

Mr Cahill: Senator, I will flag that we regularly update the secretary of the minister's office on the vast majority of our administrative decisions. We will check what we briefed the minister's office on.

Answer:

After the decision to vary the conditions of the Adani project was made by a delegate of the Minister, as provided for under the *Environment Protection and Biodiversity Conservation Act 1999*, the Minister's office was advised as part of routine briefing.