

# Chapter 1

## Introduction

1.1 On 8 May 2018, the Senate referred the following to the Senate Environment and Communications Legislation Committee (the committee):

- Particulars of proposed expenditure in respect of the year ending on 30 June 2019 [Appropriation Bill (No. 1) 2018–19];
- Particulars of certain proposed expenditure in respect of the year ending on 30 June 2019 [Appropriation Bill (No. 2) 2018–19];
- Particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2019 [Appropriation (Parliamentary Departments) Bill (No. 1) 2018–19];
- Particulars of proposed additional expenditure in respect of the year ending on 30 June 2018 [Appropriation Bill (No. 5) 2017–18]; and
- Particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2018 [Appropriation Bill (No. 6) 2017–18].<sup>1</sup>

1.2 A reporting date of 26 June 2018 was set for the committee's report on the 2018–19 Budget Estimates.<sup>2</sup>

### Portfolio coverage

1.3 The committee has responsibility for examining the expenditure and outcomes of the following:

- Environment and Energy portfolio; and
- Communications and the Arts portfolio.<sup>3</sup>

### Hearings

1.4 The committee's examination of the Environment and Energy portfolio took place on Monday, 21 May 2018 and Tuesday, 22 May 2018. The committee's examination of the Communications and the Arts portfolio was held on Wednesday, 23 May 2018 and Thursday, 24 May 2018.

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1 *Journals of the Senate*, No. 95, 8 May 2018, pp. 3032–33. Note: Appropriation Bill (No. 5) 2017–18 and Appropriation Bill (No. 6) 2017–18 sought additional expenditure for the Environment and Energy portfolio.

2 *Journals of the Senate*, No. 70, 15 November 2017, p. 2228.

3 *Journals of the Senate*, No. 2, 31 August 2016, pp. 75–76.

1.5 The committee took evidence from Senator the Hon Simon Birmingham, Minister for Education and Training representing the Minister for the Environment and Energy; Senator the Hon Anne Ruston, Assistant Minister for Agriculture and Water Resources representing the Minister for the Environment and Energy; and Senator the Hon Mitch Fifield, Minister for Communications and Minister for the Arts, together with officers from the relevant departments and agencies. The committee thanks the Ministers, departmental secretaries and the officers who appeared before it.

1.6 The following agencies were not required to attend the Budget Estimates hearings:

*Environment and Energy portfolio*

- National Wind Farm Commissioner;
- Sydney Harbour Federation Trust;

*Communications and the Arts portfolio*

- Australian Film, Television and Radio School;
- Australian National Maritime Museum;
- Bundanon Trust;
- Classification Board;
- Classification Review Board;
- National Film and Sound Archive of Australia;
- National Gallery of Australia;
- National Library of Australia;
- National Museum of Australia;
- National Portrait Gallery of Australia; and
- Old Parliament House.

**Questions on notice and *Hansard* transcripts**

1.7 In accordance with standing order 26(9)(a), the committee agreed to set Wednesday, 11 July 2018, as the date for the return of written answers or additional information for the hearings held on 21 to 24 May 2018.

1.8 Written answers and information provided to the committee in response to questions on notice arising from the hearings are tabled in the Senate and posted on the committee's webpage. Links to the transcripts of the public hearings and to answers and additional information are available on the internet at: [www.aph.gov.au/Parliamentary\\_Business/Senate\\_Estimates/ec](http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/ec)

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## Answers to questions on notice – Additional Estimates 2017–18

1.9 The committee has examined answers to questions on notice from Additional Estimates 2017–18.

### *Timeliness of answers*

1.10 The committee held two hearings to examine the Environment and Energy portfolio for Additional Estimates 2017–18: 26 February 2018 and 26 March 2018. The committee set 17 April 2018 as the date of receipt for answers to questions on notice for the first hearing and 11 May 2018 for the second hearing. The committee received 120 of the 272<sup>4</sup> questions on notice from the hearing held on 26 February 2018 by the due date. The last of the remaining 152 questions were provided on 17 May 2018. Of the seven questions on notice arising from the committee's hearing on 26 March 2018, all were provided by the due date.

1.11 The committee's examination of the Communications and the Arts portfolio took place over three hearings: 27 February 2018 and 10 and 11 April 2018. All answers to questions on notice were provided by the due dates: 207 for the hearing on 27 February 2018 and 60 for the hearings on 10 and 11 April 2018.

### *Claims of commercial confidentiality*

1.12 The committee notes that eight answers from agencies within the Communications and the Arts portfolio indicated that information was withheld because of commercial confidentiality or other reasons including that it would prejudice the agency's commercial position.

1.13 The committee again draws the attention of departments and agencies to Senate Procedural Order of Continuing Effect No. 11 of 30 October 2003 relating to claims for the withholding of information on the grounds that it is commercial-in-confidence.<sup>5</sup> Without the required statement indicating the commercial harm that may result from the disclosure of the information, the committee is unable to consider whether it should require the answer or should not press the question.

### *Other claims*

1.14 The committee received 20 answers to questions on notice which were incomplete on the grounds that the provision of the information requested would be an unreasonable diversion of resources. The Department of the Environment and Energy also claimed cabinet confidentiality as a ground for not providing an answer to a question on notice.

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4 This figure includes the 261 questions on notice from the hearing on 26 February 2018 and the 11 questions taken on notice by Snowy Hydro Limited at the hearing on 27 February 2018.

5 The Senate, *Standing Orders and other orders of the Senate*, August 2015, p. 131.

## **Senators' guidance document**

1.15 The committee would again like to thank the Department of the Environment and Energy for preparing a 'guidance document' for the Additional Estimates hearings. The guidance document provided a comprehensive overview of the outcome structure of the department and was very helpful to committee members in establishing the correct area in which to ask their questions.

## **Record of proceedings**

1.16 This report does not attempt to analyse the evidence presented during the hearings. However, it does provide a brief list of some of the key issues that were canvassed by the committee for each portfolio.

## **Note on references and additional information**

1.17 References to the *Hansard* transcripts are to the proof *Hansard*; page numbers listed may vary between the proof and official *Hansard* transcript.

1.18 Copies of *Hansard* transcripts, documents tabled at the hearings, and additional information received after the hearings are tabled in the Senate and available on the committee's website.