

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Establishment of the National Federation Reform Council

Senator: Paterson

Question reference number: 0069

Type of question: Hansard, page 7, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator PATERSON: ... Was the decision to establish the National Federation Reform Council a decision of the federal government or was it also a decision of the premiers?

Mr Gaetjens: It was a decision of the national cabinet.

Senator PATERSON: Right. Was it a unanimous decision of the national cabinet?

Mr Gaetjens: I'm troubled again by the longstanding conventions about what actually goes on in cabinet meetings.

Senator PATERSON: Fair enough.

Mr Gaetjens: If you allow me to take that on notice, I'll see what answer I can provide, but it was very well supported—let's put it that way.

Answer:

The decision to establish the National Federation Reform Council was a decision of the National Cabinet.

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ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Role of treasurers in the National Federation Reform Council

Senator: Paterson

Question reference number: 0070

Type of question: Hansard, page 7-8, 4 June 2020

Date set by the committee for the return of answer: Thursday 18 June 2020

Number of pages: 1

Question:

Senator PATERSON: You mentioned the role for the treasurers. What part do they play in the National Federation Reform Council?

Mr Gaetjens: As I said, they already meet as the Council on Federal Financial Relations. I stand to be corrected—and I'll take it on notice—but my sense is that it really took on the purpose of its role after the 2008 reforms and the Federal Financial Relations Act 2009. The expectation with respect to treasurers is that they will take a lot more of a focus on the national partnership agreements. In a sense—and I'm comparing nomenclature, which might make it easier to understand—to some extent I think it will almost become a bit of an ERC for national partnership agreements and things like that. So we would expect ministers to keep on doing work with respect to their portfolio matters, but, if there is then a national partnership agreement, that would then be negotiated firstly through treasurers—and hopefully they would resolve it—and minimise the need for that negotiation to go up to leaders.

Answer:

The Council on Federal Financial Relations (CFFR), comprising treasurers from the Commonwealth and state and territory governments, will develop targeted job-creation proposals and it will provide these proposals to the National Cabinet for consideration and decision.

The CFFR will also take on responsibility for coordination of funding agreements between the Commonwealth and state and territory governments and lead negotiations over the funding elements of new agreements.

Once a year, CFFR will meet face-to-face with the National Cabinet and the Australian Local Government Association as the National Federation Reform Council (NFRC).

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ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Appointment of members of the Taskforce

Senator: Whish-Wilson

Question reference number: 0072

Type of question: Hansard, page 10, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator WHISH-WILSON: ... Who appointed the members of the task force, Mr Thompson or Mr Gaetjens? What process was involved in appointing the members of the task force?

Mr Gaetjens: I think that was raised at the last hearing.

Senator WHISH-WILSON: Not at one I've been on, unfortunately.

CHAIR: Sorry—we just missed that, Senator Whish-Wilson. Can you repeat it?

Senator WHISH-WILSON: It wasn't mentioned on any inquiry hearing I've been on, so perhaps you could take that on notice. I'd be very—

Mr Gaetjens: At the last hearing, I thought there were questions about how the commission members were chosen. If that didn't cover the appointment process, I'll hand over to Mr Thompson again.

Senator WHISH-WILSON: Not that I'm aware.

Mr Thompson: I think the senator's question was in relation to the task force and its selection of members. We're happy to take that on notice.

Senator WHISH-WILSON: Mr Power, did you have any say in who was appointed to that task force?

Mr Power: The commission appointed the chair of the task force and we were involved in providing the support through consulting group BCG to the task force. Outside of that, they were selected by the task force themselves.

Mr Gaetjens: I could add to that, Senator, and we'll get you a fuller answer on notice, if that's okay. Commissioners Tanna and Combet did invite the members of the task force to join Mr Liveris on the task force and in this activity.

Answer:

The Commission, in consultation with Mr Andrew Liveris, asked representatives from peak industry associations, trade unions, and other experts with a strong interest in Australia's manufacturing sector to join the Taskforce.

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ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Contact between the Prime Minister's Office and Department of the Prime Minister and Cabinet regarding appointment of Mr Jim Reed

Senator: Watt

Question reference number: 0079

Type of question: Hansard, page 22, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator WATT: Did anyone from the Prime Minister's office recommend that Mr Reed and his company be appointed for this half-million-dollar contract?

Ms Foster: Not to my knowledge.

Mr Thompson: And not to mine.

Senator WATT: Do you know, Mr Thompson?

Mr Thompson: No. Not to my knowledge.

Senator WATT: Could you please take on notice whether there was any contact between the Prime Minister's office and the department about the appointment of Mr Reed?

Mr Thompson: I'll take that on notice.

Answer:

No.

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ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Previous employment of staff engaged in the whole-of-government campaign

Senator: Watt

Question reference number: 0081

Type of question: Hansard, page 23, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator WATT: Has anyone who is part of this whole-of-government campaign unit worked as staff in the Prime Minister's office at any point previously?

Mr Thompson: Not that I'm aware of, but I can take that on notice.

Answer:

No.

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ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Correspondence with the Australian Stock Exchange regarding Mr Neville Power's attendance at company board meetings

Senator: Watt

Question reference number: 0085

Type of question: Hansard, page 26, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator WATT: ... You obviously remain a director of each of these companies, including Strike Energy and the Perth Airport corporation. Can you explain how not attending board meetings but remaining as a director of those companies ensures that you don't face any conflict?

Mr Power: Yes. I took on this role at the request of the Prime Minister to help my fellow Australians through the crisis. When I took the role on, it was not intended that I step back from any of my other interests. This was to be purely an advisory role; we are not decision-makers and therefore there was no requirement for me to curtail any of my business activities. I don't believe there are any areas where I have breached any public interest or conflict-of-interest rules, but there have been perceptions of it raised, so, as a result of that, I elected to stand down from those two boards—I still retain my role on the two not-for-profit boards—and to step back from my private business affairs on anything that could be perceived as a conflict.

Senator WATT: Have you formalised this arrangement about not attending board meetings in any way? For instance, have you provided correspondence to the companies or notified the Australian Stock Exchange?

Mr Power: The companies have been notified and, I think, have passed the appropriate resolutions that they would be required to do. I don't believe there's any requirement to notify the Stock Exchange, but, if there were, they would have done that.

Senator WATT: Could you just take on notice for us to provide any copies of correspondence either between you and the companies involved or between the companies and the Stock Exchange, if that has occurred?

Mr Power: Yes, I'm happy to take that on notice.


Answer:

Perth Airport is a private company but, in the interests of transparency, letter attached from Mr Neville Power to the Board of Perth Airport advising of a leave of absence.

Mr Power has not attended a board meeting of Strike Energy since joining the Commission on 25 March 2020. Below is an extract from a Strike Energy Board meeting on 21 May 2020, which Mr Power did not attend:

3	DISCLOSURE OF INTERESTS	<p>It was noted that Mr Power has previously advised the Company of his appointment as Chair of the National COVID-19 Coordination Commission (NCCC). The NCCC coordinates advice to the Australian Government on actions to anticipate and mitigate the economic and social effects of the global coronavirus pandemic.</p> <p>Mr Power further advises that, as the NCCC is charged with assisting the Federal Government to refine its energy policy, it is not appropriate for him to vote on any operational or strategic matters at Strike Energy which could give rise to perceptions of a conflict of interest, while he retains a role with the NCCC.</p> <p>Accordingly, it was RESOLVED that the Board notes Mr Power's intention to abstain from voting on any Board resolution, other than those relating to the internal management of the Company, for so long as he retains a role with the NCCC.</p>
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NEVILLE POWER



30 April 2020

Mr Lyndon Rowe
Perth Airport
2 George Wiencke Drive
Perth Airport WA

Dear Lyndon,


RE: LEAVE OF ABSENCE

As per our conversation, I am writing to formally advise you and the Board that I need to take a leave of absence in my role as Chairman of Perth Airport with immediate effect and until further notice.

With my recently announced role as Chairman of the National COVID-19 Coordination Commission (NCCC), I want to ensure there is no perceived conflict of interest.

I will keep you and the Board updated on when I am able to return to the role as Chairman of Perth Airport and I wish you and everyone at Perth Airport all the best in these challenging times.

Yours sincerely,



Neville Power

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Mr Neville Power's obligations under the Corporations Act

Senator: Watt

Question reference number: 0086

Type of question: Hansard, page 26, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator WATT: ... Do you believe that the actions you've taken relieve you of any obligations you have as a director of a company under the Corporations Act?

Mr Power: No.

Senator WATT: You don't think they relieve you of those obligations.

Mr Power: No, they don't. I would still be bound by any of the provisions of the Corporations Act and the ASX listing rules because I'm still a director of those companies. I have effectively stepped down and removed myself from any participation in any decisions or activities of those companies while I'm on the commission.

Senator WATT: I'm paraphrasing here: the Corporations Act obviously requires directors to take steps to ensure they're properly informed about the financial position of a company that they're a director of, so you'd remain informed of the financial positions of these companies even while you're not attending board meetings.

Mr Power: That's a very good question, Senator. I might need to take that on notice and consider that. Again, this is a temporary issue for me, and my intention was not to be away from those companies for any longer than I needed to be.

Answer:

Mr Neville Power is being adequately informed about the financial position of the companies without being required to attend Board meetings or participate in any decision making.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Mr Neville Power's receipt of Director's fees in relation to Strike Energy and Perth Airport

Senator: Watt

Question reference number: 0087

Type of question: Hansard, page 26, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator WATT: Are you still receiving director's fees for Strike Energy and Perth Airport?

Mr Power: I actually don't know the answer to that. I'll take that on notice.

Answer:

Yes.

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ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Companies planning to develop the Canning Basin gas fields that the commission has met with

Senator: Siewert

Question reference number: 0088

Type of question: Hansard, page 30, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator SIEWERT: In your comments and in answers to questions, you've said that you've met with over 1,000 people and organisations. Does that include any proponents or companies wanting to develop the Canning Basin gas fields?

Mr Power: Yes, I think it did.

Senator SIEWERT: Could you tell us who you met with?

Mr Power: I believe the company's called Black Mountain Metals.

Senator SIEWERT: Any others?

Mr Power: No; I think that's the only one.

Senator SIEWERT: Could you take on notice to double-check if you've met with any other companies who are planning to access the Canning Basin or would like to access the Canning Basin?

Mr Power: I'm not 100 per cent sure, but I may have met with Buru Energy. Buru are a current producer in the Canning. They produce oil.

Senator SIEWERT: I know who they are.

Mr Power: And Black Mountain. I think they're the only two companies that I spoke to. In the context of Black Mountain, that's been an ongoing relationship that I've had some for some time. I've not had any contact with them about the development of the Canning, I believe, since I've been on the commission, but I have had discussions with them prior, so I'm aware that they are now a major holder in the Canning.

Answer:

The Chair met with Buru Energy. The list of over 1,000 organisations the National COVID-19 Coordination Commission has engaged with, including through its working groups, is available on the Commission's website at <https://pmc.gov.au/nccc/engagement>. Neither the Chair nor the Commission can reasonably be expected to be fully aware of all the plans of these entities, whether publicised or not.

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ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Costing of other advisory bodies to government

Senator: Gallagher

Question reference number: 0090

Type of question: Hansard, page 32, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

CHAIR: Are you aware of any other advisory bodies to government that would cost \$5½ million to operate?

Ms Foster: I'm just trying to think of the costings we have for other agencies. I'll have to take that on notice.

Answer:

The creation of the National COVID-19 Co-ordination Commission (NCCC) was a response to a unique and unprecedented challenge facing Australia in the early months of 2020.

The NCCC, in its creation, structure and role, is therefore not comparable with other bodies, however described.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: List of consultations undertaken by the National COVID-19 Coordination Commission

Senator: Lambie

Question reference number: 0091

Type of question: Hansard, page 33, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 3

Question:

Senator LAMBIE: Can you please provide us with a list of all those and the advisory working groups that have been consulted, and, in brief notes, what they were actually spoken to about?

Mr Thompson: I'm very happy to provide on notice the link to the list on the website and also to pick up the consultation, as far as we can, of the three advisory groups to the commission—the three working groups. I don't know that we'll be able to provide much more detail than that. It's a very extensive list.

Senator LAMBIE: Why is that?

Mr Thompson: As Mr Power said—

Senator LAMBIE: You can't tell us those things? You're on public money here. You're on the public purse. People out there want to know, in brief detail, what you've actually been talking to them about.

Mr Thompson: So I'm just flagging—

Senator LAMBIE: So what's the reason? There's no national security issue here or anything else. Surely you can give us a brief description of what you were talking to them about.

Mr Thompson: I'm just flagging that there are a large number of organisations there. We'll seek to provide some further information as requested, but we may not provide the full detail that you're seeking.

Senator LAMBIE: So we'll get a full list of those people—a complete list of every group, everyone you've spoken to? There'll be no-one missed out? Is there anyone off that list? If there is, what's the specific reason they're not on the list on the website?

Mr Thompson: I'll take that on notice.

Answer:

The list of organisations the National COVID-19 Coordination Commission has engaged with, including through its working groups, is available on the Commission's website at <https://pmc.gov.au/nccc/engagement>. For reasons of privacy, the list excludes individuals. It also excludes a number of organisations, who have requested confidentiality.

The organisations were spoken to about:

- Impacts of COVID-19 restrictions on economic activity and Australian society
- The Commission's key objectives of minimising and mitigating the risks of the virus on the jobs and businesses, and facilitating the fastest recovery possible of lives and livelihoods as restrictions change and we work to stay on top of the virus
- The Commission's role of providing a channel for business, industry and the not-for-profit sector to raise issues and to connect to Government, and business-to-business
- Its advisory role to Government, and
- The work of the Commissioners and Commission to date:
 - Firstly in the initial crisis, dealing with the urgent issues such as personal protective equipment supply;
 - Then working with businesses to put in place COVID safe plans to get back a level of business operation and social activity (with coronavirus still in the background); and
 - Now moving to the third and most challenging phase of the longer term economic recovery.

Commissioners have discussed the following issues with stakeholders within specific sectors:

- Business (small, medium, large and international)
 - Encouraging business to innovate and adapt to remain sustainable and viable
 - Working with business to solve issues including assistance to create safe workplaces for staff and customers
 - Advice on procedures to return to work, including the Commission's business planning tool
 - Working across government on proposals to support small and medium enterprises to harness digital technology
 - Priorities for re-opening the economy
- Energy/Mining/Resources
 - Australia's competitive advantage in energy with access to coal, gas, solar, wind and hydrogen
 - The role of energy in kick-starting advanced manufacturing
 - Priority to deliver low-cost, reliable energy to accelerate investment in industries and job creation
 - Role of the sector in economic recovery.
- Hospitality, Tourism and Retail
 - Working through concerns about how to practically implement safe operating procedures
 - Encouraging plans for hotels and venues to adapt as restrictions change while still maintaining COVIDSafe practices
 - Working with the sector and government on restrictions timetabling - particularly cross-border restrictions - in order to inform planning of large events, opening attractions and travel influxes
 - Understanding issues around indoor spacing and venue limits and working with governments to address concerns
 - Working toward risk-based protocols
 - COVID-19 related unemployment in the sector
 - Regulatory issues
- Not-for-profit

- Identifying practical ways to meet the immediate needs of vulnerable Australians through the Commission's not-for-profit working group
- Options to address drops in donations and volunteering
- Tertiary education
 - The importance of the university sector to the Australian economy
 - Reviewing university business models to increase resilience
 - 2020 enrolment numbers, existing students unable to return to Australia and digital delivery
 - International student returns and visa considerations.

Working Groups have discussed the following issues with stakeholders:

- Industrial Relations Working Group
 - Safe work advice useful for firms looking to re-commence work
 - A planning toolkit for businesses.
- Manufacturing Taskforce
 - Reviving Australia's manufacturing sector to be modern, high tech, flexible and sustainable.
- Not-for-profit Working Group
 - Strategies to sustain donations, support vulnerable people and their restart plans
 - The increasing cost of care for residents and opportunities to manage cash flow deficiencies and exit entitlement payments.

Senate Select Committee on COVID-19

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Topic: Documentation related to the establishment of the National Cabinet

Senator: Patrick

Question reference number: 0093

Type of question: Hansard, page 35, 4 June 2020

Date set by the committee for the return of answer: 18 June 2020

Number of pages: 1

Question:

Senator PATRICK: ... This is in relation to the establishment of the national cabinet. It was talked about on 13 March as an outcome of a COAG meeting, yet it wasn't on the agenda papers. Can you describe at what point the idea of the national cabinet came up?

Ms Foster: I'm afraid I wasn't involved directly in that, so I'll have to take that on notice and consult the relative officers.

Senator PATRICK: It seems to me that there's very little documentation. I accept what Mr Gaetjens was saying—that now that it's becoming permanent you'll have to look at this in more detail—but I've just received an FOI back from PM&C saying there's no correspondence, for example, between the South Australian Premier and the Prime Minister's department about the establishment of the national cabinet. It appears there's no documentation. It would be strange that there's no documentation between the premiers and the Prime Minister and PM&C in relation to the establishment of a national cabinet.

Ms Foster: I think that the Prime Minister made public statements after the Prime Minister and first ministers had met in the form of a national cabinet, in which he described the genesis of the national cabinet. We can go back to that material and provide you with more information on notice.

Answer:

The Prime Minister, the Hon Scott Morrison MP, announced on 13 March 2020 at the Council of Australian Governments press conference that it was as a result of the health advice that he, the Premiers and Chief Ministers received that day from the Australian Health Protection Principal Committee that they decided to establish the National Cabinet to deal with the national response to COVID-19.