

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

Question No: 346
Hearing: Supplementary Budget Estimates
Outcome: Corporate
Programme: Corporate Strategies Division
Topic: PORTFOLIO WIDE - STATUTORY REVIEW PROVISIONS
Hansard Page: N/A
Question Date: 29 October 2014
Question Type: Written

Senator Ludwig asked:

Please list all current legislation, covered by the department's portfolio, which contain a statutory review provision/s. For each, please provide:

1. What work has been done towards preparing for the review? If none, why not?
 - a. Please provide a schedule or a workplan for the review
 - b. When did/will this work begin?
 - c. When is/was the review due to commence.
 - d. What is the expected report date.
 - e. Who is the minister responsible for the review
 - f. What department is responsible for the review
2. List the specific clauses or legislation under review caused by the statutory provision.
3. List the terms of reference.
4. What is the scope of the review.
5. Who is conducting the review. How were they selected? What are the legislated obligation for the selection of the person to conduct the review?
6. What is the budgeted, projected or expected costs of the review?
7. When was the Minister briefed on this matter?
8. What decision points are upcoming for the minister on this matter?
9. List the number of officers, and their classification level, involved in conducting the review
10. Will the report will be tabled in parliament or made public. If so, when?

Answer:

Department of the Environment

***National Environment Protection Act 1994* – Section 64.**

1. The review of the *National Environment Protection Council Act 1994* was last completed in December 2012. This was performed in line with the 5 yearly review clause. The next review of this Act is required in 2017 therefore given the timeframe, no planning or work has been initiated to undertake this review.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. The review clause in the *National Environment Protection Act 1994* calls for the review of the entire legislation.
- 3.-10. Not applicable.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) – Review of the operation of the EPBC Act, under section 522A of the EPBC Act.

1. The next statutory review of the operation of the EPBC Act is due in 2019. It is expected that planning for the review would be undertaken closer to that date.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. The EPBC Act.
3. Terms of reference have not yet been set.
4. The operation of the EPBC Act.
5. A person has not yet been selected to conduct the review.
6. Not applicable.
7. The Minister has not yet been briefed on the review.
8. There are no upcoming decision points for the Minister on this review.
9. This has not yet been settled for the review.
10. Section 522A(4) of the EPBC Act requires that the Minister must cause a copy of the report to be laid before each House of the Parliament within 15 sitting days of that House after the Minister receives it.

Environment Protection and Biodiversity Conservation Amendment Act 2013 – (amendments in relation to the protection of water resources from coal seam gas development and large coal mining development, the ‘water trigger’), under section 25 of the amending Act.

1. The Post Implementation Review of the water trigger is due to commence in June 2015. Preliminary planning work has been undertaken to scope the review. It is expected that more detailed work planning for the review, including timeframes for the review to report, will be undertaken in early 2015.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. Amendments to the EPBC Act in relation to the water trigger (section 24D, 24E and related provisions of the EPBC Act).
3. Terms of reference have not yet been set.
4. The operation of amendments to the EPBC Act in relation to the water trigger, including the regulatory burden and any benefits of the water trigger amendment.
5. A person has not yet been selected to conduct the review.
6. Not applicable.
7. The Minister has not yet been briefed on the review.
8. It is expected that the Minister would be briefed on the process for the Post Implementation Review of the water trigger in the first half of 2015. This has not yet been settled for the review.
9. This has not yet been settled for the review.
10. Section 25 of the *Environment Protection and Biodiversity Conservation Amendment Act 2013* requires that the Minister must cause a copy of the report to be laid before each House of the Parliament within 15 sitting days of that House after the Minister receives it.

Water Efficiency Labelling and Standards Act 2005 – Section 76 of the Act requires the Minister to cause an independent review of the operation of the Water Efficiency Labelling and Standards Scheme (WELS Scheme) to be undertaken at intervals of not longer than 5 years.

1. Preliminary work has been undertaken to identify the potential scope and approach for the review. This work includes the appointment of an independent reviewer and the preparation of the terms of reference.
 - a. No workplan has been finalised for the review.
 - b. The preliminary work on the review commenced mid 2014.
 - c. The review is expected to commence late 2014.
 - d. The review is expected to report during the second half of 2015.
 - e. Parliamentary Secretary to the Minister for the Environment.
 - f. Department of the Environment.
2. Section 76 of the Act requires a review of the operation of the WELS Scheme.
3. The objectives of the review are to:
 - review the appropriateness, efficiency and effectiveness of the scheme and the extent to which its administration has met the objects of the Act; and
 - identify opportunities to improve and streamline consumer water efficiency information, including reducing regulatory compliance costs for business and the community.

To achieve its objectives, the review will include examination of:

- the performance of the current scheme in meeting the objects of the Act;
 - the water and energy savings and other environmental benefits attributable to the scheme, including the impacts on water availability for agriculture, the environment and other non-urban uses;
 - how the scheme is used by consumers, industry and regulators and the interactions with other regulatory arrangements including WaterMark and the Equipment Energy Efficiency (E3) scheme;
 - the cumulative regulatory impacts and costs of the current scheme and other regulatory arrangements on industry and consumers;
 - the appropriateness of the current cost recovery arrangements and their impact on business and the community;
 - the appropriateness of the range of products currently covered by the scheme;
 - the appropriateness of current mechanisms for industry engagement on the administration of the scheme; and
 - alternative models for the provision of consumer water efficiency information and the administration of the scheme, including international examples and the risks and benefits of alternative models.
4. The review will examine the effectiveness and appropriateness of the scheme in delivering the objectives of the Act, as well as opportunities to streamline requirements and reduce red-tape.
 5. Section 76(1) requires an independent review of the operation of the WELS Scheme. Section 76(4) defines independent review to mean a review undertaken by persons who: (a) in the Commonwealth Minister's opinion possess appropriate qualifications to undertake the review; and (b) include one or more persons who are not APS employees. Tom Mollenkopf has been appointed as the independent reviewer.

6. The Independent reviewer's fee is expected to be \$70,000. The Department has commissioned analytical work to support the review process and project support services for the independent review at a cost of up to \$290,000. The WELS Advisory Group will be re-convened to advise the independent reviewer with an expected cost of up to \$10,000.
7. November 2014.
8. Not applicable.
9. None as the review must be conducted by an independent reviewer.
10. Subsection 76(3) of the Act requires the Minister to cause a copy of the review report to be tabled in each House of the Parliament within 15 sitting days of the day on which the report is given to the Minister.

Product Stewardship (Oil) Act 2000 – Section 36 of the Act requires the Minister to cause an independent review of the operation of the Act, relevant provisions of customs and excise legislation and the extent to which the objects of the Act have been achieved at intervals of not longer than 4 years.

1. The last review of the Act was completed in 2013. No work has commenced on the next review.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. The Act and relevant provisions of customs and excise legislation and the extent to which the objects of the Act have been achieved at intervals of not longer than 4 years.
3. Not applicable.
4. The Act and relevant provisions of customs and excise legislation.
5. Subsection 36(4) defines independent review as a review undertaken by 2 or more persons who (a) in the Minister's opinion possess appropriate qualifications to undertake the review; and (b) include one or more persons who are not APS employees.
- 6.-9. Not applicable.
10. Section 36(3) of the Act requires the Minister to cause a copy of the review report to be tabled in each House of the Parliament within 15 sitting days of that House after its receipt by the Minister.

Product Stewardship Act 2011 – Section 109 of the Act requires the Minister to cause a review of the operation of the Act to be undertaken as soon as possible after the fifth anniversary of the commencement of section 109.

1. The statutory review of the Act is due in 2016. It is expected that planning for the review would be undertaken closer to that date.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. The Act, regulations, and other legislative instruments, made under the Act.
3. Not applicable.
4. The Act, regulations, and legislative instruments.
- 5.-9. Not applicable.

10. Section 109(3) of the Act requires the Minister to cause a copy of the review report to be tabled in each House of the Parliament within 15 sittings days of the day on which the report is given to the Minister.

Fuel Quality Standards Act 2000 – Section 72(1) of the Act provides that the Minister must cause an independent review of the operation of the Act to be undertaken as soon as possible at intervals of not longer than 5 years.

1. Preliminary work has been undertaken to identify the potential scope and approach for the review. No work has commenced yet on the review itself.
 - a. No workplan has been finalised for the review.
 - b. The preliminary scoping work commenced in the second half of 2014.
 - c. The timing of the review has not been finalised.
 - d. The timing of the review has not been finalised.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. Section 72(1) of the Act requires a review of the operation of the Act.
3. The terms of reference for the review have not been finalised.
4. The scope of the review has not been finalised. However, section 72(1) of the Act requires a review of the operation of the Act.
5. Section 72(1) of the Act requires an independent review of the operation of the Act to be undertaken at intervals of not longer than 5 years. Section 72(4) defines “independent review” as a review undertaken by persons who (a) in the Minister’s opinion possess appropriate qualifications to undertake the review; and (b) include one or more persons who are not APS employees.
6. The costs of the review are still to be determined, subject to the completion of the preliminary work regarding the potential scope and approach for the review, and the selection and appointment of an independent reviewer.
7. November 2014.
8. To consider the commencement of the review.
9. The Act requires the review to be undertaken by an independent reviewer.
10. Section 72(3) of the Act requires the Minister to cause a copy of the review report to be tabled in each House of the Parliament within 15 sittings days of the day on which the report is given to the Minister.

National Environment Protection (Movement of Controlled Waste between States and Territories) Measure (the MCW NEPM) – Section 10 of the MCW NEPM requires the Measure to be reviewed within 10 years after the day the Council endorsed the previous review.

1. The next statutory review of the MCW NEPM is due in 2020, with the last review completed in 2010. It is expected that planning for the review would be undertaken closer to that date.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. Section 10 of the MCW NEPM requires the Measure to be reviewed within 10 years after the day the Council endorsed the previous review.
3. Not applicable.

4. Subsection 10(b) of the MCW NEPM requires a review to consider:
 - a. the effectiveness of the Measure in achieving the national environment protection goal set out in Part 2;
 - b. the resources available for implementing the Measure; and
 - c. whether any changes are required to the Schedules or to improve the effectiveness of the Measure in achieving the national environment protection goal set out in Part.
- 5.-10. Not applicable.

National Environment Protection (National Pollutant Inventory) Measure 1999 (the NPI NEPM) – Section 33 of the NPI NEPM provides that the measure will be subject to a comprehensive review, as determined by the Council and at least every five years.

1. The last review of the NPI NEPM was completed in April 2005 and varied in November 2008. The NPI NEPM is a multi-jurisdictional approach to provide publically available information on the types, and amounts of certain substances, being emitted to the air, land, and water. Participating jurisdictions have not yet all moved to commence work on the review.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. Section 33 of the NPI NEPM provides that the measure will be subject to a comprehensive review, as determined by the Council and at least every five years.
3. Not applicable.
4. Subsection 33(1) of the NPI NEPM provides that the review will consider:
 - a. the likely effectiveness of the Measure in achieving the national environment protection goals set within it;
 - b. the resources available for implementing the Measure; and
 - c. the need, if any, for amendment of the Measure, including:
 - i. whether any substances should be added to or deleted from the reporting list;
 - ii. whether any changes should be made to the thresholds or definitions which determine whether a facility is a reporting facility; and
 - iii. whether any changes should be made to improve the effectiveness of the Measure in achieving the national environment protection goals set out within it.
- 5.-10. Not applicable.

National Environment Protection (Used Packaging Materials) Measure 2011 (the UPM NEPM) – Section 22 of the UPM NEPM provides that the measure will be subject to a review every five years as part of any comprehensive review of the Australian Packaging Covenant (APC).

1. The UPM NEPM was made in September 2011.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. Section 22 of the UPM NEPM provides that the measure will be subject to a review every five years as part of any comprehensive review of the APC.

3. Not applicable.
4. The review is part of any comprehensive review of the APC.
- 5.-10. Not applicable.

National Environment Protection (Air Toxics) Measure (the AT NEPM) – Section 14(1) of the AT NEPM provides that the Measure will be subject to a full review to commence within eight years of commencement. Section 14(2) provides that if the review required under section 14(1) has not been initiated after the fifth year of the Measure, the Measure will undergo a preliminary review in the fifth year after being made to enable an assessment of progress toward meeting the specified Goal of the Measure to be made.

1. A preliminary review of the AT NEPM, as required under section 14(2), was completed in June 2010. No work has commenced on the next review.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.
2. Section 14 (1) of the AT NEPM provides that the Measure will be subject to a full review to commence within eight years of commencement. Section 14(2) provides that if the review required under section 14(1) has not been initiated after the fifth year of the Measure, the Measure will undergo a preliminary review in the fifth year after being made to enable an assessment of progress toward meeting the specified Goal of the Measure to be made.
3. Not applicable.
4. The review under section 14(1) is required to consider:
 - a. The effectiveness of the Measure in achieving the desired environmental outcome set out within it;
 - b. The resources available for implementing the measure; and
 - c. The need, if any, for amending the Measure (in accordance with the Act), including:
 - i. whether any changes should be made to the Schedules; and
 - ii. whether any changes should be made to improve the effectiveness of the Measure in order to achieve the national environment protection goal set within it.

The review required under section 14(2) is required to assess the progress toward meeting the specified Goal of the Measure to be made.

- 5.-10. Not applicable.

National Environment Protection (Assessment of Site Contamination) Measure 1999 (the ASC NEPM) – Section 10 of the ASC NEPM provides that the Measure will be subject to a review every 10 years after the Measure was last amended, or within any lesser period determined by the Council.

1. A review of the ASC NEPM was completed in September 2006, with the amendments to implement the recommendations of the review commencing in May 2013. No work has commenced on the next review.
 - a.-d. Not applicable.
 - e. Minister for the Environment.
 - f. Department of the Environment.

2. Section 10 of the ASC NEPM provides that the Measure will be subject to a review every 10 years after the Measure was last amended, or within any lesser period determined by the Council.
3. Not applicable.
4. The review is required to consider:
 - a. the effectiveness of the Measure in achieving the desired environmental outcome set out within it;
 - b. the resources available for implementing the Measure; and
 - c. the need, if any, for amending the Measure (in accordance with the Act), including:
 - i. whether any changes should be made to the Schedules; and
 - ii. whether any changes should be made to improve the effectiveness of the Measure in achieving the desired environmental outcome set within it.
- 5.-10. Not applicable.

Water Act 2007 (Water Act) – section 253

1. A review was recently conducted on the Act.
 - a. Review schedule.

Task	Date
Review announced	May 2014
Public submission period	May – July 2014
Bilateral consultations	June 2014
Sectoral roundtables and State meetings	August 2014
Panel provides review report to Parliamentary Secretary to the Minister for the Environment	End of November
Report tabled in both Houses of Parliament	Within 15 sitting day of receipt of report by Minister

- b. The review was announced by the Parliamentary Secretary to the Minister for the Environment on 12 May 2014.
 - c. The Water Act requires the Minister to cause a review to be conducted '[b]efore the end of 2014'.
 - d. The Parliamentary Secretary has asked the Independent Expert Panel reviewing the Water Act to report by the end of November 2014.
 - e. The Parliamentary Secretary to the Minister for the Environment, Senator the Hon Simon Birmingham.
 - f. The Department of the Environment.
2. Section 253 of the *Water Act 2007* requires a review of the whole Act.
3. Terms of reference available at: <http://www.environment.gov.au/water/legislation/water-act-review>
4. Scope of the review available at: <http://www.environment.gov.au/water/legislation/water-act-review>

5. The review is being conducted by an Independent Expert Panel, comprised of Mr Eamonn Moran PSM QC (Chair), Mr Peter Anderson, Mr Gavin McMahon and Dr Steve Morton.

The Parliamentary Secretary selected and appointed each panel member.

There is no legislative requirement on who should conduct the review.

6. Projected cost is \$165,000 (GST inclusive).
7. The Parliamentary Secretary was briefed on the progress of the review on a regular basis.
8. Not applicable.
9. An independent 4 member panel is conducting the Review, supported by a small secretariat within an existing team in the Department of the Environment.
10. The Act requires that the review report will be tabled in each House of Parliament within 15 sitting days of its receipt by the Parliamentary Secretary.

Water Act 2007 – section 50 requires a review of the Basin Plan 2012 (Basin Plan).

Subdivision G of the Act requires the Murray-Darling Basin Authority (Authority) to review the Basin Plan every ten years and provide a report to the Minister.

1. As the Basin Plan commenced on 24 November 2012, a review is not required until 2022.
 - a.-c. Not applicable.
 - d. The review must commence during the tenth year of the period that starts when the Basin Plan first took effect, unless the Minister or all Basin States have requested an earlier review in accordance with section 50(2) of the Act.
 - e. Not applicable.
 - f. The Authority is responsible for conducting the review.
2. Section 50 of the Act requires a review of the Basin Plan.
- 3.-9. Not applicable.
10. Section 50(5) of the Act requires that the Authority must prepare a report of the results of the review and give a copy to the Minister, each relevant State Minister for each Basin State and make a copy of the report available on the Authority's website.

Water Act 2007 – section 86AJ

Section 86AJ requires the Minister to cause two independent reviews to be conducted into whether the amount standing to the credit of, and to be credited to, the Water for the Environment Special Account is sufficient to increase, by 30 June 2024, the volume of the Basin water resources that is available for environmental use by 450 gigalitres, and to ease or remove constraints on the capacity to deliver environmental water to the environmental assets of the Murray-Darling Basin.

1. Work has not commenced as these reviews are not required until 30 September 2019 and 30 September 2021.
 - a.-c. Not applicable.
 - d. Sections 86AJ(5) and 86AJ(6) require the report of these reviews to be provided to the Minister by 30 September 2019 and 30 September 2021 respectively.
 - e. The Parliamentary Secretary to the Minister for the Environment, Senator the Hon Simon Birmingham.
 - f. The Department of the Environment.

2. Section 86AJ does not specify clauses or legislation that is to be reviewed, rather it is a review of the sufficiency of the amount credited, and to be credited to, the Water for the Environment Special Account, the progress made, and anticipated to be made, towards increasing the volume of water available for environmental use, whether the design of projects for which payments have been made under section 86AD, are likely to be effective in increasing the volume of water available for environmental use by 450 gigalitres, and any other matter specified in writing by the Minister that is relevant to achieving the objects of the Act.
3. No terms of reference have yet been set, however the terms of reference will need to be consistent with section 86AJ of the Act.
4. As per section 86AJ.
5. Section 86AJ(2) requires that the review must be conducted by a panel of at least 3 persons nominated by the Minister, after consulting each Basin State.
- 6.-9. Not applicable.
10. Section 86AJ(7) of the Act requires that the Minister must cause a copy of a report of a review to be tabled in each House of the Parliament within 15 sitting days of that House after the report is given to the Minister.

Murray-Darling Basin Authority

Basin Plan 2012 (Basin Plan) – section 13.09 - Review of the environmental watering plan.

1. The first 5 yearly review is not required until November 2017.
 - a.-b. Not applicable.
 - c. The first review must be conducted five years after the commencement of the Basin Plan. As the Basin Plan commenced on 24 November 2012, the review is not required to commence until November 2017.
 - d. There is no reporting date specified in the Basin Plan. As noted above, the review must be conducted five years after the commencement of the Basin Plan.
 - e. The Parliamentary Secretary to the Minister for the Environment, Senator the Hon Simon Birmingham.
 - f. The Murray-Darling Basin Authority (the Authority).
2. Section 22 (1) Item 13 of the Act (content of the Basin Plan) requires that the Basin Plan include a 5 yearly review of the environmental watering plan. Section 13.09 of the Basin Plan thus requires the Authority to conduct 5 yearly reviews of the environmental watering plan (Chapter 8 of the Basin Plan).
3. The terms of reference have not yet been set, however the review must be consistent with section 13.09 of the Basin Plan. The review must include a review of the targets set out in Schedule 7 of the Basin Plan - targets to measure progress towards environmental objectives for water-dependent ecosystems.
4. The purpose of the review is to assess the effectiveness of the environmental watering plan in contributing to the achievement of the objectives set out in Chapters 8 (the environmental watering plan) and 9 (the water quality and salinity management plan) of the Basin Plan (Basin Plan section 13.07). The review must include a review of the targets set out in Schedule 7 of the Basin Plan targets to measure progress towards environmental objectives for water-dependent ecosystems (Basin Plan section 13.09).
5. The review has not commenced, however section 13.09 of the Basin Plan requires that the review be conducted by the Authority and must also be undertaken in consultation with the Basin States, the Commonwealth Environmental Water Holder and other relevant Commonwealth agencies.

- 6.-9. Not applicable.
- 10. The Authority is required to take all reasonable steps to publish evaluation findings and recommendations arising from the review on its website (section 13.19(1)).

Basin Plan 2012 – section 13.08 - Reviews of the water quality and salinity management plan targets.

- 1. The first 5 yearly review is not required until November 2017.
 - a.-b. Not applicable.
 - c. The first review must be conducted five years after the commencement of the Basin Plan. As the Basin Plan commenced on 24 November 2012, the review is not required to commence until November 2017.
 - d. There is no reporting date specified in the Basin Plan. As noted above the review must be conducted five years after the commencement of the Basin Plan.
 - e. The Parliamentary Secretary to the Minister for the Environment, Senator the Hon Simon Birmingham.
 - f. The Murray-Darling Basin Authority (the Authority).
- 2. Section 22 (1) Item 13 of the Act (content of the Basin Plan) requires that the Basin Plan include a 5 yearly review of the water quality and salinity targets in the water quality and salinity management plan (Chapter 9 of the Basin Plan). Section 13.08 thus requires the Authority to conduct 5 yearly reviews of the water quality targets set out in the water quality and salinity management plan. The water quality targets are set out in Part 4 of Chapter 9.
- 3. The terms of reference have not yet been set, however the review must be consistent with section 13.08 of the Basin Plan. The first review must include a consideration of:
 - (a) the appropriateness of the existing target values for levels of salinity in paragraph 9.14(5)(c); and
 - (b) whether it is necessary to increase the number of target sites in order to improve the management of salinity, having regard to Schedule B of the Murray-Darling Basin Agreement (the Agreement).
- 4. The purpose of the review is to assess the effectiveness of the water quality and salinity targets in the water quality and salinity management plan in contributing to the achievement of the objectives set out in Chapters 8 (the environmental watering plan) and 9 (the water quality and salinity management plan) of the Basin Plan (see Basin Plan section 13.07). The first review of salinity targets must include a consideration the appropriateness of the existing target values, and whether to increase the number of target sites in order to improve the management of salinity, whilst having regard to Schedule B to the Agreement.
- 5. The review has not commenced, however section 13.08 of the Basin Plan requires that the review be conducted by the Authority and must also be undertaken in consultation with the Basin States, the Commonwealth Environmental Water Holder and other relevant Commonwealth agencies.
- 6.-9. Not applicable.
- 10. The Authority is required to take all reasonable steps to publish evaluation findings and recommendations arising from the review on its website (section 13.19(1)).

Basin Plan 2012 (Basin Plan) – section 6.06 (1) – (5) Reviews of the Basin Plan Basin.

- 1. A review can be undertaken at the request of the Murray-Darling Basin Ministerial Council (section 6.06 (2)). No request has been made. However, section 6.06 (1) provides that the Murray-Darling Basin Authority (the Authority) may, in consultation with Basin States and other interested persons, conduct

research and investigations in order to inform any reviews of the Basin Plan or other aspects of the Plan.

- a. In accordance with section 6.06(1), the Authority is conducting a work program of research and investigations into aspects of the Basin Plan in the Northern Basin for the purpose of informing any reviews of the Basin Plan, or aspects of the Basin Plan. **Note:** the Northern Basin work program is not a statutory review but may inform a statutory review under section 6.06 (2).
Northern Basin work program:
 - i. Review of the scientific basis of environmental water requirements in the Condamine-Balonne and the Barwon-Darling river systems – mid-2013 to mid-2014.
 - ii. Environmental science projects scoped and contracted by late 2014.
 - iii. Northern Standard Scenario Phase One (yardstick scenario) has been developed.
 - iv. Modelling of water recovery scenarios for the Condamine-Balonne has commenced.
 - v. Social and economic projects have been scoped and contracted.
 - b. Work on the Northern Basin work program commenced in May 2013.
 - c. The start date for the Northern Basin work program was not specified in the Basin Plan, but commenced soon after the Basin Plan came in to effect. The broad timeframes for the work program are:
 - i. Research and investigations – by late 2015.
 - ii. Integration of results – mid-2015 to early 2016.
 - iii. Consideration of results and decision making – late 2015 to mid-2016.
 - iv. Statutory review and amendment – mid-2016 to mid-2017.
If the Authority considers that the results of the research and investigations warrant an amendment of the Basin Plan then the process for Basin Plan amendment will be triggered.
 - d. A report on the outcomes of the Northern Basin research and investigations will be released in mid-2016.
 - e. The Parliamentary Secretary to the Minister for the Environment, Senator the Hon Simon Birmingham.
 - f. The Authority.
2. Section 6.06 provides for reviews of the Basin Plan.
 3. There are no mandatory terms of reference.
 4. There is no statutory review currently underway. However, the Northern Basin work program comprises environmental science projects, modelling of water recovery and apportionment scenarios and assessment of social and economic impacts as the basis for recommendations to the Authority on the setting of Northern Basin SDLs, including the northern zone shared reduction, and the Condamine Balonne local reduction.
 5. In accordance with section 6.06(1), the Authority is conducting the Northern Basin work program.
 6. The budgeted cost of the Northern Basin work program is \$4.5 million.
 7. The Parliamentary Secretary has been briefed regularly on review progress.
 8. None. However, if, as a result of the Northern Basin work program, the Authority proposes an amendment to the Basin Plan, the Minister will have to decide on whether to adopt the amendment.

9. A small team of staff have been involved in supporting the work program, which is overseen by an EL2.
10. The Authority is required to publish any reports from the Northern Basin work program on its website (see section 6.06(4)). Any subsequent amendment of the Basin Plan must be tabled in Parliament.

Basin Plan 2012 (Basin Plan) – section 6.06(6) – reviews for three Groundwater SDL (sustainable diversion limit) resource units.

1. Reviews for three groundwater resource units have been completed.
 - a. Not applicable.
 - b. Work commenced February 2013.
 - c. The Basin Plan requires all reviews to be completed within two years of the commencement of the Basin Plan.
 - d. Early 2015.
 - e. The Parliamentary Secretary to the Minister for the Environment, Senator the Hon Simon Birmingham.
 - f. The Murray-Darling Basin Authority (the Authority).
2. Section 6.06(6) requires a review of matters relating to the Western Porous Rock, Eastern Porous Rock and Goulburn-Murray sedimentary plain groundwater SDL resource units in Schedule 4 of the Basin Plan.
3. There are no mandatory terms of reference, however section 6.06(8) requires the review to consider all relevant information about the SDL resource units to which the review relates, including modelling, State planning and policy arrangements and an evaluation of the appropriateness of any precautionary factors associated with setting the SDLs for the units.
4. Section 6.06(6) requires review of the baseline diversion limits and sustainable diversion limits for the Western Porous Rock, Eastern Porous Rock and Goulburn-Murray sedimentary plain SDL resource units.
5. The Authority has conducted the review with the assistance of the following three expert panels:

Western Porous Rock SDL resource unit

- Malcolm Forbes (Independent Chair)
- Professor Craig Simmons (IESC member; National Centre for Groundwater Research & Training)
- Ms Jane Coram (IESC member; Geosciences Australia)
- Dr Glen Walker (CSIRO, nominated by MDBA)
- Dr Peter Cook (CSIRO, nominated by NSW Government)
- Michael Williams (NSW Office of Water)
- Peter Hyde (MDBA)

Eastern Porous Rock water resource plan area

- Malcolm Forbes (Independent Chair)
- Professor Craig Simmons (IESC member; National Centre for Groundwater Research & Training)
- Ms Jane Coram (IESC member; Geosciences Australia)
- Dr Glen Walker (CSIRO, nominated by MDBA)

- Michael Williams (NSW Office of Water)
- Sue Hamilton (NSW Office of Water) by correspondence
- Peter Hyde (MDBA)

Goulburn-Murray: Sedimentary Plain SDL resource unit

- Mr Malcolm Forbes (Independent Chair as agreed between MDBA and Victorian DEPI)
 - Professor Craig Simmons (IESC member; National Centre for Groundwater Research & Training)
 - Ms Jane Coram (IESC member; Geosciences Australia)
 - Mr Stuart Richardson (Consultant; MDBA nominee)
 - Mr Ray Evans (Consultant; MDBA nominee)
 - Professor Peter Cook (CSIRO; Victorian Nominee)
 - Mr Damien Finlayson (Consultant; Victorian Nominee)
6. \$200,000.
 7. The Parliamentary Secretary has been briefed regularly on review progress.
 8. If, as a result of the review, the Authority proposes an amendment to the Basin Plan, the Minister will have to decide on whether to adopt the amendment.
 9. A small team of staff have been involved in supporting the work program, which is overseen by an EL2.
 10. A report will not be tabled in parliament. Findings will be made public in 2015.

Climate Change Authority

Carbon Credits (Carbon Farming Initiative) Act 2011

1. A review has commenced, as required by section 306(5) of the Act.
 - a. The workplan for the review is as follows:
 - September: Prepare issues paper for public release, consultation with key stakeholders.
 - October – release issues paper, prepare report, targeted consultation.
 - November – prepare report, external fact checking.
 - December – finalise, approve, publish and submit.
 - b. The work began in September 2014.
 - c. There is no commencement date set in the Act for the review to commence.
 - d. 31 December 2014.
 - e. Minister for the Environment.
 - f. The Climate Change Authority.
2. Section 306.
3. The terms of reference are set by the legislation.
4. The scope of the review is set by the legislation.
5. As required by section 306 the Climate Change Authority is conducting the review.
6. The Climate Change Authority is using (and will use) ongoing and non-ongoing staffing resources to conduct reviews. The Climate Change Authority is provided with a ‘whole of organisation’ budget with staff working across a range of tasks concurrently and

does not track expenses for its reviews separately so this information is not readily available. It would be a substantial and unreasonable diversion of resources for the Authority to attempt to answer this question accurately.

- 7.-8. Not applicable.
9. The Climate Change Authority staff work across a range of tasks concurrently and does not track staffing allocation for its reviews separately so this information is not readily available. It would be a substantial and unreasonable diversion of resources for the Authority to attempt to answer this question accurately.
10. The Minister is required to table a report within 15 sitting days of receiving it.

Renewable Energy (Electricity) Act 2000

1. A review has commenced, as required by section 162 of the Act.
 - a. The workplan for the review is as follows:
 - September: Prepare issues paper for public release, consultation with key stakeholders.
 - October – release issues paper, prepare report, targeted consultation.
 - November – prepare report, external fact checking.
 - December – finalise, approve, publish and submit.
 - b. The work began in September 2014.
 - c. There is no commencement date set in the Act for the review to commence.
 - d. 31 December 2014.
 - e. Minister for the Environment.
 - f. The Climate Change Authority.
2. Section 162.
3. The terms of reference are set by the legislation.
4. The scope of the review is set by the legislation.
5. As required by section 162 the Climate Change Authority is conducting the review.
6. The Climate Change Authority is using (and will use) ongoing and non-ongoing staffing resources to conduct reviews. The Climate Change Authority is provided with a ‘whole of organisation’ budget with staff working across a range of tasks concurrently and does not track expenses for its reviews separately so this information is not readily available. It would be a substantial and unreasonable diversion of resources for the Authority to attempt to answer this question accurately.
- 7.-8. Not applicable.
9. The Climate Change Authority staff work across a range of tasks concurrently and does not track staffing allocation for its reviews separately so this information is not readily available. It would be a substantial and unreasonable diversion of resources for the Authority to attempt to answer this question accurately.
10. The Minister is required to table a report within 15 sitting days of receiving it.

National Greenhouse and Energy Reporting Act 2007

1. The first review of the Act must be completed during the period 30 June 2016 to 31 December 2018 in accordance with section 76A(5) of the Act.
 - a.-b. Not applicable.
 - c. There is no commencement date set in the Act for the review to commence.

- d. Not applicable.
 - e. Minister for the Environment.
 - d. The Climate Change Authority.
2. Sections 76A and 76B.
 3. The terms of reference are set by the legislation.
 4. The scope of the review is set by the legislation.
 5. As required by section 76A the Climate Change Authority will conduct the review.
 6. The Climate Change Authority is using (and will use) ongoing and non-ongoing staffing resources to conduct reviews. The Climate Change Authority is provided with a 'whole of organisation' budget with staff working across a range of tasks concurrently and does not track expenses for its reviews separately so this information is not readily available. It would be a substantial and unreasonable diversion of resources for the Authority to attempt to answer this question accurately.
 - 7.-8. Not applicable.
 9. The Climate Change Authority staff work across a range of tasks concurrently and does not track staffing allocation for its reviews separately so this information is not readily available. It would be a substantial and unreasonable diversion of resources for the Authority to attempt to answer this question accurately.
 10. The Minister is required to table a report within 15 sitting days of receiving it.