

From: [Emma Campbell](#)
To: [Kristy Domitrovic](#)
Cc: [Jody Swirepik](#); [Monica Collins](#); [Geoff Richardson](#)
Subject: FW: Senate Environment and Communications References Committee - public hearing - Friday 23 August, Canberra [SEC=OFFICIAL]
Date: Monday, 12 August 2019 4:52:27 PM

For info in case you not across.

Emma

From: Palethorpe, Stephen (SEN) [s47F \[REDACTED\]@aph.gov.au](#)
Sent: Monday, 12 August 2019 2:11 PM
To: Parliamentary <Parliamentary.clearanceofficer@environment.gov.au>
Cc: Committee, EC (SEN) <ec.sen@aph.gov.au>; [s47F \[REDACTED\]@aph.gov.au](#)
Subject: Senate Environment and Communications References Committee - public hearing - Friday 23 August, Canberra

Dear Parliamentary

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As part of its inquiry into the faunal extinction crisis, the Senate Environment and Communications References Committee will hold a public hearing on Friday 23 August in Canberra into the Natural Temperate Grassland of the South Eastern Highlands ecological community.

The committee has agreed to invite representatives of the Environment and Energy Department to appear at the hearing.

The program is currently being organised, however it is likely that representatives of the department will be invited to appear at around 1.30 pm for approximately 1½ hours.

Could you please advise the following officers, and other suitable officers, of the hearing:

- Mr Stephen Oxley
- Mr Geoff Richardson and
- Ms Monica Collins

If you could please advise of the availability these representatives and also if there are other officers that are likely to participate.

The secretariat will send through a formal invitation in due course.

Don't hesitate to contact the secretariat if you would like any further information on this matter.

Kind regards

Stephen Palethorpe
Secretary
Senate Environment and Communications Committee

t: 02 6277 s47F | m: s47F | w: www.aph.gov.au
S1.57 Parliament House CANBERRA ACT 2600



From: [DLO Ley](#)
To: s22
Cc: [DLO Ley](#)
Subject: FYI - Senate Inquiry: Australia's faunal extinction crisis [SEC=OFFICIAL]
Date: Friday, 16 August 2019 12:53:27 PM

Hi s22

There is Senate Inquiry: *Australia's faunal extinction crisis*

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Faunalexinction

For your info there is a public hearing scheduled for Friday 23 August 2019.

Many Thanks

s22

s22

**Departmental Liaison Officer | Office of the Hon Sussan Ley MP
Minister for the Environment**

Office: 6277 s22

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E-mail: s22@environment.gov.au or DLOLey@environment.gov.au

From: [Emma Campbell](#)
To: [Kristy Domitrovic](#)
Cc: [Margaret Tregurtha](#); [Dean Knudson](#) s22
Subject: FW: Inquiry into Australia's faunal extinction crisis - Additional written questions on notice - 23 August 2019 [SEC=OFFICIAL]
Date: Wednesday, 28 August 2019 5:30:53 PM
Attachments: [Senate Environment and Communications Committee Faunal Extinction hearing 23 August 2019 Additional Questions-DoEE.pdf](#)

Kristy

For information pls see attached additional questions received from the Committee.

We are preparing responses.

Emma

From: Parliamentary
Sent: Wednesday, 28 August 2019 5:06 PM
To: s22 @environment.gov.au
Cc: Monica Collins <Monica.Collins@environment.gov.au>; Emma Campbell <Emma.Campbell@environment.gov.au>; Stephen Oxley <Stephen.Oxley@environment.gov.au>; Geoff Richardson <Geoff.Richardson@environment.gov.au>; Margaret Tregurtha <Margaret.Tregurtha@environment.gov.au>; Dean Knudson <Dean.Knudson@environment.gov.au>; Parliamentary <Parliamentary.clearanceofficer@environment.gov.au>; s22 s22 @environment.gov.au
Subject: FW: Inquiry into Australia's faunal extinction crisis - Additional written questions on notice - 23 August 2019 [SEC=OFFICIAL]

Hi s22

Please see below and attached additional written questions on notice received from the Committee.

Kind regards

s22

A/g Parliamentary Team Leader

Parliamentary Services

Corporate Strategies Division

Department of the Environment and Energy

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From: Committee, EC (SEN) [<mailto:ec.sen@aph.gov.au>]
Sent: Wednesday, 28 August 2019 2:49 PM
To: Parliamentary <Parliamentary.clearanceofficer@environment.gov.au>
Cc: Committee, EC (SEN) <ec.sen@aph.gov.au>
Subject: Inquiry into Australia's faunal extinction crisis - Additional written questions on notice -

23 August 2019

Good afternoon,

**Inquiry into Australia's faunal extinction crisis
Public hearing – Canberra, 23 August 2019**

Following on from the department's appearance at the above public hearing with the Senate Environment and Communications References Committee, please see **attached** additional written questions on notice. I note that these are in addition to the written questions we provided to the department on Tuesday, 27 August 2019.

Please note that responses are required by COB Friday, **6 September 2019**.

If you have any questions, please contact the Secretariat on (02) 6277 s47F

Regards,

s47F | Administration Officer, Environment and Communications Committee

Department of the Senate, Parliament House, Canberra ACT 2600
Phone 02 6277s47F
www.aph.gov.au/senate

Senate Environment and Communications References Committee: Inquiry into Australia's Faunal Extinction Crisis, hearing 23 August 2019, Canberra

Additional Questions on Notice for the Department of the Environment and Energy

1. With reference to evidence given to the committee on 23 August 2019 by Mr John Williams:

- In addition to the meeting Mr Knudson attended with Minister Frydenberg and members of the National Party in October 2017, can the department confirm officers did not attend an additional meeting at Parliament House in 2018 with Minister Frydenberg and then Senator John Williams and other members of the National Party.
- Is the Craik review the sole outcome of representations made by National Party parliamentarians at the meeting with Mr Frydenberg and the department.
- Was the Craik review a stalling tactic.
- Which ministers and other parliamentarians did Ms Craik meet with (a) in the course of her review and (b) following her review.
- Did the department do a poor job communicating with farmers about the revised grassland listing in 2016.

2. With reference to evidence given to the committee on 23 August 2019 by Dr Wendy Craik:

- Is the EPBC Act (a) time-consuming, expensive and complex for farmers and (b) a barrier to agricultural development.
- Do farmers have to deal with multiple case officers at the department when discussing the application of the EPBC Act.
- Does the department lack agricultural expertise.
- Does the EPBC listing process lack transparency.
- Does the Government plan to amend the EPBC Act to introduce concurrent advice to the Minister for the Environment on social and economic impacts when receiving scientific advice from the Threatened Species Scientific Committee.
- Who decided the Craik review should be commissioned. What was the date of the decision. Was the department consulted on the decision to commission the review – if so, when and how. Was the department consulted on the terms of reference for the review – if so, when and how. Was the department consulted on the selection of the person to lead the review – if so, when and how.
- On what date was Dr Craik first asked if she was interested in undertaking the review. Who asked her if she was interested.
- On what date did the Craik review commence. On what date did the Craik review conclude. On what date did (a) the minister's office and (b) the department receive (i) the report and (ii) the addendum to the report. On what date was the report and addendum released to the public.
- Why was there an extended delay between receipt of the Craik review and its release.
- On what dates has the department provided recommendations to the Minister on the Government's response to the Craik review. Why has the Government not responded to the review. When will the Government respond to the review.
- How was the cost of the Craik review determined. Can each step in the procurement process be outlined, by date. What was the total cost of the review.

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Additional Questions on Notice for the Department of the Environment and Energy

3. With reference to evidence given to the committee on 23 August 2019 by the Department of the Environment and Energy:

- Can the department's "consultation engagement" with the National Farmers' Federation be outlined.
- Does the department hold a copy of the document produced by the Australian Public Service Commission titled "APS Values and Code of Conduct in Practice". If yes, (a) have SES officers in the department read it and (b) does the copy of the document held by the department provide that "the creation, maintenance and accessibility of Commonwealth records are key elements of sound public administration and accountability" and it is important to record, and maintain in accessible form, "significant events including meetings and discussions with Minister or stakeholders or members of the public which may be significant in terms of policy or program decision-making."
- Who invited Mr Knudson to attend a meeting with Minister Josh Frydenberg in the National Party party room at Parliament House in October 2017. On what date was the meeting held. Were any other departmental officers present for all or part of the meeting. Who else was there. What was discussed.
- With reference to evidence from Mr Knudson that no notes were taken at the meeting with Mr Frydenberg in the National Party party room at Parliament House in October 2017: (a) did Mr Knudson or any other officer make any notes of the content of the meeting or its outcomes during or after the meeting and (b) have any notes made by departmental officers during or after the meeting been destroyed.
- Can Mr Knudson explain why he says there were no "action items" that came out of the meeting when former Senator Williams says the Craik review resulted from the meeting.
- Who invited Mr Richardson to attend a meeting with Minister Angus Taylor at Parliament House on 20 March 2017. Were any other departmental officers present for all or part of the meeting. Who else was there. In what room was the meeting held. When did the meeting begin. When did the meeting end. Did everyone at the meeting know Mr Taylor was the part-owner of land subject to a compliance action by the department.
- With reference to evidence from Mr Richardson that no notes were taken at the meeting with Mr Taylor on 20 March 2017: (a) did Mr Richardson or any other officer make any notes of the content of the meeting or its outcomes during or after the meeting and (b) have any notes made by departmental officers during or after the meeting been destroyed.
- Who authorised the attendance of a compliance officer at the meeting with Mr Taylor on 20 March 2017.
- On what basis does Ms Collins contend (a) compliance wasn't discussed at the meeting with Mr Taylor and (b) the compliance officer who was there "didn't talk at all".
- How did Mr Richardson "go out of his way" to make sure there was no action that might threaten the integrity of the investigation into the alleged poisoning of critically endangered grassland on land owned by Jam Land Pty Ltd. What threats to the integrity of the investigation existed in March 2017.
- What do Mr Richardson and Mr Oxley mean when they describe the junior staff member in Mr Frydenberg's office as a "stand-alone staffer".
- On what date in 2016 or early 2017 did the compliance investigation relating to Jam Land Pty Ltd commence.
- With reference to the department's evidence that the lack of resources is one reason the compliance investigation relating to Jam Land Pty Ltd is not complete: (a) what resources are

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required to complete the investigation and (b) has the department asked (i) Mr Frydenberg (ii) Ms Price (iii) Ms Ley or (iv) any other Minister for additional compliance resources.

- What amount was expended on compliance activities in (a) 2016-17 (b) 2017-18 (c) 2018-19. What amount has been expended on compliance activities in 2019-20 to date.
- Can the department confirm the only compliance action relating to grasslands in the Monaro region is the compliance action relating to land owned by Jam Land Pty Ltd.
- What does the statement “it’s a tricky space when we work for one minister but not directly on environment issues” mean.
- What does the statement “when we’re giving evidence, we sometimes ensure that the minister protects her own relationships” mean.
- Can the department provide the grasslands “time lines” and “time frames” referenced by Mr Knudson during the hearing.

4. With reference to the statement by Senator Fawcett at the hearing on 23 August 2019 that “Minister Taylor made it clear to the then environment minister that the compliance action was on foot”:

- When and how did Mr Taylor make it clear to (a) the then environment minister and/or (b) the department that he had an interest in land subject to compliance action by the department.

5. On what dates has the department provided to the offices of (a) Mr Frydenberg (b) Ms Price (c) Ms Ley and (d) any other minister, including assistant ministers, any information about the compliance action relating to land owned by Jam Land Pty Ltd.

6. How does the EPBC framework meet Australia’s international obligations to identify, protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places.

7. The department’s submission to this inquiry refers to a NSW case study where the department has partnered with co-regulators and industry representatives including the NFF. Is the NSW Government the co-regulator. Is this a whole-of-state activity.

8. The department’s submission to this inquiry refers to the department’s compliance and enforcement policy. With reference to the policy:

- What does “we are open about what we do” mean.
- What does “we monitor, review and report on our activities” mean. How has the department reported on its activities with respect to compliance activities to protect grasslands in the Monaro region.

9. Why is the Natural Temperate Grassland of the South Eastern Highlands ecological community significant.

10. Is the Natural Temperate Grassland of the South Eastern Highlands one of the most threatened ecosystems in Australia.

11. What nineteen threatened species live in the Natural Temperate Grassland of the South Eastern Highlands ecological community.

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12. Is most farming activity in the Monaro region unaffected by the listing of the Natural Temperate Grassland of the South Eastern Highlands ecological community.

13. How did the alleged poisoning of 30 hectares of critically endangered grasslands in the Monaro region come to the attention of the department. With reference to the staged response to alleged non-compliance with national environmental laws outlined in the department's compliance policy: (a) on what date did the initial assessment commence (b) on what date did the initial assessment conclude (c) what happened at the conclusion of the initial assessment and (d) what stage is the investigation at now.

14. For all compliance investigations that began in the year 2016-2017 how many investigations other than the Jam Land Pty Ltd investigation are ongoing.

15. Does the department have any record of Mr Angus Taylor declaring his interest in Jam Land to (a) the Minister for the Environment or (b) the department. If so, when and how was the declaration made.

16. Did the department have any basis to think the grasslands listing was the "number 1 issue" for farmers in the Monaro before receiving an email from a junior staffer in Minister Frydenberg's on 9 March 2017.

17. Was it the department's idea, or Mr Frydenberg's idea, that a compliance officer attend the meeting with Mr Taylor on 20 March 2017. Why did the department consider it appropriate for a compliance officer to attend a meeting with a Minister who had both a family connection and a direct financial connection to an ongoing compliance matter.

18. With reference to the department's discussions with the regional Local Land Services office between 20 March and 24 March 2017: were these discussions proposed by Mr Angus Taylor at his meeting with the department on 20 March 2017 or were they an independent initiative of the department.

19. Can the department provide details of all meetings since 2016-17 between (a) representatives of Jam Land and Ministers Frydenberg, Price and Ley and/or their offices, by date and (b) representatives of Jam Land Pty Ltd and the department, by date.

20. On how many occasions since 29 May 2019 have Ms Ley and Mr Taylor been joint recipients of departmental briefs.

21. When will the independent statutory review of the EPBC Act commence.

22. Can the following documents be provided to the committee:

- All correspondence, including briefs and emails, to and from Ministers Frydenberg, Price, Ley and Taylor, and their offices, related to the listing of the Natural Temperate Grassland of the South Eastern Highlands as critically endangered

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- All file notes recording communications with Ministers Frydenberg, Price, Ley and Taylor, and their offices, related to the listing of the Natural Temperate Grassland of the South Eastern Highlands as critically endangered
- All documents related to the listing of the Natural Temperate Grassland of the South Eastern Highlands as critically endangered that reference (a) Mr Angus Taylor and/or (b) Jam Land Pty Ltd and/or (c) land owned by Jam Land Pty Ltd