

knowledge might be and what options there might be for adaptation to those climate change impacts. That is a current project.

Senator WEBBER—That is a current project. When do we expect that to be completed?

Mr Burnett—It is currently in draft and out for peer review. I do not have an exact date, of course, but some time towards the middle of the year.

Senator WEBBER—The middle of the year. Will that then be a public document?

Mr Burnett—That will be a decision for the minister at the time.

Senator WEBBER—Perhaps now would be a good time to have a conversation about the Burrup—it is as good a time as any. Has the department commissioned any research into the heritage values of rock art up in the Burrup?

Mr Burnett—I will ask Mr Bailey to take these questions.

Mr Bailey—The department has commissioned two pieces of research related to the Burrup. In 2005, a report was prepared for the department and for the Australian Heritage Council. That report was updated in 2006.

Senator WEBBER—Is that report publicly available?

Mr Bailey—The report has not been made publicly available, broadly speaking. It has been provided to all those owner-occupiers and Indigenous people with a right or interest in the places.

Senator WEBBER—Is it intended that it will become publicly available?

Mr Bailey—That, again, will be in the broad sense a decision for the minister. That is the 2005 report only at this stage.

Senator WEBBER—That is the 2005 report. Is the department connected with anything else in the Burrup?

Mr Bailey—An update of that report in 2006.

Senator WEBBER—So that is the only work complete? There is no other not-released work anywhere?

Mr Bailey—No.

Senator WEBBER—Is the only reason the Burrup report has not been publicly released that we are waiting for the say-so of the minister?

Mr Bailey—There are still some aspects in the 2006 report that we need to clear in terms of copyrights of information provided. There are also potential cultural sensitivities associated with photos within the report that will need to be cleared by relevant traditional owner groups.

Senator WEBBER—On 25 January, the former minister, Senator Ian Campbell, indicated that a national heritage listing for the Burrup was imminent and that that would involve a compromise between conservation interests and industry. Can you tell me where that listing is at?

Mr Bailey—The process that has been followed is that back in November we had a call for public comments, which were received by November. Those comments are currently being considered by the minister. The minister has, under the current statutory framework, until the 23rd of this month to consider those submissions.

Senator WEBBER—Part of considering those submissions will determine whether in fact a listing should take place. So it was not really imminent as such, if we are still considering public comment?

Mr Bailey—We are considering comments. The minister has until the 23rd to consider those comments under the current statutory framework.

Senator WEBBER—Is it the intention, then, that a further announcement will be made about what is happening with potential listing in the Burrup?

Mr Bailey—The minister has until the 23rd under the current statutory framework to make a decision, so you would expect a decision associated with that statutory deadline.

Senator WEBBER—So it was not quite that imminent after all on 25 January.

Senator SIEWERT—Is the minister going to be making an announcement on 23 February about listing, or will it be an announcement of further deferral?

Mr Burnett—That is for him to decide.

Senator Colbeck—That is the minister's prerogative.

Senator SIEWERT—Have you had an update on how much art has been moved from site A?

Mr Bailey—Not an update on how much art has been moved from site A, but we have a clear understanding of what was going to be moved on site A, yes.

Senator SIEWERT—But you do not know how much has been moved to date?

Mr Bailey—Not since the end of December, no.

Senator SIEWERT—Does anybody know publicly how much has been moved beyond the rumours that I have heard?

Mr Bailey—The administrative approvals for them are actually given under Western Australian legislation, so it is not an area that we have information on.

Senator SIEWERT—So despite the fact that you are currently undertaking the heritage assessment, you have not checked with WA what has been moved?

Mr Bailey—Not in terms of the movements that are going on for the footprint on site A. But we did a thorough analysis of the footprint of site A through December, including viewing all the petroglyphs and stone arrangements within that area.

Senator SIEWERT—Has the WA government reported to you on its most recent consultation with the custodians?

Mr Bailey—I am unclear, Senator, what you mean.

Senator SIEWERT—The WA government has recently been in Karratha holding meetings with the custodial groups. I am wondering whether they have communicated to you the outcomes of those meetings.

Mr Bailey—Not those specific meetings, no.

Senator SIEWERT—Do you intend to contact the WA government again before the minister makes an announcement one way or the other on 23 February?

Mr Bailey—We are in regular contact with the Western Australian government in terms of looking at the site and the national heritage values on the site.

Senator SIEWERT—But they have not provided you with an update of their latest round of consultation?

Mr Bailey—Not their most recent round, no.

Senator SIEWERT—Can you tell me if the department is aware of any discussions being held with the north-west joint venturers in terms of possibly relocating the plant on their site? You are no doubt aware of what I am talking about.

Mr Burnett—Discussions between which parties?

Senator SIEWERT—Has the Commonwealth undertaken any facilitation of discussions between Woodside and the venturers? Has the Commonwealth undertaken any discussions directly with the joint venturers?

Mr Burnett—Not through this portfolio.

Senator SIEWERT—Is there another portfolio that that would likely have occurred through?

Mr Burnett—It is possible that the industry portfolio may have been involved in that kind of issue. But we do not have any direct knowledge of that. You would have to ask them.

Senator SIEWERT—So the department has been in no discussions with a view to finding an alternative site for Woodside?

Mr Burnett—No.

Senator SIEWERT—Can I ask why not?

Mr Burnett—It is not our role. Our role under the EPBC Act is to deal with the national heritage nomination and to provide advice to our minister in relation to that nomination and assessment.

Senator SIEWERT—Despite the fact that it has national heritage values that we are trying to ensure are protected.

Mr Burnett—That is what we are examining and providing advice on to our minister—the national heritage values found by the Australian Heritage Council.

Senator SIEWERT—Do you have any direct contact with the custodians?

Mr Bailey—Yes. We have had a number of consultations with the traditional owner groups, the custodians from the region. We have met on all clear decision points through the process. We have sought written consultations as well as given in-person consultations. We continue to do that work.

Senator SIEWERT—Have you spoken to them recently?

Mr Bailey—The last time I spoke to the groups directly and in person was late last year.

Senator SIEWERT—So you have not had any contact with them since late last year?

Mr Bailey—We have had contact with them, yes. But in terms of in-person contact, it was late last year. We have had a number of phone conversations on other aspects since that time.

Senator SIEWERT—Have you spoken to them about site B and their opinions about site B?

Mr Bailey—Not directly about their opinions on site B. We continue to do our work under the assessment for the National Heritage List and our role and responsibilities in that regard only.

Senator SIEWERT—Have you reviewed CALM's proposed management plan for the area? I am talking about the whole of the peninsula now, not just the Woodside site.

Mr Bailey—We have read and looked at the CALM proposed management plan, yes.

Senator SIEWERT—Did you provide any comments during the public comment period?

Mr Bailey—We did not submit in the public comment period, no.

Senator SIEWERT—Have you an opinion on that plan? Has the department got an official position on the plan?

Mr Bailey—No, not on the draft plan itself. No, we have not provided through public comment an official position on the plan.

Senator SIEWERT—Are you providing any advice to the minister on the plan?

Mr Bailey—We are providing broad advice to the minister on the implications of national heritage listing for the whole of the Burrup Peninsula and the Dampier Archipelago, yes. That area is inclusive of that.

Senator SIEWERT—I am not trying to verbal you, but do I interpret your comment just then that you would provide advice to the minister on the impact of the management plan on the heritage values of the Burrup?

Mr Bailey—We will have awareness in terms of the minister and the management implications for national heritage listing on the Burrup and the Dampier Archipelago, yes.

Senator SIEWERT—So you are aware of the plans for the road and other industrial sites. Would you comment on those proposals to the minister?

Mr Bailey—We will provide advice on the management implications associated with the national heritage listing, yes.

Senator SIEWERT—You have already, or you will do?

Mr Bailey—We have and we will continue to, yes.

Senator SIEWERT—Do you believe that it has implications for the management of the heritage values of the Burrup?

Mr Bailey—At the moment, it is such a broad scale that you would have to look at what sites might be identified in the field and then have an assessment against the national heritage values identified by the Australian Heritage Council in its assessment to actually determine whether they would have a significant impact on the national heritage values.

Senator SIEWERT—I would have thought you would have thoughts about whether extending the road beyond the jump-up would have impacts. The broader proposal of essentially extending the industrial zone would, regardless of which specific sites you are talking about, in terms of opening up the Burrup. There is no doubt that that road will open up the northern Burrup, which, as you know, has very limited access at the

moment. Opening up some of those areas for further industry will also have an impact, without us actually looking at the specific sites. Have you commented on that? Have you provided advice on that?

Mr Bailey—I think that is getting into some areas of uncertainty in terms of what the proposals would be. The application is in consideration of what the proposals actually are. We would look at them in detail in terms of whether they are likely to have a significant impact on the national heritage values.

Senator SIEWERT—The management plan is quite clear. There is a proposal to extend the road.

Mr Bailey—Yes. I realise there is a proposal to extend the road. That would be looked at if the area was included in the National Heritage List for both its direct impacts and on the site. We would look at that in some detail. But whilst there is that proposal, the steps beyond that proposal are still very unclear at the moment. We would be looking at those aspects.

Senator SIEWERT—Are you saying that instead of actually getting one step ahead of the game, it is only when they decide they are actually going to apply for funding to build the road that you would get involved?

Mr Burnett—It is getting a bit hypothetical because it depends on what point in time we are talking about. For example, you might be talking about after there had been a national heritage listing, if such a listing occurred, and whether there were any agreed management arrangements associated with such a listing. It is a hypothetical question that is very difficult to answer at this point in time. Can I address it by saying that, as you would be aware, the previous minister initiated discussions with Western Australia and industry on possible management arrangements. He made public statements that he was keen to see possible arrangements considered and progressed. We are part of an ongoing dialogue with the WA government and with industry looking at possible arrangements. That dialogue and that examination will need to look at all the potential issues associated with the area that has values.

Senator SIEWERT—A couple of questions arise out of that for me. Are you including the custodial groups? You said the WA government and you said industry. What about the custodial groups? Are they involved in those discussions?

Mr Burnett—Not at this immediate point in time. But we do have an ongoing dialogue with the traditional owners. The previous minister did stress the importance of the traditional owners to the process as well as industry and the WA government.

Senator SIEWERT—Why aren't they involved in those broader discussions?

Mr Bailey—The discussions at the moment are looking at the submissions that were made under the current 324H provisions. We are looking through them currently. That is the area on which we need to provide the current advice to the minister. But we are continuing to maintain dialogue with the traditional custodians for the area.

Senator SIEWERT—The comment was just that these are longer term management arrangements. That is how I interpreted it.

Mr Burnett—Yes. There are discussions on possible longer term management arrangements.

Senator SIEWERT—So industry gets a say but the traditional owners, the custodians, don't?

Mr Burnett—No, that is not right. We would need to crystallise some specific proposals before we could go into a more detailed discussion with the traditional owners. We are in the very early stages of still assessing the submissions, as Mr Bailey referred to, and looking at what the implications are.

Senator SIEWERT—I think there are two separate processes we are talking about here: the continuing assessment process at the moment and the longer term management discussions. Can you tell me who you are talking to from industry?

Mr Burnett—We are talking to Woodside, Rio Tinto and the North West Shelf joint venture.

Senator SIEWERT—You are talking to the North West Shelf joint venture about the ongoing management issues but not about collocating Woodside there—is that correct?

Mr Burnett—That is correct.

Mr Bailey—I should just also note that we have broader consultation going, as we mentioned, with the custodians. We have a broader group of stakeholders that we do meet with regularly as well. They are representatives of other industry groups through the Burrup industry forum. We also hold consultations with Roebourne shire and a number of other groups.

Senator SIEWERT—So that is a third process?

Mr Bailey—The processes are run in parallel, in effect, if you like, but there is a broader stakeholder consultation process going on as well.

Mr Burnett—And there is the National Trust as well.

Senator SIEWERT—So on the 23rd can I take it that there will be some form of announcement saying, ‘We’re going to list this bit and we’re not going to list this bit’ or ‘We’re going to defer?’

Dr O’Connell—It is the minister’s call to make an announcement, not ours. The 23rd is the statutory time frame where he either makes a decision or extends the process.

Senator SIEWERT—I was not asking you to confirm what the decision was. Will there be something on the 23rd telling us the state of play?

Dr O’Connell—You would expect that, yes.

Senator SIEWERT—It is marked on my calendar. I have other heritage questions. I would like to know where Ningaloo is up to.

Mr Burnett—Ningaloo has not moved significantly in recent times. I think, yes, it is still in the same place.

Senator SIEWERT—Damn. It needs to move south because of climate change.

Senator WEBBER—It does, really.

Mr Burnett—I think two or three estimates ago there was discussion about this. Senator Campbell himself talked about concerns that he had raised with the WA government about the position of rural leaseholders in the area. He was concerned that their concerns have to date not been properly addressed by the WA government. That remains the position. We have not had a formal response, to my knowledge, from the WA government on progress on that aspect.

Senator SIEWERT—It is slightly unfair of me to say you have not discussed it with the new minister to see if there is a change of direction.

Mr Burnett—Bear in mind, Senator, that the new minister has only been around for a couple of weeks.

Senator SIEWERT—That is what I mean.

Mr Burnett—We have briefed him on a number of heritage issues, but that is not one that has arisen to date.

Senator SIEWERT—You have written to the state government. Have you written to some of the other stakeholders involved about getting their opinion on what the local landholders may or may not think about world heritage?

Mr Burnett—I would have to check to be sure, but my understanding, without consulting the files, is that Senator Campbell wrote to his ministerial counterpart in WA raising these issues. I think the government’s position is that it is really up to WA to address those issues and then come back to the Commonwealth. WA is running the consultation process and developing the proposal. The ball is really in WA’s court. As far as I am aware, we have not corresponded directly with those stakeholders. There may have been some ministerial correspondence, but I do not recall seeing any.

Senator SIEWERT—It just seems quite extraordinary to me that World Heritage listing might be held up on what is undoubtedly a site of potential national significance. A group of landholders writes and says, ‘We’ve got a few concerns’ and they are not checked with anybody else. I have doubts as to whether if environment groups wrote to the minister and said, ‘Blah, blah’ he would hold up a World Heritage listing for that.

Mr Burnett—I cannot comment on that. Senator Campbell explained his position at the time. I cannot add anything to that.

Senator SIEWERT—It has not changed at all?

Mr Burnett—Mr Bailey has just pointed out to me that the operational guidelines of the World Heritage Convention require community consultation. Obviously that has to be seen through to a satisfactory conclusion. It is the WA government that is running that community consultation. As I say, it is a matter for the WA government at this point.

Senator WEBBER—But it is not all the prime landholders who have the issues, is it?

Mr Bailey—No.

Senator WEBBER—Some of them are supportive of it.

Senator SIEWERT—Has anybody bothered to check the veracity of their claims besides writing back to the WA government?

Mr Burnett—It is up to the WA government to deal with the issues and come back to the federal government and say they have been resolved in a certain way.

Senator SIEWERT—I understood that the WA government had written to the federal government talking to them about the Ningaloo nomination. Is that right?

Mr Burnett—There has been ongoing correspondence over a period of time, yes.

Senator SIEWERT—What you are saying is that a group of pastoralists decided they do not like the idea so now it has been put on hold. That is essentially what you are saying.

Mr Burnett—That is not the way I would describe it. I cannot add anything to what Senator Campbell said.

Senator Colbeck—That is your spin on it. The officials are not required to do the same or agree with you.

Senator WEBBER—I think it is important to note that not all the pastoralists are creating the problem. Some of the landholders do support it.

Senator Colbeck—You can put that on the record. But what the officials are saying is that some concerns have been raised. He has written to the Western Australian government, which is running the process. We are waiting as an Australian government for a response on that matter from the Western Australian government. If you are asking us to interfere in a process that another government is running, you can ask us to do that. But that is essentially what I assess what is being said by the officials.

Senator SIEWERT—Are you saying the Western Australian government has not responded at all, or is the response not satisfactory?

Mr Bailey—We are certainly aware that the Western Australian government continues to conduct the consultation that was discussed last year. It continues to consult with the pastoralists knowing that a number of pastoralists they have reached agreement with but there are still some outstanding agreements yet to be reached. The Western Australian department continues to do that consultation.

Senator SIEWERT—Have they written back to you in response to the letter? We are talking about 12 months ago or more.

Mr Burnett—More than 12 months ago. About 15 months ago.

Senator SIEWERT—Have they responded to that letter coming back, explaining where they are up to?

Mr Burnett—There may well have been correspondence in that time, but my point is that the issue is not resolved from the point of view of the Australian government. The issue is unresolved.

Senator SIEWERT—That is what I am trying to get to. Has the WA government written back explaining why they cannot make the pastoralists happy or that they do not think it is an issue or they have tried to resolve it and cannot and will not proceed? Or have they written back, saying, 'Watch this space'?

Mr Burnett—I cannot recall. Would you like me to take it on notice?

Senator SIEWERT—I would. Yes, please. I want to know whether the minister is now going, 'Well, I'm not happy with your response' or whether WA has not tried to explain it yet.

Mr Burnett—I understand.

Senator SIEWERT—There is a crucial point.

Mr Burnett—I understand what you are saying. As I said, we still think the ball is in WA's court. But I am happy to take it on notice as to whether there has been any further correspondence.

Senator SIEWERT—I want to move to Wave Hill. That is in the process, is that correct?

Mr Burnett—That is right. The Australian Heritage Council has completed an assessment on Wave Hill. As yet, there is no decision by the minister.

Senator SIEWERT—So the council has provided advice to the minister?

Mr Burnett—Yes.

Senator SIEWERT—So can you tell me the details of that assessment? Has he had it for the 21 days?

Mr Bailey—Yes. He has had it in excess of the 20 days, but the technical definition of the act is that we cannot provide that advice. Only a member of the Australian Heritage Council can provide that advice to you.

Senator SIEWERT—Okay. So you cannot talk to me now about any of the assessment?

Mr Burnett—No.

Senator SIEWERT—So you cannot tell me what sites were considered in the nomination?

Mr Bailey—In the assessment of Wave Hill?

Senator SIEWERT—Yes.

Mr Bailey—No. We are not allowed to. But a member of the Australian Heritage Council is.

Senator SIEWERT—There is no use pursuing that line, then. Thanks.

CHAIR—Does that finish Heritage?

Senator WEBBER—I am finished with Heritage.

CHAIR—I think we have four other divisions to do.

Senator SIEWERT—I cannot pursue that any further. Thanks.

[12.01 pm]

CHAIR—We thank the Heritage people for being here. We now have Industry, communities and energy.

Senator WEBBER—You will have to bear with me as I come to grips with what your division does and what the next division does. I am a bit confused about the two of them.

CHAIR—Put them all on notice.

Senator WEBBER—No. I would not know who to put them on notice to. Perhaps we will start with the standard opening question. Do you know what it is?

Mr Carruthers—Perhaps before we start on the budget story, I will explain once again that there are two divisions that make up the Australian Greenhouse Office. My colleague Gerry Morvell heads the other division. The government has a whole and integrated climate change strategy, so it is probably useful in approaching these discussions to do it in terms of the whole climate change program.

Senator WEBBER—I have finally found climate change. It has taken me all morning, but I have got there.

Mr Carruthers—Basically, in terms of the budget structure, we are talking about outcome 1 and output 1.1. Output 1.1 contains the whole of the government's programs to do with the response to climate change. The minor exceptions to that, as you have heard already this morning, are in the Environment Quality Division in relation to synthetic gases. The legislation, functions and the climate change communications activities come within the portfolio coordination division. So the whole series of climate change programs are covered by your question.

Perhaps I could go through the aggregate picture for all the programs. In the first instance, the current year budget—this is covering both departmental funds and administered funds—is \$187.7 million. The out-turn for 2005-06 was \$111.7 million. The out-turn for 2004-05 was \$105.3 million. The forward estimates for 2007-08 are \$226.6 million. For 2008-09, they are \$174.3 million. For 2009-10, they are \$134.8 million. For 2010-11, they are \$78.0 million. I will perhaps stop there. As you have heard in other answers, of course, there are programs that are lapsing, so there are budget decisions to be made by the government in terms of the out years that affect a number of programs.

Senator WEBBER—When my colleague Senator Carr met with you last time, there was a discussion about the underspend in the Australian Greenhouse Office of some 36 per cent. That was confirmed in answer to a question on notice. Is this still the case?

Mr Carruthers—Detailed answers were provided to the questions on notice; I hope you have that information. I guess the key message to explain in that was that we set out the reasons there had been underspends in some earlier years. The underspends had been rolled forward to match with project milestones. So it is rolling forward money into future years but maintaining the whole budget envelope. As you know, the government has committed just in excess of \$2 billion to climate change programs, so there was reprofiling of underspend funds.

Senator WEBBER—So it is not anticipated that there will be an underspend again?