

Senator NASH—Thank you, Dr Horne. I understand what you are saying. What I am trying to get some focus on is the fact that not only has there been this buyback but there are several other buybacks underway; that has not started yet. I understand that that is the intent, but at the moment you are flying blind. I am happy to just quickly move on, because I know that we do not have much time. I have some very quick questions as to the Namoi area in northern New South Wales. I am sure the minister would be very well aware of the issues up there.

Senator Wong—I have to say that after two days I am mixing up a lot of issues in my head, but I will try.

Senator NASH—It might become clear in a moment, Minister. I am sure it will when I mention the word 'mining'. The potential for mining in the area around Carooona Breeza Plains is creating a lot of concern and angst for the people up there. The reason this relates to you, Minister, is because it potentially has an impact on the water system in that whole area. I will put on notice my long list of questions, but I have some very quick ones. You will remember there was \$1.5 million contributed late last year to the water study for the Namoi catchment. I think the state government was also to commit the same amount of funding. Media reports cannot be taken necessarily at face value but if the state government does not put in its share of the funding will that study for the Namoi catchment go ahead?  
Mr Slatyer—At this point we have not yet received confirmation from New South Wales of their contribution to that project. That is the state of play.

Senator NASH—So you do not know. If that money is not forthcoming, will the study still go ahead?

Mr Slatyer—That is a policy question.

Senator NASH—That is why I am looking at the minister. Would you like to take it on notice?

Senator Wong—The basis of the announcement that we made in December was equal contributions from New South Wales and also the mining industry. That is the basis on which the announcement was made.

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Senator NASH—Okay. If you could look at that for us and come back to us, the point being that the potential impact on the water system up there is significant. We would like some clarification on whether or not the study is going ahead, because I think it is vitally important in your role as all things water that we do get some clarification of the impact that that mining will have up there. Two very, very quick questions and then I will finish up. Assuming that study goes ahead, will the government give a commitment to use any of the existing Commonwealth powers to prevent any new subsurface mining licences being issued in the Namoi catchment until the completion and public release of that proposed water study?

Senator Wong—I cannot give a commitment based on a hypothetical. I understand there is a whole range of politics vis-a-vis the Nationals and the member for New England; they are not issues that I am particularly focused on, but—

Senator NASH—The water system should be.

Senator Wong—As was discussed I think in the context of the amendment that was then withdrawn, or the opposition's position changed in relation to mining, mining is regulated primarily at state level, and the purpose of the study was to provide further information, but ultimately the Commonwealth has a limited role in the regulation of mining.

Senator NASH—I do understand that. Finally—I am happy for you to take this notice, and I understand it is hypothetical—if the study goes ahead and it does indeed ascertain that there are risks involved to the water system and the local area, could you provide to the committee what Commonwealth powers do exist to ensure that that mining did not go ahead?

Senator Wong—First, mining is not my portfolio. Secondly, you are asking essentially for legal advice. That is not the role of—

Senator NASH—I am essentially asking because I thought in your role as water minister you would be as concerned as we are—

Senator Wong—We did not support the amendment, and I have made our position very clear on this. Whilst the Commonwealth may have a role in supporting the development of better expertise and knowledge and understanding of the impact of mining on groundwater and surface water resources, ultimately the regulation of mining is primarily a state responsibility.

Senator NASH—It is indeed. I am simply asking if the department could provide to the committee what powers the Commonwealth does have in that situation. It is a very straightforward question.

Senator Wong—In relation to mining?

Senator NASH—If a study did show that there were risks involved—it may well come back that you tell me that the Commonwealth has no powers. I am just merely asking for—

Senator Wong—We can take on notice insofar it is relevant to my portfolio—

Senator NASH—That is all I am asking.

Senator Wong—But not mining broadly.