



16 September 2020

Department of Home Affairs

Submitted online

DEPARTMENT OF HOME AFFAIRS: CONSULTATION ON PROTECTION OF CRITICAL INFRASTRUCTURE

Origin Energy Limited (Origin) welcomes the opportunity to provide feedback on the consultation paper from the Department of Home Affairs on actions to maintain security of critical infrastructure systems.

It is important for industry and government to work collaboratively to meet the security threats that we face. Origin supports the proposed development of a whole of economy framework, which is then used to develop sector specific outlines collaboratively with industries.

Governance arrangement should recognise the work already underway

Energy is a sector of the economy with well-developed security protocols. For example, we already work closely with the Australian Energy Market Operator (AEMO) which coordinates cybersecurity processes through the Australian Energy Sector Cyber Security Framework (AESCSF). This framework for industry coordination on cyber risks meets much of the goals laid out for the new sector plans.

In addition, state legislation requires reporting by energy industry participants on many of the issues raised in the consultation. The new framework should recognise these jurisdictional obligations by looking to avoid duplication.

The framework should be clear on the authority and capability of the sector specific regulators including the one for energy. The regulator should have skills and experience in dealing with the relevant issues, including cybersecurity and physical security. It should also have a close connection with the energy industry and be able to take a consultative and two-way relationship with industry.

Regulated critical infrastructure definitions are too broad

The definitions of regulated critical infrastructure are likely to include assets that are not significant for the maintenance of energy security. Including all generators in the NEM with capacity over 30MW will mean the definition will apply to over 250 generating units. For small assets, the cost of the positive security obligation is unlikely to match the national security benefits.

As part of the equivalent security regime for the USA, the assessment on the importance of assets is based on the interdependencies that a facility has with the energy system and the wider economy.¹ AEMO's AESCSF criticality assessment tool is potentially a good starting point for developing a rating of the levels of impact of facilities in the energy sector.

¹ National Institute of Standards and Technology (NIST), 2016, *Guide Brief 5: Assessing Energy System Dependencies*

In addition, where facilities can be included in the definitions for different sectors of the economy, the obligations should not be duplicated. For example, any hydro power systems that are covered by the energy framework, should have minimal reporting under a separate framework for the water sector.

Security objectives are best met through a two-way flow of information

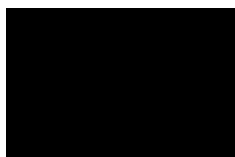
Origin welcomes a more open approach for governments to share information with industry as set out in the consultation paper. Industry access to security resources may help with informing systems or processes so government should be proactive in providing assistance to asset owners. We also support the development of ongoing resources such as sector specific templates, playbooks and training to help industry meet its obligations.

If an event occurs, the Commonwealth is well placed to provide oversight in coordinating activities amongst jurisdictions and various sectors of the economy. Any decision to use government services that are offered should be at the asset owner's discretion based on their own assessments of criticality and not as a result of a requirement from government.

When industry supplies information on risks to government, there needs to be a process in place to ensure that this information is protected. The government should be mindful that any information on incidents will also provide some outline of vulnerabilities and therefore may represent a risk.

Should you have any questions or wish to discuss this submission further, please contact Alex Fattal via email [REDACTED] or phone, on [REDACTED].

Yours sincerely

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Steve Reid

Group Manager, Regulatory Policy