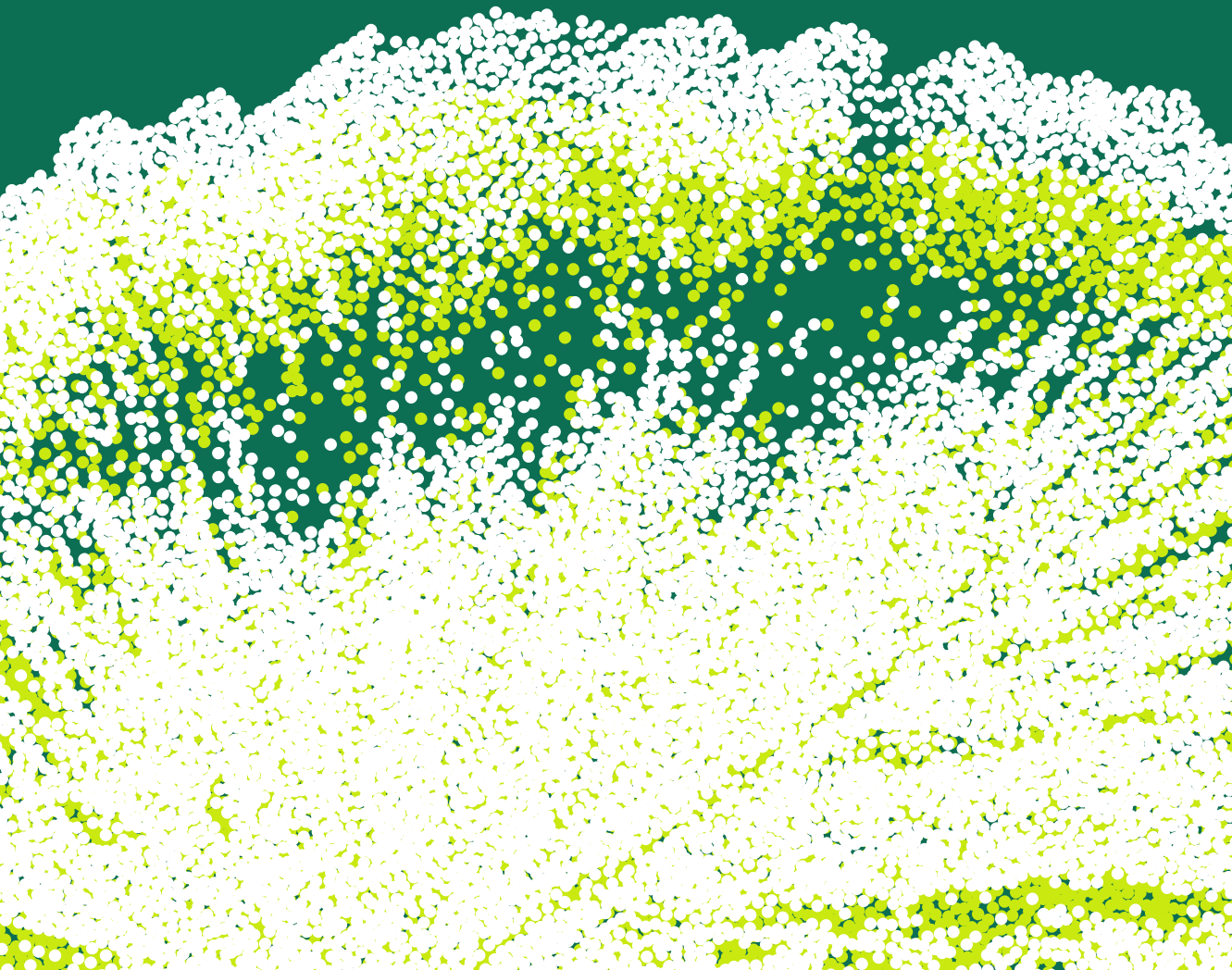




Federal Court of Australia Listed Entity

Emissions Reduction Plan



In support of the Federal Court of Australia, Federal Circuit and Family Court of Australia (Division 1), Federal Circuit and Family Court of Australia (Division 2) and the National Native Title Tribunal



**FEDERAL COURT
OF AUSTRALIA**



**FEDERAL CIRCUIT AND
FAMILY COURT OF AUSTRALIA**
DIVISION 1 | DIVISION 2



**National
Native Title
Tribunal**

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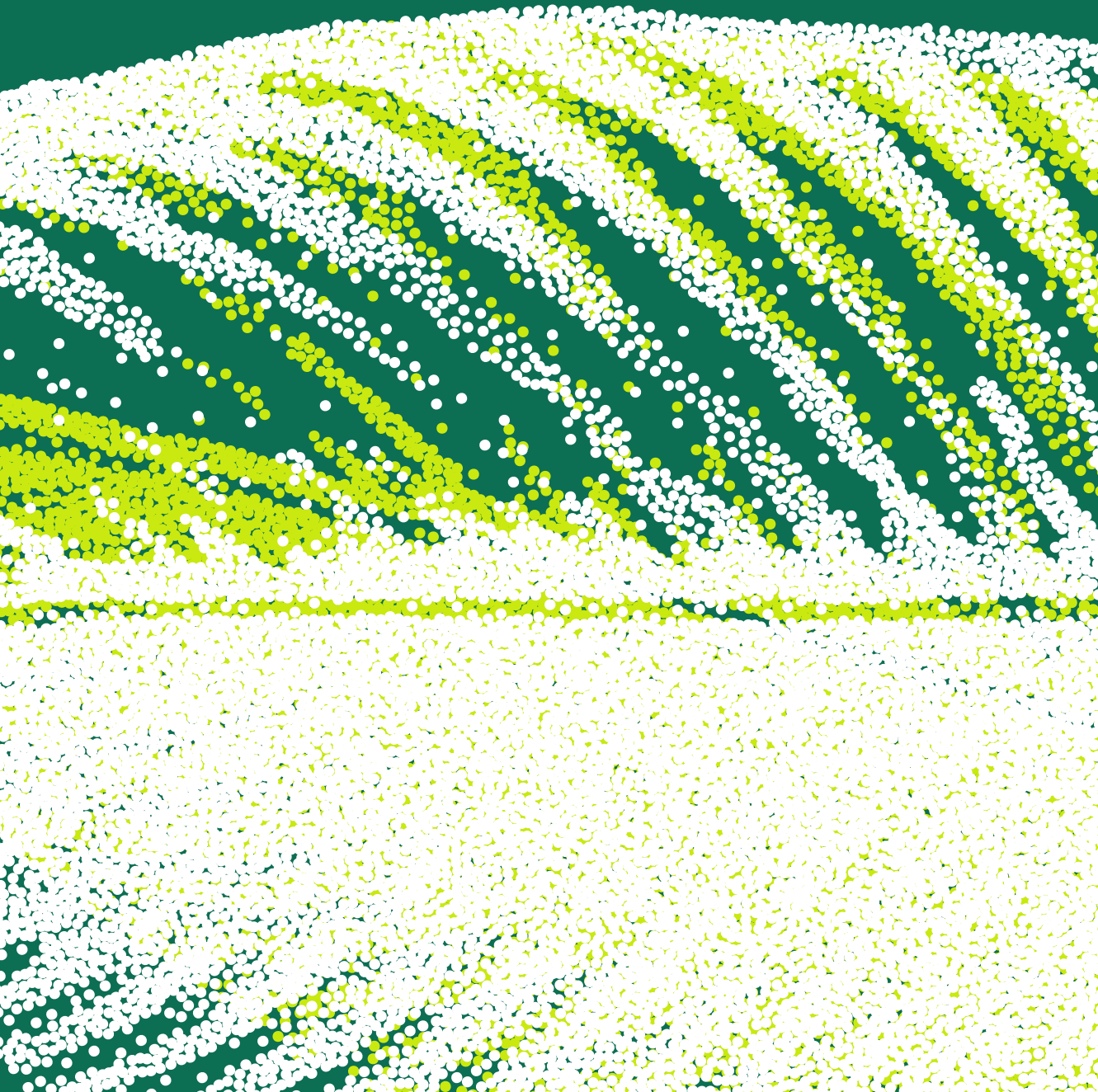
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Use of the Coat of Arms

The terms under which the Coat of Arms can be used can be found at: <https://www.pmc.gov.au/honours-and-symbols/commonwealth-coat-arms>

Acknowledgment of Country

The Federal Court of Australia, the Federal Circuit and Family Court of Australia (Division 1), the Federal Circuit and Family Court of Australia (Division 2) and the National Native Title Tribunal and the Federal Court of Australia Listed Entity acknowledge the Traditional Owners and custodians of the of the lands on which we work, and we pay our respects to their Elders past and present.



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Accountable Authority sign off

The Federal Court of Australia Listed Entity (the Entity) provides corporate services in support of the operations of the Federal Court of Australia, Federal Circuit and Family Court of Australia Division 1, the Federal Circuit and Family Court of Australia (Division 2) (collectively 'the Courts') and the National Native Title Tribunal (Tribunal).

The Courts, Tribunal and the Entity understand the significant effects of climate change on the environment and its impacts on society and the economy. As independent Courts and Tribunal, and as a Commonwealth entity we acknowledge our roles to contribute to mitigate these impacts.

This declaration puts forward our position and commitment to reduce our emissions.

The Australian Government released the Net Zero in Government Operations Strategy in November 2023, setting out the overall approach and action required by Commonwealth entities to achieve the APS Net Zero 2030 target.

The Net Zero in Government Operations Strategy represents a strong commitment by the Australian Government to lead by example on emissions reduction and contribute to the decarbonisation of Australia's economy.

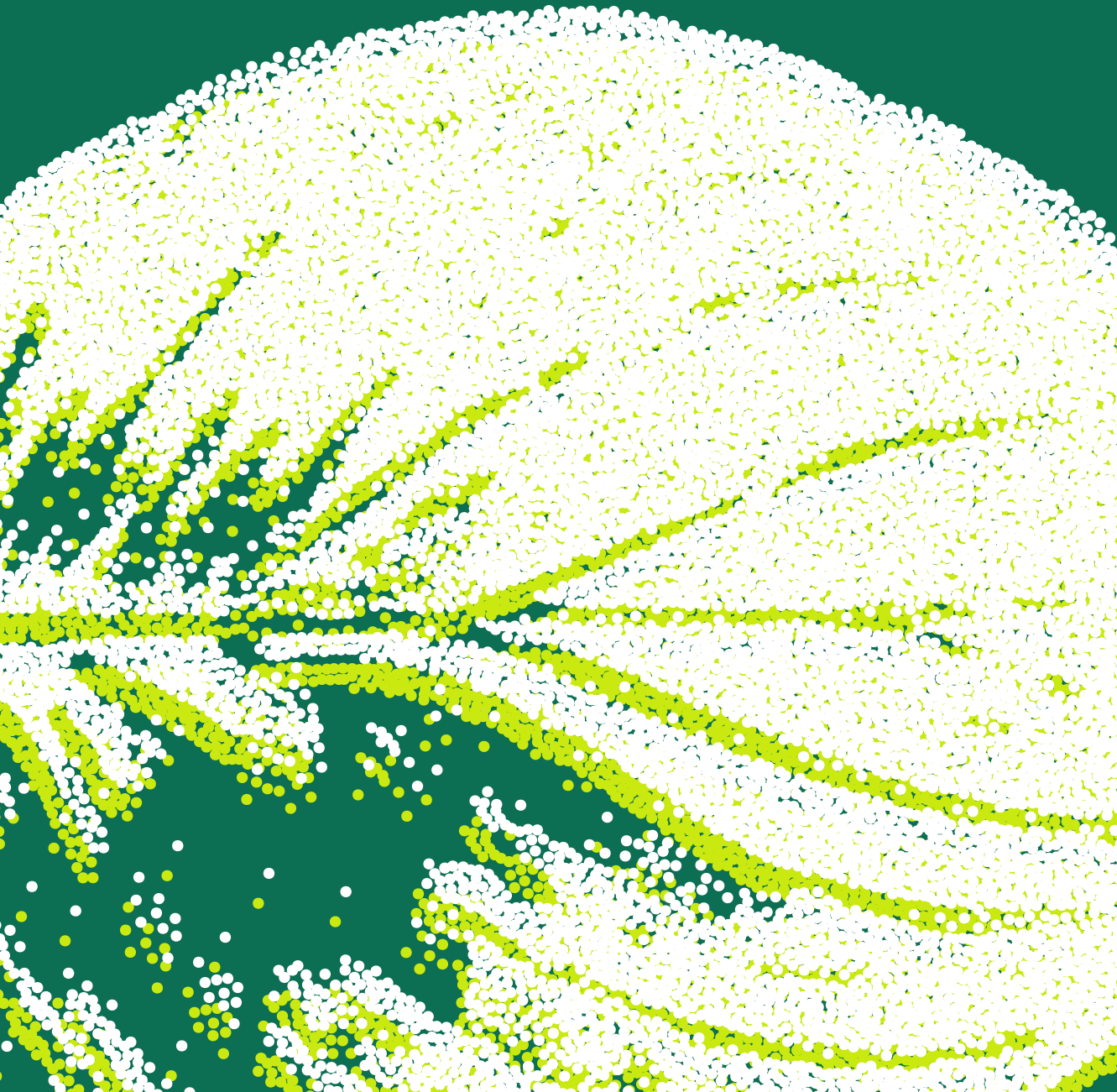
The Entity, in consultation with the Courts and Tribunal is committed to achieving net zero emissions by 2030. We acknowledge and commit to reducing operational emissions within our control, through the strategies and actions as provided by this Plan.

This Emissions Reduction Plan describes the strategies and actions the Entity, in consultation with the Courts and Tribunal is taking to reduce our operational emissions and contribute to the APS Net Zero 2030 target.



Sia Lagos
Chief Executive Officer and Principal Registrar
Federal Court of Australia Listed Entity

Emissions Reduction Plan



Operational context – The Courts, Tribunal and Entity

The Federal Court of Australia, the Federal Circuit and Family Court of Australia (Division 1) and the Federal Circuit and Family Court of Australia (Division 2) are courts established pursuant to Chapter III of the Commonwealth Constitution. The National Native Title Tribunal is established pursuant to the Native Title Act 1993.

Each of the Chapter III courts and the National Native Title Tribunal maintain a distinct statutory identity and they are also part of a shared services support structure, which provides key service delivery in corporate services.

For the purposes of the Public Governance, Performance and Accountability Act 2013 (Cth) the officers and staff of Courts and Tribunal constitute a non-corporate Commonwealth listed entity known as the Federal Court of Australia (the Entity).

The Chief Executive Officer of the Federal Court of Australia is the Accountable Authority of the Entity for the purposes of the PGPA Act. The Accountable Authority has responsibility for, and control over, the Entity's provision of corporate services to the Courts and the Tribunal in consultation with each of the jurisdictions.

The Entity manages 23 properties across Australia which are located within capital cities and regional towns. The property portfolio contains a mix of special purpose buildings that are owned by the Department of Finance and commercially leased office buildings.

The Department of Finance owned buildings are located at:

- 5 Childers Street, Canberra
- 1–3 George Street, Parramatta
- 97–99 Goulburn Street, Sydney
- 119 North Quay, Brisbane
- 3 Angas Street, Adelaide
- 39–41 Davey Street, Hobart
- 305 William Street, Melbourne, and
- 1 Victoria Avenue, Perth.

The commercially leased office buildings are located at:

- 184 Macquarie Street, Queens Square, Sydney
- 463–467 Kiewa Street, Albury
- 188 Macquarie Street, Dubbo
- 29 Molesworth Street, Lismore
- 61 Bolton Street, Newcastle
- 43 Burelli Street, Wollongong
- 80 William Street, Sydney
- 18 The Esplanade, Darwin
- 143 Walker Street, Townsville
- 104 Grafton Street, Cairns
- 15 Lake Street, Cairns
- 53–55 Robinson Street, Dandenong
- 48 East Street, Rockhampton
- 14 Parsons Street, Alice Springs, and
- 91–97 Charles Street Henty House, Launceston.

The Entity properties accommodate approximately 1,400 staff and, in many circumstances, have adopted hybrid working arrangements. Our facilities include courtrooms, hearing rooms, mediation suites, child observation areas, safe rooms, judicial chambers, public waiting areas and registry areas and general office areas. The Entity has premises in tropical and temperate areas which experience extreme temperatures and weather events.

Under the current facility management methodology for the Commonwealth owned special purpose court buildings (Commonwealth Law Courts buildings)

the Court only has responsibility for the usable office area within the building, with the Department of Finance responsible for the non-office area and utility arrangements. The Department of Finance will report separately on the power usage in these buildings, but the Court will work closely with the Department to reduce its emissions.

The majority of the Courts' nett-lettable area (NLA) within its premises is non-usable office area and, as such, there are only a small number of the 23 premises listed above that are captured within the size thresholds for usable office area for the Government's net zero strategy. The locations which will be captured are currently Adelaide, Brisbane, Melbourne, Parramatta, Perth and 80 William Street, Woolloomooloo. The Entity is committed to taking a whole of premises approach to reducing its emissions.

The Entity has commenced its net zero emissions pathway in line with Government's New Zero Operations Strategy. These initiatives have included:

- assessment and strengthening negotiations with respect to NABERS ratings as part of market approaches and lease negotiations.
- office space review to maximise efficiency of use to minimise the Courts footprints.
- electrical metering separation in Sydney
- working with building owners (including Department of Finance and commercial lease building Landlords) to assess and implement solar systems, and
- waste Management investigations with respect to end-to-end management of our building waste cycle.

Purpose

The Courts, Tribunal and the Entity understand their essential roles in managing and implementing emissions reduction initiatives set by the Australian Government's Net Zero in Government Operations Strategy (the Strategy) developed by Department of Finance. The Strategy sets out the Australian Government's approach to achieving net zero greenhouse gas emissions from its operations by 2030 and the reinstatement of public emissions reporting.

The Emissions Reduction Plan provides a set of steps for the Entity, in consultation with the Courts and Tribunal, to contribute to the achievement of the APS Net Zero by 2030. This plan encompasses existing and new initiatives within the Entity to reduce emissions.

This Emissions Reduction Plan has been completed in accordance with the Strategy, associated guidance and reporting standards for annual emissions reporting.

Net zero greenhouse gas emissions

APS Net Zero 2030 is the target set by the Australian Government to achieve net zero greenhouse gas emissions from government operations by the year 2030. It includes scope 1 and scope 2 emissions from activities in Australia and its territories, as described in the Strategy. The APS Net Zero 2030 target applies at the aggregate level to non-corporate Commonwealth entities and generally covers the entirety of the Entity's organisation. From an organisational perspective, this means minimising the greenhouse gas emissions that are within our control.

Governance and reporting

The Entity will regularly consult with the Courts and Tribunal on proposed plans and implementation measures of initiatives to reduce emissions for the Courts, Tribunal and the Entity. Progress against actions identified within this Emissions Reduction Plan, and any additional measures adopted, will be included in our annual reports. This, combined with annual emissions reporting, will be used as a measure of the Entity's progress towards reducing its emissions.

As part of the Net Zero in Government Operations Annual Progress Report, the Department of Finance will aggregate these measures to provide whole-of-Australian Government (WoAG) emissions reporting.

This Plan will be reviewed annually, and any future initiatives addressed in later versions of this Plan.

Baseline emissions

Baseline emissions are a record of greenhouse gases produced prior to the introduction of strategies to reduce emissions. The baseline emissions from financial year 2022–23 are the reference point against which emissions reduction actions can be measured.

The baseline emissions for this plan focus on scope 1 and scope 2 emissions, consistent with the APS Net Zero 2030 target. Electricity-related emissions were calculated using the location-based method. The complete 2022–23 greenhouse gas emissions inventory tables for the Courts, Tribunal and the Entity are presented in the Federal Court’s 2022–23 annual report. Baseline adjustments have been undertaken for any site inclusions in the 2023–24 financial year.

Baseline year	Financial year 2022–23
Scope 1 emissions	0 tCO ₂ e
Scope 2 emissions	634 tCO ₂ e
Total emissions	634 tCO ₂ e

The above base year emissions exclude Commonwealth owned special purpose properties, which are separately reported by the Department of Finance. The Court will endeavour to work with the Department of Finance to minimise emissions within these special purpose buildings.

Engagement

In the development of this plan, the Entity has worked with:

- The Federal Court of Australia, the Federal Circuit and Family Court of Australia (Division 1), the Federal Circuit and Family Court of Australia (Division 2) and the National Native Title Tribunal
- The Department of Finance
 - Property Management team for Commonwealth owned special purpose properties
 - Climate Action in Government Operations – to ensure that this plan aligns with the Net Zero in Government Operations Strategy and the Commonwealth Climate Disclosure requirements
 - Fleet team – to discuss options associated with low emissions vehicles
 - Travel team – to discuss options and considerations for lowering travel emissions
- Commonwealth entities – where possible shared considerations could be addressed to lower emissions across the portfolio, and
- Neighbouring tenants – to discuss options for shared locations and any associated and relevant outcomes to lower emissions.

Emissions reduction targets

The Entity, in consultation with the Courts and Tribunal, is not yet able to set forward emission reduction targets as we are still undertaking audits and reconciliations of our emission drivers across our operations. The Entity, in consultation with the Courts and Tribunal, is proposing to follow the APS Net Zero 2030 target in full, as per the Net Zero in Government Operations Strategy. The target covers the entirety of our Entity's operations within Australia and its territories for scope 1 and scope 2 emissions, as described in the Strategy.

The estimates are calculated and provided by the Property Service Provider based on the amended 2022–23 emission reporting data. This Emissions Reduction Plan has been completed in accordance with the Net Zero in Government Operations Strategy, associated guidance, reporting standards for annual emissions reporting. The estimates will be reviewed annually.

Strategies and actions

For the Entity, in consultation with the Courts and Tribunal, to contribute to the achievement of the APS Net Zero 2030 target, targeted action on existing emissions reduction measures and the introduction of further or new measures is required. These actions are summarised in the following points, with further detail provided below:

- procuring renewable electricity
- undertaking benchmarking for energy performance
- working actively with landlords to improving building standards
- sustainable procurement
- LED lighting planning
- solar PV and LED lighting upgrades, and
- expanded use of video conferencing and consideration of climate impacts when planning travel.

Buildings

Benchmarking building performance and improving standards

Continuing to improve understanding of our property portfolio, current energy efficiency and performance against established NABERS ratings will highlight gaps in performance and focus the Entity's attention on key opportunities for improvement. The Entity reiterates that it has limited control of base building infrastructure (in commercial lease buildings) and this does restrict the actions available to the Entity.

For new commercial leases over 1000sqm NLA, the Entity, in consultation with the Courts and Tribunal, will explore opportunities for suitable buildings that have 5.5 or higher base building and tenancy NABERS energy ratings. The Courts, Tribunal and Entity premises are unique with a large component of its NLA providing special purpose facilities such as courtrooms, judges' chambers, mediation suites, child observation rooms, safe rooms, public waiting rooms, registry counters and secure circulation within tenancies. The Courts, Tribunal and Entity building attributes and the high cost of fitting out these specialist facilities does limit the availability of suitable premises and buildings. Consideration of the emissions in demolishing and undertaking new fit-outs in these premises are also part of the evaluation assessment. These standards should see the Entity, in consultation with the Court's and Tribunal, reduce its emissions footprint across its property portfolio.

Action

- Net zero building standards are a key consideration when negotiating new leases with landlords.
- Work with Property Services Provider to establish indicative NABERS energy ratings for all tenancies greater than 1,000sqm NLA by 30 June 2025.
- Work with landlords to discuss and assess where the tenancies emissions could be improved to close the energy rating gap by 30 June 2026.

- Work closely with landlords to assess joint initiatives to enhance the buildings performance to meet net zero targets.
- Work with Property Services Provider to perform regular assessment of tenancy energy ratings to track improvements because of reduction initiatives.

Future fit-out sustainable procurement

Incorporating sustainable principles across its properties will see the Entity, in consultation with the Courts and Tribunal, prioritise the use of recycled and refurbished products as part of future fit-outs. This will also see the selection of low emission products to continue to minimise fit-out emissions as well as waste impacts. The above will be considered in conjunction with value for money analysis across the life cycle of the fit-out and incorporated products.

Action

- Incorporate in tender documentation clear guidelines and expectations of the Entity, in consultation with the Courts and Tribunal, regarding emissions reduction and waste minimisation.
- Re-use existing fit-out items when not at end of life and provide solutions for recycling, donation or external reuse of products designated for removal.
- Implement procedures and guidelines for procurement of furniture and appliances with low emissions and with sustainable lifecycle credentials.
- Ensure Property Services Provider aligns with the Government's Sustainability Procurement Guidance for minor works and future fit-out assignments.
- Assess opportunities to upgrade lighting within our premises to energy efficient lighting, including the use of lighting control mechanisms to minimise energy emissions.

Electricity

Renewable electricity

The Entity, in consultation with the Courts and Tribunal, will procure renewable electricity contracts with WoAG electricity contractors for all sites where it has control of the electricity for its premises in New South Wales, Queensland, Tasmania and Victoria. The Entity will also work with the Department of Finance as the electricity contact owner to coordinate if needed with any transitions for the Commonwealth Law Courts buildings.

Action

- Consult with the Department of Finance and Property Services Provider to ensure participation in WoAG electricity procurement as per the Strategy and replace all electricity contracts with renewable electricity.
- Actively encourage an Electric Vehicle charging plan for Department of Finance owned and commercial lease buildings where possible.

Solar PV installation/upgrade

The Entity, in consultation with the Courts and Tribunal, is working closely with the Department of Finance to assess the inclusion of solar installations in the Court's Commonwealth Law Courts buildings. A solar installation was recently completed at the Parramatta Commonwealth Law Courts building, with further sites to be investigated. Through its Property Services Provider, the Entity, in consultation with the Courts and Tribunal, will also work closely with landlords for its commercially leased premises to explore and encourage the installation of solar PV installation to reduce the emissions standards of the building. The landlord has recently installed solar PV arrays in the Federal Circuit and Family Court of Australia's Dandenong commercial leased registry premises, which is leading to reduced energy emissions for this site.

Action

- Work with Department of Finance to encourage the assessment of other Commonwealth Law Court buildings to identify where PV may be a viable option.
- Work with Property Services Provider to encourage landlords through lease negotiations or joint ventures to explore the installation of solar PV systems.

Procurement

Sustainable procurement

The Entity, in consultation with the Courts and Tribunal, is modernising internal procurement policies to align with the Government's Environmentally Sustainable Procurement Policy and the sustainable Procurement Guide published by the Department of Climate Change, Energy, the Environment and Water. The Entity, in consultation with the Courts and Tribunal, will actively build the capabilities of staff in sustainable procurement within the procurement team as well as those undertaking procurement in the regions.

Action

- Finalise, in consultation with the Courts and Tribunal, the modernised Entity procurement policy by 31 January 2025.
- Work to develop guidance and training materials to support the modernised procurement policy including environmental sustainability.

Fleet

The Court does not maintain any vehicles that qualify as a fleet under the Strategy.

Travel

Travel within the Courts is primarily driven by the need to conduct court hearings for single and full court matters in person within existing court registries in a timely manner and for the Federal

Circuit and Family Court of Australia (Division 1) and the Federal Circuit and Family Court of Australia (Division 2) judges and senior judicial registrars to undertake in person court events at 28 circuit locations. These circuit locations are situated throughout rural and regional Australia, with most circuits being undertaken in state and territory court locations. Access to justice and open justice principles are critical to the function and administration of the Courts and Tribunal and travel is often essential to ensure these principles are met.

The Entity, in consultation with the Courts and Tribunal, has invested in teleconferencing and videoconferencing technology across its facilities to also align with the above principles, and these electronic platforms are used where possible to reduce judicial, staff and litigant travel. The Case Management Pathway introduced in September 2021 in the Federal Circuit and Family Court of Australia has registrars utilising electronic platforms for case management events. For travel linked to the administration of the Courts, we are committed to align with WoAG travel policies, which require that travel must only be undertaken where other communication tools such as teleconferencing and videoconferencing are not suitable.

Action

- Update the Entity's travel policy, in consultation with the Courts and Tribunal, to include climate considerations by 31 January 2025.
- Further promote the use of video conference to reduce emissions of the Courts, Tribunal and the Entity
- Encourage the use of low-emission transport options where appropriate.

People, Culture and Capability

The Entity, in consultation with the Courts and Tribunal, is committed to harnessing leadership to help drive positive culture and change in reducing emissions from government operations

Action

- Encourage a Chief Sustainability Officer role to champion reduction in emissions.
- Encourage development of and participation in an Environmental Contact Officer Network (ECONet).

Involved participants

The Entity Executive Committee were briefed and approved the plan on 1 October 2024.

The following areas of the Entity have been involved in the development and review of this plan:

Division	Branch
CEO and Principal Registrar	Principal Registry FCA
CEO and Principal Registrar	Principal Registry FCFCOA
Registrar	NNTT
Executive Director	Corporate Services
Executive Director	Courts and Tribunal Services
Property and Procurement	Corporate Services
People and Culture	Corporate Services

