

The Senate

Rural and Regional Affairs and
Transport Legislation Committee

Additional estimates 2004-05

March 2005

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Senator Tchen replaced Senator Ferris on 18 February 2005 for the consideration of the 2004-05 additional estimates

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LIST OF ABBREVIATIONS

ABARE	Australian Bureau of Agricultural and Resource Economics
ACCC	Australian Competition and Consumer Commission
ADSB	Automatic Dependent Surveillance Broadcast
AFMA	Australian Fisheries Management Authority
ALGA	Australian Local Government Association
AQIS	Australian Quarantine and Inspection Service
AMSA	Australian Maritime Safety Authority
ANAO	Australian National Audit Office
APVMA	Australian Pesticides and Veterinary Medicines Authority
ATSB	Australian Transport Safety Bureau
BRS	Bureau of Rural Sciences
CASA	Civil Aviation Safety Authority
COAG	Council of Australian Governments
DIMIA	Department of Immigration, Multicultural and Indigenous Affairs
DOTARS	Department of Transport and Regional Services
DSAP	Dairy Structural Adjustment Package
EC	Exceptional Circumstances
EPIRB	Emergency Position Indicating Radio Beacon
FAG	Financial Assistance Grant
FMD	Foot and Mouth Disease
GM	Genetically Modified
IOG	Industry Oversight Group
IQI	Increased Quarantine Inspection
IRA	Import Risk Analysis
IUU	illegal, unreported and unregulated fishing
LOGJOG	Local Government Joint Officers Group
MOU	Memorandum of Understanding
NAS	National Air Space
NDRA	Natural Disaster Relief Arrangements
NLIS	National Livestock Identification Scheme

OIE	World Organisation for Animal Health
OJD	Ovine Johne's Disease
PAES	Portfolio Additional Estimates Statements
PETA	People for the Ethical Treatment of Animals
PIAPH	Product Integrity, Animal and Plant Health
RAG	Regional Advisory Group
RTC	Rural Transaction Centre
RFA	Regional Forest Agreement
SDA	Supplementary Dairy Assistance package
TAP	Threat Abatement Plan
UAE	United Arab Emirates

CHAPTER ONE

INTRODUCTION

1.1 On Thursday 10 February 2005, the Senate referred to the Committee the following documents for examination and report in relation to the Agriculture, Fisheries and Forestry and Transport and Regional Services portfolios:

- (a) Particulars of proposed additional expenditure in respect of the year ending 30 June 2005;
- (b) Particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2005;
- (c) Statement of savings expected in annual appropriations made by Act No. 88 of 2004 (Appropriation Act (No. 1) 2004-2005) and Act No. 89 of 2004 (Appropriation Act (No. 2) 2003-2004);
- (d) Issues from the Advance to the Minister for Finance as a final charge for the year ended 30 June 2004; and
- (e) Final budget outcome 2003-04, Report by the Treasurer and Minister for Finance and Administration, September 2004.

1.2 The Committee considered the Portfolio Additional Estimates Statements 2004-2005 for each portfolio at hearings on 14, 15 and 18 February 2005. The hearings were conducted in accordance with the agreed agenda as follows:

- (a) Monday, 14 February – Transport and Regional Services portfolio;
- (b) Tuesday, 15 February – Agriculture, Fisheries and Forestry portfolio;
- (c) Friday, 18 February – Transport and Regional Services portfolio.

1.3 The Committee heard evidence from Senator The Hon Ian Macdonald, Minister for Fisheries, Forestry and Conservation, representing the Minister for Agriculture, Fisheries and Forestry, Senator The Hon Ian Campbell, Minister for Territories and Local Government, representing the Minister for Transport and Regional Services; and Senator the Hon Richard Colbeck, Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry. Evidence was also provided by Ms Joanna Hewitt, Secretary of the Department of Agriculture, Fisheries and Forestry, Mr Mike Taylor, Secretary of the Department of Transport and Regional Services and officers representing the departments and agencies covered by the estimates before the Committee.

1.4 The Committee thanks the Ministers, Departmental Secretaries and officers for their assistance and cooperation during the hearings.

Questions on Notice

1.5 In accordance with Standing Order 26, the Committee is required to set a date for the lodgement of any written answers or additional information. The Committee requested that written answers and additional information should be submitted by Friday, 1 April 2005. Following a request from the Department of Transport and Regional Services, the Committee agreed to extend the date for the submission of written answers and additional information from that Department to 8 April 2005.

Administration of written answers or additional information

1.6 Answers to questions taken on notice at the Additional Estimates hearings will be tabled in the Senate in separate volumes entitled *Additional Information provided during the Rural and Regional Affairs and Transport Legislation Committee's examination of additional estimates 2004-2005*. Documents not suitable for inclusion in the additional information volumes will be available on request from the Committee secretariat.

CHAPTER TWO

TRANSPORT AND REGIONAL SERVICES PORTFOLIO

Department of Transport and Regional Services

2.1 The Committee heard evidence from the Department on Monday, 14 February and Friday 18 February 2005. The hearing was conducted in the following order:

- **Corporate Group**
- **Policy and Research Group**
 - Transport and Portfolio Policy
 - Bureau of Transport and Regional Economics
- **Programmes Group**
 - Transport Programmes
- **Regulatory Group**
 - Office of Transport Security
 - Airservices Australia
 - Aviation and Airports Regulation
 - Surface Transport Regulation
 - Australian Maritime Safety Authority
- **Safety and Investigation Group**
 - Australian Transport Safety Bureau
- **Regulatory Group**
 - Civil Aviation Safety Authority
- **Programmes Group**
 - Local Government Programmes
- **Policy and Research Group**
 - Regional Policy
- **Programmes Group**
 - Regional Programmes and Territories
 - National Capital Authority

2.2 In his opening remarks to the Committee, the Secretary of the Department focussed on number of issues relating to DOTARS' twin responsibilities for transport and regional services.

2.3 DOTARS' Secretary, Mr Mike Taylor, stated that airspace reform remained a high priority for the Department and commented on the decision to transfer responsibility for airspace regulation away from Airservices Australia. He also emphasised the Department's efforts in further improving airport security, including funding initiatives to raise security at regional airports and the enabling of the Aviation Transport Security Act. He also alerted the Committee to expenditure on maritime security and engagement with the states on surface transport security. He also informed the Committee of a commitment to enable the ATSB to lift its safety investigation capacity.

2.4 The Committee was also told that a number of new road funding projects had been announced under the AusLink initiative. These relate to the Geelong bypass, Townsville ring road and various Roads to recovery and black spot programs.

2.5 On regional matters, the Secretary informed the Committee that the Department was undertaking to extend the Bank@Post program, continuing the icon program and broadening the Sustainable Regions Program. Further, the Department was administering a bushfire administration program over three years, as well as the continuation of the flood mitigation, natural disaster relief and aerial fire fighting programs.¹

2.6 The Departmental Secretary also flagged the prospect of another change to the Department's structure. On 7 March 2005, Mr Taylor wrote to the Committee indicating that he had implemented the following administrative structure:

- Corporate Services
- Regional Services
- Territories and Local Government
- Australian Transport Safety Bureau
- Office of Transport Security
- Aviation and Airports
- AusLink
- Maritime and Land Transport
- Portfolio Policy and Research

1 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 3-4

Corporate Group

2.7 The Committee began by addressing the issue of answers to questions on notice. The Committee was concerned that the late provision of answers did not enable the Committee to examine the responses in the context of the current hearings.²

2.8 The Committee discussed the Department's financial state including the \$80 million decline over the last financial year, from a surplus of \$20.1 million to a \$59.4 million deficit.³ A major contributor to the deficit was the whole-of-government asbestos related disease provisions for which the Department will contribute \$63.4 million. Through discussion, it was revealed inaccurate figures of \$3.4 million for the asbestos provision were listed in the ANAO report.⁴

2.9 On the second day of hearings (Friday 18 February), the Committee pressed officers on the issue of late answers to questions placed on notice in the Senate.⁵ Specifically the Committee queried why an answer had not been provided to question on notice no 279 relating to the 2003-04 report on the operation of the *Local Government (Financial Assistance) Act 1995*. The Department was asked to provide details of the work on the answer. The Committee also requested details of how often the Department did not reach its 30 day turn-around time for providing answers to questions on notice for Ministerial clearance.⁶

Transport and Portfolio Policy

2.10 The AusLink project has been the Department's major analysis of emerging infrastructure capacity problems. AusLink's primary focus is on the Commonwealth funding of the land transport network which links roads, rail, ports and airports. It was created in consultation with the public and state and territory governments.⁷

2.11 A major component of the AusLink White Paper is the land transport corridor studies. The Department has identified 23 corridors and is currently investigating at ways to best cater for growth in these areas by looking at a range of transport outcomes and not focusing exclusively on roads.⁸

2.12 Four pilot corridor areas have been agreed on; Sydney to Melbourne, Adelaide urban links, Perth to Adelaide and Brisbane to Cairns. The Department indicated that they would work with individual state governments to develop joint objectives for

2 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 4-5

3 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 9

4 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 10-11

5 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 10

6 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, pp. 10-11

7 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 13

8 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 14-5

federal and state governments, focussing on safety outcomes for particular routes, transit times for heavy vehicles, road and rail upgrades and technology solutions. The corridor studies seek to provide an objective mechanism for an optimal outcome for infrastructure investment.⁹

2.13 The Department outlined to the Committee that 18 projects had been approved under AusLink's Strategic Regional Projects, and that it was seeking more detailed proposals pertaining to these projects.¹⁰

2.14 The Committee sought further information in regard to the AusLink-driven change to road funding for local councils under the Roads to Recovery program. The Department explained that a division of funding was allocated between the states, with another allocation to individual councils. The allocated amount for each council is determined by legislation and not discretionary decisions by ministers.¹¹ The Department explained there has been a ten per cent funding increase per annum in the Roads to Recovery program since last year.¹² Through AusLink, councils will now receive \$300 million under the Roads to Recovery funding formula, and \$30 million a year over five years for strategic funding at a total of \$150 million.¹³

2.15 The Committee inquired about negotiation for the open skies agreement with Singapore Airlines. Beginning in September 2003, the agreement allows for unlimited Australian and Singaporean carriers to fly between the two countries. Negotiations on further liberalisation, particularly relating to flights across the Pacific, have been delayed whilst the countries wait for the aviation industry to stabilise after the September 11 terrorist attacks and the SARS outbreak.¹⁴ The Department indicated that discussion had recommenced, but that any further agreements expanding the rights of Singapore Airlines would be dependent on commensurate benefits to Australian carriers.¹⁵

2.16 The Committee discussed at length the offer of the Singapore government to lift all restrictions on Australian flights beyond Singapore. Specific attention was given to the impact of that arrangement on the trans-Pacific route and flights to North America. The Department reported that the issue was being discussed that week in official deliberations between the Singaporean Minister and the Minister for Transport and Regional Services.

9 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 14-5

10 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 18

11 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 48

12 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 49

13 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 50

14 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 21

15 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 25

2.17 The Committee also heard evidence in relation to the Department's airline usage. In July of 2003 the government announced the objective of 10 per cent of all Australian government officers' travel on the Canberra-Sydney route to go towards small airlines.¹⁶ Overall the Department spent \$1.7 million on domestic travel in 2003-04. Of this figure, 85 per cent was Qantas, 6.5 per cent was Virgin Blue, 6.4 per cent Regional Express and 2.7 per cent other carriers.¹⁷ The Department has taken on notice to provide the Committee with the exact percentage of travel given to small airlines on the Canberra-Sydney route.¹⁸ However, the Department claims to consistently have given business above the Government's 10 per cent objective to Rex Airlines.¹⁹

Transport Programmes

2.18 The Committee inquired about the Department's newly acquired Tasmanian Wheat Freight Subsidy Scheme, transferred from the Department of Agriculture, Fisheries and Forestry. The Department defined the differences between this scheme and the Tasmanian Freight Equalisation Scheme. The Subsidy Scheme deals with the subsidisation of bulk shipments of wheat to Tasmania, whereas the Freight Equalisation Scheme includes shipments of containerised wheat.²⁰ The Department explained that while the government had previously announced it was going to end the wheat subsidy scheme, with wheat eligible for the alternate Freight Equalisation Scheme subsidy, the wheat subsidy scheme covering bulk shipments of wheat had been reinstated.²¹

Office of Transport Security

2.19 Regional airport security was a major issue of interest to the Committee. Many questions regarding pilot licenses were addressed,²² as well as pilot training.²³ The Department stated that the license fee to be levied on pilots is expected to drop from the \$200 discussed in previous Estimates hearings. The Department indicated that 35,000 pilot license checks will need to be done and pilots who need to access secure airport areas will require a different ASIO security check²⁴, which generally takes

16 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 32

17 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 34

18 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 34

19 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 36

20 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 53

21 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 53

22 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 77-83

23 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 83

24 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 78-9

between 4 and 6 days.²⁵ The check to retain the Aviation Security Identity Card is undertaken every two years.²⁶

2.20 The Committee was interested to hear about the Department's security training at regional airports.²⁷ The Department responded by clarifying that DOTARS would be working with state police forces for training and anti-terror exercises.²⁸ Through extensive consultation with the state police forces, it has been ascertained that the best approach will be to customise the exercises and events based on the types of airports and jurisdictions as well as the airports' transport security programs.²⁹ In addition to this, some standard training material will be available to airport and aircraft operator staff on CD, plus a course on a secure Internet site.³⁰

2.21 Security checks for the maritime sector were also discussed. In July 2004 the Government announced that security identity cards will be issued. Policy regarding the cards is currently being explored through consultation with the relevant parties.³¹ The parameters of the card are currently being discussed by the Minister.³² Australia's unique circumstances have been taken into account for the policy, and references to countries that have similar arrangements, such as the US, Canada and the UK have been made.³³

2.22 Shipping security was also an area of interest for the Committee.³⁴ The Department discussed 'high-risk ships' which are profiled by crew, cargo and arrangements concerning the ship. Less than 5 per cent of the 11, 000 ships that visited Australian ports in the previous year were in the high-risk category.³⁵ Seventy to 80 per cent of all ships entering Australian ports are inspected by the Australian Customs Service.³⁶

2.23 The Committee questioned the Department in relation to the transport of dangerous goods. The Department considers this to be a complex issue as it deals with responsibilities under the *Maritime Transport Security Act 2003* in addition to issues

25 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 80

26 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 79

27 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 83

28 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 83

29 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 83

30 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 84

31 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 81

32 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 92

33 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 92

34 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 85

35 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 85-6

36 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 86-7

of rail, trucking, storage and distribution.³⁷ The Department's work is now linked in with a review of hazardous materials being done by The Council of Australian Governments (COAG) to ensure there is no overlap between States and governments.³⁸

2.24 When considering dangerous goods, the transport of ammonium nitrate was of particular interest to the Committee. The Department advised that five single voyage permits for ammonium nitrate have been issued since 1 July 2004 and there has been a turnover of 10, 800 tonnes in this time.³⁹ The Committee was told that COAG has made decisions on a licensing regime for ammonium nitrate, but would provide the details to the Committee on notice. The Department highlighted the fact that the complexity of securely transporting ammonium nitrate manifested itself in supply chain issues. Risk assessments are being conducted before strict regulations are set that may not achieve the desired security outcomes.⁴⁰

2.25 The Committee pursued an interest in Australia's offshore oil and gas facilities and assets. The Department noted they had given comment to a task force formed by Department of Prime Minister and Cabinet to look at the issue.⁴¹ This task force reported their findings to the Secretaries Committee on National Security who in turn made a recommendation to the National Security Committee of cabinet. The government then made an announcement in regard to this report on 15 December 2004.⁴²

2.26 A bill to extend the *Maritime Transport Security Act 2003* is expected to come before the Parliament during the winter session in order to have the security regime for offshore oil and gas facilities in place by 30 September 2005.⁴³ The bill will build on existing legislation. It will also take into account the fact that oil and gas facilities can sometimes resemble ports and sometimes resemble ships.⁴⁴ Guidance material will be developed including a risk context statement so there is a consistency across the line of some 56 varying facilities around the Australian coastline, whilst still catering to the differences between sites.⁴⁵

37 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 93

38 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 93-4

39 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 89-90

40 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 94

41 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 94-5

42 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 95

43 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 95

44 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 95

45 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 95-6

Airservices Australia

2.27 The Committee inquired about the \$150 million election promise to install 10 regional radars for airports.⁴⁶ The Committee was interested in the funding of the election promise and why an appropriation was not issued. The Department explained that the question of funding has not yet been resolved and no formal proposal has been given by the Government at this stage.⁴⁷ The Department also outlined Airservices Australia's current funding arrangements to the Committee. The radar expense would be spread over several years and the funding would consequently be staggered. Airservices Australia expects to raise over half a billion dollars in capital from private equity markets over the next five years, some of which could in effect be put towards the radar funding.⁴⁸

2.28 The Committee was interested to hear from Civil Aviation Safety Authority (CASA) about their involvement with the \$150 million towards regional radars.⁴⁹ To help the Committee understand CASA's involvement, the Department gave an outline of the agency's area of jurisdiction. CASA's role is to oversee safety standards, and to regulate procedures used in airspace.⁵⁰ CASA's advice to the Minister on various radar technologies has been that the use of radar in any airspace would enhance safety. CASA has not done a comparison between the use of regional radar and ADSB technology at this stage.⁵¹ For further information from CASA see paragraphs 2.35 and 2.36.

2.29 The Department has also been looking into Automatic Dependent Surveillance Broadcast (ADSB) technology, which could be used as an alternative to the regional radar.⁵² The cost of an ADSB unit is estimated to be one-twentieth of the cost of terminal radar and would focus on the upper airspace (over 30,000 feet). However, it would also include the lower airspace, which the radar would focus on.⁵³ For the next two years, \$14 million has been allocated to ADSB technology.⁵⁴

2.30 ADSB requires the aircraft flying in the area to have the ADSB equipment fitted.⁵⁵ ADSB is still very much under trial,⁵⁶ but in the medium term is considered to

46 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 100

47 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 102

48 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 102

49 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 118-9

50 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 119-120

51 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 120

52 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 103

53 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 103

54 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 104

55 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 104

be an effective alternative to the traditional radar systems. Should the trial prove effective, a mandate would be issued by CASA that all aircraft operating in the system have an ADSB transponder fitted and turned on.⁵⁷

2.31 The Committee queried officers about airport tower controls and was informed that the Department commenced a review of pricing arrangements for airport tower controls in August 2003.⁵⁸ The completed review was presented to the ACCC, who made a final decision before Christmas 2004 where they endorsed the pricing proposal for all terminal locations for en route services. The endorsed prices were implemented 1 January 2005.⁵⁹ A transition subsidy has been granted to 14 airports for the installation of the towers and any loss associated with each operation. \$7 million was given last financial year for the subsidy, and a further \$7 million this financial year.⁶⁰

Surface Transport Regulation

2.32 The Committee was interested to discover why the Department did not include the issue of cabotage in their submission to the Productivity Commission's review of national competition policy reforms, as cabotage was outlined in the terms of reference of the review. The Department took the questions on notice.

2.33 The Committee looked into the Department's handling of ageing bulk ships entering Australian ports.⁶¹ Based on historical measures, in Australia a high-risk ship is 15 years of age or above.⁶² The majority of the high-risk ships are bulk iron ore, coal and wheat carriers.⁶³ Eighty per cent of high-risk ships were targeted for inspection in 2004 and a 96 per cent inspection rate was achieved.

Australian Maritime Safety Authority

2.34 The Committee engaged officers from AMSA on the issue of Emergency Position Indicating Radio Beacons (EPIRBs). They were informed that there is to be a transition to digital EPIRB technology due to take place on 1 February 2009, which will provide a signal that is more effectively transmitted. AMSA indicated that an education program had already started and that the two EPIRB systems would continue to operate in tandem until 2009.

56 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 107

57 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 107-8

58 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 110

59 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 110

60 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 110

61 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 115

62 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 116

63 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 116

Civil Aviation Safety Authority

2.35 Since the arrival of their new CEO last year⁶⁴ CASA has been studying the boundaries and legislation within which CASA operates. From this information CASA has outlined a set of priorities for the agency.⁶⁵ Further, in recent years CASA has been undertaking the Regulatory Reform Program in the hope to get better outcomes for the industry.⁶⁶ The program is focused on producing a quality response rather than a timely completion. Whilst the review was nearing completion, the Department has decided there is a need to have additional consultation to ensure a careful analysis of all risks is taken into account, and the best regulations possible implemented.⁶⁷

2.36 The Committee inquired about the review of drug and alcohol testing in the wake of the Hamilton Island tragedy. The public were invited to submit a response to the Department's proposed terms of reference and a draft report is currently being considered by the Minister for Transport and Regional Services. If the Minister agrees on the report's release, it will then be considered by the industry as a final draft and returned to the Minister by the end of April 2005.⁶⁸

Local Government Programmes

2.37 On the second day of DOTARS' appearance before the Committee for additional estimates, the Committee inquired about the reform of local government financing and the House of Representatives Standing Committee on Economics, Finance and Public Administration report, *Rates and Taxes: a fair share for responsible local government* (the Hawker Report).⁶⁹ During the 2004-05 budget estimates the Committee raised the matter of the Department's response to recommendations in the report; the Department stating that there was a need for cooperation amongst the states and local government to improve assistance policies.⁷⁰

2.38 The former Minister for Territories and Local Government, Senator Campbell, stated that the Department is seeking to implement the recommendations of the Hawker Report this year, with a departmental task force established to address the recommendations.⁷¹ The Committee was interested in the amount of departmental resources used to establish and maintain the taskforce as well as who were on the

64 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 120

65 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, pp. 122-3

66 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 124

67 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 125

68 RRAT Committee Additional Estimates, *Transcript of Evidence*, 14 February 2005, p. 125

69 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 3

70 RRAT Committee Budget Estimates, *Transcript of Evidence*, 26 May 2004, pp. 19-20

71 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 3

taskforce.⁷² The Department could not give exact details of resources used, however they indicated that there were two full time members of the taskforce⁷³ from within the Department. The taskforce consulted with other officers of DOTARS, Treasury and Finance, the Department of Health and the Department of Prime Minister and Cabinet.

2.39 Local government and the states have been consulted through the Local Government and Planning Ministers Council. Further to this, a roundtable was chaired by the Minister mid 2004. This included representatives from State and Local government associations as well as the Australian Local Government Association (ALGA).⁷⁴ There were also separate consultations with individual local and state government representatives.⁷⁵ The Local Government Joint Officers Group (LOGJOG) holds regular meetings at which discussions of the Hawker Report have remained on the agenda, which have created an avenue for further input from key stakeholders.⁷⁶

2.40 The Committee was advised that the response to the Hawker Report is currently in draft stage within the Department and it is expected that it will be given to the Minister within the calendar year for his consideration.⁷⁷ The Department indicated that they did not feel the task of producing a response to this extensive report was being restricted by a lack of resources.⁷⁸

2.41 The Committee inquired about the 52.1 per cent fall in expenditure on Regional Flood Mitigation in the budget estimate of 2003-04. The Department explained that the allocated funds are paid by the Department only when work has been completed on the projects. Funding that has been allocated but not spent carries over to 2004-05 and 2005-06 until the project is completed and paid in full.⁷⁹

2.42 The Committee queried why the dredging of Tumbi Creek (at The Entrance in New South Wales) has not received funding through the Regional Flood Mitigation Program. The Department stated that funding is granted firstly, on the basis that it meets the criteria of reducing the risk of flooding, and secondly, where an agreement between local, state and federal government on a proposal can be reached. In the case

72 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 6

73 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 5

74 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 6

75 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 7

76 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 7

77 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 10

78 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 10

79 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, pp. 13-4

of dredging Tumbi Creek, the proposal did meet the program's criteria, but there was no agreement between the State and federal governments.⁸⁰

2.43 The Committee requested information about the recent devastating bush fires in South Australia.⁸¹ The Department outlined that the responsibility for response to bushfires is a state matter; therefore the Australian Government's response has been around the natural disaster relief arrangements (NDRA). States are eligible to receive the Australian government rebate when their expenditure exceeds a certain level on specific activities.⁸² According to the Department, the recent Australian bushfires were certainly eligible for NDRA.

2.44 The Committee was advised that the South Australian Premier wrote to the Prime Minister asking for an Australian Government matching contribution to South Australia's \$6 million towards a bushfire recovery fund for the Eyre Peninsula bushfires. The Acting Prime Minister responded to the request stating that whilst there was no obligation to do so, funding would be granted through the Department and also within the criteria of the NDRA.⁸³ This correspondence was followed by a meeting between departmental officers and their South Australian counterparts to discuss the NDRA eligibility status. Contact between the two parties has been ongoing.⁸⁴

2.45 South Australia has received Federal Government assistance which includes an original \$15, 000 payment made by the Department of Family and Community Services through Centrelink. On 14 January 2005, the government announced additional ex gratia payments made by Centrelink. The approximate total in ex gratia payments was \$300, 000 at 7 February 2005.⁸⁵ Further, the Australian Tax Office has offered assistance by fast-tracking refunds and providing extension on debt repayments. The Australian Defence Force has also made recent announcements about providing a Reserve Brigade to assist with recovery efforts.⁸⁶

2.46 The Committee was told that the South Australian government must spend their bushfire recovery funding before they are eligible to receive the Government rebate. At this stage South Australia has not yet made a claim on the NDRA for the Eyre Peninsula fire. The Department recognised that the recovery process was still in its early stages and does not expect a claim for quite some time.⁸⁷

80 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 17

81 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 17

82 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 17

83 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 18

84 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 18

85 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, pp. 18-9

86 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 19

87 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 18

2.47 The Department exchanged information with the Committee on bushfire trails. The Committee was informed that the Bushfire Mitigation program announced by the Prime Minister on 8 September 2004⁸⁸ has been allocated \$5 million a year for the next 3 years, with a total of \$15 million.⁸⁹ This is used to maintain old fire trails, put in new ones, and to widen roads and signs. The Committee was informed that the program would be run along similar lines to the Natural Disaster Mitigation Program where state and local government, including agencies expert in the field of managing fire trails, are consulted. This consultation will result in a list of prioritised proposals, the funding for which will be shared between State, local and Commonwealth government.⁹⁰ The Department stressed, however, that it is important to take into consideration that under these proposals many of Australia's bushfire trails would be on state owned national parks and reserves and also private forests.⁹¹

2.48 The Committee discussed at length the COAG report, *National Inquiry on Bushfire Mitigation*.⁹² The Department indicated that it was part of the working group that developed a response to the report,⁹³ particularly in providing a secretariat to the working group.⁹⁴ The Committee was concerned at the length of time being taken to address the 29 recommendations in the report, given it was written in response to the 2002-03 bushfire season.⁹⁵

2.49 In making reference to the Prime Minister's media release of 24 January 2004, stating that eight of the report's 29 recommendations have been implemented,⁹⁶ the Committee requested details of the progress made on each individual recommendation. In summary to the Committee's questioning, Senator O'Brien stated:

I think we have identified that the recommendation in relation to more effective land use planning measures has been met; that the formalisation of agreements on broadcasts with the ABC has been met, but not with commercial broadcasts, so that has been met in part; and that the adoption of the incident control centre by all Australian fire authorities has been met. We think that the Insurance Council has been asked to review the industry's code of conduct, but you are checking that. There has not been a formalisation of the coordination and development of policy on bushfire

88 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 21

89 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 19

90 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 19

91 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 21

92 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 22

93 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 22

94 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 22

95 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, pp. 22-3

96 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 22

mitigation and management across Commonwealth departments, but it is argued that that is not necessary.⁹⁷

2.50 The Department explained that the majority of responses to the recommendations were a work in progress,⁹⁸ stating: "that is typical of a lot of this report, which is about trying to establish a more rigorous framework over a period of time."⁹⁹ The Committee also acknowledged an understanding that some of the recommendations have long-term measures.¹⁰⁰ Moreover, the Department is not responsible for responding to all the recommendations as other agencies will also be involved.¹⁰¹

Regional Programmes and Territories

2.51 The Committee sought details of COAG's indigenous community trials in the East Kimberleys.¹⁰² The Department outlined their involvement as such:

Our role as the lead agency is to garner the support, the collaboration and the cooperation of our colleagues in other Australian government departments to ensure that there is a streamlined approach to delivery in that area.¹⁰³

Close to \$1 million has been committed to the trial this financial year, which will be supplemented with funding from other departments.¹⁰⁴

2.52 The Committee then questioned the Department on the Regional Partnerships Program. The Budget allocation for the Program for the current financial year is \$103.431 million, which is an additional \$12.9 million to the budget estimates.¹⁰⁵ The Committee then made reference to the Senate Finance and Public Administration Reference and Legislation Committee inquiry into the Regional Partnerships Program and a document was provided to this committee, *Election Commitments 2004: likely to use Regional Partnerships program as mechanism, prepared for the ACC, 7 January, 2005*.¹⁰⁶ The Department indicated that the Regional Partnerships projects listed in this document did not correspond to those listed in the additional estimates. Those projects not listed may be considered in future budgetary processes.

97 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 31

98 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, pp. 24-32

99 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 24

100 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 23

101 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, pp. 24-32

102 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 33

103 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 33

104 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 33

105 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 34

106 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 35

2.53 The Committee questioned the Department over Bank@Post Regional Partnership Program, in particular the reasoning behind a \$10.7 million funding to the project over a four year period.¹⁰⁷ Ms Riggs, Acting Deputy Secretary of the Department responded;

There is quite a lot of set-up involved in this one, but it will not be much to keep it going once it is ticking over. In terms of the way in which the election commitment has been expressed, this is to roll out giroPost, to be rebadged as Bank@Post, to some 266 licensed post offices. We have to negotiate a memorandum or funding agreement with Australia Post; we have to work through to discover how many of those 266 might be able to want to benefit from the commitment. We have to agree with Australia Post on a schedule for the roll-out of those. There is an intensive chunk of work to be done in the period from the time the government was re-elected until the end of this financial year. We have been granted funding to ensure that we can do that and to provide for any legal assistance that we might need in developing the funding agreement—for example, beyond the normal departmental capability.

The Committee proceeded by asking when the Bank@Post project submitted an application for funding with the Regional Partnership Program. The Department stated that:

Governments are entitled to make judgments about how they will give effect to commitments they have made during election campaigns—indeed, they are obliged to make judgments about how they will do that. Their announcement here is that this commitment will be delivered through the vehicle of Regional Partnerships.¹⁰⁸

2.54 The Committee further queried the application processes in the Icon Projects. Announced as election commitments the Icon Projects are as follows: the Mackay Science and Technology Centre, the Buchanan rodeo park in Mount Isa, the Bert Hinkler hall of aviation, a covered arena at the Dalby Showgrounds, the RM Williams bush centre and the Tamworth Equine Centre.¹⁰⁹ The Department reasoned that although the projects had not submitted formal applications for funding with the Regional Partnerships Programs, they will all undergo risk assessments before any funding is granted.¹¹⁰

2.55 The Committee also questioned the Department in relation to whether Regional Partnership applications had been rejected on the basis that a grant could affect business competition. The Department responded that competitive neutrality is

107 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, pp. 35-6

108 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 38

109 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 39

110 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 41

a consideration for all applications, stating that private businesses may successfully apply where there is an unmet demand for the project in the relevant region.¹¹¹

2.56 The Committee showed particular interest in the Lakes Creek Meatworks. The Department explained that whilst Lakes Creeks Meatworks is a commercial enterprise, it is still included in the terms of the programs guidelines.¹¹² In most cases, funding for commercial works is less than 50 per cent of the total cost for the project.¹¹³

2.57 The Committee queried the date that Mr Kiernan was appointed the Chairman of Primary Energy.¹¹⁴

111 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 45

112 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 47

113 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p. 49

114 RRAT Committee Additional Estimates, *Transcript of Evidence*, 18 February 2005, p51

CHAPTER THREE

AGRICULTURE, FISHERIES AND FORESTRY PORTFOLIO

Department of Agriculture, Fisheries and Forestry

3.1 The Committee heard evidence from the Department on Tuesday, 15 February 2005. The hearing was conducted in the following order:

- Management Services and Corporate Governance
- Food and Agriculture
- Biosecurity Australia
- Market Access
- Product Integrity, Animal (including aquatic animal) and Plant Health
- Australian Quarantine and Inspection Service (AQIS)
- Australian Bureau of Agriculture and Resource Economics (ABARE)
- Bureau of Rural Sciences (BRS)
- Rural Policy and Innovation
- Fisheries and Forestry
- Natural Resource Management

3.2 The Committee began the hearing by welcoming the new Departmental Secretary, Ms Joanna Hewitt. The Department drew to the Committee's attention to the transfer of the Plant Breeders Rights Office from the Department to IP Australia.¹ In addition to this, the Committee was informed that on 1 December 2004 Biosecurity Australia was established as a prescribed agency under the *Financial Management and Accountability Act 1997*. This translates to the agency remaining within the Department's portfolio, but for financial purposes it is considered a separate entity.²

1 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 4

2 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 4

3.3 The Department advised that they have made some minor structural changes to better manage the emergence and re-emergence of various disease threats such as avian influenza, BSE and foot-and-mouth disease. Furthermore, the Department sees a need to focus more attention on animal welfare issues, as well as technical issues related to the international trading environment. As a consequence, the government's chief vet will spend less time on the administrative and financial management of Product Integrity, Animal (including aquatic animal) and Plant Health (PIAPH) and the Executive Manager of PIAPH will handle these matters. This will allow the chief vet to work more closely with the Department's executive management team and provide leadership and high-level input on the aforementioned issues.³

3.4 The Department also noted that the responsibility of each of the Department's Deputy Secretaries has been rearranged.⁴

Management Services and Corporate Governance

3.5 The Committee inquired about the compensation for the Hewitt defective administration claim for the attempted export of sultana grapes to the UK in 1984. This matter has been routinely brought before the Committee at estimates hearings.⁵ The Department informed the Committee that on 30 April 2004⁶ the Hewitts accepted the government's offer of \$7.649 million to settle the matter.⁷ The total administrative costs relating to the matter have amounted to \$185,486. The Department considers the matter settled and no further action will be given to the Hewitt claim.⁸

3.6 The departmental saving of \$1.2 million on the Tasmanian wheat freight subsidy scheme was also discussed. The Committee was informed that the saving reflected in the PAES was due to the scheme being transferred to the Department of Transport and Regional Services.⁹

Food and Agriculture

3.7 The Committee engaged the Department in a lengthy discussion on the progress of the Sugar Industry Reform Package. The Department informed the Committee that the process was currently at the stage where the second tranche of sustainability grants were overdue, but have been delayed. The second sustainability grant payment was due in January 2005, contingent on the government being satisfied that industry had undertaken agreed industry reforms, including the development of regional plans.

3 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 4

4 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 4

5 RRAT Committee Additional Estimates, *Transcript of Evidence*, 24 May 2004, pp. 6-8, p. 11

6 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 31

7 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 5

8 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 5

9 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 8

These plans for reforming the industry region by region are to be developed by a number of regional advisory groups (RAGs), which are overseen by an industry oversight group (IOG) responsible for advising the Minister on the progress of the plans.¹⁰

3.8 The Committee questioned the delays in the payment of the \$73 million second tranche of sustainability grants. The Department referred to the Minister's statement of 2 February 2005, in which he stated that the regional advisory groups' regional plans did not demonstrate sufficient evidence of industry reform against the government's criteria; advice which came to the Minister through the IOG.¹¹ The Department elaborated to say that, according to the IOG, each of the plans needed "more work".¹²

3.9 The Committee expressed concern that the regional advisory groups had been given a very difficult standard to reach in view of their voluntary and part time status, and their inexperience in contemplating bureaucratic guidelines. The Committee was advised that the RAGs were assisted by a secretariat within the Department to facilitate communication with the IOG and assist in understanding the issues involved. The Department further indicated that the IOG had provided specific advice to the regional groups as to how their reform plans could be improved to be deemed satisfactory.¹³

3.10 The Committee asked for copies of the regional plans, a request the Department took on notice given that the plans are subject to ministerial discretion.¹⁴

3.11 The Committee questioned the Department in relation to a recent evaluation of the Dairy Structural Adjustment Program. The evaluation was conducted by the South Australian Centre for Economics in the second half of 2003 and is available on the Department's website. The Department stated that:

the evaluation of the dairy package, DSAP and SDA, indicated that the package has been well implemented by the Dairy Adjustment Authority: that there was an almost 100 per cent uptake of the package by eligible entities, that it was progressing well and that generally the package had been used for adjustment assistance throughout the industry—to assist the industry to adjust to deregulation.¹⁵

The evaluation showed that farmers in Victoria and Tasmanian used the adjustment payments to improve productivity while this was less predominant in New South

10 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 11

11 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 10-11

12 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 13

13 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 12-14

14 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 16-17

15 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 23

Wales and Queensland.¹⁶ The Department explained the cause behind this could be that different strategies of adjustment are required in different regions.¹⁷

3.12 The Committee then discussed the eradication of citrus canker. They were informed that \$5.5 million has been allocated to the emergency response program for citrus canker over the next three financial years. Within the program, national consultation and management arrangements have been undertaken through a committee on emergency plant pests. The national plan is managed by the Queensland government, however costs are shared between the Commonwealth and the States, with the Commonwealth paying 50 per cent and the States on a pro rata citrus production basis. The budget is endorsed through the Primary Industries Ministerial Council.¹⁸ The Department stated that the funding deals only with the technical eradication of citrus canker, and does not include funding to affected growers.

3.13 Two assistance packages are on offer to growers affected by the citrus canker disease. The first is a Queensland government package which provides farmers within the plant quarantine area around Emerald with interest-free loans for up to two years.¹⁹

3.14 There is also a separate \$1.5 million Commonwealth package - administered by Centrelink - which has two major components; income support and interest rate subsidies. The Department indicated that the Commonwealth assistance equates to up to \$100,000 for each affected farmer. Subsidies may be applied for against existing or new debt incurred from financial deductions related to the citrus canker disease, and the package is available to growers outside the quarantine area in Queensland who can show a reduction in the vicinity of 30 per cent due to citrus canker. Whilst the guidelines are still being finalised, a number has been made available publicly for inquiries about assistance available. The Department commented that it expects the majority of the funding to go towards interest rate subsidies.²⁰

Biosecurity Australia

3.15 The Committee engaged the Department at length about the importation of fresh meat from within a country in which foot and mouth disease (FMD) is present, and a suspected outbreak had occurred. In describing the chronology of events relating to this incident, the Department informed the Committee that:

- The imported meat was accepted under the policy of accepting red meat from zones declared by the World Organisation for Animal Health (OIE) as being foot and mouth free;

16 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 23

17 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 24-25

18 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 25

19 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 25-26

20 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 26

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- The consignment in question arrived in November 2004 and was comprised of half a tonne of Brazilian frozen beef trimmings. Of the 20 cartons, 13 were held in a cold store in Melbourne, five were distributed to individual smallgoods manufacturers and two to a processing plant in Wagga Wagga;
 - On 24 December 2004, Biosecurity Australia became aware of the report of an unconfirmed FMD case on a property in Brazil (on the border with Paraguay) within one of their FMD-free zones;
 - Import permits were immediately suspended, the 18 cartons that had not been opened were quarantined and precautionary measures applied to the two cartons opened and tested in Wagga Wagga and buried at the Wagga Wagga municipal tip. The policy allowing the imports was suspended pending a review;
 - On 7 January 2005 the Brazilian government advised Australian officials that the suspected outbreak was a false alarm;
 - The policy under which the imports arrived remains suspended and departmental officers will travel to Brazil to assess the effectiveness of FMD-free zones and the safety measures in place.²¹

3.16 The Committee expressed concern over a number of aspects of this incident. Particularly, the Committee questioned why Australia accepted the OIE defined zones when many other countries do not accept the risk associated with importing from countries not entirely FMD-free. The Department reiterated that the policy was under review, but that zoning provided advantages to Australian exporters unaffected by endemic diseases present in other regions.²² The Committee notes that while zoning may be a fair proposition for minor diseases, FMD constitutes a catastrophic risk to Australia's beef industry and it is entirely reasonable for discretion to be applied.

3.17 Another concern was the absence of an import risk analysis to precede the decision to accept Brazilian beef from FMD-free zones, particularly given Australia's own lack of understanding of that country's internal controls. The Department stated that import permits could be issued on the basis of the available OIE evidence. They stressed that the original decision had been on the basis of OIE's auditing of Brazil's controls and that the initial raising of the alert demonstrated the efficacy of these controls.²³

3.18 A discussion then ensued as to the burden of the cost of auditing the controls of countries exporting beef to Australia if OIE certification was deemed not to be an

21 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 31-32

22 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 33 and pp. 37-38

23 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 34

appropriate measure. The Department indicated that this would be a "hugely expensive" undertaking.²⁴

3.19 The Committee also questioned how beef imported using one permit can be distributed as widely as this one was, rendering containment of an infected shipment difficult. The Department indicated that there was no restriction on the use or movement of the product once it had been imported.²⁵ The Committee is concerned that the meat entered the country legally but was disposed of at a commercial tip, prior to the notification of the suspected outbreak of foot and mouth disease. Given that the meat was disposed of prior to notification, had the outbreak been confirmed the outcome could have been catastrophic.

3.20 The Department also indicated to the Committee that Brazil is the only country with FMD from which we have received meat from an FMD free zone.²⁶

3.21 The Committee went on to raise concerns about AQIS' consultation with Biosecurity Australia when assessing import permit applications. The Department explained to the Committee that middle level AQIS officers would, in the course of determining an import permit application, confirm with their Biosecurity Australia counterparts that any approval would be consistent with Biosecurity's policy on FMD-free zone imports.²⁷ The Committee is concerned that an application to import meat from a country with FMD would be handled at this level of the bureaucracy, without consultation with senior Biosecurity Australia officials.

Market Access

3.22 The Committee then moved to the issue of live animal export MOU's with a number of Middle Eastern countries. The Department advised that in December 2004 an MOU had been signed with the UAE, while an agreement with Kuwait, Saudi Arabia and Eritrea was imminent. Negotiations are continuing with Jordan, Syria, Qatar, Bahrain and Oman. When questioned on why agreements were not being sought with countries in regions other than the Middle East, the Department indicated that from a resources standpoint the region that had previously posed difficulties was being focussed on first.²⁸

Product Integrity, Animal and Plant Health

3.23 The Committee inquired about \$20 million to assist farmers with the implementation of the National Livestock Identification Scheme (NLIS). The Department indicated that the details of the expenditure had not been finalised but

24 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 35 -37

25 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 46

26 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 49

27 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 50-51

28 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 56-58

anticipated that it would help producers, livestock agents and saleyards with the uptake of the relevant technology.²⁹

3.24 With regard to the Australian Animal Welfare Strategy, the Committee was informed that the implementation plan had not been completed due to a delay in receiving the necessary funding. Departmental officers indicated that the development of Australian live export standards was a greater priority with the funding available.³⁰

3.25 The Committee then queried the Department on assistance to wool and sheepmeat producers following PETA's instigation of their anti-mulesing campaign. The Department stated that the government continued to provide matched funding to Australian Wool Innovation, who were investigating alternatives to mulesing. The Department stated that industry groups had been leading the response to PETA's campaign, and that industry had reported no significant impact on their markets.³¹

3.26 The Department further informed the Committee that they had received legal advice indicating that AWI were within their rights to use grower levy funds to fund legal action against PETA.³²

3.27 The Committee sought information on the \$505,000 proposed expenditure over the next two years for the future management plan for Ovine Johne's Disease (OJD). The Department explained that they also expected the states and industry to contribute funding to the plan. Under the new program the movement of sheep will be based on vendor declarations of risk, termed assurance based trading. This will comprise a national effort to move to risk based trading and away from state enforced regulatory zones. This will be complemented with the availability of vaccine and the use of such farming practices as pasture spelling and the running of weaners on spelled pasture.³³

3.28 The Department indicated that the system was not an effort to eradicate OJD, rather to minimise the risk of contracting or spreading the disease. The Department further advised that no decision had yet been made as to whether the program's funding would continue beyond 2005-06, or whether there would be a successor program.³⁴

3.29 The Committee also engaged the Department on the accountability and budgetary practices of the Australian Pesticides and Veterinary Medicines Authority (APVMA). The Department indicated that the APVMA's budget was set by their

29 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 59

30 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 59

31 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 61

32 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 61

33 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 63

34 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 63

board of directors and the organisation was accountable to the parliament through the tabling of its annual report, approved by the parliamentary secretary. Officers explained that APVMA was struggling to match revenue to expenditure because it had been required to take on a broader range of functions and the drought had impacted on chemical sales, from which APVMA derives its revenue.³⁵

Australian Quarantine and Inspection Service

3.30 The Committee inquired about the staff impact on the termination of the increased quarantine intervention and Nairn programs. The Department's response was:

I think we answered those questions at the last hearings. We indicated that the amount of money that is involved in those lapsing programs accounts for something like 1,200 AQIS staff, but we then went on to explain that, while that was a direct translation, should those funds lapse, it would be up to the department to look at what its priorities were.³⁶

The Department explained that all programs have a time period that will come to an end and decisions on program durability are examined on a regular basis.³⁷

3.31 The Committee asked about the recall of wood and cane hampers, imported from China before Christmas in 2004, which were suspected of containing larvae from wood-boring beetles. Approximately 114,000 baskets were distributed through two chain stores amongst all the states. At the time of the hearing, 1,500 – 2,000 baskets have been returned through a voluntary recall of the product. However, consumers have also been instructed to dispose of the item by freezing it for 15 days or incineration. Consumers have been notified through two recalls, the first on 31 January, the second in early February. In addition to this signs have been placed in the two major retail outlets and there have been some 157 items in the media. The Department explained to the Committee that the larvae can not do any damage; it is the adult wood-boring beetles that are the risk. There is a strong possibility that many of the hampers will not be in an environment conducive for the larvae to mature.³⁸

3.32 The Committee asked for its regular update on the export of Australian honey to New Zealand. The Department noted the recent receipt of the import risk analysis from New Zealand. Biosecurity Australia and AQIS will assess the New Zealand IRA to see if export to New Zealand is viable. This is expected to be completed in the next couple of months.³⁹

35 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 65

36 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 68

37 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 68

38 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 68-69

39 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 71

Australian Bureau of Agriculture and Resource Economics

3.33 The Committee requested the Department's general outlook for world market trends for major rural commodities. The Department outlined that world economic growth was approximately 4.6 per cent in the 2004 calendar year. A figure above 4 per cent translates to a larger demand and a rise in commodity prices. Entering into 2005 there is uncertainty surrounding the United States direction and there has been talk of the impact of a triple deficit situation in the US. As a consequence there would be an expected easing of world economic growth, and hence commodity prices in Australia would ease also. The US would likely resume beef exports into Australia's key North Asian markets which would ease the price of beef in the 2005-06 financial year. Reasonably flat prices are expected for the cereal and grain sector. Sugar prices have been slightly higher and this is expected to continue. Due to the trend in fashions, the demand for wool has decreased. Consequently, wool prices are expected to remain flat or even decline slightly. Dairy is doing well, particularly cheese, and an increase in the farm gate price for milk is expected. Small increases in the price of cotton are expected for this financial year while a moderate easing on the price of pork is expected for the 2005-06 financial year. A key to the country's export earnings, the Australian dollar, is expected to trade at 75c against the US dollar in 2004-05, up 4 cents on the previous financial year.⁴⁰

3.34 The Committee was particularly interested in the effects of the ongoing drought on major rural commodities. The Department informed the Committee that as the continent of Australia is so large there is always likely to be a drought somewhere. Summer crop production forecasts indicate there will be 3.9 million tonnes, up 3.5 million tonnes from last year. The winter crops however, are expected to drop dramatically from the record 40.3 million tonnes in 2003-04 to 31.5 million tonnes in 2004-05.⁴¹

3.35 The Committee asked about the ABARE reports used in the Biofuels Capital Grants scheme. The Department informed the Committee that the reports would not be updated unless the contracting department, the Department of Industry, Tourism and Resources, requested. The Committee questioned the Department about the demand for alternative fuels when the price of crude oil is increasing. The Department stated that:

If those fuels can be produced competitively to compete with oil, then we would expect to see more of those fuels in the mix... as oil prices rise then it would appear to me prima facie that the industry actually becomes more competitive rather than less.⁴²

40 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 71-72

41 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 73

42 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 73

Bureau of Rural Sciences

3.36 The Committee inquired about the \$6 million funding over four years for the Centre of Excellence for Biosecurity Risk Analysis and Research.⁴³ BRS officers informed the Committee that they were tasked with development work for the centre just a week before the hearing. The plans to establish the centre include design, consulting with relevant stakeholders and identifying potential proponents to manage the centre. At this stage neither a physical location for the centre has been decided on, nor how much it will cost to get the centre up and running. However, \$116,000 has been allocated in 2004-05 for the administration of the project by BRS. The Department's goal is to have the development plan for the centre completed by the commencement of the new financial year, and will therefore report further on the matter at the coming budget estimates.⁴⁴

Rural Policy and Innovation

3.37 The Committee asked for an explanation for the reduction in appropriations of \$111.13 million for drought related exceptional circumstances in 2004-05, a reduction in appropriations of \$3.2 million for drought related interest relief and a \$500,000 reduction for drought related interim support.⁴⁵ The explanation provided by the Department was that the appropriations are a reflection of farmers' actual take-up of drought assistant measures against the original budget estimates figures.⁴⁶

3.38 The Committee then sought information as to why the Farm Help program had again been underspent. The Department indicated that they had anticipated an increased demand for the program as farmers moved from Exceptional Circumstances assistance to Farm Help, however this had not occurred. Officers suggested that the main reason for this was that there had been further extensions to EC areas.⁴⁷

Fisheries and Forestry

3.39 The Department informed the Committee that the ABARE report on defining economic efficiency in the fishing industry was now complete and is with Australian Fisheries Management Authority (AFMA) before it will be finalised. The Department also stated that it contains recommendations on how the AFMA can better structure an approach to measure economic efficiency in the fishery industry.⁴⁸

43 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 78

44 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 78-80

45 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 81

46 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 81

47 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 82-83

48 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 84

3.40 The Committee received an update on the National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. The plan for illegal, unreported and unregulated fishing (IUU) was developed by the Department in consultation with the states and industry. It provides a comprehensive analysis of Australia's problems with IUU fishing domestically and in the near high seas and is expected to direct fisheries agencies to help mitigate the problem. The plan is complete and currently being processed by the ministerial council before it is approved for release. The Department stated that the plan is considered a soft law document and enforcement will be on a voluntary basis.⁴⁹

3.41 The Commonwealth fisheries review document was discussed. At the last estimates hearing the Committee was informed 34 of the 53 recommendations had been implemented.⁵⁰ Since then, a further three recommendations have been implemented. An additional two will be dealt with in the amendments to the *Fisheries Management Act 1991* that will go through parliament in the autumn sitting. The recommendations that have been completed are as follows:

- Outcome 18, National Fisheries Compliance Strategy;
- Outcome 23, the recreational component of resource sharing; and
- Outcome 49, the first Australian Fisheries and Seafood Forum.⁵¹

3.42 The Committee inquired about a variety of illegal fishing matters in the North of Australia. The Department outlined a major project over the course of last year was improving existing detention and apprehension arrangements. They reported that 107 Indonesian fishing vessels have been apprehended in Australian waters in the current financial year up to 20 January 2005. Of these vessels, there were 94 legislative forfeitures. The Committee discussed the Minister's announcement on 31 January 2005 of a new detention facility at Berrimah Jail (Darwin, NT) for illegal fishers. The facility was already established but is being modified to make it suitable for accommodating up to 250 detainees. The Committee was told that this project is funded in the Department of Immigration, Multicultural and Indigenous Affairs (DIMIA) budget.⁵²

3.43 Currently, illegal fishers are detained and processed on their boats. However, they are transferred to alternate accommodation such as another boat, part of the Berrimah Jail or a watch-house on Thursday Island if their boat has sunk. Hygiene packs are now being provided for detained illegal fisherman and funding is being allocated for screening fisherman for tuberculosis on arrival. The Department advised that the average period of detention is around three weeks before repatriation. Further,

49 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 85

50 RRAT Committee Budget Estimates, *Transcript of Evidence*, 25 May 2004, p. 50

51 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 86

52 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 88

a transit detention facility will be established and operated by AFMA on Horn Island.⁵³

3.44 The Committee was informed that rapid progress on detention policy and facilities have been made in the last six months, allowing the Department to focus more attention on longer term policy and deterrence issues where progress had been less rapid.⁵⁴ The Department will continue to examine policy issues associated with Australia's bilateral marine relationship, capacity building, fisheries management and dealings with Indonesian fishing authorities in the long term. Possible deterrence measures include improving opportunities for alternative livelihoods in the communities where illegal fishing is stemming from, improving the Indonesian government's capacity to regulate fishing and ensuring consistent law enforcement efforts in Australia.⁵⁵

3.45 The Committee was provided with an update from the previous budget estimates on the AusAID program working with Indonesian fisheries.⁵⁶ Phase one of the program has been completed, whereby senior Indonesian officials spent time with government officials for several weeks (with the AFMA and Coastwatch), learning how Australia manages fisheries. Phase two, where additional people will visit Australia from Indonesia to observe Australia's compliance programs, is yet to be completed. Delays have occurred, however, due to the affects of the Tsunami on the Indonesian fisheries department.⁵⁷

3.46 The Department reported that it plans to introduce an identification system to identify repeat illegal fishing offenders and additional land based facilities such as police facilities and existing DIMIA detention centres will be examined. Additionally, boat disposal sites will be erected at each port; Broome, Darwin, Gove and in the Torres Strait on Horn Island.⁵⁸

3.47 The Department also outlined that the planned changes to the management of illegal fishing problem will involve cooperation between the Department and DIMIA. They explained that the Department will continue to regulate the fisheries aspect of the issue, while DIMIA will take control of the process once illegal boats and their crews have been apprehended.⁵⁹ The legislation to give effect to these changes, the Border Protection Amendment Legislation Bill (Deterrence of Illegal Foreign Fishing)

53 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 89-90

54 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 87

55 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 87

56 RRAT Committee Budget Estimates, *Transcript of Evidence*, 25 May 2004, p. 51

57 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 87-88

58 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 92

59 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 90-92

Bill 2005, is presently before the parliament and the subject of a bill inquiry being undertaken by the Committee.

3.48 The Committee then proceeded to discuss issues related to illegal fishing in the Southern Ocean. The Department informed the Committee that prior to the *Oceaniac Viking's* deployment in late November 2004, the *Aurora Australis* had been used for protecting southern fisheries in combination with a French patrol naval ship to cover some of the gaps. Funding has been allocated for the operation of the *Oceanic Viking* for two financial years.⁶⁰ The Committee was told that the budget for the operation for all the vessels was \$47.8 million for the current financial year and \$41.4 million for the coming year.⁶¹

3.49 The Committee inquired about recent proceedings of the 1998 Threat Abatement Plan for the Incidental Catch of Seabirds and whether the target of 0.05 birds per 1,000 hooks had been reached and the review completed. The Department responded that:

The review did take place but my understanding is that it is still continuing in some respects because of comments from the industry about the applicability of some of the research that was being undertaken to determine some seabird by-catch mitigation measures. It was focused on the sink rate of long lines in that fishery and whether increased sink rates might decrease bird catches. That TAP process is still running in terms of looking at two issues: the further modification of the gear that they use and night setting of lines rather than day setting. There have also been some recent decisions by the AFMA board to move the measurement line north and to require the use of Tory poles and night setting. Those are additional management measures as an interim.⁶²

The review is being undertaken by the Threat Abatement Plan (TAP) Team, chaired by the Australian Antarctic Division. The Department expects the review to be further advanced by budget estimates hearings, however much of the progress is dependent on the TAP team.⁶³

3.50 During the election campaign the government made commitments to identify boundaries adding over 170,000 hectares to Tasmanian forestry industry's current reserve system, and to advise on the social and economic impacts of protecting Tasmanian forests. At this stage, negotiations are still underway with the Tasmanian government to ensure that there would be no jobs lost due to reservation measures. Whilst possible boundaries have been discussed with Tasmanian officials the proposal

60 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 96

61 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 96

62 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 98

63 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 98-99

is confidential in this initial stage.⁶⁴ When negotiations are finalised the Department will undertake a final assessment which will become part of their advice to the two governments on the proposed package.⁶⁵

3.51 Of particular interest to the Committee was whether compensation will be provided for timber harvesters under the RFA if allocated harvest areas are set aside for reservation. At this stage the Department could not provide an answer as negotiations are still underway.⁶⁶

Natural Resource Management

3.52 Discussions began with the \$20 million allocation, listed in the Portfolio Additional Estimates Statements over four years, to a new program for defeating the weed menace. The Department stated that the intention of the program was to supplement the work done by the Natural Heritage Trust on addressing weed problems. Furthermore:

You can spend a lot of money addressing the symptoms of weeds and spraying them, but you really want to put in place a strategic approach which gets to the causes of the problems or contains those that can be contained. The roll-out of this program will be very much informed by the work that is going on the revision of the National Weed Strategy.⁶⁷

The Committee heard that it will have a major regional component to address the on ground weed problem, as well as a national component to communicate the need for weed infestations management and to obtain a consistent declaration of weeds from state to state. Matching expenditure for the program will be sought from the states.⁶⁸

Senator the Hon. Bill Heffernan Chair

64 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 102-103

65 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 105

66 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 111

67 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, p. 117

68 RRAT Committee Additional Estimates, *Transcript of Evidence*, 15 February 2005, pp. 116-117

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