



Australian Government

Department of Transport and Regional Services

File Reference:

Senator the Hon Bill Heffernan
Chair
Senate Standing Committee on Rural and Regional
Affairs and Transport
Department of the Senate
Parliament House
CANBERRA ACT 2600

Dear Senator Heffernan

I write regarding my statements at the recent Senate Estimates Hearings on 15 February 2007. At the time of the hearing information was provided that needs to be clarified.

On pages 86/87 of the proof hansard, in relation to the Mackay Area Consultative Committee Deputy Chair position the following exchange occurred:

Senator O'Brien - "Is it the case that the board has nominated someone else?"

Ms Gosling - "Because the amendments are still with the regulator, it is not really in a position for the board to nominate"

After viewing the proof hansard I wish to clarify that the Mackay Area Consultative Committee had nominated someone for the position to the Minister for Transport and Regional Services, the Hon Mark Vaile MP. In the exchange at the hearings the discussion had been around the process of amending the constitution for the Mackay Area Consultative Committee and the question was interpreted as meaning was a nomination made by the Area Consultative Committee to the State regulator. This led to some confusion and the response to the above question was limited to this context when it should not have been.

I request that a correction be placed on the record for the February 2007 session of the Additional Budget Estimates hearings.

I apologise for the inconvenience to the Committee. Please find attached the relevant pages of the proof hansard.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Gosling', written over a printed name.

Karen Gosling
General Manager

Sustainable Regions and Networks Branch

9 March 2007

Senator O'BRIEN—Thank you. Could you on notice provide us with details of chairs and deputy chairs that do not reside in the region of the ACC to which they have been appointed?

Ms Gosling—Yes.

Senator O'BRIEN—The former chair of South Central ACC, Leonie Taylor, was not reappointed. Do you know what advice was provided to her about the decision not to reappoint her?

Ms Gosling—Again, some of these consultations occurred at ministerial office level. My understanding is that there was a conversation with Leonie Taylor on or about 22 December and she would have received a letter from the minister in the normal course of events.

Senator O'BRIEN—Do you know if the member for Mayo complained about her management style?

Ms Gosling—I am not aware of that.

Senator O'BRIEN—The Mount Barker *Courier* of 31 January says:

In a written statement Mr Downer said the decision not to reappoint Ms Taylor was made in response to a 'series of complaints relating to her management style'.

Why was the member for Mayo, the foreign minister, making such comments in a written statement if he is not the minister making the decision?

Ms Gosling—That is a question for the member for Mayo; I am not able to project.

Senator O'BRIEN—But in any case you are not aware of any such advice being provided by your minister to Ms Taylor?

Ms Gosling—Again, I am not aware of what dialogue might have happened at ministerial level.

Senator O'BRIEN—Can you check and advise us on notice, please.

Ms Gosling—Sorry, what am I taking on notice?

Senator O'BRIEN—I want to know whether your minister made any written comments to Ms Taylor in relation to her nonreappointment.

Ms Gosling—Yes, Senator. The minister wrote to Ms Taylor on 7 February 2007.

Senator O'BRIEN—Explaining her nonreappointment?

Ms Gosling—Indicating that she had not been reappointed.

Senator O'BRIEN—Did that letter indicate that it was in response to a series of complaints relating to her management style?

Ms Gosling—No, Senator.

Senator O'BRIEN—Did that letter indicate any reasons for her nonreappointment.

Ms Gosling—Obviously, with the small number of ACCs where the minister has decided not to reappoint at the expiration of an ACC chair's term, in a lot of cases it really has been about looking for a fresh perspective for that region in terms of governance and fresh approaches.

Senator O'BRIEN—Is that speculation or is that what the minister told Ms Taylor?

Ms Gosling—That is what the minister has indicated to not only Ms Taylor but some other chairs.

Senator O'BRIEN—Has the deputy chair of the Mackay ACC been formally appointed?

Ms Gosling—No. In terms of the constitutional process for the Mackay ACC, the information I have is that their amendments are still with the Office of Fair Trading, which I think is the state regulator of Queensland's incorporated association legislation. Those amendments have been with the state regulator from sometime shortly after 13 October, when the Mackay ACC ratified the amendments at an AGM. The process is that the members of the ACC ratify the amendments at an AGM and then they are submitted to the Office of Fair Trading for approval, and that is where that one is at.

Senator O'BRIEN—Has the minister made a nomination?

Ms Gosling—Yes.

Senator O'BRIEN—Who has he nominated?

Ms Gosling—Mr Greg Smith.

Senator O'BRIEN—Is it the case that the board has nominated someone else?

Ms Gosling—Because the amendments are still with the regulator, it is not really in a position for the board to nominate—

Senator O'BRIEN—Do you know whether the board has taken any action to nominate anyone?

Ms Gosling—There has been some correspondence between the Mackay ACC and the minister, and because the amendments are not finalised the minister's appointment has not been formalised.

Senator O'BRIEN—Has another person's name as the deputy chair been put forward to the authorities in Queensland?

Ms Gosling—I am not sure that the process is that the individual's name is put forward to the regulator. What is put forward to the regulator is the amendments to the constitution, the process for how the ACC will go about electing or appointing their board members.

Senator O'BRIEN—Is it the case that the Mackay ACC refuses to put forward the amendments the Commonwealth wishes?

Ms Gosling—No. They have done what they can and they are with the state regulator, the Office of Fair Trading, awaiting approval, and have been since October.

Senator O'BRIEN—What is causing the delay?

Ms Gosling—I do not know. I do not know what is happening in the Queensland agency.

Senator ADAMS—While Senator O'Brien is thinking of his next question—

Senator O'BRIEN—Questions, perhaps.

Senator ADAMS—can I just make several points, Chair, just to add to this.

ACTING CHAIR—Yes.

Senator ADAMS—Firstly, I did nominate several people for appointments and I had a letter back thanking me very much for my nominations. I have been on a number of ministerial appointed boards over the years. You are given a three-year or a five-year term, or whatever it is, and normally a letter comes and thanks you very much for the work that you have done et cetera, and that is it. Most of the time you do not expect to be reappointed. You have got that term and you are very fortunate to have it, and someone else may have it. So I am just wondering, in terms of the process, where it is all going. I think when someone's term is up, if a letter is written saying, 'Thank you very much,' there is no need to say, 'You haven't done this,' or 'You haven't done that.' It is just not what it is about. The minister appoints and the minister reappoints.

Ms Gosling—That is right. They are ministerial appointments, and a number of these people have been reappointed and had several terms.

Senator JOYCE—Ms Gosling, when they are appointed, do you give them any guarantee whatsoever that they will be reappointed? Do you ever write a letter saying, 'This is an appointment and we're going to renew it after it's over'?

Ms Gosling—No. It is an appointment for a specified time.

Senator JOYCE—In fact, are you categorically clear, when you send them the letter, that the appointment is for a specific period of time?

Ms Gosling—Yes. They know that the appointments expired on 31 December 2006.

Senator O'BRIEN—Is this committee just a plaything of the minister?

Senator JOYCE—I think that is an uncalled-for comment.

ACTING CHAIR—We might go back to Senator O'Brien, who can finish his set of questions, and then go to Senator Joyce.

Senator JOYCE—Have you ever had a—

ACTING CHAIR—Senator Joyce, I am just letting Senator O'Brien finish his set of questions.

Senator JOYCE—Sorry. I thought you were indicating for me to speak.

ACTING CHAIR—No—very shortly.

Senator O'BRIEN—Could you tell me when the Mackay ACC was first consulted on the proposal to establish the \$8 million Central Queensland science and technology precinct.

ACTING CHAIR—Are you moving off the appointments, Senator O'Brien?