Estimates Questions on Notice Additional Estimates 2007-2008

Infrastructure, Transport, Regional Development and Local Government Portfolio Tuesday 19 February 2008

QON No.	Date Asked	Hansard Reference/Written	Senator	Question
CORP 01	19/02/2008	10	SCULLION	Senator SCULLION—I wonder if you would be able to provide the committee with that guide, Mr Taylor. Mr Taylor—I am happy to provide our style guide. Senator SCULLION—If you can provide the most recent style guide and the style guide that preceded it, that would be very useful.
BITRE 01	19/02/2008	11	NASH	Senator NASH—I am very happy for you to take this on notice: could you provide the committee with the commencement dates and projected completion dates for those projects? Dr Dolman—Yes, I would be happy to do that.
BITRE 02	19/02/2008	12	McGAURAN	Mr Potterton—We have actually just released Waterline. Senator McGAURAN—Could we have a copy of that? Mr Potterton—Yes, if you will take a hard copy download of that because we are in the process of producing the final copies. Senator NASH—Absolutely.

BITRE 03	19/02/2008	14-15	HUTCHINS	Dr Dolman—That project involved an extensive survey involving officers from the bureau travelling to, I think, 131 remote destinations across Australia, having a shopping list and essentially looking at methodologically that is similar to the CPI calculations—getting a basket of goods that can be purchased in remote locations and then analysing that. Some of the early findings indicate that, particularly when you are at very remote locations, it is very difficult to get some of those goods. The selection you have available to you in some of those remote locations becomes very narrow. The study is really broken up into three different parts. One looks at retail purchases, including petrol and a whole range of furniture, as well as grocery items. The second part looks at costs relating to education and healthcare services. So it is quite a different way of looking at it and that is probably a bit behind the rest of it. The third part looks at housing—the cost of housing and the spatial distribution across regions, particularly in remote regions, and whether or not that is a reflection of costs or whether it is an indicator of confidence in the community. That is an interesting study as well. In terms of analysing—particularly the retail figures—what we do is look at indicators of prices. We come up with a basket of goods and look at whether or not the common goods are available. We look at the variations and analyse them against the costs of transport, the distance from regional centres—we have about 10 different variables that we analyse that information against—to try to understand what it is that drives the variations in prices. Senator HUTCHINS—Is it available to the committee to have a look at the questionnaire, or the model? Dr Dolman—We could take that on notice to see what we can provide. As I said, it is a project that is in progress; it is not yet complete.
BITRE 04	19/02/2008	15	HUTCHINS	Senator HUTCHINS—I think either you or Mr Potterton said that you had completed an inquiry into regional trends. Is that correct? Mr Potterton—I certainly mentioned we are completing a study of the non-urban AusLink corridors, which has a regional dimension. There is a previous study which is already available and there was a second one which will be available in a few months time. We would be happy to make that available.
BITRE 05	19/02/2008	15	STERLE	CHAIR—Dr Dolman, as part of the ongoing process that you have, would it be possible—take this on notice—to see the break-up of the regions? I think it would be very interesting to see the situation of a mining superintendent in Argyle compared to that of a state schoolteacher in Wyndham, just down the road, in terms of earnings. Could you take it on notice? Dr Dolman—Yes, I think that is actually information that we have published and is available, but we will take it on notice and provide you the reference to that. CHAIR—Thank you.

AUSL 01	19/02/2008	19	MILNE	Senator MILNE—Yes, I think that is the exception rather than the rule. It is a state government responsibility, but it comes to this interface that I was talking about before—we need some infrastructure planning with much better integration between rural and regional and urban centres. Senator Conroy, since it is a government policy issue, I just ask the question about AusLink 1 and 2. Those projects were funded when the oil price was considerably less than it is now and the transport economics were different. The department has no brief to even look at how the transport economics have changed in view of the oil prices and in view of the International Energy Agency saying that by 2015—only seven years away—we are likely to have an oil supply crunch, therefore a huge oil price as well. Has the government any intention of reviewing the economics of those projects to look at, if not supplying infrastructure, then other ways. Maybe it is more appropriate to put a train in instead of a freeway? Senator Conroy—Thanks for that question. I will happily take it on notice and get an answer for you from my colleague. Senator MILNE—Thank you.
AUSL 02	19/02/2008	19	ABETZ	Senator ABETZ—Can we have a list of all the promises made by the Labor Party during the last election in relation to road funding and what those promises were—with the attached timetables? Ms Page—We can take that on notice. Senator ABETZ—Thank you.
AUSL 03	19/02/2008	20	ABETZ	Senator ABETZ—Can I refer to some specific policy promises that were made by the now government, and ask for an update on those. First of all, who can tell me about the proposed upgrade of the Lyell Highway and Midland Highway intersection in southern Tasmania? Ms Page—I think it might be useful to indicate generally at this point that the government is committed to delivering its election commitments but, as yet, it is just commencing the process of discussing its commitments with state ministers. No decisions have been made to date on the timing and delivery of those projects. Senator ABETZ—That is a very helpful answer, thank you. What I am also trying to get a grip on is what was actually promised. Ms Page—We would prefer to take those on notice because we have a very large number of government election commitments, and we do not have the terms of all of them with us. Senator ABETZ—Ms Page, I fully understand your confusion when a government says its top priority is climate change, its top priority is defence, its top priority is education, its top priority is inflationary pressures. Everything is its top priority, and then when you try to put it all together— Senator Conroy—Is that a question or an essay? Senator ABETZ—I am just empathising with your public servant, Minister, who is having difficulty putting together the plethora of government promises. Senator Conroy—We said we would take it on notice. Senator Conroy—We said we would take it on notice. Senator Conroy—We will take that on notice. Senator Conroy—We will take that on notice. Senator Conroy—We will take that on notice.

AUSL 04	19/02/2008	20, 22-24	ABETZ	Senator ABETZ—Another promise was made to put the Brooker Highway and the Eastern Outlet from the city to the airport onto AusLink. By what year or in which year was that promised? Ms Page—Senator, again, I would like to take that on notice. There are, in fact, scores of road project and rail project election commitments, and I do not have the detail of all of them here.
				Senator ABETZ—Can you confirm that Labor promised to put the Brooker Highway and eastern outlet to the airport in Tasmania onto AusLink? Can you advise us what costings were undertaken, if any, prior to that policy announcement and whether any costings are being undertaken now as to the likely cost in future years for repairs, maintenance and upgrades? Also, can you tell us when the policy actually will come into play, because I understand it is about three or four elections away. Are you able to tell us what year the promise in relation to the Brooker Highway and eastern outlet might come into play? Ms Page—I cannot do that at this stage. Senator ABETZ—All right, so we will take everything on notice.
				Senator ABETZ—Moving on to the Brighton bypass in southern Tasmania, that was also a policy announcement by the current government. I assume you cannot tell us anything about that either. Ms Page—The answer is as I explained to you on the previous project. Senator ABETZ—I then ask that you to take on notice in relation to all these road projects the number of questions I asked in relation to the Brooker and Eastern Outlet to the airport—when the promise was made, how much it is going to cost, the timetable et cetera. Ms Page—We can do that. Senator ABETZ—That would be very helpful.
				Senator ABETZ —Thank you very much. I did limit my question on notice, Chair, to the road projects that I had specified, but I would be obliged if the department could take on notice all the Tasmanian road projects, including the ones up north, in the north-west and elsewhere.
AUSL 05	19/02/2008	22	ABETZ	Senator ABETZ—The former Prime Minister promised to fully fund the Kingston bypass in southern Tasmania. There was money available for it. What has happened with that money? Ms Page—I recall that the current government has made a commitment of funds to the Kingston highway. However, as with all election commitments, we are funders of road projects; we are not owners of road assets. We are yet to have discussions with the Tasmanian government, who will be responsible for the delivery of that and any other road project that the government is committed to in Tasmania, so I cannot tell you at this stage what the likely delivery date and arrangements for that project would be. Senator ABETZ—You are yet to have discussions. We were led to believe that it was all signed, sealed and delivered and that, with this cooperative federalism, Mr Rudd and Premier Lennon were at one on this and it was all going to happen immediately. So we have not even had preliminary discussions between the two departments? Ms Page—The evolution of a road project is a very long process. Senator ABETZ—Yes, we know that. We have been waiting for 30 years for the Kingston bypass, and as a resident of the area I know how long the evolutionary process is. Ms Page—What I cannot tell you, and I am happy to take it on notice—

AUSL 06	19/02/2008	24	ABETZ	Senator ABETZ—That is all very interesting, but the question was: if the Tasmanian government were to say, 'We want this money spent on the Bridgewater Bridge,' would the new federal Labor government honour that agreement? Ms Riggs—I will have to ask for the minister's guidance on that, so I will take the question on notice.
AUSL 07	19/02/2008	24	ABETZ	Senator ABETZ—I understand the Sisters Hills project in north-west Tasmania was completed below budget. Are you aware of that? Ms Riggs—The final tender price for the last two elements of that original scope of works came in a little under the original estimate of what the tendered price would be, so the current likelihood is that the original scope of works would have come in under the available funding. Senator ABETZ—It is great that you have all the detail at your fingertips when there is good news to tell us, so I am delighted with that. Can you tell us how much the savings might be on this? It was a \$30 million project, or estimated project, wasn't it? Ms Riggs—That was the original estimate shared jointly between the two governments. Senator ABETZ—And how much do you think we might save? Ms Riggs—I am sorry. I do not have that number at my mental fingertips, as it were. I will take that on notice.
AUSL 08	19/02/2008	26, 29	NASH	Senator NASH—Post AusLink 1, at any stage did the government make a further commitment to this particular Branxton link road? I have a memory that during the election campaign there was quite a large commitment to the road. Ms Riggs—Yes, there was. Senator NASH—Do you know what the figure was? Ms Riggs—I do not recall; I will take it on notice. Senator NASH—Please take it on notice, because I think it is important that we recognise that there was not just that initial AusLink 1 commitment but that there had been further commitments. Senator NASH—I want to briefly return to the F3 to Branxton link. I think it was around \$780 million that the government had proposed during the campaign—again could you take that on notice? Ms Riggs—Yes.
AUSL 09	19/02/2008	26	BUSHBY	Senator BUSHBY—Is it the intention of the government to honour the Howard government commitment to construct overtaking lanes on the 50 kilometres-odd of highway south of Huonville that currently has no overtaking lanes and is considered to be an extremely dangerous stretch of road? Ms Page—The current government has announced its election commitments, which are publicly available, as I told Senator Abetz. Ms Riggs—And which we have agreed to provide detail of in response to questions that he asked. Senator BUSHBY—That did not really answer the question. There was a commitment by the Howard government prior to the election— Senator Conroy—We will take that on notice.

AUSL 10	19/02/2008	27	McGAURAN	Senator McGAURAN—Good. When you get back to Senators Abetz and Bushby on the full list of government promises, could you include what state contribution is expected? Ms Page—We can do that where there is a percentage required, if you like, by the state government. In some respects, some of the projects are capped at a dollar level by the Commonwealth on the basis that the state would pick up the balance of the project.
AUSL 11	19/02/2008	29	HUTCHINS	Senator HUTCHINS—Can you explain the process that was used to determine each year the amount of the grant to the ARTC and the purpose of it? Ms Page—The government made policy decisions in each of those years to provide money to the ARTC for those purposes. Senator HUTCHINS—Is that the usual procedure? Ms Page—It was a government policy decision. Senator HUTCHINS—The government made that decision? There was no input from the department? Ms Page—The department provided advice and I think that that is mentioned in the audit report, but these were ultimately government decisions and I cannot speculate on the reasons by which the government chose to make those decisions. Senator HUTCHINS—There was no transparent process on these decisions. That is unfair to put to you. Let me ask you this. Is there a transparent process by which decisions along these lines are made? Ms Page—Governments make policy decisions on the allocation of funds all the time and on these three occasions the government decided to allocate additional funding to rail upgrading. Senator HUTCHINS—Can you confirm what work the payments were actually used for? Ms Page—We can provide you with that information.
AUSL 12	19/02/2008	29	HUTCHINS	Ms Riggs—Broadly it is as Ms Page has said; they have contributed towards a larger program of upgrading on the main line interstate rail network, predominantly on the north-south corridor between Melbourne and Brisbane. Senator HUTCHINS—Do you know what work has actually been completed since June 2004? Ms Riggs—We would be happy to take that on notice.
AUSL 13	19/02/2008	29	HUTCHINS	Ms Page—The audit report covers two different types of grants. Grants to the ARTC made under the AusLink framework were monitored in the normal way. The Audit Office indicates that it is satisfied with the process by which the department administered those grants. The other three were untied grants effectively for purposes determined by the ARTC and they have been monitored by the two shareholder departments—our department and the Department of Finance and Deregulation—via the normal corporate reporting framework to date which we use in relation to the broader corporate activities of the ARTC. The view that the Audit Office had was that they would have preferred a mechanism rather more like a grant agreement for the monitoring of expenditure. That is not to say that we have not been tracking the purpose of that expenditure and cannot provide you with advice on the purposes for which it has been applied. Senator HUTCHINS—I would appreciate that.

AUSL 14	19/02/2008	32	NASH	Senator NASH—Stop blaming and just get on and fix it. What plan have you got with the state Labor government in New South Wales to fix the branch lines? If you cannot answer that, which I am guessing you possibly cannot, Minister, could somebody take it on notice and get back to us very quickly because, for those who do not know, there is a crop about to be sown and this is an extremely important issue. If you cannot answer it, take it on notice. What are the Labor governments going to do to fix the branch lines? Senator Conroy—We will happily take that on notice, thank you.
AUSL 15	19/02/2008	34	NASH	Senator NASH—Thanks. It might be useful, given some of the earlier conversations we have had around road funding, if the department could do for the committee a complete list of all roads currently under the auspices of current AusLink funding and also those across the country that were election commitments. I think if we had a whole list of both it might be very useful for the committee. Ms Page—We could provide the current AusLink program, which we have done in the past, and we can update that.
AUSL 16	19/02/2008	34	SCULLION	Senator SCULLION—I understood that part of the commitment was that the study would, in fact, commence within six months of the election. That may be just the Labor candidate for Boothby rather than the government, but that was the reason I asked that specific question. Can you provide a list of other feasibility studies that are current so we can see if there are any changes, in much the same way as you have dealt with the question from Senator Nash, that we can have some completeness—just the feasibility studies that were either current or promised, and what their status would be by the time we next meet. Ms Page—We can do that.
AUSL 17	19/02/2008	35	ADAMS	Senator ADAMS—I asked a question of the department on 21 May 2007. Ms Page, you were going to answer me but unfortunately to date I have not received the answer to the question, so I will ask it again. It is regarding depreciation, the intent of the policy on councils claiming depreciation against Roads to Recovery funding, and the contractors actually being able to put their contract forward and that would include the depreciation, and then when the councils do it they are not allowed to. Have you come up with an answer to your question? Ms Page—We may well have answered that question on notice. There are a number of questions that were not finalised prior to the election, and that is probably one of them. I think we had indicated more generally to you that depreciation is a broader issue for councils than just road funding and that they use plant and equipment for a range of activities. We did not think it advisable, if you like, to make concessions in relation to our road projects, and we were really unclear of what the extent of that would be, or what the effect of that would be, that it is not appropriate given that councils have to buy equipment for a range of activities. Senator ADAMS—Would you take that question on notice again, so that I can have a far more detailed account to take back, because it is not just one council. Now there are a number of them that are concerned. Unfortunately as the rate revenue for councils is disappearing, they really do have a problem trying to maintain their roads. This equipment is used on the roads so if they cannot get that funding, our roads disintegrate and become worse, and there are more and more accidents on country roads. We have all these issues to take into it. I would be very appreciative if that could go perhaps to the top of the list, instead of the bottom of your list. Ms Page—We will take that on notice.

MLT 01	19/02/2008	37	HUTCHINS/	Senator HUTCHINS—I would be interested if there is any inquiries underway or reports that have dealt
	,		NASH	with that, if you could highlight that to us.
	!			Senator NASH—Yes, so would I.
	!			Mr Wilson—If I can just clarify, in specifics with regard to the transport of containers from northern New
	!			South Wales into the Queensland port?
	!			Senator HUTCHINS—Yes.
	!			Mr Wilson—We will take it on notice.

MLT 02	19/02/2008	38-40	ABETZ	Senator ABETZ—I think it was on page 23 of the Australian Financial Review yesterday that I was reading about an 80 per cent target in relation to cabotage. Are you aware of that article? Mr Wilson—I am aware of the article. Senator ABETZ—Possibly I should ask the minister. Does that represent government policy? Mr Wilson—I am unaware of government policy that indicates an 80 per cent target. Senator ABETZ—I should not be asking you about policy and that is why I was asking Minister Conroy whether that represents any government policy. Senator Conroy—I will take it on notice. Senator ABETZ—You will take that on notice as well. It is like talking to a wall, with glasses. But let me keep trying. So you will have to take on notice what the government's policy is in relation to a plan to review, or do we know that there is a definite plan to review? Mr Wilson—If I can answer that question, the government made a commitment prior to the election to undertake a review of shipping policy, including the coastal permit system. As far as I am aware, the government intends to implement that review. Senator ABETZ—Do we know by whom that review is going to be undertaken? Mr Wilson—No, as yet there has been no announcement with regard to the scope. Senator Conroy—Steve Bracks is busy. Senator ABETZ—Can you take on notice what the potential terms of reference might be, when the government intends to publicly announce this review, when submissions are going to be called for et cetera? Ms Page—I think it is a bit awkward to take that on notice if no announcement has been made, as Mr Wilson has indicated. When and if a review is announced, it will be publicly announced and that information will be made available. Senator ABETZ—Yes, but we might have a situation where a promise was made and then we come to estimate stime and time again and everything is taken on notice, like the roads policy earlier this morning, which is singularly unhelpful. What I am trying to get from the government is: by when might we expect tha
MLT 03	19/02/2008	41	McGAURAN	Senator McGAURAN—Is it predominantly Queensland and New South Wales? Mr Robertson—I will have to go into the details of the routes. I might take that one on notice. As far as I am aware, there is no particular pattern. Off the top of these amounts there are seven Victoria, three Tasmania, three Queensland, four South Australia, 10 NSW and one bus service in Western Australia.

ATSB 01	19/02/2008	43-44	O'BRIEN	Senator O'BRIEN—Given the documents which were tabled, which indicated (a) agreements for compensation in relation to this bleed air problem and (b) that the Senate inquiry you referred to, Mr Bills, was effectively lied to by Australian operators, particularly Ansett—in other words, they claimed there was no problem yet, on the other hand, they were signatories to an agreement to be compensated for the problem—presumably it is fair to say that ATSB would have received the same sort of evidence from Ansett that the Senate committee received—that is, that the problem was not able to be determined by their own inspections and they were not aware of a significant bleed air problem. Mr Bills—I think that is a fair statement, Senator. Clearly we will check to make sure there is nothing that we are not aware of that we should be aware of, but I am sure that we would not have been aware of that type of arrangement or agreement that you have referred to.
ATSB 02	19/02/2008	44-45	O'BRIEN	Senator O'BRIEN—In relation to the substance that is often complained about—tricresyl phosphate—has ATSB done any work in relation to the capacity for that substance to have an effect on flight crew, cabin crew, if injected into the cabin air? Mr Bills—I cannot recall what was in our earlier report. Certainly we have looked at hazardous chemicals in cabin air before, but we have not done any particular work on that compound that I am aware of. We will certainly check that. CHAIR—Thank you.
ATSB 02	19/02/2008	45	O'BRIEN	Senator O'BRIEN—Is it possible for you to advise the committee what the nature of the response was, particularly from Ansett and EastWest, to inquiries about the cabin air contamination at that time? Mr Bills—Certainly we can take it on notice, Senator.
MLT 04	19/02/2008	49	SCULLION	Senator SCULLION—Wherever those options were provided, I would like a copy of them. Mr Prosser—The two options are having a single maritime jurisdiction to cover things like certificates of competency et cetera—and there are a number of iterations on what might come out of that—and, alternatively, setting up a model state legislation arrangement where one state would legislate for NSCV type standards and then the other states would then point to that state's legislation and try to get uniformity that way. Mr Peachey—Can I interrupt for one moment. Can we take that request on notice. I am not sure what of the protocols governing the release of those working papers. Senator SCULLION—I was about to say that I can assure you there is no mischief in this question. Whilst today we are enjoying having everything taken on notice, I am quite sure the committee would always extend that privilege. Mr Wilson—The current process with regard to the consideration of the issue is that a paper has been generated out of officials working in the maritime areas through jurisdictions. That paper will be considered by the Standing Committee on Transport, which is the CEOs of the transport jurisdictions at Commonwealth and state level, on 13 March. If it is okay we will take on notice the question on providing you with the detail of what those two options are. I will check with the secretary of the department and the minister with regard to what we can and cannot provide in terms of the options. Senator SCULLION—I appreciate that, Mr Wilson.

AMSA 01	19/02/2008	51	SCULLION	Senator SCULLION—Will you be able to provide me with a list of those vessels—and the agencies—that are owned that are owned by the Commonwealth? Would you also be able to provide me with a list of those people who have responded? Mr Kinley—Yes.
AAA 01	19/02/2008	52	HUTCHINS	Senator HUTCHINS—So this advice is available to the committee? Clearly, this is written advice? Mr Mrdak—The advice I provided to the former minister? Senator HUTCHINS—Yes. Mr Mrdak—I would have to take that on notice. It has not been the practice in the past to provide such advice to the committee. It is advice that the department has provided to the minister.
AAA 02	19/02/2008	52	HUTCHINS	Senator HUTCHINS—What about advice provided to the department by these agencies? Mr Mrdak—I can certainly take that on notice. We certainly were provided with concept diagrams and the like on 6 September. Senator HUTCHINS—I think we would be interested in having a look at all of that.
AUSL 18	19/02/2008	54	ADAMS	Senator ADAMS—It is becoming so difficult. On a Sunday we have four large aircraft departing Perth and it is not uncommon for people to be out on the footpath—where I and my colleague have been—trying to get through security. They have their third security screen in action now, but it is just not keeping up. I would like to bring it to the minister's attention that we need far more work done. It is great to say that this is going to happen. The second thing I am worried about is the upgrade of the roads around the airport. The coalition certainly had plans for that. I am wondering, Minister, whether the government is intending to follow through with those plans. Senator Conroy—I will take that on notice and seek a response from the minister.
AAA 03	19/02/2008	55	O'BRIEN	Senator O'BRIEN—At the last estimates you provided this committee with information about curfew breaches at Sydney airport. Can we get an update on previously supplied documents, probably for the last six months or so? Mr Mrdak—Certainly.

CASA 01	19/02/2008	59-60	O'BRIEN	Senator O'BRIEN —I am told that CASA provided advice for a letter signed on 9 May last year by the former Attorney-General, through his Queensland counterpart, in relation to the Transair 15 fatality accident
				that: 'The Civil Aviation Act 1988 which CASA operates provides a regulatory framework for the
				maintenance and improvement of safety in civil aviation and relates to the prevention of aviation accidents and incidents, not their prosecution.' Does that accord with your understanding of the sort of advice that you
				would provide?
				Mr Carmody—I am afraid I am not familiar with that letter or that advice.
				Senator O'BRIEN —Indeed, it would be wrong, would it not, because you are responsible for the initiation of prosecutions under the act in some cases.
				Senator O'BRIEN—And CASA, if it discovered—for example, with an organisation like Transair—
				transgressions of the law, it would be responsible for referring those matters to the DPP.
				Mr Carmody—Senator, if we are going to a bit of detail on the legalities of the act, I would prefer to have Mr Aleck, our general counsel, come to the table because he is better equipped to answer these questions than
				I am.
				Senator O'BRIEN—It is up to you.
				Dr Aleck —I do not want to speak in detail about that letter at this point; I want to take it on notice. I do recall some questions were raised by the Queensland Attorney-General's office, if I am not mistaken, about the
				basis on which CASA might initiate action, and as I recall it was against Mr Wright himself. I think the view
				that we put at the time, and I would want to confirm this, is that there was no basis under our legislation, and I would maintain that that is so, on which we could recommend prosecutorial action against Mr Wright at that
				point.
				Senator O'BRIEN —So what you are suggesting is that you would not have given advice to suggest that in a
				general sense under the act which CASA operates your regulatory framework was to do with prevention of accidents and incidents, not prosecution?
				Dr Aleck —No, I would not agree with that, and I would be surprised if what we said was precisely that in the
				letter. Virtually every provision of the civil aviation regulations and most of the requirements specified in the
				act contain offences and penalties which are designed to be amenable for prosecution should the occasion
				arise. CASA's responsibility is to investigate these matters and, when the evidence supports it, to make recommendations to the Director of Public Prosecutions to commence prosecution.
				Again, I am a little uncomfortable speaking without that letter in front of me, but I remember the discussion
				at that time and it had to do with the propriety of pursuing action against Mr Wright, which we said (a) was
				really a matter for state authorities and (b) in the circumstances, and it is so, there was nothing in our legislation that would permit us to initiate prosecutorial action successfully or recommend such action against
				Mr Wright. I have seen nothing since then that would suggest that that is so.
				Senator O'BRIEN—So I guess if the passage that I refer to exists in a letter from the Commonwealth
				Attorney-General to his state counterpart, it would not be on the basis of advice from CASA? Dr Aleck —If the Commonwealth Attorney-General wrote a letter to the Queensland Attorney-General
				stating that CASA's legislation is not oriented towards or permissive of prosecutorial action, then that would
				be incorrect. I would be very, very surprised if that statement would have been made on the basis of any
				advice coming from CASA. But, as I said before, I will take that on notice and review that letter.
				Senator O'BRIEN —Sure. The passage that I am referring to states the following, that 'the Civil Aviation Act of 1988 under which CASA operates provides a regulatory framework for the maintenance and
				improvement of safety in civil aviation and relates primarily to the prevention of aviation accidents and
				incidents, not their prosecution'.

REGS 01	19/02/2008	63,65, 74	BOSWELL	Senator BOSWELL—I have a couple of people who are getting very concerned. Blackall old people's home, what is happening with that one? It was approved, it was passed and it has been held up. Ms McNally—Senator, the government is currently considering its administrative arrangements for the regional programs in light of the ANAO audit report. Senator BOSWELL—Are you aware of the Blackall old people's home? Ms McNally—Not directly, no. Senator BOSWELL—Is anyone here? Ms McNally—I would have to take that on notice. Senator BOSWELL—I know that you have read the reports. I know that you think that some of these are bipartisan. I want to tell you this: there are many out there, and I have mentioned one, the Blackall old people's home. People in Blackall went around and took the hat around and developed this wonderful old people's home and they needed topping up. I think from memory it was \$300,000. These are tremendous projects that have been informed that they are going to get the money and they have taken the necessary provisions to order tradesmen or get tradesmen in. You have everything on hold. You have a lot of old people waiting for homes or for beds or units. It is an amount of about \$300,000. I think \$2 million or \$3 million was collected by the community and this whole project is being held up. I would like to put that on the record, because there is an assumption in the government that these are very bipartisan. Some may fall in that category, but I am telling you this: there are many out there that are actually great projects and being held up now. You are not affecting us; by not developing a decision, a lot of people are suffering. Senator Conroy—Senator Boswell, I appreciate the point you are making. I think it is a very valid point. The individual matter you have raised we are happy to take on notice and get back to you with the information as to what status that individual project has within those gradations we were talking about. I think you have made a very good point and we
REGS 02	19/02/2008	65	BOSWELL	Senator BOSWELL—What exactly are the administrative arrangements? Could you just enlighten us on what 'reviewing the administrative arrangements' means? Senator Conroy—We are happy to take that on notice and get back to you.
REGS 03	19/02/2008	69	IAN MACDONAL D	Senator IAN MACDONALD—So how many of the 116 have not even been sent a draft contract? Ms McNally—I would have to take that on notice, Senator.

REGS 04	19/02/2008	73	BOSWELL	Senator BOSWELL—There are 116 approved projects without a contract. When do they get the contract? Ms McNally—Some of them will have received a contract and some will not. It depends on the process of the negotiation and how far through that negotiation they are. Senator BOSWELL—How many have actually got the contract? Out of that 116, how many have been completed? Senator Conroy—We said that we will get back to you. We will take that on notice and get you that information. Senator BOSWELL—The question I have is how many have been approved but not paid; you are getting back to us on that? Ms McNally—Yes, Senator. Senator BOSWELL—My question is: how many have been approved but are being reviewed? Ms McNally—Yes, Senator. Senator Conroy—We are taking each of these on notice, yes. Senator BOSWELL—My other question is: how many are awaiting approval? Ms McNally—Yes. Senator Conroy—Yes, we will take that on notice.
REGS 05	19/02/2008	75	BOSWELL	Senator BOSWELL—How many projects which have been signed off by the government have had to be abandoned because the projects are time critical and they have yet to have contracts signed? There will be some of those now. Senator Conroy—That is a very specific question. I am not sure if Ms McNally has that sort of detailed information to hand. I would not have imagined so, in all fairness. Again, we are happy to take that on notice and come back to you, but that is a very detailed question, Senator Boswell.
REGS 06	19/02/2008	75	MILNE	Senator MILNE—Thank you. Next to that, does it tell us what the departmental advice was in relation to all of those projects? Ms McNally—No, Senator. Senator MILNE—Can I have that, as well? Can I have it also broken down by state? And also, which of those projects were applications by for profit companies? Ms Page—I will take that on notice, Senator.
REGS 07	19/02/2008	76	NASH	Senator NASH—In the discussions that ensued earlier I am not sure whether this question was asked and taken on notice. If it was not, can I ask for a list of the 116 projects that fall under that 'approved, not contracted' section. Thank you. Since the inception of the program—and again, I appreciate you will probably have to take this on notice—how many projects have not gone ahead due to the fact that agreement on a funding contract could not be reached? Have there ever been any instances where a project has fallen over because there could not be agreement around the funding contract? Ms McNally—I will take that on notice.

REGS 08	19/02/2008	76-77	NASH	Senator NASH—This question is probably for the minister. This is in relation to the Prime Minister talking around the whole issue of procedure and process for potential Regional Partnerships program grants which deliver enormously, as the department has said in its annual report, in terms of the economy and economic development for regional communities. In a doorstop interview on 16 November, the now Prime Minister was asked about the process of things. The journalist asked, 'So ministers would not be able to overturn the recommendations of the department. Is that what you were saying?' The Prime Minister replied, 'According to the three-stage procedure I have outlined, absolutely.' Minister, that would then suggest that under a program if a department made a recommendation to a minister of a positive nature the minister would not be able to overturn it and decline to approve the project. Is that correct? Senator Conroy—I do not have the entire transcript available. Senator NASH—I am happy to table it. Senator Conroy—I am happy to have it tabled. I am not suggesting that you are misreading it, but I am not aware of the context of that conversation. I am happy to seek the minister's comments on that and take it on notice and get back to you. Senator NASH—That would be good. I guess my question very simply is: is it appropriate for a department to give advice to a minister of a positive nature—that is, is it possible for a department to give advice to a minister of a positive nature—that is, is it possible for a department actually has it wrong here. They shouldn't have recommended that, so I'm not going to tick off on it'? Doesn't what the Prime Minister has said preclude the minister from being able to make a judgement? Senator Conroy—There could be circumstances arise where, say, five projects are all approved by a department but there are only three spots—three pieces of funding. So, by definition, two projects that were approved would not receive funding, so it is entirely possible that a departmental r
REGS 09	19/02/2008	80	MILNE	Senator MILNE—Thank you for that. Earlier I asked you to take on notice the list of projects that have been approved and the departmental recommendations. Where projects have been approved contrary to the department's recommendation can I also see the reasons that the previous ministers have given for approving those projects? Ms Page—We will take that on notice.

REGS 10	19/02/2008	80	NASH	Senator NASH— Just one last question for the minister because I am completely at a loss here. The minister has been talking all day about accountability and process. Given that the minister has been talking about the proper process— that it was supposed to come, in his view, to ministers under the Regional Partnerships program in the previous government—can the minister answer: why would the then opposition, the now Labor government, commit \$1½ million for the Dysart Sports Complex which, as my colleague here has said, the minister has said is committed funding when that particular project had previously not been approved by this department? Senator Conroy—I need to take you up on one point in your introduction to the question where you talk about the minister talking about all these issues. Let us be clear: you may be in denial about the ANAO report but it is the ANAO report that has been identified— Senator NASH—How many projects did the ANAO— CHAIR—Senator Nash, the minister is trying to answer your question. Senator Conroy—My second point is that you may be in denial but I am simply quoting from the ANAO's report on the specific item you have raised. It is a very specific question, as I am sure you understand. I am happy to take that on notice and get a specific response on that matter from the minister. As I am sure you will understand, the department has not had a chance to assess these projects and look at these projects for implementation. It is only the minister who can give you that answer.
REGS 11	19/02/2008	80-81	ADAMS	Senator ADAMS—I turn now to area consultative committees. I come from regional Western Australia and I would like to know whether or not area consultative committees will continue. In our area they are a very valuable tool for regional and rural people. A number of projects come forward in my particular one and the Great Southern Area Consultative Committee. I have great concern that they may not exist any longer. Could the minister advise me on that? Senator Conroy—Thank you, Senator Adams. It is a very good question. That is a matter under active consideration at the moment by the minister. He will inform you when he has finalised his considerations and makes an announcement. At this point, the minister is considering a range of issues around ACCs.
REGS 12	19/02/2008	81	BOSWELL	Senator BOSWELL—I have a couple of questions. Was the \$2.6 million Barcaldine Tree of Knowledge project rejected by the department under the former government? Senator Conroy—That would be advice to a former government. Senator BOSWELL—I am asking: was it rejected by the department as a project? Ms McNally—I will have to take that on notice.

REGS 13	19/02/2008	81	BOSWELL	Senator BOSWELL—Mr Crean went out and promised \$109 million in a week. Are those commitments going to be honoured even if the department rejects them? Senator Conroy—These are election commitments and, as the Prime Minister has indicated, we will honour all of our election commitments. Senator BOSWELL—The Prime Minister was asked a question by a journalist, 'Ministers would not be able to overturn the recommendations of the department; is that what you are saying?' The Prime Minister said, 'According to the three procedures I have outlined the stages are renunciated.' Can these projects be overturned if the department rejects them? Senator Conroy—As the Prime Minister has said, we will be keeping all of our election commitments. As to any further comment, I am happy to take that on notice and seek the views of the minister.
REGS 14	19/02/2008	83	McGAURAN	Senator McGAURAN —Growing regions? I just wanted clarification on that. As Senator Nash has rightly requested, what programs have been committed to under Better Regions? Could you add to that list or requirement the electorates to which those commitments have been made during the election period?
REGS 15	19/02/2008	83-85	McGAURAN	Senator McGAURAN—Sorry, I have one more question. Senator Boswell raised the election commitment to the Tree of Knowledge. That is the famous Labor Tree of Knowledge, is it? The commitment is \$2.6 million, for Heaven's sake. I do not know how you could spend \$2.6 million around that tree, but if that is the case can you outline to me how \$2.6 million is envisaged to be spent on a dying tree? Senator Conroy—I think the tree has— Senator McGAURAN—Where has \$2.6 million— Senator Conroy—It has certainly had some issues, but we will get back to you and take that on notice on the way we intend to spend that money. Senator SCULLION—I think it is important, just to ensure that the minister understands the full aspects of the fact, that it was an election commitment by the government of \$2.6 million to protect the tree. It was also a fact that this project had already been rejected by the department. I just wondered if you could provide the answers on notice. Senator Conroy—Senator McGauran asked specifically how we were going to spend the \$2.6 million. So that is the part I happily take on notice. It was an election commitment and we will keep our election commitments. Senator McGAURAN—What had they planned to spend the \$2.6 million on initially? Senator Conroy—That is a very specific question on a very specific project. Senator McGAURAN—The first time around? Senator Conroy—The department would like to assist and the only way it can assist is by taking that on notice and getting the information for you.

REGS 16	19/02/2008	84	McGAURAN	Senator McGAURAN—It just jumps out at you, \$2.6 million, as an absolute waste. Some frivolous shadow minister at the time has passed through there and thrown down the promise and kept moving. It is an indulgence in Labor history—self-satisfying history. Given that it has been rejected once, you must then know, Ms Page— Senator Conroy—This is an election commitment. Senator McGAURAN—why it was rejected. Can you inform the committee why it was initially rejected? Ms Page—I am assuming it was rejected, as you say. I do not have a detailed knowledge of all the projects under the Regional Partnerships program. Senator Conroy—We will have to take that on notice and come back to you.
OTS 01	19/02/2008	86-87	ADAMS	Senator ADAMS—Thank you. Are the majority of attacks coming from the major airports or smaller regional ones? Ms Georgee—In order to answer that question, I should probably take it on notice. It is generally the case that obviously the larger airports are more likely to be attacked simply because there are more planes flying in and out of larger airports. If you want a regional versus major airport breakdown, I would prefer to take that on notice.
OTS 02	19/02/2008	87	ADAMS	Senator ADAMS—I have another question on something different but it is still related to security. I would like to know how many foreign dignitaries were exempted from screening during APEC. Senator Conroy—Does that include The Chaser dignitaries? Senator ADAMS—We will not worry about them. This is going through an airport. I do not think they went through an airport. Senator Conroy—Goodness knows. Mr Tongue—Could I clarify that question a bit. There were certain classes of people who were exempted—for example, heads of state. Do you want us to count how many individuals were exempted or just the classes of people? Senator ADAMS—No, I would like to know just how many individuals went through without being screened. Mr Retter—Senator, can I just add to that issue? The fact is a number of heads of state arrived and departed on state aircraft—their own national state aircraft—and therefore had no requirement to be exempt from screening because they did not need to be screened in that case. There were only a number of foreign dignitaries, heads of state, prime ministers et cetera who arrived on commercial aircraft where arrangements were made for the screening of those persons or the exemption of those persons in accordance with the policy that existed at the time. We can get you the numbers that apply to commercial aircraft if you want them.

OTS 03	19/02/2008	90	SCULLION	Senator SCULLION—Is there any particular report or information you can provide to the committee upon which you rely to give the statement that there has been no change in the security or the nature of the port over the last six months or before that? Mr Retter—In that I have access to and see on a regular basis threat assessments and other material that relates to those matters, I think I can speak with confidence that I am unaware of any information that would suggest otherwise. Senator SCULLION—Are you able to provide the reports that you are referring to to the committee? Mr Retter—I will have to take some advice on that, Senator. I am not sure. In terms of classified material, I am not sure what the process would be. Senator SCULLION—Well, obviously there would be a caveat on some of that material, and I am not— Mr Retter—I am referring to classified intelligence material which, as I state, has not changed substantively in terms of the areas that we are talking about.
REGS 17		Written	STERLE	Sustainable Regions Audit Is the Sustainable Regions program being audited?
REGS 18		Written	STERLE	Sustainable Regions Audit When will it be audited?
REGS 19		Written	STERLE	Sustainable Regions Audit Can you guarantee the Committee that this process will be transparent
REGS 20		Written	STERLE	Regional Partnerships How do you design funding programs to reflect best practice and if you are designing them like this now why weren't they done like that in the 1st place?
REGS 21		Written	STERLE	Regional Partnerships How are ACC's structured? How transparent are they?
REGS 22		Written	STERLE	Regional Partnerships How did you implement competitive neutrality? Local ads, local hearings in communities?
REGS 23		Written	STERLE	Regional Partnerships Looking back to 2004/2005 what initiatives would have improved the transparency of the Regional Partnerships program?

REGS 24	Written	STERLE	Regional Partnerships Did you ever have the impression that the "Regional Partnerships" program was the 'property' of a political party, namely the Liberal and National Party?
REGS 25	Written	STERLE	Regional Partnerships Did the Party Secretariat of the Liberal or National Party ever approach the Ministers office about funding proposals?
REGS 26	Written	STERLE	Regional Partnerships Did the Minister ever approve funding to an organisation of which an ACC member was a direct beneficiary? a. How can you be sure of this, given their track record?
REGS 27	Written	STERLE	Regional Partnerships Did you ever receive direction from Ministers to expedite funding applications or to approve them out of process?
REGS 28	Written	STERLE	Regional Partnerships Do you have any concerns about other programs?
REGS 29	Written	STERLE	Regional Partnerships Are you aware of any correlation between Liberal Party donors and recipients of Regional Partnerships? How can you be sure?
REGS 30	Written	STERLE	Regional Partnerships How were Ministers able to intervene and approve applications? a. How were Ministers able to approve applications before their applications had been submitted? b. There are supposedly 7 steps for consideration. How was this process corrupted? c. Why did we not learn of this maladministration until after the event?
REGS 31	Written	STERLE	Regional Medical Infrastructure Fund How much funding was underspent in this program? a. In how many years did underspending occur? b. Given the dire need for health service provision in regional communities how could the program have underspent its allocation of funding?

REGS 32	Written	STERLE	Regional Medical Infrastructure Fund What proportion of programs were for indigenous communities?
REGS 33	Written	STERLE	Regional Medical Infrastructure Fund Did you ever feel pressured by the Former Govt or Former Ministers to favour Coalition seats?
REGS 34	Written	STERLE	Regional Medical Infrastructure Fund In hindsight, would you have done anything differently?
REGS 35	Written	STERLE	Regional Medical Infrastructure Fund In regional communities, where there is an urgent need for Health Services, how could there be funding left over?
REGS 36	Written	STERLE	Regional Medical Infrastructure Fund Why have there been low numbers for applications for RMIF?
REGS 37	Written	STERLE	Regional Medical Infrastructure Fund Were non-Coalition MP's informed of the program?
REGS 38	Written	STERLE	Regional Medical Infrastructure Fund Did any safe Coalition seats receive disproportionate funding compared to other seats?
REGS 39	Written	STERLE	Regional Medical Infrastructure Fund How many RMIF applications from Coalition held seats were received and/or approved in Sept 07 prior to the election in 2007?
REGS 40	Written	STERLE	Regional Medical Infrastructure Fund How many Coalition RMIF applications were refused in 2007/2008?
REGS 41	Written	PAYNE	funding status of the Kiama Showground Pavilion upgrade project a) What is the status of the Dunn & Lewis Foundation Kiama Showground Pavilion upgrade? b) Was the project in receipt of a funding agreement? c) Is this project being reviewed under the Government's review of priorities and allocations of funding? d) When will the project proponent be advised of the result of the consideration?

REGS 42	Written	PAYNE	funding status of the Ulladulla Pistol Club project a) What is the status of the Dunn & Lewis Foundation Ulladulla Pistol Club project? b) Was the project in receipt of a funding agreement? c) Is this project being reviewed under the Government's review of priorities and allocations of funding? d) When will the project proponent be advised of the result of the consideration?
REGS 43	Written	PAYNE	Batemans Bay Chamber of Commerce a) What is the status of the Governments commitment of \$100,000 to the Batemans Bay Chamber of Commerce? b) When it is expected that the Batemans Bay Chamber of Commerce will be in receipt of the committed funding?
REGS 44	Written	PAYNE	Batemans Bay Rugby Club a) What is the status of the Governments commitment of \$10,000 to the Batemans Bay Rugby Club? b) When it is expected that the Batemans Bay Rugby Club will be in receipt of the committed funding?
REGS 45	Written	PAYNE	Eurobodalla Netball Association a) What is the status of the Governments commitment of \$8,000 to the Eurobodalla Netball Association? b) When it is expected that the Eurobodalla Netball Association will be in receipt of the committed funding?
REGS 46	Written	NASH	Better Regions projects Could to Department provide a complete list of all the Better Regions projects, by name, location and description, promised by the ALP during the election campaign?
REGS 47	Written	NASH	Better Regions projects How many of those projects had already been submitted to the Department for consideration under the Regional Partnerships programme?
REGS 48	Written	NASH	Better Regions projects How many of those projects had been recommended / not recommended to the previous Minister by the Department prior to caretaker mode?

CORP 02	Written	MINCHIN	All appointments which have been made by the Government (through Executive Council, Cabinet and Ministers) to Statutory Authorities, Executive Agencies and Advisory Boards, with a brief outline of the respective appointee's credentials.
CORP 03	Written	MINCHIN	A list of all vacancies which remain to be filled by Ministerial (including Cabinet and Executive Council) appointments.
CORP 04	Written	MINCHIN	All grants which have been approved by Ministers from within their portfolio.
CORP 05	Written	MINCHIN	Requests to the Department of Finance to move funds within each portfolio
COR0 06	written	MILNE	Can you provide a breakdown of the subsidies, including one-off grants, to the fossil fuel industry from your department in the 06/07 financial year, and their total dollar value?
CORP 07	written	MILNE	Can you provide a breakdown of the subsidies, including one-off grants, to the renewable energy industry from your department in the 06/07 financial year, and their total dollar value?
CORP 08	written	MILNE	Do you expect to alter the extent of subsidies to the renewable energy industry, so that in dollar value-terms, it is in parity with the fossil fuel industry?
CORP 09	written	MILNE	Will the department be conducting any studies to investigate the impact of subsidies to the fossil fuel sectors on greenhouse emissions?
REGS 49	Written	BOSWELL	Regional Partnerships In relation to the Regional Partnerships will you the department please provide an itemised list including the name of the applicant, the project they have applied for and the amount they have applied for (reported separately) for the projects that have the following status (reported separately) a. projects that have been approved but not paid b. have been approved but are being reviewed c. are awaiting approval
AUSL 19	Written	BIRMINGH AM	What appropriation has been made for South Australian road projects, broken down by project?
AUSL 20	Written	BIRMINGH AM	What funds, if any, have been committed by the South Australian Government towards federally funded road projects, broken down by project?

AUSL 21	Written	BIRMINGH	What are the expected start and completion dates for each South Australian road project?
		AM	
AUSL 22	Written	BIRMINGH	At which intersections will grade separations occur?
		AM	
AUSL 23	Written	BIRMINGH	Has South Road south of Sir Donald Bradman Drive been placed on the AusLink National
		AM	Network and, if so, on what date did this occur?