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REPRESENTATIVES**

STANDING COMMITTEE ON PETITIONS

**Reference: Petitions presented before 27 June 2008**

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CANBERRA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

[10.05 am]

**DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT  
AND LOCAL GOVERNMENT**

**ANGLEY, Mr John, Executive Director, Local Government and Regional Development,  
Department of Infrastructure, Transport, Regional Development and Local Government**

**CROMBIE, Mr Darren, General Manager, AusLink Policy and Queensland/Northern  
Territory Roads Branch, Infrastructure Investment, Department of Infrastructure,  
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**GOSLING, Ms Karen, General Manager, Airports Branch, Aviation and Airports,  
Department of Infrastructure, Transport, Regional Development and Local Government**

**WHITE, Ms Heather, Director, Queensland North and Northern Territory, Infrastructure  
Investment, Department of Infrastructure, Transport, Regional Development and Local  
Government**

**CHAIR**—Welcome. Although the committee does not require you to speak under oath, you should understand that this meeting is a formal proceeding of the parliament. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. Before we move to questions, I want to advise committee members that responses received to date from the minister and parliamentary secretary are due to be tabled this evening in the House of Representatives and that I have also written to the minister with regard to the outstanding response. Is it the wish of the committee that the responses received from the minister or the parliamentary secretary be authorised for publication? There being no objection, it is so ordered.

I will start off by asking the first question on one of the petitions that we have received to date—that is, regarding Port Keats Road in the Northern Territory. I notice that that was presented to the parliament on 17 March 2008, and to date we have not received a ministerial response to that. I was just wondering if you could give us any indication of when that response might be forthcoming. My second question on the Port Keats Road upgrade is: could you advise the committee on decision-making processes on road funding?

**Mr Crombie**—I actually have a copy here of the minister's signed letter to the chair in relation to Port Keats, dated 14 April, which I am happy to table. I cannot explain why you do not have a copy of that.

**CHAIR**—That will be fantastic. Thank you very much for that. That was a very quick response, so that was good.

**Mr BROADBENT**—That is a magnificent response, Darren.

**CHAIR**—Yes, you must have known that that question was going to be asked! Thank you. My second question is: could you advise the committee on decision-making processes on road funding?

**Mr Crombie**—Specifically in relation to Port Keats?

**CHAIR**—Yes, if you could—and road funding in general.

**Mr Crombie**—Let me start with Port Keats. There have been two funding lines available to the Port Keats Road update. The first was a decision in 2006 under the Strategic Regional Program, where \$4.95 million was approved for funding of an upgrade to Port Keats Road. The Strategic Regional Program in 2006 was a competitive round of funding, which meant that applicants applied for funding, that was assessed and then the minister at the time made decisions about projects that were to be funded. The 2006 round, through which Port Keats got funding, was in that competitive round. The second line of funding which is seeing work done on the Port Keats Road was a \$10 million announcement under AusLink 2, or the national land transport investment strategy, which will see additional work done over the Daly River and the Moyle and Tommy Turners crossings. That is honouring one of the election commitments, which sees about \$52 million over four years going to the Northern Territory as part of a package of projects on community, beef and mining roads.

In relation to Port Keats, the synopsis is that the first was an application received—\$4.95 million approved—and the second was part of the election commitment announcements as part of the package to the Northern Territory. If we are talking about the next five years—2009-10 through to 2013-14—funding to AusLink itself is approximately \$22.3 billion in total. That is made up principally of the AusLink investment network, which is effectively the old national highway funding line. The election commitment is what has seen that funding allocated. In addition there is funding for local Roads to Recovery programs, the Black Spot Program and a few other election commitment announcements, which is effectively how the \$22.3 billion is being allocated.

**Mr ADAMS**—Our petition process is about helping communities and groups that petition the parliament to have a more focused understanding of where they are at with why they are petitioning and to receive information. The history of Port Keats Road, I do not know—I think the road goes to Wadeye.

**Mr Crombie**—Yes, that is correct.

**Mr ADAMS**—I do not know whether it has what would be judged as an economic imperative in mining, beef or tourism or whether it has a safety need or whatever, and how the department would look at it. I guess we would be thinking along the lines of how the department could move this community forward by giving them a history of the road, or how they would apply and fit in to seeking some sort of funding in the future.

**Mr Crombie**—The underlying principle of the AusLink network is about economic efficiency, safety and security outcomes. The objectives of AusLink are generally fairly high level. The funding approvals for the national network are really driven by those economic imperatives and freight movements and similar. The Strategic Regional Program was really

focused more on the development of communities where there was an underpinning environmental economic social benefit. I have only been as far as Daly River, which is at one end of that road. I have not actually been out to Port Keats. When you look at the work that is specifically being funded, it strikes me that a lot of it is actually about increasing the number of days per annum that it would be open. My understanding is that a lot of these Top End roads can be out of use because of flooding for anything up to six months of the year. Typically, where we are funding projects in the Top End, whether it be in the Cape or in the Northern Territory, they are targeted at areas where the flooding is most pronounced. For example, under the \$4.9 million package, there are a number of specific floodways being targeted between Palumpa and Daly River. These include Anopheles Creek, Chalanyi Creek, Wait a While Creek, Sandy Creek, Moyle River and Little Moyle Creek. They have also targeted dangerous sections of the road between Palumpa and Peppimenarti. Those have been widened and dangerous bends have been taken out.

The Northern Territory government is the one that makes the decisions about where the priority funding is put. So the Australian government provides the funding, but we act on advice from the Northern Territory about where the priorities are. Unfortunately, I probably have not answered your question very well. But, where possible, the targeting of investment is at trying to get an economic and social benefit, particularly in those areas where there are very long periods of time when the communities are cut off by road because of the flooding. The \$10 million under Auslink 2 is to put a high-level bridge over the Daly River, because, as you probably know, it goes under very badly, and to put a couple of other bridges on the Moyle River floodplain. So again, it is about trying to maximise the amount of time in the year that that road is open.

**Mr ADAMS**—Potentially a lot of bridges would need to be built—

**Mr Crombie**—And bridges are expensive.

**Mr ADAMS**—which would be a costly exercise. But you understood what I was talking about in the sense of trying to pass on information to the community that has petitioned the parliament.

**Mr Crombie**—Yes, and this is where I am a little confused, because the petition is very open-ended. We have already got about \$50 million in investment in there and there is only a limited pool of available resources to go around. So the Northern Territory's judgement in AusLink 2 was that that was where those resources were best put.

**Mr ADAMS**—But that community needs to know. That community may petition because that is what it thinks should be done. It may not have all the information to make the analytical assumptions that you or I can make or that we can make as a committee. I think what the committee would like to do is to pass as much information as possible from the process back to the community so that it can move on a bit from where it is at in its thinking. It may not understand that \$50 million has already been allocated.

**Mr Crombie**—I am not quite sure how to answer that other than to say that this may be a matter that we need to take up further with the Northern Territory government. They are the holders of the information in terms of why they decided to build those bridges. I am not quite sure how you would propose to have that information flow work.

**CHAIR**—Could you just take that on notice and get back to the committee. Mr Adams has a good point there. Another issue is the community consultation that the Northern Territory government might have done with the whole of the community regarding this.

**Mr Crombie**—Yes. Unfortunately, that is not something that I am familiar with.

**Mr ADAMS**—It is not your role.

**Mr Crombie**—Correct. So I am a little bit at a loss as to how to provide you with that answer, Mr Adams.

**Mr ADAMS**—I guess the letter needs to give information to that community that has petitioned. The role would be to give that community as much information as possible. Sure, the Northern Territory government has a role to play, but you need to point out to that community what the Commonwealth has done, out of the funding that is available, the reasons and any history that we may have that we can pass on to empower that community.

**Mr Crombie**—I have just asked for a copy of the letter to see what information has been provided. That may go part of the way to addressing that question. It does strike me that there is a potential for us to provide more information, if that is not adequate for the committee, to maybe fill in the gaps.

**Mr BROADBENT**—Heather, Darren, John and Karen: what information, what briefing, what direction have you been given to respond to this new Petitions Committee, having regard to what Mr Adams has just been through?

**Mr Angley**—We have been given no instructions.

**Mr BROADBENT**—Nothing?

**Mr Angley**—No.

**Mr BROADBENT**—So we are all flying by the seat of our pants in this new process.

**Mr Angley**—Yes.

**Mr BROADBENT**—That is where I thought we were at. I do agree with Dick that, where there is further information we could give, we should do so. What would be the normal process, from your point of view, to elicit more information? I am asking about the role now. Do you see your role as being to respond to the petitions with the information that you have and that is the end of it—which is reasonable—or do you see a role where further information can be provided that may be directed back to a state government?

**Mr Angley**—It really does depend on the petition itself. I have three on my list here and they are very different types of petitions. Some are complaints—fair enough—about decisions already made. But at a minimum they add to the awareness of everyone involved about what the local community thinks about a project—whether it is one that is coming or one that has already been decided.

**Ms Gosling**—If I could just add to what Mr Angley just said, in relation to the Moorabbin Airport petition, this is a matter that the minister has been closely involved with to date and has had dialogue with the parties on. So I think it does actually really depend on the petition and the background to the particular issue that is under consideration.

**Mr Angley**—Following up on Ms Gosling's point, the matters in two of the petitions I have, one relating to Golden Grove Football Club and one to funding for sporting facilities, have been concluded since the petitions were presented. They were presented one month before the deadline for that process. The wishes of both petitions have been met.

**CHAIR**—You have just mentioned Moorabbin golf course/airport. Is there anything you would like to add to that ministerial response? My second question is: can you let the committee know how state and federal issues are determined in these instances?

**Ms Gosling**—Sure. In terms of the first point on whether there is anything I would like to add, there probably is not in terms of the minister's response on 26 August. But some points to highlight from his response include the fact that the lease was negotiated by the council in 1998 and all parties have been aware that the lease was due to expire in 2008. In terms of the other aspect of the petition, whether there should be some sort of inquiry in relation to Moorabbin airport or others, the committee may be aware that the minister is actually in the process of developing a national aviation policy statement, and a green paper related to that statement will be out within coming weeks. That is scheduled for a white paper in mid-2009. So there is a public consultation process going on now about the future of aviation in airports generally and public submissions are being called for.

In terms of your question about the arrangements with the Commonwealth and the states and territories in relation to the airport, there are 22 leased airports federally owned, so they are on Commonwealth land. When they were privatised approximately 10 years ago, depending on the airport, it was done under the Airports Act 1996. The Commonwealth act actually retains the decision-making power for planning and development over those leased parcels of land for the Commonwealth government on the basis that they are critical national infrastructure in terms of the way the Australian economy and community works.

Having said that, however, within the Airports Act, for a master planning process for a major development plan, the airport lessee companies are required to consult with the states and territories and the local government agencies in relation to what is planned for the airport and to take into account their comments. It is quite a structured process of consultation. When a master plan for an airport or a major development proposal comes forward to the minister, the airport lessee company must demonstrate to the minister how they have taken into account the comments that they have received and to what extent their plans may be consistent with state and territory planning regimes. So there are some mechanisms, but this is one of the areas that the minister has flagged in the initial issues paper for the aviation policy statement that he released in April. This whole issue of airport development is one area of that aviation policy that is up for consideration.

**Mr ADAMS**—Is that in the reply?

**Ms Gosling**—In the reply—

**CHAIR**—Not fully in the reply. Some of it is—

**Ms Gosling**—Yes.

**Mr ADAMS**—So the process for airports, so they are not a burden to the taxpayer, is to help fund themselves, but for the development of the future need of the airport or expansion of the airport there is supposed to be consideration of the master plan?

**Ms Gosling**—That is right.

**Mr ADAMS**—And if the need is for a golf course, as in this case, that the community have used for 30 years, what opportunities do they have for providing input to that planning decision?

**Ms Gosling**—With both the 1999 and 2004 master plans for Moorabbin Airport, the land where the golf course is was flagged for commercial development, and so there have been consultation processes as far back as 1999 about the future plans for this parcel of land on the airport. The other point to draw out of the minister's response is that the airport has recently agreed to extend the lease for the golf course for another six months beyond November and, concurrently, bring forward their master-planning process to allow a longer period for public consultation, to enable a comprehensive consideration of these issues.

**CHAIR**—I noticed that in the minister's reply he stated that he is encouraging residents to make a submission when the draft master plan is released for public comment. What was the date on which you were expecting this master plan to be released?

**Ms Gosling**—To some extent that is an issue for Moorabbin Airport, in terms of when they are ready. But I think it is anticipated that it may be available in October.

**CHAIR**—At least residents will have the opportunity to make public comments. Are there any more questions on Moorabbin?

**Ms GEORGE**—In relation to airports where they exist but they do not have a lease on Commonwealth land—I am thinking of a regional airport in my electorate which is owned by the Shellharbour LGA—what authority does the federal government have, if any, over the use of that land? There is some debate going on in the local community about whether larger planes should fly in or whether it should be developed in a different way. Does the federal government have any authority in situations like that?

**Ms Gosling**—Not in terms of the land planning and development issues of that parcel of land. But, clearly, in terms of the operations of the airport, Commonwealth agencies such as CASA would have a role in terms of monitoring what is happening at the airport.

**Mr CHESTER**—Mr Anglely, in relation to the Golden Grove Football Club petition, I noticed that you said there was a positive result and that that was progressing. I am not sure if you have carriage for this program, but my question is on the status of the replacement program for Regional Partnerships, the funding allocated to it, and that type of thing. People in my electorate are already starting to line up at my door to find out what the criteria may be. Is that something

you are aware of? There is probably going to be a bit of a backlog of applicants. What is the time frame of when that will come on-line?

**Mr Angley**—The Regional Partnerships program, as you would know, was closed to new applicants at the budget. The minister made an offer to 86 Regional Partnerships projects that we would call ‘approved but not contracted’ to seek to finalise their contracts by 31 July. Those two projects that were mentioned in these petitions were in that group. We are about to begin, soon, the implementation of the Better Regions program, which is the implementation of the government’s regional commitments. Also in the budget in May it was announced that the Regional and Local Community Infrastructure Program would begin from 1 July next year. That is being developed now and will go through the budget process beginning soon, to be announced and finalised in May. But that is due to begin on 1 July.

**Mr CHESTER**—Are you aware of the criteria, how it has been developed, what type of project can apply and the total budget allocation to it over the next couple of years?

**Mr Angley**—No, they have not been finalised, because there are a range of consultations going on at the moment.

**Mr ADAMS**—But these are policy decisions; they are not relevant to this committee, I believe.

**Mr CHESTER**—Sorry, Chair; in relation to the Golden Grove club I was interested in the way they have got ‘The petition has been successfully resolved,’ so I was just checking what the next criteria would be—when it would be released. I did not think it was policy; I just thought it was of interest to the petitioners, that is all.

**CHAIR**—Yes; fine.

**Ms GEORGE**—Isn’t there a House of Representatives committee that is looking at the guidelines?

**Mr Angley**—Yes. There are a couple different processes going on. There is a House of Representatives committee inquiry which has been touring the country and has probably had 15 or 20 roundtables in different parts of the country. They are meeting in Canberra in a couple of weeks time. There is also a second level of consultation that the minister has arranged, which is through the ACC network, now called Regional Development Australia, and they are talking to their local communities about ideas for their own communities and bringing them back to the minister.

**Mr CHESTER**—Thank you.

**Mr BROADBENT**—Ms Gosling, in the minister’s response he talks about the national aviation policy statement and the white paper which you mentioned before. Will that investigation go as far as to look at the appropriate siting of airports across Australia that we have some involvement in? And will it look at the suitability, with the progression of time, for the sites that they find themselves in after 100 years of aviation?



**Ms Gosling**—I am just trying to recall the issues paper. I am not sure if it is couched exactly in those terms, but certainly one of the issues that was flagged in the issues paper that was released in April was the connectivity between the federal leased airports and the regional airports and whether there needed to be more of an overarching framework for how airports generally were dealt with by the Commonwealth. I am not sure whether it was quite that specific but it is possible that that would be picked up.

**Mr BROADBENT**—Can you give me the history of the airports such as those raised by Ms George before? Did the Commonwealth own all of these regional airports?

**Ms Gosling**—It is not entirely within my area of expertise, but I will answer what I can. My understanding is that they were all initially owned by the Commonwealth government. I think at some time in the early nineties the Airports Local Ownership Program was developed by the Commonwealth government and at that stage apart from the leased airports the other regionals were offered to the councils. There was, I think, some funding at the time. It was done on the basis that the councils were probably better placed to manage this infrastructure at a local level.

**Mr BROADBENT**—I hope I am not getting too far off the track here, but my question is about airports. The airport at Caloundra, I think, is owned by the local council, out of the process you have just described. How is it that Moorabbin was always held and not taken over by a council or a state government? Do we have involvement in the Caloundra airport or not? There are some other regional airports that have put a lot of money into their own airports. I am just trying to think of one—it might have been in the area of Torquay or Hervey Bay—that more recently put a lot of money in and now they have huge development going on because the airport is there. I am talking about the planning issue here—and I am only talking about the planning issue—and whether there is any involvement by the federal government in the planning. I suggest to this committee that there is not.

**Ms Gosling**—As I indicated to Ms George a moment ago, in terms of those locally owned airports the federal government does not have a direct planning role other than in terms of the safety regulations and air services issues.

**Mr HAWKE**—I just want to talk about another issue in relation to the Ipswich Road and Goodna bypass. I do not know who would be best to address that.

**Mr Crombie**—Yes, me.

**Mr HAWKE**—In relation to this petition the petitioners made a certain set of claims about the planning quality of this particular proposal—the Goodna bypass. Then the minister has responded and said that the project would cease. My question relates to the fact that there is no addressing here of the specific criticism of the planning criteria in relation to the worthiness or otherwise of the Goodna bypass. Do you have any comments in relation to the Goodna bypass or whether it is a worthy project in terms of planning criteria—not in a political sense? The guys here are criticising the planning of it and whether it is a worthy project in terms of planning criteria.

**Mr Crombie**—Can I make a statement, and then the committee can determine whether it is a matter for me to address or not?

**CHAIR**—Sure.

**Mr Crombie**—The Australian government has committed to the full upgrade of the Ipswich Motorway from Dinmore to Rocklea. The government has already allocated approximately \$1 billion to upgrade the motorway between Goodna and Darra, which is along the existing alignment, and a further \$1.14 billion has been allocated to upgrade the motorway between Dinmore and Goodna, which is also along the current alignment.

Queensland minister Warren Pitt has now announced that work on Goodna bypass is ceasing. However, there are a range of activities that the Queensland government is continuing to undertake along that corridor preservation. But the decision to not proceed with the Goodna bypass and put funding into upgrading the existing alignment was done in the context of the election, and the petition, as I read it, was effectively calling for the ceasing of the Goodna bypass. That is the petition I have. I think the minister's response actually addresses the issues raised in the petition in terms of the future of the Goodna bypass, and that is now the commitment to upgrade along the route between Dinmore and Gailes.

**Mr HAWKE**—The criticism in the petition says it is a bad planning choice. That is not really addressed in the response from the minister. So my question is: are there planning criteria that you can enlighten us about that show which is a better alternative and which is not?

**Mr Crombie**—I do not think I can make a comment on that. I think that is a policy call for government. I am sorry.

**Mr HAWKE**—Fine.

**Ms GEORGE**—On roads funding—if no-one has any questions specifically on a petition—we talked about the allocations for AusLink 2. How does a road that is nominally classified as a state road get added? With what process can a state road become part of the AusLink network? And what process is available to extend the AusLink framework? For example, in my area it stops before it gets into the port of Port Kembla, which is going to be a major regional economic driver. We would like to see the AusLink program expanded to take transport in and out of the port and to also upgrade the Princes Highway, which is a state road, but currently neither project appears to be part of the AusLink forward estimates. In what way could that be changed?

**Mr Crombie**—Of the \$22.3 billion, approximately \$17 billion goes on the national land transport network. That is defined under the provisions of the AusLink act. To get funding approval for a project which the minister must approve under the national land transport framework, the road needs to be declared as part of the AusLink national network. That is done as a determination by the minister. That is then tabled as an instrument under the Legislative Instruments Act. I am not sure whether there is a disallowance provision on it or not. I cannot quite recall. I do not think it is a disallowable instrument—it is not disallowable. So the bureaucratic answer to your question is that, to get funding under the \$17 billion, it needs to be declared as part of the national network, and then the decisions on eligibility for funding would come into play under the act. That is effectively the answer to how you declare the network.

If I could talk about another port—maybe this will give a better context—in Darwin, the national network extends to the gate of the port and the determination is set to end effectively at

the gate. What happens inside the port is then a matter for the port corporation. I am not familiar enough with Port Kembla to know the geography of the ownership patterns, but in essence that is the way the determinations have generally worked: they are declared up to the port. Given one of AusLink's criteria is about economic efficiency and movement of goods, we have quite a number of these projects which have had declarations going to the port. Townsville port access is a recent one for which we are recommending a change to the network to—

**Ms GEORGE**—So the minister has the discretion to add to the projects?

**Mr Crombie**—Yes. Obviously we would then make it public, through the instrument process, that that is what the network looks like.

**Ms GEORGE**—Does it require the consent of the state government or can he do it without their consent?

**Mr Crombie**—I think the legal answer would be that it is the minister's decision.

**Mr ADAMS**—I think they try to fit into a strategic plan if the port is a driver for an economic future and things like that.

**Mr Crombie**—The other documents that guide a lot of that decision making are AusLink corridor strategies, of which there are 23. They try to give a 25-year horizon of where the investment priorities are and what the economic drivers are around that. Those were done with heavy consultation and they are, I think, a collectively agreed set of the outcomes to which everyone is aspiring. Those are probably the guiding documents that would be viewed. But, at the end of the day, it is the minister's decision on the determination.

**Mr ADAMS**—In relation to the petition we have received about the V8 Supercar racetrack in Townsville, I think there is a toing-and-froing of general, good politics of our great country.

**Mr BROADBENT**—Are you trying to rev it up?

**Mr ADAMS**—V8 Supercars are a part of life. I do not know where they are going to be with the future of fuel. Does the department have anything to add to the letter from the parliamentary secretary?

**Mr Anglely**—No. This project was an election commitment and will be addressed under the Better Regions project, and the arrangements for the Better Regions project will be announced soon.

**Mr ADAMS**—I see it has the support of the state, by way of substantial amounts of money?

**Mr Anglely**—Yes.

**Mr ADAMS**—The local council is also supporting it, so I would think it is just about a done deal.

**Mr BROADBENT**—Where the Commonwealth funds any project, do we have an input into the planning—for example, with the V8 Supercars there is an issue in the local community about taking up parkland and that sort of thing?

**Mr Angley**—Yes.

**Mr BROADBENT**—Do we have any input such as a letter of suggestion from the minister or the department?

**Mr Angley**—It varies a bit with each type of project but, when we negotiate the contract with the proponents for access to the Commonwealth funds, we would expect that the proponent, whether it be the Townsville City Council or whomever, will follow all the appropriate planning rules, both state and local, irrespective of whether it is an individual community club and/or a council they are sponsoring.

**Mr BROADBENT**—From our point of view—‘our’ being the federal government—do we have an officer who looks closely at whether a project that we are putting together may offend the Environment Protection and Biodiversity Conservation Act, where we would have further input?

**Mr Angley**—Not specifically and certainly not automatically for all projects. But, if that were an issue with that particular project, it would certainly be discussed in drawing up the funding agreement, which is what we call the contract, with the proponent. And they would be expected to have addressed all the planning regulations, whether they be town planning regulations or environmental rules, for that project.

**Ms Gosling**—Chair, with your permission, I would like to table a joint statement from the City of Kingston and Moorabbin Airport, dated 7 August, in relation to the agreement they have reached about the extension of the golf course and future plans. It also mentions the council’s intention to pursue building a public golf course in the area.

**CHAIR**—Thank you.

**Mr Crombie**—Going right back to the discussion we had earlier about Port Keats Road, do I now take from your response that if the committee is not satisfied with the response from the minister then you would seek additional information? Is that how you expect the process will work?

**CHAIR**—That is correct. I thank witnesses from the department for their attendance and participation in today’s first meeting of the public hearing of the Petitions Committee. You might be invited back in 25 years time for our 25th anniversary!

**Mr Angley**—Thank you.