

Rural & Regional Affairs and Transport Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates October 2012
Infrastructure and Transport

Question no.: 114

Program: 2.3

Division/Agency: (STP) Surface Transport Policy

Topic: Tasmanian Freight Equalisation Scheme

Proof Hansard Page/s: 45 (16/10/12)

Senator COLBECK asked:

Senator COLBECK: I will have a look at the project agreement. There was \$4 million to the Burnie port. I think it is understood where that is going. What role is the Commonwealth having in the establishment of the expert group, which I think \$1.5 million is going to fund? The expert group is looking at longer-term issues. So what is our engagement in that process? I understand Minister Albanese might have announced the chair or something recently when he was in Tasmania.

Mr Sutton: That is correct. It is one of the three components of the \$20 million that is specified in the project agreement, which identifies, in a general sense, the role and functions of that money. Minister Albanese issued a media release on 3 October with Tasmanian Minister O'Byrne, indicating that applications were sought for membership of that freight logistics coordination team.

Senator COLBECK: Is there a timeframe around the reporting of that group?

Mr Sutton: Not that I am aware of.

Senator COLBECK: Could you take that on notice and find out what the timeframe is around the activities of that particular group, or if we are imposing or asking for anything—or is it just being managed by the Tasmanian government?

Answer:

This is being managed by the Tasmanian Government.

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Question no.: 115

Program: 2.3

Division/Agency: (STP) Surface Transport Policy

Topic: Tasmanian Freight Equalisation Scheme

Proof Hansard Page/s: 45-46 (16/10/12)

Senator COLBECK asked:

Senator COLBECK: Wouldn't that be fairly fundamental to providing advice to the minister, because surely that is part of the deal?

Mr Sutton: The previous answer indicated we were providing advice to the minister. The minister has now responded to Mr Deegan's report, and in that response it was indicated that there would be no changes to the current way that the Tasmanian Freight Equalisation Scheme operates.

Senator COLBECK: Can you give me the date of that advice and where I might find it? Can you direct me to it?

Mr Sutton: I will have to check.

Senator COLBECK: Is it a public response?

Mr Sutton: It was in advice provided to Mr Deegan. I am not sure if it is a public response at this point in time but we can take it on notice.

Senator COLBECK: Part of it is public now, because you have just told me.

Mr Sutton: Indeed.

Senator COLBECK: That answers one question.

Mr Mrdak: I think the Prime Minister and the minister made comments on this issue during the recent community cabinet in Launceston. We can certainly see what is on the public record and take that on notice.

Answer:

A public statement was made by the Minister on 24 May 2012, expressing commitment to the Tasmanian Freight Equalisation Scheme.

115 - Attachment A – Media Article 25 May 2012

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Supplementary Budget Estimates October 2012
Infrastructure and Transport

Question no.: 116

Program: N/A

Division/Agency: (STP) Surface Transport Policy

Topic: Maritime Union of Australia

Proof Hansard Page/s: 47 & 50 (16/10/12)

Senator ABETZ asked:

Senator ABETZ: We are under time pressure so, rather than asking a lot of questions, I will make a comment for the consideration of the department. Avid reader as I am of matters trade union, I got the special commemorative booklet from the Maritime Union of Australia entitled *Kept Australia afloat: shipping reform and the national interest*.

In that we have published a whole lot of commentary from departmental officials congratulating the Maritime Union of Australia on their activities et cetera. I am just wondering whether you would have sent notes of commiseration to those who were on the other side of the debate in this. I suppose all I am saying is that I personally do not think it is a good look for departments, when matters are hotly contested, to be sending congratulatory notes—

Senator Kim Carr: Could we have a copy of this document?

Senator ABETZ: I have just indicated what it is called: it is a special commemorative booklet called *Kept Australia afloat: shipping reform and the national interest*.

Senator Kim Carr: You have said that the officers are quoted.

Senator ABETZ: Yes, on page 17. I do not want to gratuitously put people's names into *Hansard*. Some people higher up than AMSA—I will be discreet as to that—have been published saying, 'Well done to all involved', 'Thanks and congratulations' and things of that nature. One day you might have to be acting for a government, potentially, that might have a differing view, pursuing a different policy. I am just wondering about the appropriateness of it. I will leave it at that; other colleagues have questions. But I just wanted to make that point.

Mr Mrdak: Certainly I am not aware of the publication or the comments in it. I am happy to take it on notice.

Senator ABETZ: You can see this document. It came across my desk, and I was surprised that some very high-level officials had what I assume were email communications published which would suggest that they were all partisan participants in the debate, where the coalition clearly had a differing view. I will not take it further than that.

Mr Mrdak: I am not aware of any such comments by myself or my officials, and I will have a close look at that.

Senator ABETZ: Mr Mrdak, you are at the top of the tree, and you were quoted as well, saying: 'Paddy, thanks and congratulations. Well done to all involved. Looking forward to catching up.' With respect, I just do not think it is a good look.

CHAIR: Senator Abetz, are you tabling that?

Senator Kim Carr: No, he said he did not want to table it.

Senator ABETZ: No, I did not say that. I am more than happy to go back to my office and have it photocopied and brought up here for Mr Mrdak. I do not want to take the matter further. I am sure it was all done innocently, but I do not think it is a good look for the future. That is all.

CHAIR: Mr Mrdak, do you wish to respond to Senator Abetz's line of questioning?

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Mr Mrdak: As I said, I will have a look at the document. I am not aware of it or of any comments I have made along those lines. But I am certainly aware that we constantly have contact with all levels of the industry. I will have a look at the context in which those comments have been published.

Mr Mrdak: Senator Abetz raised the issue of a MUA publication and I would just like to clarify. I will come back to Senator Abetz on notice, but just to clarify that my comments and those of the officers were responses to letters from the MUA thanking my staff for the hard work they had done in facilitating the work on the legislation. I will come back on notice clarifying, but those comments reflect our responses to those letters thanking our staff for their hard work and should not be taken as anything other than that.

Answer:

I am advised that it appears that the Maritime Union of Australia (MUA) collated for its newsletter a series of comments based on email responses to a letter they sent to the Department noting the work done to enable the Government's shipping initiatives to come into effect. Comments provided by departmental officers were no more than informal replies noting the MUA comments on the Department's work.

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Question no.: 117

Program: 2.3

Division/Agency: (STP) Surface Transport Policy

Topic: Seatbelts on School Buses

Proof Hansard Page/s: Written

Senator NASH asked:

1. The list that you have provided for me, regarding the past recipients for the grant is this all the recipients from 2007 – 2012?
If the department says this is only for 2012 etc
2. Can the department provide me a list of all the recipients for this grant from 2007 – 2012?
3. Can the department break down for me the total spending i.e. how much each year bus operators accesses the grant for the years 2007 – 2008, 2009 – 2010, 2011 – 2012, and 2012 – 13 budgets?
4. How many buses were retro – fitted or in the process of being retro – fitted with seat belts are from rural and regional area?
5. How many of those buses that were retro – fitted in the time period from 2007 – 2012 accessed “high risk” roads?
6. How many buses have been retro – fitted with seat belts are from a metro area or mainland state capital areas?
7. Can you break down into metro, inner regional, remote and very remote areas how many buses have been retro fitted with seat belts from 2007 – 2012
8. The Department states “The original allocation over four years from 2007 – 08 to 2010 – 11 was 37.6 million. Unspent funds from 2007 -08 were used to extend the program another year to 2011- 12” by any chance there was no money left over from 2007 – 08 budget would the program been scrapped?
9. If the \$4 million dollars is spent this 2012- 13 budget will the program be cut from the 2013- 14 budget if the only reason it continued was because of funds leftover from the 2007 – 08 budget?

Answer:

1. Yes.
2. N/A – see answer to Question 1.
3. Total program spending (including GST) for each year to date is as follows:
2007-08: \$195,811
2008-09: \$1,312,927
2009-10: \$1,082,572
2010-11: \$809,770
2011-12: \$1,931,034
2012-13: \$0 – as at October 2012
4. 138.
5. All funded buses operated on high risk roads as defined by the program guidelines.

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6. None. The eligibility criteria for program funding required the buses to be servicing a recognised regional or rural school bus route.
7. This information is not available.
8. The program's extension was a decision of the Government.
9. At the May 2012 Budget, the Government allocated \$1 million to the program for 2012-13 and a further \$1 million for each of the forward years to 2015-16. The Department intends to manage the program within these budgetary provisions.

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Question no.: 118

Program: N/A

Division/Agency: (STP) Surface Transport Policy

Topic: Inspection certificates and ADRs for vehicles imported overseas into Australia

Proof Hansard Page/s: Written

Senator RYAN asked:

1. Since 2003 how many compliance plates have been issued that have later found not to match the vehicle they have been fitted to?
2. Does the Department undertake audits to ensure compliance plates match vehicles? If so, how often and can you provide the results of these audits? If not, why don't you undertake audits?
3. How often does the Department come across false or misleading 0-4-5 Inspection Certificates?
4. What measures does the Department have in place to ensure 0-4-5 Inspection Certificates are true and correct?
5. Of the false or misleading 0-4-5 Inspection Certificates detected how did the Department become aware that there issue with the certificates?
6. What proactive steps does the Department take to ensure that a vehicle is compliant? Does the Department rely solely on the 0-4-5 Inspection Certificate?
7. Does the Department undertake an audit to make sure compliance plates match the vehicle and that certified engineers are doing their job properly when they sign a 0-4-5 Certificate?
8. Is the department aware of any allegations or instances of fraud or any other criminality in regards to the issuing of 0-4-5 Inspection Certificates or compliance plates?
9. If there has been evidence of criminality what actions or sanctions have been taken against the perpetrators?
10. How many 0-4-5 Inspection Certificates and Compliance Plates were issued between 01/01/2003 and 01/01/2004?
11. Of these 0-4-5 Inspection Certificates and Compliance Plates issued between 01/01/2003 and 01/01/2003 how many have were found to be incorrectly issued?
12. Is the department aware of any cases between 01/01/2003 and 01/01/2004 where 0-4-5 Inspection Certificates have been filled out with false details and compliance plates issued? For example, *a 1993 Chevrolet is listed on the 0-4-5 Inspection Certificate when in fact the vehicle is a 1993 GMC Motorhome.*
13. Of the cases which the Department has known where false details have been placed on a 0-4-5 Inspection Certificate what investigations were carried out, what were the outcome of those investigations and what actions taken against those who falsely filled out the certificates?
14. Has the Department ever received complaints about an engineer by the name of Werner Ihle? If so, what was the nature of the complaints, were they investigated and what was the outcome of those investigations?

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Answer:

On the basis of Question 12, these questions appear to relate to vehicles supplied under the Low Volume Used Vehicle Scheme. This scheme closed on 8 May 2003 following a review of the *Motor Vehicle Standards Act 1989*. The records held by the Department in relation to this closed scheme are therefore limited. The majority of the questions are not applicable to the current arrangements for importation and supply of used vehicles (the Registered Automotive Workshop Scheme).

1. 0.
2. Yes. Approximately 200 vehicle inspections are conducted annually, the majority of these are prior to fitment of a Used Import Plate, or an 'Identification Plate' (formerly called a compliance plate'). Errors are therefore corrected before a vehicle is approved or a plate issued.
3. See response to question 2.
4. Inspections of vehicles are conducted on a risk-managed basis, prior to issue of a Used Import Plate for a used imported vehicle or an 'Identification Plate' for low volume new vehicle.
5. Generally from state or territory registrations inspections.
6. Inspection of vehicles and documentation are conducted on a risk-managed basis.
7. Yes.
8. Yes.
9. n/a.
10. 6657 0-4-5 Certificates were received. 4671 plates were issued.
11. 0.
12. Yes.
13. Investigations were carried out, the companies submitting the forms were asked to explain the discrepancies and where appropriate regulatory sanctions were applied.
14. No.

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Question no.: 119

Program: 2.3

Division/Agency: (STP) Surface Transport Policy

Topic: National Heavy Vehicle Regulator

Proof Hansard Page/s: Written

Senator NASH asked:

1. I understand that the start date for the national law has now been pushed back to 1 July. Is that correct?
2. How many staff are employed by the National Heavy Vehicle Regulator?
3. How many other staff in the Department are working on the implementation of the National Heavy Vehicle Regulator?
4. What is the Budget of the National Heavy Vehicle Regulator?
5. What funding from general Departmental budgets is allocated to the implementation of the National Heavy Vehicle Regulator?
6. Are you confident that the outstanding issues can be dealt with in a second Bill to be passed through the Queensland parliament? Will a third bill be required?
7. How confident are you that a national law will come into effect from 1 July next year?

Answer:

1. The National Regulator will undertake limited operations from January 2013, including the National Heavy Vehicle Accreditation Scheme and the Performance Based Scheme, and will be able to undertake the full range of functions in all states from 1 July 2013, once the application laws have been passed by all state and territory Parliaments.
2. Staff will be recruited or transferred from state agencies to enable a January 2013 commencement.
3. The NHVR project office in Queensland, funded by all jurisdictions, is responsible for implementing the national regulator. In the Department of Infrastructure and Transport, three full time equivalent staff work with the project office and states and territories and provide policy advice on national heavy vehicle regulatory reform.
4. The ongoing budget has not been finalised by the Ministerial Council, but is expected to reflect current budgets allocated by states and territories to heavy vehicle regulation.
5. The Australian Government has invested \$23.1m in the implementation of the National Heavy Vehicle Regulator, including \$15.6m allocated in the 2012-13 Budget.
6. The *Heavy Vehicle National Law Bill 2012* enables the establishment of the National Regulator. The second bill is agreed by the Standing Council on Transport and Infrastructure (SCOTI) and is currently before the Queensland Parliament.
7. The Heavy Vehicle National Law Act 2012 received assent in Queensland on 29 August 2012. The regulator commenced on 21 January 2013. The Queensland Government has committed to passing the second bill to have effect on 1 July 2013.

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Question no.: 120

Program: 2.3

Division/Agency: (STP) Surface Transport Policy

Topic: Temporary Licence Refusals

Proof Hansard Page/s: Written

Senator NASH asked:

Since Temporary Licences were introduced for shipping in Australia on 1 July 2012:

1. How many temporary licence applications have been refused?
2. What was the rationale for each of the temporary licence applications that have been refused?
3. In each case, what was the outcome of the refusal? In each case was the cargo subsequently carried on an Australian flagged ship?
4. How many temporary licences have been refused for hazardous materials?
5. For each refusal, please provide the rationale of the refusal.

Answer:

1. Three as at 8 November 2012.
2. The decisions were made in accordance with the *Coastal Trading (Revitalising Australian Shipping) Act 2012* (the Act).
3. A General Licenced vessel was nominated in two cases and a Transitional General Licenced vessel was nominated in one case.
4. None.
5. Not applicable.

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Question no.: 121

Program: 2.3

Division/Agency: (STP) Surface Transport Policy

Topic: Australian Shipping Register

Proof Hansard Page/s: Written

Senator NASH asked:

1. What is the current number of vessels that are Australian flagged?
2. (a) What is the current number of vessels that are flagged on the Australian International Shipping Register?
 - (b) When were these vessels flagged on the AISR?
 - (c) Who are they owned by?
3. For those ships flagged on the Australian International Shipping Register, what was their former flag of registration?

Answer:

15. 11,115.
16. (a) None.
 - (b) Not applicable.
 - (c) Not applicable.
3. Not applicable.