

The Senate

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Rural and Regional Affairs  
and Transport  
Legislation Committee

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Annual reports (No. 1 of 2013)

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## List of Abbreviations

|                |   |
|----------------|---|
| AAO            | Administrative Arrangements Order   |
| ABARES         | Australian Bureau of Agricultural and Resource Economics and Sciences   |
| AMSA           | Australian Maritime Safety Authority  |
| ANAO           | Australian National Audit Office  |
| ARTC           | Australian Rail Track Corporation Ltd   |
| ASC            | Australian Sports Commission  |
| ASADA          | Australian Sports Anti-Doping Authority   |
| ATSB           | Australian Transport Safety Bureau  |
| BSPVES         | Bass Strait Passenger Vehicle Equalisation Scheme   |
| CAC Act        | <i>Commonwealth Authorities and Companies Act 1997</i>  |
| CAC Orders     | <i>Commonwealth Authorities (Annual Reporting) Orders 2011; Commonwealth Companies (Annual Reporting) Orders 2011</i> |
| CASA           | Civil Aviation Safety Authority   |
| COAG           | Council of Australian Governments   |
| DAFF           | Department of Agriculture, Fisheries and Forestry   |
| DHS            | Department of Human Services  |
| EPBC Act       | <i>Environment Protection and Biodiversity Conservation Act 1999</i>  |
| FFA            | Football Federation Australia   |
| FMA Act        | <i>Financial Management and Accountability Act 1997</i>   |
| FOI Act        | <i>Freedom of Information Act 1982</i>  |
| Infrastructure | Department of Infrastructure and Transport  |

|                                 |   |
|---------------------------------|---|
| KPIs                            | Key Performance Indicators  |
| MSIC                            | Maritime Security Identification Card   |
| NCA                             | National Capital Authority  |
| NFSA                            | National Film and Sound Archive   |
| NGA                             | National Gallery of Australia   |
| NICS                            | National Infrastructure Construction Schedule   |
| NLA                             | National Library of Australia   |
| NMA                             | National Museum of Australia  |
| NTC                             | National Transport Commission   |
| WH&S Act                        | <i>Work Health &amp; Safety Act 2011</i>  |
| OTS                             | Office of Transport Security  |
| PAES                            | Portfolio Additional Estimates Statements   |
| PBS                             | Portfolio Budget Statements   |
| RALGAS                          | Regional Australia, Local Government, Arts and Sport  |
| Requirements for Annual Reports | <i>Requirements for Annual Reports for Departments, Executive Agencies and FMA Act Bodies</i> |
| TFES                            | Tasmanian Freight Equalisation Scheme   |
| The Standards                   | <i>Printing standards for documents presented to Parliament</i>                               |



# Chapter 1

## Overview

1.1 The committee is responsible for examining the annual reports of departments and agencies within three portfolios:

- Agriculture, Fisheries and Forestry;
- Infrastructure and Transport; and
- Regional Australia, Local Government, Arts and Sport.

### Terms of Reference

1.2 Under Senate Standing Order 25(20), annual reports of departments and agencies shall stand referred to the legislation committees in accordance with an allocation of departments and agencies in a resolution of the Senate. Each committee shall:

- (a) Examine each annual report referred to it and report to the Senate whether the report is apparently satisfactory.
- (b) Consider in more detail, and report to the Senate on, each annual report which is not apparently satisfactory, and on other annual reports which it selects for more detailed consideration.
- (c) Investigate and report to the Senate on any lateness in the presentation of annual reports.
- (d) In considering an annual report, take into account any relevant remarks about the report made in debate in the Senate.
- (e) If the committee so determines, consider annual reports of departments and budget-related agencies in conjunction with examination of estimates.
- (f) Report on annual reports tabled by 31 October each year by the tenth sitting day of the following year, and on annual reports tabled by 30 April each year by the tenth sitting day after 30 June of that year.
- (g) Draw to the attention of the Senate any significant matters relating to the operations and performance of the bodies furnishing the annual reports.
- (h) Report to the Senate each year whether there are any bodies which do not present annual reports to the Senate and which should present such reports.

### Purpose of annual reports

1.3 The tabling and scrutiny of annual reports by Senate committees, under Standing Order 25(20), is an important element in the process of the government's

accountability to Parliament. The information provided in annual reports is placed on the public record and assists Parliament in its examination of the performance of departments and agencies and the administration of government programs.

## Requirements

1.4 Annual reports are examined by the committee to determine whether they are timely and 'apparently satisfactory'. In forming its assessment, the committee considers whether the reports comply with the relevant legislation and guidelines for the preparation of annual reports:

- for departments of state and executive agencies these are: the *Public Service Act 1999*, subsections 63(2) and 70(2), and the *Requirements for Annual Reports for Departments, Executive Agencies and FMA Act Bodies* (Requirements for Annual Reports), Department of the Prime Minister and Cabinet (PM&C), approved by the Joint Committee of Public Accounts and Audit and updated by PM&C on 28 June 2012;
- for Commonwealth authorities and companies: the *Commonwealth Authorities and Companies Act 1997* (the CAC Act), sections 9, 36 and 48, the *Commonwealth Authorities (Annual Reporting) Orders 2011*, the *Commonwealth Companies (Annual Reporting) Orders 2011* (CAC Orders) and the requirements of the *Corporations Act 2001*; and
- for non-statutory bodies: the requirements are contained in the Government response to the report of the Senate Standing Committee on Finance and Government Operations on Non-statutory bodies, *Senate Hansard*, 8 December 1987, pp 2643–45.

1.5 The committee notes that Annual reports for Commonwealth authorities and companies for the 2011-12 financial year have been prepared in accordance with the respective CAC Orders.

1.6 The committee reminds departments, executive and prescribed agencies to review the *Printing standards for documents presented to Parliament* (the standards). The standards do not encourage the use of full colour printing and suggest that this should be restricted to those reports of companies and authorities in active competition with the private sector, documents that are used for communication or marketing purposes with an audience beyond the Parliament.<sup>1</sup> The committee also reminds departments, executive and prescribed agencies that the use of colour that 'bleeds' to the edge of the page is not permitted under the standards.<sup>2</sup>

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1 Parliamentary Paper Series, Advice to government agencies, [www.aph.gov.au/Parliamentary\\_Business/Chamber\\_documents/Tabled\\_Papers/Advice\\_to\\_government\\_agencies](http://www.aph.gov.au/Parliamentary_Business/Chamber_documents/Tabled_Papers/Advice_to_government_agencies) (accessed 17 January 2013).

2 Parliamentary Paper Series, Advice to government agencies, [www.aph.gov.au/Parliamentary\\_Business/Chamber\\_documents/Tabled\\_Papers/Advice\\_to\\_government\\_agencies](http://www.aph.gov.au/Parliamentary_Business/Chamber_documents/Tabled_Papers/Advice_to_government_agencies) (accessed 17 January 2013).

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## Reports referred to the committee

1.7 Standing Order 25(20)(f) requires the committee to report on annual reports tabled by 31 October each year by the tenth sitting day of the following year. This year, that date is 14 March 2013. The committee is also required to report on annual reports tabled by 30 April each year by the tenth sitting day after 30 June of that year, this year, that date is 12 September 2013.

1.8 On 8 February 2012, the Senate amended the continuing order relating to the allocation of departments and agencies to committees. The change of allocations resulted in the Rural Affairs and Transport Committee changing its name to the Rural and Regional Affairs and Transport Committee. The change also resulted in the recently established Regional Australia, Local Government, Arts and Sport portfolio moving from the Finance and Public Administration Committee's responsibilities to the Rural and Regional Affairs and Transport Committee's responsibilities. The committee now has responsibility for the oversight of the following portfolios:

- Agriculture, Fisheries and Forestry;
- Infrastructure and Transport; and
- Regional Australia, Local Government, Arts and Sport.<sup>3</sup>

1.9 This report considers annual reports which were tabled in the Senate or presented to the President of the Senate between 1 May 2012 and 31 October 2012. The committee notes that the *Report on Annual Reports (No.1)* considers reports tabled each year between 1 May and 31 October.

1.10 The committee examined four annual reports of agencies within the Agriculture, Fisheries and Forestry portfolio, seven annual reports of agencies within the Infrastructure and Transport portfolio, and fourteen annual report of agencies within the Regional Australia, Local Government, Arts and Sport portfolio as follows:

### *Agriculture, Fisheries and Forestry Portfolio*

- Department of Agriculture, Fisheries and Forestry—Report for 2011-12;
- Wine Australia—Report for 2011-12;
- Australian Landcare Council—Report for 2011-12;
- National Rural Advisory Council—Report for 2011-12;

### *Infrastructure and Transport Portfolio*

- Department of Infrastructure and Transport—Report for 2011-12;
- Airservices Australia—Report for 2011-12;
- Civil Aviation Safety Authority—Report for 2011-12;

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3 *Journals of the Senate No. 74*, 8 February 2012, pp 2043–44.

- Australian Maritime Safety Authority—Report for 2011-12;
- National Transport Commission—Report for 2011-12;
- Australian Rail Track Corporation—Report for 2011-12;
- Australian Transport Safety Bureau—Report for 2011-12;

*Regional Australia, Local Government, Arts and Sport Portfolio*

- Department of Regional Australia, Local Government, Arts and Sport—Report for 2011-12;
- Australia Council for the Arts—Report for 2011-12;
- Australian Film, Television and Radio School—Report for 2011-12;
- Australian National Maritime Museum—Report for 2011-12;
- Australian Sports Commissions—Report for 2011-12;
- National Gallery of Australia—Report for 2011-12;
- National Library of Australia—Report for 2011-12;
- National Museum of Australia—Report for 2011-12;
- National Film and Sound Archive—Report for 2011-12;
- Screen Australia—Report for 2011-12;
- Australian River Co Limited—Report for 2010-11;
- Bundanoon Trust Limited—Report for 2011-12;
- Australian Sports Anti-Doping Authority—Report for 2011-12;
- National Archives of Australia and National Archives of Australia Advisory Council—Report for 2011-12; and
- Old Parliament House (Museum for Australian Democracy)—Report for 2011-12.

1.11 A complete list of reports referred to the committee during the period 1 May to 31 October 2012 (including those not examined) appears at Appendix 1. Reports referred to the committee since 1 November 2012 appear at Appendix 2.

### **Reports not examined**

1.12 The committee is not obliged to report on Acts, statements of corporate intent, surveys, corporate plans or errata. The following five documents were referred to the committee but have not been examined:

- *Australian Meat and Live-stock Industry Act 1997*—Report for 2010-11 in relation to compliance with the statutory agreement between the Commonwealth of Australia and Australian Livestock Export Corporation Limited (Livecorp);

- 
- *Australian Meat and Live-stock Industry Act 1997*—Live-stock mortalities during exports by sea—Report for the period 1 January to 30 June 2012;
  - *Sydney Airport Demand Management Act 1997*—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 January to 30 March 2012; and
  - *Sydney Airport Demand Management Act 1997*—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2012.
  - *Local Government (Financial Assistance) Act 1995*—Report for 2008-09 Local Government National Report.

## Timeliness

1.13 Standing Order 25(20)(c) requires the committee to report to the Senate on the late presentation of annual reports.

1.14 As stated in the *Requirements for Annual Reports for Departments, Executive Agencies and FMA Act Bodies* (Requirements for Annual Reports), annual reports must be tabled in Parliament by 31 October each year, except where an agency's own legislation specifies a timeframe for its annual report.<sup>4</sup> Those agencies reporting under the CAC Act are required to provide their annual reports to the Minister by the 15<sup>th</sup> day of the fourth month after the end of the financial year.<sup>5</sup> Where the financial year ends on 30 June, this deadline translates to 15 October.

## Comments on reports

### *Changes to legislative requirements for Departments, Executive Agencies and FMA Act Bodies*

1.15 With the passage of the *Carer Recognition Act 2010*, the reporting requirements for public service care agencies have changed. Agencies must report their compliance with the obligations outlined in the *Carer Recognition Act 2010*.

1.16 The reporting requirement for agencies to provide details of each relevant consultancy is no longer required as the information appears on the AusTender website.<sup>6</sup>

1.17 With the commencement of the Information Publication Scheme (IPS) in 2011 and removal of the requirement for *Freedom of Information Act 1982* reporting

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4 Department of the Prime Minister and Cabinet, *Requirements for Annual Reports*, 28 June 2012, p. 2.

5 *Commonwealth Authorities and Companies Act 1997*, s. 9.

6 Department of the Prime Minister and Cabinet, *Requirements for Annual Reports*, 28 June 2012, pp 12–14.

in individual Commonwealth agency annual reports.<sup>7</sup> An explicit statement to where an agency's IPS information can be found must be made in each agency's annual report.<sup>8</sup>

### ***List of requirements/Compliance index***

1.18 The committee is concerned to note that a number of annual reports have either failed to provide or have provided incomplete compliance indexes. A 'List of Requirements' is a mandatory inclusion specified in the Requirements for Annual Reports.<sup>9</sup> This list greatly facilitates the committee's task of ensuring adherence to reporting requirements, as well as assisting agencies to clearly and publicly demonstrate that all legislative obligations have been met.

1.19 The committee considers that as a matter of best practice, CAC Act bodies should provide equivalent information in the form of a compliance index based on requirements in the CAC Act and their own governing legislation.

1.20 The committee is particularly pleased with the compliance indexes contained in reports of Wine Australia and the Australian Maritime Safety Authority. Each compliance index was helpfully separated by legislative reporting requirements, which aided the committee's task of ensuring compliance to the reporting requirements.

### ***Report on performance***

1.21 The committee considers that most annual reports have provided a clear and thorough report on performance. Annual reports that contained the information presented in tables 'achieved', 'partially achieved' or 'not achieved' were especially effective in demonstrating performance in relation to requirements. The Requirements of Annual Reports specifies that the review must include:

a statement noting if the department has historically met each Key Performance Indicator (KPI). For those KPIs that have not been achieved, a brief explanation is to be included.<sup>10</sup>

1.22 In particular the committee considers that the Department of Infrastructure and Transport has fulfilled this reporting requirement to a high standard.

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7 Individual CAC authorities and companies are required under s.12 of the *Commonwealth Authorities (Annual Reporting) Orders 2011*, and s. 10 of the *Commonwealth Companies (Annual Reporting) Orders 2011* are still required to report against the *Freedom of Information Act (1982)*.

8 Department of the Prime Minister and Cabinet, *Requirements for Annual Reports*, 28 June 2012, pp 16 and 33–34.

9 Department of the Prime Minister and Cabinet, *Requirements for Annual Reports*, 28 June 2012, p. 40.

10 Department of the Prime Minister and Cabinet, *Requirements for Annual Reports*, 28 June 2012, p. 7.

# Chapter 2

## Annual reports of departments

2.1 The 2011-12 annual reports of the Department of Agriculture, Fisheries and Forestry (DAFF), the Department of Infrastructure and Transport (Infrastructure) and the Department of Regional Australia, Local Government, Arts and Sport (Regional Australia) each contain the following information:

- the secretary's yearly review highlighting the achievements of the department;
- a departmental overview outlining the department's operations and organisational structure;
- report on performance as measured against deliverables and key performance indicators (KPIs) specified in the Portfolio Budget Statements (PBS);
- an overview of the department's management and accountability arrangements, including corporate governance practices, people management, external scrutiny, reporting requirements under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *Freedom of Information Act 1982* (FOI Act), reviews, judicial decisions and external service providers;
- appendices detailing agency resource and outcome resource statements, workforce statistics, work health and safety information, grant programs, advertising and market research, grant programs, purchaser-provider arrangements and correction of errors in 2010-11 annual report; and
- financial statements.

### Department of Agriculture, Fisheries and Forestry

2.2 The DAFF *Annual Report 2011-12* was prepared in accordance with section 63 of the *Public Service Act 1999*. The report was received by the Senate on 5 October 2012 and tabled on 9 October 2012.

2.3 The report is presented in accordance with the list of requirements specified in the Department of the Prime Minister and Cabinet's *Requirements for Annual Reports for Departments, Executive Agencies and FMA Act Bodies* (Requirements for Annual Reports).

2.4 DAFF's *Annual Report 2011-12* contains the following additional information to that specified in paragraph 2.1:

- the Australia Bureau of Agriculture Resource Economics and Sciences (ABARES) publicly released reports/conference papers, the status of import risk analyses, market access, and the report on operation of the *Natural Resources Management (Financial Assistance) Act 1992*; and

- the National Residue Survey annual report.<sup>1</sup>

2.5 The committee notes a minor error; the page reference for the Information Publication Scheme statement was not included in the compliance index. Although this omission did not hinder the committee's ability to review the report, the committee reminds DAFF that it is a mandatory requirement to be included in compliance index as detailed in the Requirements for Annual Report.<sup>2</sup>

### ***Departmental overview***

2.6 The committee notes the following items of significance for DAFF during 2011-12:

- the Intergovernmental Agreement on Biosecurity was signed by the Prime Minister and all state and territory first ministers, excluding Tasmania;
- progress was advanced on agricultural and veterinary chemicals regulatory reform;
- the Western Australian pilot of drought reform measures were completed;
- the National Food Plan green paper was released for public comment to ensure a more coordinated approach is taken to food-related policy;
- the biosecurity detector dog program celebrated twenty years of operations; and
- a new Strategic Statement for DAFF was launched.

2.7 The committee notes that DAFF recorded an operating deficit of \$46 million due to falling bond rates on the department's employee long service leave provisions and additional regulatory service costs.<sup>3</sup>

### ***Report on performance***

2.8 DAFF has measured its performance against the deliverables and KPIs specified in the 2011-12 PBS. A helpful overview of DAFF's performance framework is provided at the beginning of the report on performance. The committee is pleased to note, following comments in its previous report, that DAFF has included its 'Summary of performance' section in its report for 2011-12. The committee finds this to be a useful tool, as it clearly establishes whether or not performance targets were met.

2.9 The committee notes that DAFF fully met 104 of its 114 KPIs in 2011-12.<sup>4</sup> The committee finds DAFF's reporting on performance to be comprehensive and

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1 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, pp 272–275.

2 Department of Prime Minister and Cabinet, *Requirements for Annual Reports for Departments, Executive Agencies and FMA Act Bodies*, 28 June 2012, p. 42.

3 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, p. 11.

4 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, p. 5.



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informative, providing assessments of actual performance in relation to targets where appropriate as well as a 'performance history' underneath each KPI, stating if it is a new KPI for 2011-12, or if the target has been met in the past.<sup>5</sup>

2.10 The committee notes the following items:

- The Carbon Farming Initiative program created a carbon offsetting market for farmers and landholders who can earn carbon credits by voluntarily reducing greenhouse gas emissions or sequestering carbon on their land.<sup>6</sup>
- The development and implementation of a new policy and regulatory framework for the export of live animals. The new framework regulates exporters to ensure animals are treated according to internationally recognised animal welfare standards through the Exporter Supply Chain Assurance System. The government provided funding to eligible applicants, such as Australian livestock exporters, to subsidise infrastructure upgrades and training, in order to meet the standards of the World Organisation for Animal Health.<sup>7</sup>
- A new transitional Farm Family Payment commenced replacing the Exceptional Circumstances Drought Assistance payment. The new Farm Family payment provides assistance to all farming families experiencing financial difficulty as they manage the impact of climate variations and market fluctuations.<sup>8</sup>
- Funding continued during 2011-12 for the Rural Financial Counselling Service, which provided services to more than 7,500 clients suffering financial hardship. Rural financial counsellors provided assistance to primary producers in Queensland, New South Wales and Victoria in response to the 2011 floods.<sup>9</sup>
- Landcare received \$36.8 million in funding to continue raising awareness of sustainable land management practices, restoring wildlife habitats, improving farmlands and delivering environmental outcomes at the local, regional and state level.<sup>10</sup>
- Import conditions for the following items were revised to take into account changes in disease status around the world:
  - cherries, table grapes and citrus from the United States;

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5 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, pp 59–61, 74, 82–83, 93, 99–100, 103, 107, 110–111, 115–116, 136–139, 144, 147–148, 158, 174–175, and 186.

6 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, pp 44, 55–57.

7 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, pp 128–129

8 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, pp 34 and 51.

9 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, p. 146.

10 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, pp 66, 68 and 70.

- mangoes from the Philippines;
- tomato seed imports; and
- aquarium fish.<sup>11</sup>

### ***Management and accountability***

2.11 DAFF has a comprehensive and informative external scrutiny section, which details inquiries by parliamentary committees, reports by the Auditor-General, freedom of information, tribunal and court decisions, act of grace payments and complaints to the Commonwealth Ombudsman. The report on biosecurity investigations from the Office of the Commonwealth Ombudsman is discussed below.

2.12 The Office of the Commonwealth Ombudsman published its report into DAFF's biosecurity investigations in April 2012.<sup>12</sup> The report arose out of a recommendation from an earlier Rural and Regional Affairs and Transport Legislation Committee report into DAFF's administration of the citrus canker outbreak in Emerald, Queensland, which occurred during 2004.<sup>13</sup>

2.13 The Commonwealth Ombudsman conducted five reviews over three years and found DAFF had: acted professionally; followed internal and external guidelines and policies during investigations; and that applications for, and execution of, warrants complied with legislation. Areas where improvements could be made were noted and the report made six recommendations, which are summarised below.

2.14 The recommendations were to:

- consistently use case management tools that are proportionate to the complexity of the investigation;
- improve record keeping, including documenting reasons for decisions, activities and events throughout an investigation;
- revise a national instructional manual;
- use interview plans; and
- engage the use of an independent or external auditor to assess how plant material samples have been handled.<sup>14</sup>

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11 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, pp 164.

12 Commonwealth Ombudsman, *Department of Agriculture, Fisheries and Forestry Investigations and enforcement activities of DAFF Biosecurity*, 12 April 2012, p. 1.

13 Senate Rural and Regional Affairs and Transport Legislation Committee, *The administration by the Department of Agriculture, Fisheries and Forestry of the citrus canker outbreak*, June 2006, p. vii.

14 Commonwealth Ombudsman, *Department of Agriculture, Fisheries and Forestry Investigations and enforcement activities of DAFF Biosecurity*, pp 13–16.

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2.15 DAFF agreed with the findings of the Office of the Commonwealth Ombudsman and is working toward, implementing all recommendations, including an annual audit schedule of investigation activities.<sup>15</sup>

### ***Conclusion***

2.16 The committee considers that DAFF's *Annual Report 2011-12* complies with the reporting requirements of a Commonwealth department and is 'apparently satisfactory'.

## **Department of Infrastructure and Transport**

2.17 The Department of Infrastructure and Transport (Infrastructure) *Annual Report 2011-12* was prepared in accordance with section 63 of the *Public Service Act 1999* and other relevant legislation. The report was tabled in the Senate on 31 October 2012.

2.18 The report is presented in accordance with the list of requirements specified in the Requirements for Annual Reports.

2.19 Infrastructure has again provided a comprehensive review of its performance for 2011-12. Its report is clearly presented and includes a detailed and easy to follow list of requirements.

2.20 The Infrastructure Annual Report for 2011-12 contains the following additional information to that specified in paragraph 2.1:

- report on Infrastructure Australia, in its capacity as a statutory body, with performance reporting as measured against the deliverables and KPIs specified in the PBS.

### ***Departmental overview***

2.21 The committee notes the following items of significance for Infrastructure during 2011-12:

- administered \$7.8 billion in direct and indirect grants for construction and maintenance of land transport infrastructure;
- the release of the second annual *State of Australian Cities Report*;
- the creation of the National Infrastructure Construction Schedule website;
- the final report on the joint study on aviation capacity for the Sydney region was provided to the Minister for Infrastructure and Transport and the New South Wales Premier;
- the Council of Australian Governments (COAG) signed the National Partnership Agreements, which will implement a single law to regulate all rail safety, heavy vehicle and commercial shipping operations;

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15 Department of Agriculture, Fisheries and Forestry, *Annual Report 2011-12*, p. 217.

- implementation began on the National Road Safety Strategy 2011-2020, which is aiming for a 30 per cent reduction in road-crash deaths and serious injury by 2020; and
- the Stronger Shipping for a Stronger Economy legislative package was passed by Parliament.

2.22 The committee notes that Infrastructure reported a deficit of \$12.3 million for 2011-12; the deficit is due to Infrastructure no longer receiving depreciation and amortisation expenses. The report states that if the funding had been appropriated, Infrastructure would have recorded a surplus of \$2.4 million.<sup>16</sup>

### ***Report on performance***

2.23 Infrastructure has measured its performance against the deliverables and KPIs specified in the 2011-12 PBS. Infrastructure has again provided a clear and easy to read table for each KPI that clearly states whether or not it was achieved, as well as a results key under each table, clearly explaining the terms used in the table. The committee notes that a majority of KPIs were achieved.<sup>17</sup>

2.24 The committee notes the following items:

- Under the Liveable Cities and Managed Motorways Program an additional \$1.02 billion in funding was provided to the duplication of the Pacific Highway.<sup>18</sup>
- The creation and launch of the National Infrastructure Construction Schedule (NICS) website. The NICS is a communication tool which allows interested stakeholders to track the progress of all existing and upcoming infrastructure projects worth over \$50 million at the local, state and Federal level. The site also contains information about tender opportunities within a project for contracts estimated to be worth more than \$25 million. Since the launch of the NICS in May 2012 there has been 675 000 visits to the site.<sup>19</sup>
- A total of 152 Black Spot projects were completed in 2011-12 and 139 projects were underway. The third study into the evaluation of the Black Spot Program was released in May 2012. The report covered 2578 Australian Government-funded Black Spot projects that had been approved between 1996-97 and 2002-03. The evaluation found that the projects were reducing fatal and casualty crashes by 30 per cent.<sup>20</sup>

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16 Department of Infrastructure and Transport, *Annual Report 2011-12*, p. 6.

17 Department of Infrastructure and Transport, *Annual Report 2011-12*, pp 23–28, 46–52, 61–65, 75–78, 84–87, and 108–109.

18 Department of Infrastructure and Transport, *Annual Report 2011-12*, p. 21.

19 Department of Infrastructure and Transport, *Annual Report 2011-12*, p. 21. For more information on the NICS see [www.nics.gov.au/](http://www.nics.gov.au/)

20 Department of Infrastructure and Transport, *Annual Report 2011-12*, pp 21, 34 and 41.

- Overtime the *Navigation Act 1912* came to include a mix of modern and out-dated concepts, in June 2009 the Minister for Infrastructure and Transport, the Hon. Anthony Albanese MP announced that the *Navigation Act 1912* would be re-written. The Navigation Bill 2012 was introduced into Parliament in May 2012, and reflects contemporary maritime industry practice and clearly outlines the regulatory responsibilities of domestic and international seafarers, and vessel owners and operators. The Navigation Bill received Royal Assent on 13 September 2012 and is now known as the *Navigation Act 2012*.<sup>21</sup>
- The Tasmanian Freight Equalisation Scheme (TFES) received \$93.2 million in assistance and the Bass Strait Passenger Vehicle Equalisation Scheme (BSPVES) received \$34.6 million. Both figures are marginally below the 2010-11 figures of \$98.5 million and \$36.5 million respectively. Modelling shows that an estimated 15 000 new visitors travelled by sea due to the BSPVES in 2011-12. The TFES is a demand-driven scheme and the number of claims paid was lower in 2011-12 (9860) compared to 10 162 claims in 2010-11.<sup>22</sup>
- The Stronger Shipping for a Stronger Economy package was announced in September 2011 to revive the Australian shipping industry. The package comprised of a new regulatory framework for coastal shipping, significant tax reforms and a new Australian International Shipping Register. Five related Bills were introduced into Parliament on 22 March 2012, which were passed and came into effect on 1 July 2012.<sup>23</sup>

### ***Management and accountability***

2.25 Three major Australian National Audit Office (ANAO) reports relating to Infrastructure's activities and four cross-portfolio audits involving Infrastructure were tabled in 2011-12. The main report, of particular interest is discussed below.

2.26 The ANAO Report No.13 of 2011-12 assessed the management of the TFES. The administration of the TFES is shared between Infrastructure and the Department of Human Services (DHS) through a Memorandum of Understanding. Infrastructure is responsible for policy formulation and advice, as well as the overall management of the program. DHS is responsible for the day-to-day administration of the TFES, which is delivered through Centrelink.<sup>24</sup>

2.27 The ANAO indicated that the amount of assistance paid varies greatly, for instance in 2010-11, the largest annual amount of assistance paid to a single claimant

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21 Department of Infrastructure and Transport, *Annual Report 2011-12*, pp 4, 60, 63, 66, 68 and 73.

22 Department of Infrastructure and Transport, *Annual Report 2011-12*, p. 70.

23 Department of Infrastructure and Transport, *Annual Report 2011-12*, p. 69.

24 Australian National Audit Office, *Tasmanian Freight Equalisation Scheme*, Audit Report No. 13 of 2011-12, p. 16.

was \$15.2 million, the smallest annual amount was 54 cents, and the average claim paid was \$3.4 million.<sup>25</sup>

2.28 The ANAO found that the TFES is a well-established program and contributes a total of \$100 million in assistance to a range of businesses and individuals within the . Between 2004-05 and 2010-11, the number of TFES claims increased by 58 per cent and the number of claimants by 19 per cent.

2.29 The ANAO stated that the program's eligibility criteria and payment calculations are complex, as payments for freight assistance depend on the type of goods, whether the goods are refrigerated or in a loose or packaged form, the origin and the destination of the relevant goods. Given the complexity of the scheme the ANAO provided examples of claimants who were overpaid for a number of years and claimants who were underpaid.<sup>26</sup>

2.30 The ANAO provided three recommendations that would strengthen the scheme. The recommendations aim to improve the accuracy of information used to calculate payments, strengthen quality assurance activities, and develop more effective integrity testing arrangements for the *Staff Online* system.<sup>27</sup> DHS considered the report while Infrastructure has commenced implementation of the recommendations.

### ***Conclusion***

2.31 The committee considers that Infrastructure's *Annual Report 2011-12* complies with the reporting requirements of a Commonwealth department and is 'apparently satisfactory'.

### **Department of Regional Australia, Local Government, Arts and Sport**

2.32 The Committee notes that this its first opportunity to review the Department of Regional Australia, Local Government, Arts and Sport's annual report since the Senate amended the allocation of departments and agencies to Senate Committees on 8 February 2012.<sup>28</sup> Previously, the department's reports have been reviewed by the Senate Finance and Public Administration Legislation Committee.

2.33 The Department of Regional Australia, Local Government, Arts and Sport (Regional Australia) *Annual Report 2011-12* was prepared in accordance with section 63 of the *Public Service Act 1999* and other relevant legislation. The report was tabled in the Senate on 30 October 2012.

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25 Australian National Audit Office, *Tasmanian Freight Equalisation Scheme*, Audit Report No. 13 of 2011-12, p. 18.

26 Australian National Audit Office, *Tasmanian Freight Equalisation Scheme*, Audit Report No. 13 of 2011-12, pp 17 and 91.

27 Australian National Audit Office, *Tasmanian Freight Equalisation Scheme*, Audit Report No. 13 of 2011-12, pp 23–28.

28 *Journals of the Senate*, 8 February 2012, p. 2043.

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2.34 The report is presented in accordance with the list of requirements specified in the Requirements for Annual Reports.

2.35 The *Regional Australia Annual Report 2011-12* contains the following additional information to that specified in paragraph 2.1:

- the *Protection of Moveable Cultural Heritage Act 1986* Report.

2.36 The committee notes a minor error in the compliance index; a 'not applicable' was reported against exempt contracts, which is referred to in the body of the report.<sup>29</sup> This did not hinder the committee's ability to review the report.

### ***Departmental overview***

2.37 The committee notes the following items of significance for Regional Australia during 2011-12:

- the Regional Development Australia Fund commenced work with the first two rounds providing \$350 million in funding for 81 projects;
- the Norfolk Island Economic Development Plan was released in March 2012. The plan identifies reforms required for Norfolk Island to develop an economic base and capability to ensure a sustainable future;
- payments were administered through the Financial Assistance Grants program to local governments worth over \$2.7 billion;
- the Office for Sport finalised an agreement between Federal, state and territory governments to address match-fixing and corruption in sport;
- significant progress was made on the major sporting events to be hosted in Australia including the Asian Football Conference in 2015, the 2015 Cricket World Cup and the 2018 Commonwealth Games;
- the Better Regions Program provided \$171.8 million in funding for 106 social and community infrastructure projects; and
- the National Bike Paths project provided \$40 million for over 600 kilometres of new and upgraded bike paths.

2.38 The committee notes Regional Australia recorded a small of surplus of \$58 000 for 2011-12.

### ***Report on performance***

2.39 Regional Australia has measured its performance against the deliverables and KPIs specified in the 2011-12 PBS. Regional Australia has provided a clear and easy to read table that identifies whether or not the KPI has been achieved. Each outcome is drawn together with a projected outlook for the future, which consolidates the review

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29 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, pp 116 and 271.

of performance and balances the lack of trend information available for a recently established department. The committee notes that a majority of KPIs were achieved.<sup>30</sup>

2.40 The committee notes the following items:

- The East Kimberly Development Package comprises of 29 projects worth \$195.2 million. Of the 29 projects, 20 were completed in 2011-12. The program will conclude in the 2012-13 financial year.<sup>31</sup>
- The Local Government Infrastructure Review, commissioned by the department, was released in June 2012. The review identifies how councils can prioritise and fund local infrastructure needs, improve access to finance, and use best-practice models and principles for prioritising and financing local infrastructure.<sup>32</sup>
- Legislation was passed in Parliament to extend the Administrative Appeals Tribunal and introduce a local Ombudsman to Norfolk Island. The legislation provides Norfolk Island residents with the ability to lodge complaints on decisions by Norfolk Island's government agencies, which are considered to be unjust, unlawful, discriminatory or unfair.<sup>33</sup>
- The Hawke Review of the National Capital Authority (NCA) was released in October 2011 and the Australian Government's response was released in May 2012. The report provided advice on achieving the right balance for planning responsibilities between the Australian Government and the Australian Capital Territory Government. In response to the review, the NCA received \$11.9 million over four years as part of the 2012-13 Budget to ensure its financial sustainability.<sup>34</sup>
- The Review of the Australia Council announced in December 2011 has assisted in the development of the National Cultural Policy. The review made 18 recommendations for revitalising support for the Australian arts sector.<sup>35</sup>
- Regional Australia administered the Regional Arts Fund and provided \$3.037 million in funding to peak regional arts organisation in each state

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30 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, pp 35–37, 45, 48, 54–55, 67–68, 81–83, and 97–98.

31 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 43.

32 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 57. For more information on the review see [www.regional.gov.au/local/lgifr/index.aspx](http://www.regional.gov.au/local/lgifr/index.aspx).

33 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 69.

34 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 75.

35 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 83.



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and art ministers in the territories. The program supports sustainable cultural development in regional and remote Australia.<sup>36</sup>

- The Hon Warwick Smith AM undertook a strategic review into the sustainability of football in Australia. The review found that football in Australia has strong growth rates, achieves results at the elite level with high-levels of female participation. The review found challenges remain for football in Australia and states that "financial stability must be the singular and immediate priority for football's governing body, Football Federation Australia (FFA)".<sup>37</sup> The FFA accepted all recommendations and implementation has commenced.

### ***Management and accountability***

2.41 Regional Australia has provided an informative and detailed management and accountability section. There are three performance audits currently in progress. One ANAO performance audit report directly related to Regional Australia was tabled in Parliament, *The Establishment, Implementation and Administration of the Bike Paths Component of the Local Jobs Fund*, is discussed below.<sup>38</sup>

2.42 The ANAO Report No.27 of 2011-12 assessed the efficiency and effectiveness of the establishment, implementation and administration of the bike paths component of the Local Jobs Stream of the Jobs Fund. Of the \$300 million allocated to the Local Jobs Stream, \$40 million was set aside to meet the Australian Government's commitment to the Australian Greens.<sup>39</sup>

2.43 Administration of the bike paths component of the Local Jobs Stream was shared between the Department of Education, Employment and Workplace Relations, and the then Department of Infrastructure, Transport, Regional Development and Local Government. This function was transferred to the Department of Regional Australia, Regional Development and Local Government in 2010, which later become Regional Australia after a machinery of government change in December 2011.<sup>40</sup>

2.44 A total of 255 applications were received seeking funding under the bike paths component, worth nearly \$105 million. The average amount of funding sought was \$428 561, with the requests for grants ranging from \$10 500 to \$3.82 million. By

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36 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 87.

37 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 98. For more information on the review see [www.regional.gov.au/sport/resources/football\\_review/index.aspx](http://www.regional.gov.au/sport/resources/football_review/index.aspx).

38 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 113.

39 Australian National Audit Office, *The Establishment, Implementation and Administration of the Bike Paths Component of the Local Jobs Fund*, Report No.27 of 2011-12, p. 13.

40 Australian National Audit Office, *The Establishment, Implementation and Administration of the Bike Paths Component of the Local Jobs Fund*, Report No.27 of 2011-12, p. 15.

the budgeted program end date of 30 June 2010, only 83 of the 167 contracted projects had been completed.<sup>41</sup> The remaining projects were finalised in 2011-12.<sup>42</sup>

2.45 The ANAO stated that the implementation of the bike paths component was inconsistent with key aspects of the enhanced grants administration framework. For instance, the department did not provide its Minister with recommendations as to which applications should be approved and those that should be rejected.<sup>43</sup>

2.46 The ANAO provided three recommendations to strengthen future community infrastructure grant programs. The recommendations were to:

- adopt application processes and assessment criteria that support the selection of projects that are likely to best contribute to the objectives of the National Cycling Strategy;
- consider value for money and 'fit for purpose' in Regional Australia's implementation of infrastructure construction funding programs; and
- improve risk assessment practices to effectively manage risk and promote equitable treatment of applicants.<sup>44</sup>

2.47 Regional Australia agreed with the recommendations made in the Audit Report.<sup>45</sup>

### ***Conclusion***

2.48 The committee considers that Regional Australia's *Annual Report 2011-12* complies with the reporting requirements of a Commonwealth department and is 'apparently satisfactory'.

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41 Australian National Audit Office, *The Establishment, Implementation and Administration of the Bike Paths Component of the Local Jobs Fund*, Report No.27 of 2011-12, p. 17.

42 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 43.

43 Australian National Audit Office, *The Establishment, Implementation and Administration of the Bike Paths Component of the Local Jobs Fund*, Report No.27 of 2011-12, p. 18.

44 Australian National Audit Office, *The Establishment, Implementation and Administration of the Bike Paths Component of the Local Jobs Fund*, Report No.27 of 2011-12, p. 22.

45 Department of Regional Australia, Local Government, Arts and Sport, *Annual Report 2011-12*, p. 113.

# Chapter 3

## Annual reports of agencies

3.1 The committee considered all of the following reports to be 'apparently satisfactory'.

### **Agriculture, Fisheries and Forestry portfolio**

#### **Commonwealth authorities**

##### *Wine Australia*

3.2 The committee is pleased to note that Wine Australia has again certified its compliance with the Commonwealth Fraud Control Guidelines in the prescribed manner.

3.3 The committee commends Wine Australia on its compliance index. The index clearly outlines its reporting requirements under the *Commonwealth Authorities and Companies Act 1997*, *Commonwealth Authorities (Annual Reporting) Orders 2011* (CAC Orders) and the *Wine Australia Corporation Act 1980*.

#### **Other agencies**

##### *Australian Landcare Council*

3.4 The *Australian Landcare Council Annual Report 2011-12* has been prepared according to the requirements set out in the *Natural Resources Management (Financial Assistance) Act 1992*.

3.5 The committee notes the finalisation of the *Community Call for Action*, which according to the report, was prepared on behalf of the Landcare community and is a companion document and implementation guide for the *Australian Framework for Landcare*. The *Community Call for Action* was formally handed over to the Landcare community at the Australian Government Landcare Conference held in September 2012.<sup>1</sup>

##### *National Rural Advisory Council*

3.6 The *National Rural Advisory Council Annual Report 2011-12* has been prepared in accordance with the requirements outlined in section 20 of the *Rural Adjustment Act 1992*.

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1 Australian Landcare Council, *Annual Report 2011-12*, p. 1.

3.7 The committee is pleased to note that the remaining three exceptional circumstances declared areas expired in March and April 2012. The report states that Australia is drought free for the first time in more than a decade.<sup>2</sup>

## **Infrastructure and Transport portfolio**

### **Commonwealth authorities**

#### ***Airservices Australia***

3.8 Airservices Australia has provided a comprehensive and well-structured annual report. Airservices Australia's reporting under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act), and the *Work Health and Safety Act 2011* (WHS Act) have been fulfilled to a high standard. The information is comprehensive and well-laid out.<sup>3</sup>

3.9 The review of operations not only provides a description of activities, but also provides an assessment of performance. The layout is clear, with helpful tables that enhance readability.

3.10 However, the committee notes that despite comments made in its previous reports, Airservices Australia has not included another column in its performance reporting tables, to mark whether the activity was found to be 'achieved', 'partially achieved' or 'not achieved'.<sup>4</sup>

3.11 The committee notes that the report on corporate governance statements were provided in the report, however, not listed in the compliance index.<sup>5</sup> The committee reminds Airservices Australia of section 21 of the *Commonwealth Authorities (Annual Reporting) Orders 2011*. The omission did not hinder the committee's ability to review the report.

#### ***Civil Aviation Safety Authority (CASA)***

3.12 The committee is pleased to note that CASA has again provided a clear and well-structured report with comprehensive reporting under the EPBC and WHS Acts.<sup>6</sup>

3.13 The compliance index is helpfully separated by legislative reporting requirements; however, the inclusion of page numbers in the compliance index would greatly assist the committee when assessing CASA's compliance with the reporting

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2 National Rural Advisory Council, *Annual Report 2011-12*, p. 4.

3 Airservices Australia, *Annual Report 2011-12*, pp36–37, 106–107, and 109–114.

4 Airservices Australia, *Annual Report 2011-12*, pp 22–26.

5 Airservices Australia, *Annual Report 2011-12*, pp 14–15, 97–105.

6 CASA, *Annual Report 2011-12*, pp 104, 106, and 85–87.

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requirements.<sup>7</sup> Overall, the omission was not problematic for the committee to assess the report against the relevant requirements.

3.14 CASA's report on performance is comprehensive, well-structured and includes case studies and summaries. CASA has used a tick symbol to represent the status of result, with a key provided at the beginning of the report on performance. The committee notes however that, following comments in its previous report, CASA has not included a statement providing further information for the results listed with one or two ticks, that is, 'delayed/may not meet the target' or 'some delay/issues being managed'.<sup>8</sup> In the committee's opinion, CASA's report on performance would benefit from including this additional information.

### ***Australian Maritime Safety Authority (AMSA)***

3.15 The committee is pleased to note that, following comments in its previous reports, AMSA has further improved its compliance index. The layout of the index is clear, with separate headings for different legislative reporting requirements.<sup>9</sup>

3.16 AMSA's report on performance is presented in a clear and easy to understand format, with a helpful summary of highlights provided at the beginning of each chapter. The committee notes however that despite comments in its previous reports, an additional column has not been included to mark targets as 'achieved', 'partially achieved' or 'not achieved'.<sup>10</sup>

## **Statutory corporations**

### ***National Transport Commission (NTC)***

3.17 The NTC is not a Commonwealth authority for the purposes of the CAC Act, however, the NTC's enabling legislation states that certain sections of the CAC Act apply to it, including section 9, relating to annual reporting requirements. Under schedule 1 of the CAC Act, an agency's annual report must include a report of operations prepared in accordance with the CAC Orders.

3.18 The committee notes that the NTC's annual report is easy to understand, with case studies and summaries provided. The report contains a clear and detailed account of the NTC's performance, including productivity and safety outcomes.<sup>11</sup>

3.19 The committee notes that the NTC celebrated its 21<sup>st</sup> anniversary in 2012. The report states that within the context of its 21<sup>st</sup> anniversary the current review of the

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7 CASA, *Annual Report 2011-12*, p. 176.

8 CASA, *Annual Report 2011-12*, pp 32–58.

9 AMSA, *Annual Report 2011-12*, pp 182–183.

10 AMSA, *Annual Report 2011-12*, pp 19–58.

11 National Transport Commission, *Annual Report 2011-12*, pp 9–39.

NTC and other bodies is timely as it provides government with an opportunity to consider a long-term national productivity reform agenda.<sup>12</sup>

## **Commonwealth companies**

### ***Australian Rail Track Corporation (ARTC)***

3.20 The committee again notes that the ARTC has included a compliance index in its annual report. The committee finds this very helpful when assessing ARTC's compliance with the reporting requirements.<sup>13</sup>

3.21 The committee notes that the ARTC has provided an easy to understand report. ARTC's report contains a comprehensive and informative corporate responsibility section, including information about its people, culture, safety management system, community involvement, environmental performance and corporate governance section, which reflects the Australian Stock Exchange's Principals of Good Corporate Governance.<sup>14</sup>

## **Prescribed agencies**

### ***Australian Transport Safety Bureau (ATSB)***

3.22 The ATSB *Annual Report 2011-12* was prepared in accordance with the Requirements for Annual Reports. The committee commends the ATSB for tabling its annual report on time.

3.23 The committee notes that the ATSB's annual report is easy to understand, comprehensive and well-structured. The ATSB has provided detailed reporting in its transport safety statistics and safety awareness section.<sup>15</sup> The committee notes however, following comments in its previous report, the ATSB has not included an additional column in its report on performance section to allow targets to be marked as 'achieved', 'partially achieved', or 'not achieved'.<sup>16</sup>

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12 National Transport Commission, *Annual Report 2011-12*, p. 3.

13 ARTC, *Annual Report 2011-12*, p. 116.

14 ARTC, *Annual Report 2011-12*, pp 32–45.

15 Australian Transport Safety Bureau, *Annual Report 2011-12*, pp 42–51 and 52–70.

16 Australian Transport Safety Bureau, *Annual Report 2011-12*, pp 21–34.

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## Regional Australia portfolio

### Commonwealth authorities

#### *Australia Council for the Arts*

3.24 The committee notes that the report on performance is detailed and easy to comprehend with relevant figures provided to show trend data for the past three years.<sup>17</sup>

3.25 The Australia Council for the Arts has not included an index in its annual report. The committee finds an index very helpful when searching for specific information not contained in the compliance index and would encourage the Australia Council for the Arts to include an index in its next report.

#### *Australian Film, Television and Radio School*

3.26 The Australian Film, Television and Radio School did not include a compliance index in its annual report. The committee reminds the Australian Film, Television and Radio School that it is a mandatory requirement to include a compliance index as detailed in section 21 of the CAC Orders. This omission did not pose problems for the committee in assessing the report against the requirements.

3.27 The committee notes that the Australian Film, Television and Radio School celebrated its 40<sup>th</sup> anniversary during 2011-12.<sup>18</sup>

#### *Australian National Maritime Museum*

3.28 The Australian National Maritime Museum has provided a detailed account of its performance for 2011-12. It is the committee's opinion that the performance section would benefit from adding another column to allow targets to be marked as 'achieved', 'partially achieved', or 'not achieved'.<sup>19</sup>

3.29 The committee notes the following items of significance for the Australian National Maritime Museum:

- celebration of its 20<sup>th</sup> anniversary; and
- the 2011-12 Australian circumnavigation of the museum's replica of Captain James Cook's HM Bark Endeavour.<sup>20</sup>

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17 Australia Council for the Arts, *Annual Report 2011-12*, p 37–45.

18 Australian Film, Television and Radio School, *Annual Report 2011-12*, p. 4.

19 Australian National Maritime Museum, *Annual Report 2011-12*, pp 34 and 48.

20 Australian National Maritime Museum, *Annual Report 2011-12*, pp 3 and 42.

### ***Australian Sports Commission***

3.30 The Australian Sports Commission (ASC) has provided a detailed and well-structured report, which includes features and case studies. A helpful performance highlight summary for each outcome is provided at the beginning of the report. The report's performance section would benefit from including an additional column in its performance reporting tables to allow KPIs and deliverables to be marked as 'achieved', 'partially achieved' or 'not achieved'.<sup>21</sup>

3.31 The ASC has also provided an informative and detailed management and accountability section. The report states that during 2011-12, the ASC implemented specific environmental initiatives to address its water and energy usage targets. The ASC achieved accreditation from the Australian Capital Territory Government for its recycling initiatives.<sup>22</sup>

### ***National Gallery of Australia (NGA)***

3.32 The NGA has provided a detailed report; however, the committee recommends a larger font size be used in future as this would improve the overall readability of the report. Nevertheless, the committee did not find this problematic in assessing the report against the requirements.

3.33 The committee finds NGA's environmental and work, health and safety reporting to be of a high standard.<sup>23</sup> However, the performance reporting section could be enhanced if tables were used to report whether KPIs were 'achieved', 'partially achieved' or 'not achieved'.<sup>24</sup>

### ***National Library of Australia (NLA)***

3.34 The committee finds the NLA *Annual Report 2011-12* to be comprehensive and well-structured. The compliance index is divided between its reporting requirements set out in the *Commonwealth Authorities (Annual Reporting) Orders 2011* and the relevant elements of the Requirements for Annual Reports.<sup>25</sup> The committee reminds the NLA to date the letter of transmittal to the minister.

3.35 The committee notes that the NLA has fulfilled its performance reporting section to a high standard, as it provides a detailed assessment of its performance against its strategies, including using tables, graphs and charts to present relevant information.<sup>26</sup>

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21 Australian Sports Commission, *Annual Report 2011-12*, pp 16–17 and 33–34.

22 Australian Sports Commission, *Annual Report 2011-12*, p. 69.

23 National Gallery of Australia, *Annual Report 2011-12*, pp 58–61.

24 National Gallery of Australia, *Annual Report 2011-12*, p. 31.

25 National Library of Australia, *Annual Report 2011-12*, p. 159.

26 National Library of Australia, *Annual Report 2011-12*, pp 53–71.



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### ***National Museum of Australia (NMA)***

3.36 The committee notes that the NMA has provided a clear and comprehensive report on performance section providing assessments of actual performance in relation to its targets.<sup>27</sup>

3.37 The committee notes the NMA introduced its museum iPad game. The game enables school students to make connections between objects in the museum's galleries. The games can be set up to respond to themes within the Australian curriculum.<sup>28</sup>

### ***National Film and Sound Archive (NFSA)***

3.38 The NFSA *Annual Report 2011-12* is comprehensive and well-structured report. The committee commends the NFSA on the overall structure and presentation of its report.

3.39 The committee finds the NFSA's reporting on performance to be comprehensive and informative. The 'snapshot – our performance' section is clearly laid out and provides comprehensive results at 30 June 2011 and at 30 June 2012.<sup>29</sup>

### ***Screen Australia***

3.40 Screen Australia's annual report is a wide-ranging and well-structured report with a selection of photos from Australian television and movie productions. The committee notes Screen Australia's report on performance section as it contains actual performance assessments for each KPI.<sup>30</sup>

3.41 However, the committee notes that Screen Australia did not include a compliance index in its *Annual Report 2011-12*. The committee reminds Screen Australia that it is a mandatory requirement to include a compliance index as detailed in section 21 of the CAC Orders. This omission was not problematic for the committee to assess the report against the requirements.

## **Commonwealth companies**

### ***Australian River Co Limited***

3.42 The committee notes that the Australian River Co Limited *Annual Report 2010-11* has also been referred to the Senate Finance and Public Administration Legislation Committee for review, as the Department of Finance and Deregulation

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27 National Museum of Australia, *Annual Report 2011-12*, pp 14–19.

28 National Museum of Australia, *Annual Report 2011-12*, p. 41.

29 National Film and Sound Archive, *Annual Report 2011-12*, pp 39–42.

30 Screen Australia, *Annual Report 2011-12*, pp 100–103.

provides policy advice and oversight of government business enterprises and other associated entities to the Finance Minister on behalf of the government.

3.43 The committee observes that a number of items appear to be missing from Australian River Co Limited's annual report. It appears that Australian River Co Limited has not included an organisational and program structure, report on performance, corporate governance statement, the responsible minister, judicial decisions, review by outside bodies and a compliance index.

3.44 The committee reiterates the statements made by the Senate Finance and Public Administration Legislation Committee in its *Annual reports (No.2 of 2009) and Annual Reports (No.1 of 2008)* regarding the lack of detailed information contained in Australian River Co Limited's reports.<sup>31</sup> Furthermore, it's the committee's opinion that Australian River Co Limited's failure to provide detailed information ignores the primary purpose of annual reports, which is accountability to Parliament.

### ***Bundanon Trust Limited***

3.45 The committee observed that a number of mandatory items appear to be missing from the Bundanon Trust Limited *2011-12 Annual Report*. It appears that a program outline, performance indicators in its performance reporting section, freedom of information reporting, work health and safety, fraud control, judicial decisions, reviews by outside bodies and a letter of transmittal were not included in the report. The committee expects all mandatory requirements to be included and would encourage Bundanon Trust Limited to review the CAC Orders, before preparing its next report.

### **Prescribed agencies**

#### ***Australian Sports Anti-Doping Authority (ASADA)***

3.46 The ASADA *Annual Report 2011-12* was prepared in accordance with the requirements specified in the Requirements for Annual Reports. The report also contains an overview of the Australian Sports Drug Medical Advisory Committee. The committee notes that ASADA's report is comprehensive, informative and well-structured.

3.47 ASADA has measured its performance against the deliverables and KPIs specified in the 2011-12 PBS. The committee finds ASADA's report on performance to be of a high standard, assessments of actual performance against the KPIs have been provided and each KPIs has been marked either 'achieved' or 'partially achieved'.<sup>32</sup>

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31 Senate Finance and Public Administration Committee, *Annual reports (No. of 2008)*, March 2008, pp 19–24; and Senate Finance and Public Administration Committee, *Annual reports (No. of 2 of 2009)*, March 2009, p. 9.

32 Australian Sports Anti-Doping Authority, *Annual Report 2011-12*, pp 26–50.

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***National Archives of Australia and National Archives of Australia Advisory Council (National Archives)***

3.48 The National Archives *Annual Report 2011-12* was prepared in accordance with the Requirements for Annual Reports. The committee notes that the National Archives has prepared its annual report against the theme of 'Archives making news'. The report states that each section focuses on a key event or initiative from 2011-12 and is accompanied by a quote from the media and a short paragraph providing contextual information.<sup>33</sup>

3.49 The committee commends the National Archives on its comprehensive and well-structured report on performance. Each performance chapter has a table summary, which outline the KPIs, the actual performance result for 2011-12, page references and trend data for the last four financial years.<sup>34</sup> The committee finds this to be immensely useful when assessing whether or not performance targets have been met.

***Old Parliament House (Museum for Australian Democracy)***

3.50 *Old Parliament House Annual Report 2011-12* was prepared in accordance with section 70 of the *Public Service Act 1999* and the Requirements for Annual Reports.

3.51 The committee finds the report to be clear and informative. The committee notes that the Old Parliament House has fulfilled its report on performance to a high standard, as actual assessments of performance have been provided for each KPI. For those KPIs that were partially achieved, statements have been provided explaining why they were not fully achieved.<sup>35</sup>

**Senator Glenn Sterle**

**Chair**

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33 National Archives of Australia and National Archives of Australia Advisory Council, *Annual Report 2011-12*, p. i.

34 National Archives of Australia and National Archives of Australia Advisory Council, *Annual Report 2011-12*, pp 16, 26, and 35.

35 Old Parliament House (Museum of Australian Democracy), *Annual Report 2011-12*, pp 14–15, and 25–26.



# Appendix 1

## Annual reports referred during the period 1 May 2012 to 31 October 2012

### Agriculture, Fisheries and Forestry portfolio

|  | Legislation   | Letter of transmittal date | Date Sent to Minister | Date received by Minister | Tabling date*                    |
|--|---|----------------------------|-----------------------|---------------------------|----------------------------------|
| <i>Departments of State</i>  |   |                            |                       |                           |                                  |
| Department of Agriculture, Fisheries and Forestry—<br>Report for 2011-12 | <i>Public Service Act 1999</i><br><i>FMA Act 1997</i>               | 25/09/12                   | 20/09/12              | 20/09/12                  | 09/10/12<br>(received 05/10/12*) |
| <i>Commonwealth authorities</i>  |   |                            |                       |                           |                                  |
| Wine Australia Corporation—Report for 2011-12                            | <i>CAC Act 1997</i><br><i>Wine Australia Corporation Act 1980</i>   | 01/10/12                   | 10/10/12              | 17/10/12                  | 29/10/12<br>(received 24/10/12*) |
| <i>Other</i>   |   |                            |                       |                           |                                  |
| Australian Landcare Council—Report from 2011-12                          | <i>Natural Resources Management (Financial Assistance) Act 1992</i> | September 2012             | 09/10/12              | 09/10/12                  | 29/10/12<br>(received 24/10/12*) |
| National Rural Advisory Council—Report for 2011-12                       | Section 20 of the <i>Rural Adjustment Act 1992</i>                  | 16/09/12                   | 19/09/12              | 19/09/12                  | 09/10/12                         |

\* An asterisk denotes reports presented to the President out-of-session.

## Infrastructure and Transport portfolio

|   | Legislation   | Letter of transmittal date | Date Sent to Minister | Date received by Minister | Tabling date* |
|---|---|----------------------------|-----------------------|---------------------------|---------------|
| <i>Department of State</i>                                    |   |                            |                       |                           |               |
| Department of Infrastructure and Transport—Report for 2011-12 | <i>Public Service Act 1999</i><br><i>FMA Act 1997</i>                       | 11/10/12                   | 12/10/12              | 12/10/12                  | 31/10/12      |
| <i>Commonwealth authorities</i>                               |   |                            |                       |                           |               |
| Airservices Australia—Report for 2011-12                      | <i>CAC Act 1997</i><br><i>Airservices Act 1995</i>                          | 12/09/12                   | 12/09/12              | 12/09/12                  | 30/10/12      |
| Australian Maritime Safety Authority—Report for 2011-12       | <i>CAC Act 1997</i><br><i>Australian Maritime Safety Authority Act 1990</i> | 20/09/12                   | 08/10/12              | 08/10/12                  | 30/10/12      |
| Civil Aviation Safety Authority—Report for 2011-12            | <i>Civil Aviation Act 1988</i><br><i>CAC Act 1997</i>                       | 15/10/12                   | 27/09/12              | 27/09/12                  | 31/10/12      |
| National Transport Commission—Report for 2011-12              | <i>CAC Act 1997</i><br><i>National Transport Commission Act 2003</i>        | 05/10/12                   | 12/10/12              | 12/10/12                  | 30/10/12      |
| <i>Commonwealth companies</i>                                 |   |                            |                       |                           |               |
| Australian Rail Track Corporation Ltd—Report for 2011-12      | <i>Corporations Act 2001</i><br><i>CAC Act 1997</i> (section 36)            | n/a                        | 10/10/12              | 10/10/12                  | 30/10/12      |
| <i>Prescribed agencies</i>                                    |   |                            |                       |                           |               |
| Australian Transport Safety Bureau—Report for 2011-12         | <i>Transport Safety Investigation Act 2003</i><br><i>FMA Act 1997</i>       | 03/10/12                   | 19/10/12              | 22/10/12                  | 30/10/12      |

\* An asterisk denotes reports presented to the President out-of-session.

n/a denotes letters of transmittal that were not dated.

## Regional Australia, Local Government, Arts and Sport portfolio

|  | Legislation   | Letter of transmittal date | Date Sent to Minister | Date received by Minister | Tabling date*                    |
|--|---|----------------------------|-----------------------|---------------------------|----------------------------------|
| <i>Department of State</i>   |   |                            |                       |                           |                                  |
| Department of Regional Australia, Local Government, Arts and Sport | <i>Public Service Act 1999</i><br><i>FMA Act 1997</i>                               | 11/10/12                   | 24/10/12              | 24/10/12                  | 30/10/12                         |
| <i>Commonwealth authorities</i>                                    |   |                            |                       |                           |                                  |
| Australia Council for the Arts—Report for 2011-12                  | <i>CAC Act 1997</i><br><i>Australia Council Act 1975</i>                            | 01/09/12                   | 12/10/12              | 16/10/12                  | 29/10/12<br>(received 19/10/12*) |
| Australian Film, Television and Radio School—Report for 2011-12    | <i>CAC Act 1997</i><br><i>Australian Film, Television and Radio School Act 1973</i> | n/a                        | 12/10/12              | 16/10/12                  | 29/10/12<br>(received 24/10/12*) |
| Australian National Maritime Museum—Report for 2011-12             | <i>CAC Act 1997</i><br><i>Australian National Maritime Museum Act 1990</i>          | n/a                        | 12/10/12              | 16/10/12                  | 31/10/12                         |
| Australian Sports Commission—Report for 2011-12                    | <i>CAC Act 1997</i><br><i>Australian Sports Commission Act 1989</i>                 | 04/10/12                   | 04/10/12              | 04/10/12                  | 31/10/12                         |
| National Film and Sound Archive—Report for 2011-12                 | <i>CAC Act 1997</i><br><i>National Film and Sound Archive of Australia Act 2008</i> | 30/10/12                   | 12/10/12              | 16/10/12                  | 31/10/12                         |
| National Gallery of Australia—Report for 2011-12                   | <i>CAC Act 1997</i><br><i>National Gallery Act 1975</i>                             | 30/09/12                   | 12/10/12              | 16/10/12                  | 29/10/12<br>(received 22/10/12*) |
| National Library of Australia—Report for 2011-12                   | <i>CAC Act 1997</i><br><i>National Library Act 1960</i>                             | n/a                        | 12/10/12              | 16/10/12                  | 31/10/12                         |
| National Museum of Australia—Report for 2011-12                    | <i>CAC Act 1997</i><br><i>National Museum of Australia 1980</i>                     | August 2012                | 12/10/12              | 16/10/12                  | 30/10/12                         |

|   | <b>Legislation</b>   | <b>Letter of transmittal date</b> | <b>Date Sent to Minister</b> | <b>Date received by Minister</b> | <b>Tabling date*</b>             |
|---|--|-----------------------------------|------------------------------|----------------------------------|----------------------------------|
| Screen Australia—Report for 2011-12   | <i>CAC Act 1997</i><br><i>Screen Australia Act 2008</i>                        | n/a                               | 12/10/12                     | 16/10/12                         | 29/10/12<br>(received 24/10/12*) |
| <b><i>Commonwealth companies</i></b>  |  |                                   |                              |                                  |                                  |
| Australian River Co. Limited—Report for the period 1 December 2010 to 30 November 2011                | <i>Corporations Act 2001</i><br><i>CAC Act 1997 (section 36)</i>               | 10/05/12                          | 6/03/12                      | 8/03/12                          | 19/06/12                         |
| Bundanon Trust Limited—Report for 2011-12   | <i>Corporations Act 2001</i><br><i>CAC Act 1997 (section 36)</i>               | n/a                               | 12/10/12                     | 16/10/12                         | 31/10/12                         |
| <b><i>Prescribed agencies</i></b>   |  |                                   |                              |                                  |                                  |
| Australian Sports Anti-Doping Authority—Report for 2011-12  | <i>FMA Act 1997</i><br><i>Australian Sports Anti-Doping Authority Act 2006</i> | 02/10/12                          | 17/09/12                     | 17/09/12                         | 31/10/12                         |
| National Archives of Australia and National Archives of Australia Advisory Council—Report for 2011-12 | <i>FMA Act 1997</i><br><i>Public Service Act 1999 (section 70)</i>             | 12/09/12                          | 12/10/12                     | 16/10/12                         | 31/10/12                         |
| Old Parliament House (Museum of Australian Democracy)—Report for 2011-12                              | <i>FMA Act 1997</i><br><i>Public Service Act 1999 (section 70)</i>             | 11/10/12                          | 12/10/12                     | 16/10/12                         | 30/10/12                         |

\* An asterisk denotes reports presented to the President out-of-session.

n/a denotes letters of transmittal that were not dated.



## Appendix 2

### List of annual reports tabled after 31 October 2012

#### Agriculture, Fisheries and Forestry portfolio

|   | Legislation   | Letter of transmittal date | Date Sent to Minister | Date received by Minister | Tabling date*                    |
|---|---|----------------------------|-----------------------|---------------------------|----------------------------------|
| <i>Commonwealth authorities</i>   |   |                            |                       |                           |                                  |
| Cotton Research and Development Corporation—Report for 2011-12              | <i>PIERD Act 1989</i><br><i>CAC Act 1997</i>  | 04/10/12                   | 31/10/12              | 31/10/12                  | 05/02/13                         |
| Fisheries Research and Development Corporation—Report for 2011-12           | <i>PIERD Act 1989</i><br><i>CAC Act 1997</i>  | 29/08/12                   | 08/11/12              | 08/11/12                  | 05/02/13                         |
| Grains Research and Development Corporation—Report for 2011-12              | <i>PIERD Act 1989</i><br><i>CAC Act 1997</i>  | 15/10/12                   | 31/10/12              | 31/10/12                  | 05/02/13<br>(received 30/11/12*) |
| Grape and Wine Research and Development Corporation—Report for 2011-12      | <i>PIERD Act 1989</i><br><i>CAC Act 1997</i>  | 22/08/12                   | 29/10/12              | 29/10/12                  | 05/02/13                         |
| Sugar Research and Development Corporation—Report for 2011-12               | <i>PIERD Act 1989</i><br><i>CAC Act 1997</i>  | 30/09/12                   | 04/12/12              | 04/12/12                  | 05/02/13                         |
| Rural Industries Research and Development Corporation—Report for 2011-12    | <i>PIERD Act 1989</i><br><i>CAC Act 1997</i>  | 30/09/12                   | 31/10/12              | 31/10/12                  | 27/11/12                         |
| <i>Prescribed agencies</i>  |   |                            |                       |                           |                                  |
| Australian Pesticides and Veterinary Medicines Authority—Report for 2011-12 | <i>Agricultural and Veterinary Chemicals (Administration) Act 1992</i><br><br><i>FMA Act 1997</i> | 14/09/12                   | 29/10/12              | 29/10/12                  | 27/11/12                         |

|  | <b>Legislation</b>  | <b>Letter of transmittal date</b> | <b>Date Sent to Minister</b> | <b>Date received by Minister</b> | <b>Tabling date*</b>                    |
|--|---|-----------------------------------|------------------------------|----------------------------------|---|
| Wheat Exports Australia—<br>Report for 2010-11   | <i>Wheat Export Marketing Act 2008</i><br><br><i>FMA Act 1997</i> | 24/09/12                          | 24/09/12                     | 16/10/12                         | 05/02/13                                |
| <b><i>Other</i></b>  |   |                                   |                              |                                  |   |
| Torres Strait Protected Zone<br>Joint Authority—Report for<br>2009-10  | <i>Torres Strait Fisheries Act 1984</i>                           | n/a                               | 07/01/13                     | 22/01/13                         | 05/02/13<br><br>(received<br>29/01/13*) |
| Dairy Australia Limited—<br>Report for 2011-12   | <i>Dairy Produce Act 1986</i><br><br><i>Corporations Act 2001</i> | n/a                               | 13/11/12                     | 13/11/12                         | 27/11/12                                |
| Report to the Parliament on<br>Live-stock Mortalities<br>During Exports by Sea for<br>the Reporting Period<br>1 July 2012 to 31 December<br>2012 | <i>Australian Meat and Live-stock Industry Act 1997</i>           | n/a                               | 31/01/13                     | 31/01/13                         | 12/03/13<br><br>(received<br>07/03/13*) |

\* An asterisk denotes reports presented to the President out-of-session.

n/a denotes letter of transmittal that were not dated.

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**Infrastructure and Transport portfolio**

|   | <b>Legislation</b>                               | <b>Letter of transmittal date</b> | <b>Date Sent to Minister</b> | <b>Date received by Minister</b> | <b>Tabling date*</b> |
|---|--|-----------------------------------|------------------------------|----------------------------------|----------------------|
| <i>Other</i>  |  |                                   |                              |                                  |                      |
| <i>Sydney Airport Demand Management Act 1997—quarterly report on the maximum movement limit for the period 1 July to 30 September 2012.</i>   | <i>Sydney Airport Demand Management Act 1997</i> | n/a                               | 26/10/12                     | 31/10/12                         | 27/11/12             |
| <i>Sydney Airport Demand Management Act 1997—quarterly report on the maximum movement limit for the period 1 October to 31 December 2012.</i> | <i>Sydney Airport Demand Management Act 1997</i> | n/a                               | 25/01/13                     | 25/01/13                         | 06/02/13             |

\* An asterisk denotes reports presented to the President out-of-session.

n/a denotes letter of transmittal that were not dated.

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**Regional Australia, Local Government, Arts and Sport portfolio**

|  | <b>Legislation</b>                                      | <b>Letter of transmittal date</b> | <b>Date Sent to Minister</b> | <b>Date received by Minister</b> | <b>Tabling date*</b>             |
|--|---|-----------------------------------|------------------------------|----------------------------------|----------------------------------|
| <i>Other</i>                             |   |                                   |                              |                                  |                                  |
| Local Government National Report 2009-10 | <i>Local Government (Financial Assistance) Act 1995</i> | n/a                               | 08/02/13                     | 08/02/13                         | 25/02/13<br>(received 18/02/13*) |

\* An asterisk denotes reports presented to the President out-of-session.

n/a denotes letter of transmittal that were not dated.