

GOVERNMENT DEPARTMENTS AND AGENCIES, LEGAL ADVICE, EXPENDITURE

1955. Mrs C.L. Edwardes to the Minister for Planning and Infrastructure

For each department and agency within the Minister's portfolio, since 19 February 2001, will the Minister provide -

- (a) the total amount spent on legal advice;
- (b) the name of each provider of legal advice;
- (c) the amount paid to each provider of legal advice; and
- (d) the service for which the payments were made?

Ms A.J. MacTIERNAN replied:

Department of Planning and Infrastructure

[Note: The Department for Planning and Infrastructure was established on 1 July 2001 and the Department of Transport was abolished on 30 June 2002. The Ministry for Planning was abolished on 4 September 2001].

(a)	01-Feb-01 to 30-June-01 \$	2001-02 \$	2002-03 \$	01-Jul-03 to 11-Dec-03 \$
Department of Transport	267,575.11	4,063.30	N/A	N/A
Department for Planning and Infrastructure	N/A	425,107.71	332,096.28	59,603.09
Ministry for Planning	NIL	9,461.75	N/A	N/A
WA Planning Commission	49,908.15	230,519.55	266,404.87	150,389.89

(b)-(c)

Amount stated is the total paid to the provider for the period.

Department of Transport Vendor Name	2000-01 Amount
ALAN E SWANN	2,727.27
ALAN V RILEY & ASSOC	3,900.00
ARNS & ASSOCIATES	814.99
COMMERCIAL PROPERTY BRANCH	466.15
CORRS CHAMBERS WESTGARTH SOLICITORS	8,198.00
DEACONS	8,261.96
ERNST & YOUNG	1,550.00
FREEHILLS	12,308.30
GARTON SMITH & BARRETT	705.11
GEORGE GUIDICE LAW CHAMBERS	3,150.00
GIBSON TOVEY MILLS	224.20
HOLLINGDALES BARRISTERS & SOLICITORS	43,322.82
HOUSING & WORKS, DEPT OF	576.25
JOHN FOSTER	2,871.91
JOSHUA THOMSON	3,000.36
JUSTICE, MINISTRY OF	69,805.64
LAWTON GILLON	6,210.58
MALLESONS STEPHEN JAQUES	5,134.55
METWAY PROPERTY CONSULTANTS	640.00
OWEN LEGAL & CORPORATE	17,522.50
PAUL AND ASSOC P/L, MJ	22.50
PHILIP LAFFERTY	150.00
PHILLIPS FOX	26,493.09
PROPERTY SOLVE	630.00
PULLIN Q.C., CJL	3,375.00
RECEIVABLES MGT LTD	5.00
RW READING	1,544.20
SINCLAIR KNIGHT MERZ	374.00
SKEA HAGER & CO.	18,118.50
STANTON PARTNERS	19,973.98

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TOTTLE CHRISTENSEN	3,824.25
WILSON,JA	300.00
WRAY & ASSOCIATES	1,374.00
Grand Total	267,575.11
WA Planning Commission	2000-01
Vendor Name	Amount
Ministry of Justice	30,548.15
Narelle Johnson QC	15,575.00
Pullinger Readhead Stewart	3,785.00
Grand Total	49,908.15
Department of Transport	2001-02
Vendor Name	Amount
JUSTICE,MINISTRY OF	1,568.00
SKEA HAGER & CO.	1,190.00
RECEIVABLES MGT LTD	1,073.05
DRIVER ACCESS	232.25
Grand Total	4,063.30
Department for Planning and Infrastructure	2001-02
Vendor Name	Amount
ALAN V RILEY & ASSOC	12,750.00
BIRD CAMERON	2,800.00
BLAKE DAWSON WALDRON	494.25
BRONWYN DAVIES TAYLOR	926.66
CORRS CHAMBERS WESTGARTH SOLICITORS	83,255.50
DEACONS	1,234.72
FREEHILLS	61,392.44
GADENS LAWYERS	7,117.72
GARTON SMITH & BARRETT	210.00
HOLLINGDALES BARRISTERS & SOLICITORS	75.00
IAN W STEELE	4,000.00
JACKSON McDONALD	130,498.07
JUSTICE,MINISTRY OF	50,382.47
LAWTON GILLON	10,795.90
MALLESONS STEPHEN JAQUES	5,000.00
MCGEES NATIONAL PROPERTY CONSULTANTS	130.00
METWAY PROPERTY CONSULTANTS	1,012.00
MINTER ELLISON	13,538.55
OWEN LEGAL & CORPORATE	5,433.00
PHILLIPS FOX	5,880.00
RECEIVABLES MGT LTD	429.31
RW RICHARDSON	885.00
SKEA HAGER & CO.	18,975.00
TECHNICAL RESOURCES	302.30
WRAY & ASSOCIATES	7,589.82
Grand Total	425,107.71
Ministry for Planning	2001-02
Vendor Name	Amount
Skea Hager & Co	751.25
Minter Ellison	8,590.50
Agriculture WA	120.00
Grand Total	9,461.75
WA Planning Commission	2001-02
Vendor Name	Amount

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Ministry of Justice	164,016.00
Clayton Utz	16,311.05
Chis O'Neill & Assoc	4,680.00
Tim Johnston & Assoc	15,680.00
Narelle Johnson QC	22,832.50
Bedbrook Johnston	7,000.00
Grand Total	230,519.55

Department for Planning and Infrastructure	2002-03
Vendor Name	Amount
ALAN V RILEY & ASSOC	16,860.00
AMOG CONSULTING	71,588.84
BLAKE DAWSON WALDRON	6,449.00
CORRS CHAMBERS WESTGARTH SOLICITORS	2,792.50
DEACONS	2,717.24
DUN & BRADSTREET (AUST) P/L	112.40
ERNST & YOUNG	4,037.50
FREEHILLS	5,457.00
GADENS LAWYERS	19,831.04
IAN W STEELE	3,493.18
INDUSTRY & TECHNOLOGY - CAMS, DEPT	43,807.75
JACKSON McDONALD	44,305.26
JOHN FOSTER	5,459.09
JOSHUA THOMSON	1,488.00
JUSTICE, MINISTRY OF	48,116.69
KPMG	425.00
LAWTON GILLON	16,441.27
METWAY PROPERTY CONSULTANTS	352.00
OFFICE OF STATE REVENUE	316.30
PHILLIPS FOX	1,592.50
PRICEWATERHOUSE COOPERS	16,604.41
RICHARD O'SHANNASSY & CO	300.00
SKEA HAGER & CO.	10,445.25
THE LAW SOC OF WA	1,754.28
TOTTLE CHRISTENSEN	3,438.28
VERBATIM REPORTERS	248.00
WILLIAMS & HUGHES	1,000.00
WRAY & ASSOCIATES	2,663.50
Grand Total	332,096.28

WA Planning Commission	2002-03
Vendor Name	Amount
Ministry of Justice	224,702.72
Narelle Johnson QC	13,737.50
Clayton Utz	1,831.60
Phillips Fox	8,793.87
Hardy Bowen	17,339.18
Grand Total	266,404.87

Department for Planning and Infrastructure	2003-04
Vendor Name	Amount
BLAKE DAWSON WALDRON	1,048.65
DEACONS	68.18
DUN & BRADSTREET (AUST) P/L	296.97
JOHN FOSTER	18,750.00
JUSTICE, MINISTRY OF	18,257.00
LAWTON GILLON	6,402.63
PHILLIPS FOX	3,050.00
RILEY & ASSOC, ALAN V	960.00

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SKEA HAGER & CO.	4,091.50
THOMSON,J	980.00
TOTTLE PARTNERS	400.01
CROWN LAW	5,298.15
Grand Total	54,304.94
WA Planning Commission	2003-04
Vendor Name	Amount
Ministry of Justice	85,124.07
Phillips Fox	3,645.82
R LeMiere	56,070.00
Jim Davies & Assoc	5,550.00
Grand Total	150,389.89

(d) The above information was electronically extracted from financial records. They are stated, in aggregate, against each provider.

There are approximately 2,330 line item entries, totalling \$1,795,129.70 that are coded to the accounting records as "legal services" of the respective departments. These items account for a wide range of departmental activities such as preparation of agreements, contracts, tender documents, evaluation of tenders, legal advice on breaches of agreements, contracts and debt collections. I am not prepared to allocate scarce resources in order to provide details to the Member about individual payments. However, if the Member has a question concerning any specific departmental payment for legal service, I would be pleased to consider it.

Public Transport Authority (WAGR - 19/2/01 – 30/6/03)

(a)-(d)

Name of Provider	Amount Paid 19/2/01 – 30/6/03	Service Provided
Tottle Christensen	\$57,752.16	Commercial property and Leasing, Planning, Heritage, Telecommunications Law.
Hollingdales	\$515,975.69	Contract Law Advice and Contract Drafting Dispute Resolution/Court Representation.
Blake Dawson Waldron	\$63,049.46	Commercial property and leasing, Planning, Heritage, Telecommunications law, Contract Law advice and Contract Drafting Intellectual Property/Information Technology Law.
Haydn Robinson	\$76,919.85	Dispute Resolution/Court Representation.
Phillips Fox	\$16,000.00	Employment/Occupational Health and Safety.
Freehills	\$65,125.29	Contract Law Advice and Contract Drafting Employment/Occupational Health and Safety, Finance/Securities Law.
Mallesons Stephen Jaques	\$260,143.43	Dispute Resolution/Court Representation, Employment/Occupational
Health and		Safety Finance/Securities Law.
Jackson McDonald	\$7,700.75	Commercial Property and Leasing, Planning, Heritage,

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		Telecommunications Law.
Teller and Associates Law.	\$10,005.03	Intellectual Property/Information Technology
Deacons Heritage,	\$55,178.59	Commercial Property and Leasing, Planning, Telecommunications Law
Department of Justice Crown Solicitor's Office	\$233,432.40	General Legal Advice
Minter Ellison	\$165,580.90	Commercial Property
Pye and Quartermaine	\$1,100.00	Professional Services
Mark Andrews & Assoc	\$456.00	Court Representation
TOTAL	\$1,522,603.80	
Public Transport Authority (1/7/03 – 11/12/03)		
(a)-(d)		
Name of Provider	Amount Paid 1/7/03 – 11/12/03	Service Provided
Tottle Christensen	\$6,000.16	Commercial property and Leasing, Planning, Heritage, Telecommunications Law.
Hollingdales	\$117,550.08	Contract Law Advice and Contract Drafting Dispute Resolution/Court Representation.
Blake Dawson Waldron	\$139,760.92	Commercial property and leasing, Planning, Heritage, Telecommunications law, Contract Law advice and Contract Drafting Intellectual Property/Information Technology Law.
Haydn Robinson	\$1,538.00	Dispute Resolution/Court Representation.
Freehills	\$10,940.82	Contract Law Advice and Contract Drafting Employment/Occupational Health and Safety, Finance/Securities Law.
Mallesons Stephen Jaques Employment/	\$12,888.08	Dispute Resolution/Court Representation, Occupational Health and Safety Finance/Securities Law.
Jackson McDonald	\$5,372.95	Commercial Property and Leasing, Planning, Heritage, Telecommunications Law.
Teller and Associates Law.	\$2,941.76	Intellectual Property/Information Technology
Deacons	\$3,525.50	Commercial Property and Leasing, Planning, Heritage, Telecommunications Law
Department of Justice Crown Solicitor's Office	\$95,091.28	General Legal Advice
Minter Ellison	\$3,282.75	Commercial Property
Gadens Lawyers	\$9,023.85	Legal Advice
Lawrence and Howell	\$951.39	Insurance and Third Party Cover
TOTAL	\$408,867.54	

Main Roads (a) – (d):

The following was amended on 11 December 2003 to reflect costs incurred to that date.

PROVIDER AMOUNT SERVICE

Crown Solicitor's Office \$306 017.47 Services in relation to "non-core business". (CSO does not bill for services in relation to "core" business)

Blake Dawson Waldron \$1, 398, 69.66 Contract 819/98 - Provision of Legal Services (commercial and contractual matters, and general advice)

Minter Ellison \$44, 046.57 Contract 665/98 - Provision of Legal Services for Graham Farmer Freeway Tunnel Land (issues relating to land title and covenant)

R Le Miere \$83, 390.00 Land compensation appeal concerning land resumed for the Graham Farmer Freeway (Duffy & Ors) and Dawesville Deviation (Aberdeen Nominees Pty Ltd)

CB Edmonds \$159, 225.00 Contract 597/01 - Land compensation appeal concerning land resumed for the Graham Farmer Freeway (Arcus Shop Fitters)

Freehills \$172, 833.12 Contract 973/02 - Provision of Legal Services for Alliance Contracting Issues (Roe Highway Stage 7, and Term Network Contracts)

Hollingdales \$456, 696.01 Contract 707/98 - Provision of Legal Services for Road Contracts (Major Projects)

TOTAL \$2 620 577.83

LandCorp: The following table was amended on 11 December 2003 to reflect costs incurred to that date.

Question (b) Provider	(c)Total Paid	(d) Service Provided
ALLENS ARTHUR ROBINSON.	\$27,679	General Commercial Legal Advice
BLAKE DAWSON WALDRON	\$21,219	General Commercial Legal Advice
C ZELESTIS	\$66,220	Senior Counsel – Litigation Costs
CLARK WHYTE PROPERTY LAWYERS	\$672	General Commercial Legal Advice
CLAYTON UTZ	\$223,748	General Commercial Legal Advice
COCKS MACNISH	\$2,148	General Commercial Legal Advice
CORRS CHAMBERS WESTGARTH	\$1,740	General Commercial Legal Advice
DEPARTMENT OF JUSTICE	\$29,806	General Commercial Legal Advice
EDWIN ABDO & ASSOCIATES	\$709	General Commercial Legal Advice
FREEHILLS LAWYERS	\$11,976	General Commercial Legal Advice
G D CROCKET & CO	\$2,266	General Commercial Legal Advice
GADENS LAWYERS	\$18,700	General Commercial Legal Advice
GILBERT & TOBIN	\$859	General Commercial Legal Advice
HALSEY & ASSOCIATES	\$1,500	General Commercial Legal Advice
HARDY BOWEN LAWYERS	\$16,469	General Commercial Legal Advice
IRDI & ASSOCIATES	\$2,120	General Commercial Legal Advice
JACKSON MCDONALD	\$16,546	General Commercial Legal Advice
J GILMOUR	\$5,912	Senior Counsel – Litigation Costs
KOTT GUNNING	\$45,108	General Commercial Legal Advice including Litigation
M HOWARD	\$129,617	Senior Counsel – Litigation Costs
MALLESONS STEPHEN JAQUES	\$230	General Commercial Legal Advice
MCLEODS	\$80,291	General Commercial Legal Advice
MINTER ELLISON NORTHMORE HALE	\$371,377	General Commercial Legal Advice including Litigation
PETER YOUNG & ASSOCIATES	\$33,021	General Commercial Legal Advice
PHILLIPS FOX	\$173,613	General Commercial Legal Advice
PULLINGER READHEAD STEWART	\$1,151,352	General Commercial Legal Advice including Litigation
SLEE ANDERSON & PIDGEON	\$1,549	General Commercial Legal Advice
VALENTI LAWYERS	\$10,530	General Commercial Legal Advice
WOJTOWICZ KELLY BARRISTERS & SOLICITORS	\$9,437	General Commercial Legal Advice
Question (a) Total amount spent on Legal Advice	\$2,456,414	

EPRA The following was amended on 11 December 2003 to reflect costs incurred to that date.

(a) \$791,429

(b) Provider	(c) Amount	(d) Service
Minter Ellison	\$768,388	Land redevelopment legal issues
Allens Arthur Robinson	\$2,496	Commercial land sale settlements
Phillip Fox	\$710	Land resumption legal issues
Mr R. LeMiere	\$4,200	Legal advice re court actions and claims
Lawton Gillon	\$909	
Batemans	\$5,281	
Godfrey Spowers	\$1,853	
Wayne Martin QC	\$636	
Considine Griffiths	\$3,260	
Wray Associates	\$3,696	

SRA

(a) \$178,808

(b) Provider	(c) Amount	(d) Service
Minter Ellison	\$168,268	Land redevelopment legal issues
Jackson McDonald	\$10,808	Commercial land sale settlements
		Land resumption legal issues
		Legal advice re court actions and claims

Armada Redevelopment Authority

The following was amended on 11 December 2003 to reflect costs incurred to that date.

- (a) \$15,141
- (b) Watts Woodhouse
- (c) As Above
- (d) Legal advice for Redevelopment Scheme

Midland Redevelopment Authority

Up until 30 November 2003:

- (a) \$63,653.74
- (b) Crown Solicitor's Office
Jackson McDonald
Skea Nelson & Hager
Hager & Partners
Minter Ellison
Watts & Woodhouse
- (c) Crown Solicitor's Office \$13,548.20
Jackson McDonald \$13,998.50
Skea Nelson & Hager \$4,725.00
Hager & Partners \$200.00
Minter Ellison \$29,436.54
Watts & Woodhouse \$1,745.50
- (d) Interpretation of legislation and town planning schemes, license and lease preparations, dealings, capital works tender contract documentation review, project management process documental review, land sales tender documentation, conveyancing

Albany

The following was amended on 11 December 2003 to reflect costs incurred to that date.

Name	Service	Amount
Freehills	Ordinance Claim	273,801
	Lease documents	109,385
	Contract documents	9,283
	IR advice	322
	Environmental advice	1,984

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	Confidentiality advice	4,285
Hardy Bowen	Environmental advice	4,688
	Planning advice	1,350
	PAA Advice	840
Murray Smith	Lease documents	11,203
	IR advice	400
Phillips Fox	IR advice	4,587
Total		422,128

Broome Port Authority

The following was amended on 11 December 2003 to reflect costs incurred to that date.

- (a) \$52,409.30
- (b) i) Mullins Handcock
ii) Phillips Fox
iii) Clayton Utz
iv) Skea Hager & Co
- (c) i) Mullins Handcock \$3,250 Shipping advice
ii) Phillips Fox \$697 Industrial Relations Advice
iii) Clayton Utz \$44,078 Industrial Relations Advice
iv) Clayton Utz \$1,942 Western Power tariff dispute
v) Skea Hager & Co \$2,112 Drafting Services Agreement
vi) Skea Hager & Co \$330 Land lease advice
- (d) i) Mullins Handcock Shipping advice
ii) Phillips Fox Industrial Relations Advice
iii) Clayton Utz Industrial Relations Advice
iv) Clayton Utz Western Power tariff dispute
v) Skea Hager & Co Drafting Services Agreement
vi) Skea Hager & Co Land lease advice

Bunbury Port Authority

The following was amended on 11 December 2003 to reflect costs incurred to that date.

- a. \$8,075.00
- b. Malcolm McCusker QC
Mallesons Stephen Jacques
McLeods
Young & Young
- c. Malcolm McCusker QC \$4,000
Mallesons Stephen Jacques \$1,300
McLeods \$1,275
Young & Young \$1,500
- d. Malcolm McCusker Chip Mill & Homestead
Mallesons Stephen Jacques Container Facility
McLeods Application of Act
Young & Young Wesfarmers Transport

Dampier Port Authority

The following was amended on 11 December 2003 to reflect costs incurred to that date.

- a) Total Spent: \$1,676,542
- | (b) Provider | (c) Amount \$ | (d) Service |
|-----------------------|---------------|-----------------------------------|
| Mullins Handcock | 119,551 | Port Facilities Agreement, leases |
| Wayne S Martin QC | 6,682 | Port Facilities Agreement |
| Chan Galic Barristers | 3,513 | Leases |
| Freehill Hollingdale | 2,632 | Employment Issues |
| Ilbery Barblett | 3,000 | Port Facilities Agreement |

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Malleson Stephens	1,400	Advice on Directors interest
Clayton Utz	1,537,502	Port Facilities Agreements, tender docs
Bankwest Conveyancing	2,137	Sale of DPA houses
State Revenue Dept	125	Stamping of Agreements

Esperance Port Authority

The following was amended on 11 December 2003 to reflect costs incurred to that date.

- (a) \$20,541.38
- (b)
 - (i) Pye & Quartermaine
 - (ii) Freehills
 - (iii) Blakiston & Crabb
 - (iv) Mullins Handcock
- (c)
 - (i) \$1,266.38
 - (ii) \$17,300
 - (iii) \$125
 - (iv) \$650
 - (v) \$1,200
- (d)
 - (i) Industrial Relations \$1,266.38
 - (ii) Power Purchase Agreement \$16,300
 - Lease Agreement \$1,000
 - (iii) Audit Enquiry \$125
 - (iv) Review Agreement \$650
 - (v) Directors Deed of Indemnity \$1,200

Geraldton Port Authority

The following was amended on 11 December 2003 to reflect costs incurred to that date.

- (a) \$715,618.09
- (b)
 - Altorfer & Stow
 - Freehill Hollingdale & Page
 - Mullins Handcock
 - Phillips Fox
- (c)
 - Altorfer & Stow \$2,746.35
 - Freehill Hollingdale & Page \$563,519.62
 - Mullins Handcock \$104,744.50
 - Phillips Fox \$44,607.62
- (d) Commercial Port Business Operations, particularly in relation to the Port Enhancement Project (\$103 Million deepening and berth reconstruction project).

Fremantle Port Authority

The following was amended on 11 December 2003 to reflect costs incurred to that date.

- (a) \$1,575,846
 - (b) Clayton Utz, Illbery's, Jackson McDonald, Freehills
 - (c)
 - Clayton Utz \$1,293,081
 - Illbery's \$247,033
 - Jackson McDonald \$29,153
 - Freehills \$6,579
 - (d) Clayton Utz
 - Port management and operations, maritime, corporate and commercial including customer and other contracts and agreements, legislative, tendering and procurements, environmental, State Agreements, industrial and employee relations, asset sales, FOI, Trade Practices, litigation, taxation
 - Illbery's
 - Property including leases.
 - Jackson McDonald
-

Port management and operations, maritime, corporate and commercial, legislative, tendering and procurements, intellectual property

Freehills

Industrial and employee relations

Port Hedland Port Authority

a) \$53,911.42

b) Clayton Utz
Freehills
Gilbert & Tobin
Hunt & Humphry
Minter Ellison
Tottle Christensen

c)	Clayton Utz	\$4,630.91
	Freehills	\$20,857.10
	Gilbert & Tobin	\$581.82
	Hunt & Humphry	\$27,347.95
	Minter Ellison	\$194.55
	Tottle Christensen	\$299.09

d)	Clayton Utz	Stevedoring Licence and Electricity Tarriff Advice
	Freehills	Stevedoring Licence and Work Boat Advice
	Gilbert & Tobin	TNT Dispute
	Hunt & Humphry	Native Title Advice, Pilotage Contract, Hope Downs Lease, BP Australia

Licence

Minter Ellison	Deeds of Indemnity
Tottle Christensen	TNT Accounts Dispute