

**STANDING COMMITTEE ON ESTIMATES AND
FINANCIAL OPERATIONS**

2013–14 BUDGET ESTIMATES HEARINGS

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
TUESDAY, 24 SEPTEMBER 2013**

**SESSION THREE
DEPARTMENT OF ABORIGINAL AFFAIRS**

Members

**Hon Ken Travers (Chair)
Hon Peter Katsambanis (Deputy Chair)
Hon Martin Aldridge
Hon Alanna Clohesy
Hon Rick Mazza**

Hearing commenced at 2.01 pm**Hon PETER COLLIER****Minister for Aboriginal Affairs, examined:****Mr CLIFF WEEKS****Director General, examined:****Mr AARON RAYNER****Chief Heritage Officer, examined:****Mr JAMIE STRICKLAND****Acting Executive Director, Community Development, examined:****Mr GLEN KAR****Acting Executive Director, Corporate Services, examined:**

The CHAIR: On behalf of the Legislative Council Standing Committee on Estimates and Financial Operations I would like to welcome you to today's hearing. Witnesses before the committee are required to read and sign a document headed "Information for Witnesses". Can you confirm for the benefit of Hansard if you have read and signed a copy of this document?

The Witnesses: Yes.

The CHAIR: For the benefit of Hansard, can you confirm that you understand the document that you have signed?

The Witnesses: Yes.

The CHAIR: Witnesses need to be aware of the severe penalties that apply to persons providing false or misleading testimony to a parliamentary committee. It is essential that all your testimony before the committee is complete and truthful to the best of your knowledge. This hearing is being held in public although there is discretion available to the committee to hear evidence in private either of its own motion or at the witness's request. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session before answering the question.

These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. The committee reminds agency representatives to respond to questions in a succinct manner and to limit the extent of personal observations. To assist the committee and Hansard please quote the full title of any document you refer to during the course of this hearing for the record; and please be aware of the microphones and try to talk into them. Ensure that you do not cover them with papers or make noise near them. Please try to speak in turn. Members, it will greatly assist Hansard if when referring to the budget statements volumes or the consolidated account estimates you give the page number, item, program, amount, and so on in preface to your questions.

Government agencies and departments have an important role and duty in assisting Parliament to scrutinise the budget papers on behalf of the people of Western Australia. The committee values your assistance with this.

For the benefit of members and Hansard I ask the minister to introduce his advisers to the committee, and for each adviser to please state their full name and the capacity in which they appear before the committee.

[Witnesses introduced.]

The CHAIR: I open up the committee to questions.

Hon ROBIN CHAPPLE: My first question refers to page 317 budget paper No 2 and relates to FTE employees, and I have a few questions on that. Firstly, why is the increase in FTE employees for heritage management in 2012–13 so much larger than budgeted for? In what areas were the increases in FTE employees concentrated; that is, was it in assessments or what area? How was slightly less spent on total cost of services than originally budgeted for given the large increase in FTE employees?

Hon PETER COLLIER: I will ask Mr Weeks to comment on that.

Mr Weeks: Part of the rationalisation was that the department was focusing on four key areas. When we look at the budget papers we see that those four areas are now broken down in terms of FTE. There is an increase in heritage management, and that was the result of taking over the agency. Our compliance functions and a few others were not at the standard they needed to be, so we reinvested FTE into the heritage management function. Another significant change in the budget paper is the reduction in the accountable government space. In the simplest sense that was because the agency was trying to do a whole range of activities that the rest of government is there to perform, so we rationalised some of those savings into the heritage functions.

Hon PETER COLLIER: I emphasise that will not impact on the total FTE cap.

Hon ROBIN CHAPPLE: Why were all the efficiency indicators for heritage management expected to worsen between 2013–14 and 2014–15 despite the large rise in FTE employees in 2012–13 from the previous fiscal year? More specifically, why has the average time taken to complete initial assessment taken only three days in 2012–13 and six days in 2011–12 when it was budgeted to take 28 days and is budgeted to do so for the same in 2013–14?

Mr Weeks: We do have those targets, but the reality is we are dealing with a backlog, so by reinvesting into the heritage management space and trying to do those site assessments, yes, we are meeting our targets; but to get it down from 18 while we had 28 days for a target and we are reaching three days, that represents the extra effort—I would not take that as a negative; I would take it as a positive.

Hon ROBIN CHAPPLE: Still on page 317, relating to that matter, in regard to section 28 of the Aboriginal Heritage Act, who on the ACMC fills the special anthropologist role and with whom did the minister consult when he made that appointment?

Mr Weeks: At the moment the specialist anthropologist position is vacant. Mike Robinson was performing that function. We have since gone out Australia-wide to attract another specialist anthropologist, but at this point we have not been able to attract one; so currently there is no specialist anthropologist on the ACMC.

Hon ROBIN CHAPPLE: Under the act it has to be somebody who is agreed to and appointed by or agreed to by a Western Australian university. How would that comply if you were going broader than Western Australia?

Mr Weeks: If we get suitable applicants, then we will have that discussion with the universities.

Hon ROBIN CHAPPLE: If no person on the ACMC performs this role currently, which staff members of the department provide direct advice to the ACMC on anthropological matters and what are their qualifications? I would like to see the CVs of those people who provide that advice.

Mr Weeks: I will refer to the chief heritage officer around some specifics, but it is a combination of having some anthropologists on the staff payroll, but we also rely on heritage surveys which anthropologists are preparing information for the ACMC; so a combination of those sources. The chief heritage officer might be able to provide more detail.

[2.10 pm]

Mr Rayner: I do not have too much more detail, but the member is right; we rely on information that comes from anthropologists, who collect information from primary informants. We have within the site assessment team, and the heritage branch more generally, anthropologists who provide advice to the committee.

Hon ROBIN CHAPPLE: If no advice is being provided by the department or a specialist anthropologist, is the department assured legally that the decisions made by the Aboriginal Cultural Material Committee are compliant with sections 5 and, I think, 16 of the act?

Mr Rayner: Yes, we are.

Hon ROBIN CHAPPLE: Do you have that legal advice?

Mr Rayner: We have had legal opinion on this before, but the act is quite specific that the function of the committee is not disturbed by there being a vacancy in the office of the specialist anthropologist.

Hon PETER COLLIER: I think I have answered that question.

Hon ROBIN CHAPPLE: If Mr Rayner would take me to the part of the Aboriginal Heritage Act that deals with that, I would be most obliged.

Mr Rayner: It is section 33(3).

Hon ROBIN CHAPPLE: Surely that refers to membership of the ACMC and the duties and functions it performs, and not to the specialist anthropologist.

Mr Rayner: That is not our reading of that provision.

Hon ROBIN CHAPPLE: Can Mr Rayner provide, by way of a question on notice, evidence to that effect?

Mr Rayner: I can provide the evidence now as the chief heritage officer that that is not my reading of that.

Hon ROBIN CHAPPLE: As the chief heritage officer, what qualifications in the heritage arena do you have to determine that?

Mr Rayner: With respect, I think it is more qualifications in understanding the legislation than heritage matters per se.

Hon ROBIN CHAPPLE: But you are the chief heritage officer.

Mr Rayner: I am the chief heritage officer; that is right.

Hon ROBIN CHAPPLE: I have more questions, but I am more than happy to let some other members have a go.

Hon PETER KATSAMBANIS: I also have a large number of questions, but I will limit myself for the moment to three specific areas and then come back later to the others, if we get the opportunity. The first area is the Aboriginal community patrols. I refer to page 316 of budget paper No 2, and also to page 314, which outlines the spending changes. In the 2013–14 financial year, \$2.547 million will be provided for the extension of Aboriginal community patrols. I welcome that, because we know that these patrols provide an important service to assist at-risk people right across the state. I would like the minister, firstly, to comment on the current effectiveness of those patrols; and, secondly, what process does the department have in place to ensure the sustainability of the patrols after the 2013–14 financial year has concluded?

Hon PETER COLLIER: I will make a general comment and then get the director general to comment on the operations. The Aboriginal community patrols are very effective. I have been out with these patrols. They are well respected in the Aboriginal community, particularly where there

are social issues such as homelessness, and issues with the law and within Aboriginal groups in the community. Those patrols access those elements of the Aboriginal community very effectively. They will target areas of extreme concern in not just the central business district of the metropolitan area but right throughout the state. They are operating obviously in metropolitan Perth, including now the east metro spine where there have been some significant issues, as well as Kununurra, Wyndham, Halls Creek, Broome, Derby, Roebourne, South Hedland, Laverton, Kalgoorlie, Meekatharra, Carnarvon, Geraldton and Mullewa. From my perspective and from feedback from not only the department, but also the Aboriginal communities, they are performing a very valuable and positive role in ensuring that that particular group of Aboriginal people that are really struggling from not only a social perspective, but also a family perspective are looked after. They may pick up some of these individuals and take them home. They may provide services and support, but for all intents and purposes they are achieving the intent—to identify issues of concern and areas where there may be social issues or trouble and they try to overcome those concerns. I am delighted with the patrols. I ask the director general to comment.

Mr Weeks: Last financial year the patrols made 87 000 contacts across the state. We can best describe the service as a diversionary service. One thing we are trying to do is to identify those who need assistance, because keeping someone out of the justice system is just as valuable as the support services we provide when someone is in the justice system. We have engaged an external consultant to conduct a review of the patrols. We have had some questions on that, but it is not a review of the budget allocation. The patrols have received increased funding in the past two years, with me coming into the agency, and prior to that. I think the total funding is \$6.2 million for those 14 locations. The review will focus on how we start to quantify that impact and how we can provide those KPIs back to government around identifying the effectiveness of the program. That consulting group will work with the patrol providers and gain their subjective information about how they perform that function.

Hon PETER KATSAMBANIS: The next area I want to discuss is economic and education participation by Aboriginal people across the state. What specific action has the government or the department taken to assist Aboriginal people gain employment or increase their business opportunities within WA?

Hon PETER COLLIER: That is a good question. It is a pivotal area. Sustainability within Aboriginal people means, in essence, providing a stimulus for resilience. That is why the economic participation strategy which I launched about 12 months ago is a key component of that. We have done a number of things, particularly with the new Aboriginal Affairs cabinet subcommittee. The economic participation strategy is divesting more responsibility to Aboriginal people so they are much more in control of their own destiny by being part of overcoming barriers that exist within their lives through self-awareness and self-fulfilment, as opposed to handouts. It has been successful in a couple of things. We have amended the state's open and effective competition policy to allow public authorities to purchase goods and services directly from an eligible Aboriginal business if the value of purchases does not exceed \$150 000, and also the new Aboriginal Business Directory WA, which is online. It is available free for all Aboriginal businesses in all industry sectors across the state. Over 150 Aboriginal businesses are registered on that directory. The target is to have 300 Aboriginal businesses on the directory by 2013. It provides an awareness of Aboriginal businesses that exist and a stimulus to support those businesses and, as I said, to assist Aboriginal people in becoming much more resilient in the way forward.

Mr Weeks: There are 28 state government agencies involved in that strategy. Again, it goes to refocusing the agency. Our function is to bring those other state government agencies together to focus on a policy function. In a simple sense, with the procurement reforms, sometimes our Aboriginal small businesses and enterprises find it difficult to compete and to go through procurement processes and to understand that tendering function. The ability of state government

agencies to be able to identify those businesses registered on the Aboriginal business directory means we can give them direct work so they can build that experience.

[2.20 pm]

Hon PETER KATSAMBANIS: On that, I recognise that a lot of the funding that comes in, particularly to some communities, comes from commonwealth grants and a lot of those grants are tied particularly around the provision of community housing. How does the commonwealth procurement guidelines assist or hinder the participation of Aboriginal businesses in those procurement processes; and what has the state done, or what can the state do, to correct that and to enable greater participation from local Indigenous business in those commonwealth projects that are being delivered in their own communities?

Mr Weeks: I guess the main thing out of that is that we need to get greater policy alignment between the commonwealth government and the state and, really, across the three tiers of government. One of the issues we are dealing with is that sometimes we cut across each other, all trying with the best intentions to make that difference. If we are duplicating policies or the policies are not connecting in with each other, we are not getting the optimum outcome. One of the key things coming out of the new cabinet subcommittee that the minister chairs is a subcommittee for economic development, which the director general of the Department of Regional Development will chair. One of that committee's primary functions is to work closely with the incoming commonwealth government to make sure that we get on the same page and that we pool resources around this. I know that the commonwealth government has a procurement model for trying to increase Aboriginal economic participation, but, again, we need to have the same conversation and focus on the same people, rather than trying to come up with separate policy platforms.

Hon PETER COLLIER: I just want to pick up on that. One of the focuses of attention of the subcommittee of the cabinet subcommittee is that economic development component, and we did that intentionally for exactly the reasons you have mentioned—to assist in overcoming that duplication that exists not only at the federal versus state level, and there is an enormous amount that exists, but also within the state itself. That is why we have the cabinet subcommittee to ensure that each of the various government departments knows exactly what is going on, so that that dialogue and the seamless transition of communication between all levels of government and within government are much better identified more effectively. Then these sorts of barriers are much more easily and readily removed.

Hon PETER KATSAMBANIS: A precursor, of course, to economic participation is educational opportunity, and obviously that is primarily a DOE responsibility. What is the Department of Aboriginal Affairs doing to assist greater participation and active participation in the education of Aboriginal students, and how would you describe your relationship with DOE in achieving that very laudable outcome of increasing participation and retention rates?

Hon PETER COLLIER: I think that one of the greatest barriers to overcoming the disparity or the gap that exists between Aboriginal and non-Aboriginal people are, dare I say it, the completely unacceptable standards of literacy and numeracy of a number of Aboriginal students and early intervention for Aboriginal students. Essentially, the models that we have been using over generations—it is not political; again, this is just my view of things—have not necessarily effectively targeted sufficient Aboriginal students in the early childhood years and developed those early intervention strategies. By the time a child reaches the latter years of primary education—certainly not at the secondary level of education—and with literacy and numeracy rates so low, it is very difficult for those students, firstly, to be engaged in education and, secondly, to retain their status in a school. There is no motivation. A lot of these students have great difficulty with the authoritarian nature of the secondary level of schooling in particular. When they have difficulties with literacy and numeracy, of course they disengage from the educational process, and a lot of it is

irrelevant to them. Having said that, again, a subcommittee of the cabinet subcommittee is on education specific to that.

I did a couple of things. First of all, Aboriginal Affairs now shares a building with Education. I am not sure whether you are aware of that. It is terrific down there. It was pretty much stuck in one of the cornflake boxes on St Georges Terrace and did not have good public access and did not have good access for Aboriginal people. The building at the Department of Education where it is stationed now is terrific. It is very open and inviting. It is a terrific vehicle for Aboriginal people to access. The fact that it shares the building with Education is not an accident; I did that intentionally.

I have also seconded a very learned man in Aboriginal affairs by the name of Duncan Ord, who was 2IC with Cliff. Cliff was kind enough to allow Duncan to move over and Duncan now heads the Aboriginal education unit at the Department of Education. What he will do there is identify all the education strategies that we currently have within DOE to ensure that they are as effectively targeted as they should be. We will make some significant improvements to make sure that it is well targeted in the very near future. I have mixed blessings for that, because Duncan is terrific within DAA and I know that Cliff and the crew miss him there. But he was formally at Education at one stage, so he has experience in that area. Because he has such a broad depth of understanding of Aboriginal people and the issues that exist, I am convinced that he will make sure that the strategies that we are using in education will be more effectively targeted.

Hon LJILJANNA RAVLICH: Minister, you made an announcement on 28 May 2013 in respect of the formation of this new committee that was tasked to improve the outcomes for Aboriginal Western Australians. On it you have four ministers—Deputy Premier, Kim Hames, and regional development minister, Brendon Grylls, but I do not know who the other two are.

Hon PETER COLLIER: Helen Morton.

Hon LJILJANNA RAVLICH: Helen Morton and yourself as chair. That was announced in 2013. If you just take yourself back to the Economic Audit Committee report that was produced in late 2009, it clearly states that the Aboriginal Affairs Coordinating Committee, which is a strategic body comprising eight directors general and the chair of the Western Australian Aboriginal Advisory Council, had recently been convened, and so on and so forth. Why is it that eight directors general can come together in order to work out the benefits for Indigenous people, but it takes the ministerial group some three to four years to get their act together under your stewardship?

Hon PETER COLLIER: Let me make one thing perfectly clear; they are two completely separate things.

Hon LJILJANNA RAVLICH: I understand that they are two separate groups.

Hon PETER COLLIER: I have no problem answering your question; it is a good question. It is because I was not satisfied that the AACC was doing its job. I have to be honest with you. That is the whole reason that we developed the subcommittee. They will agree to it; they will not be offended by the comment I have just made. You are right; the Aboriginal Affairs Coordinating Committee comprises eight directors general. They come together collectively and have a bit of a chinwag, but, with all due respect, I do not think that it was producing the positive outcomes that should have emanated from that group. The reason for that is that it did not have any real legitimate status. Cliff was effectively the chair of that, and it was very frustrating for him. It was very much an eight-silo effect.

Hon LJILJANNA RAVLICH: Is this not just a case of everybody else getting it wrong and you being the only one who is capable of getting something right?

Hon PETER COLLIER: If I can just finish my response, you will see where I am going with it. I do not think you will find anyone on the AACC—I will ask Cliff to comment in a moment—who will say that it was producing the outcomes that it should have. We have reconstituted the AACC. With Aboriginal affairs, as has always been the case, each department has its own jurisdiction.

[2.30 pm]

What actually happens very frequently is that each department does not know what the other one is doing—they are very territorial and they do not necessarily want to work collectively or effectively. That came back to me, not just from the director general of Aboriginal Affairs, but from a whole pile of people. I was talking to my ministerial colleagues and they agreed with me. They said that in essence the AACC is good in theory, but in terms of actually producing tangible outcomes, Health will go off and do what it wants, Education will go off and do what it wants and Mental Health will go off and do what it wants. Are we really working towards a collective improvement or do you have this sort of multifaceted approach that really does not hit the target?

Hon LJILJANNA RAVLICH: Mr Chair —

Hon PETER COLLIER: I am answering your question.

Hon LJILJANNA RAVLICH: That is enough.

The CHAIR: Let him finish, Hon Ljiljanna Ravlich.

Hon PETER COLLIER: After the election—I spoke to Cliff about this—we needed to have a situation whereby you did have some imprimatur or status of that committee through the cabinet subcommittee. That is what we have done. We have created a cabinet subcommittee. Cliff now chairs the AACC and he comes to the cabinet subcommittee, and at last he has got some authority on the jurisdiction. I am delighted with the fact that at last Cliff has actually got some authority over the AACC and we will all be rolling in the same direction. Do not take my word for it, I will ask the director general to pass comment.

Hon STEPHEN DAWSON: Chair, I have been sitting patiently for a while, so I would appreciate getting the call.

The CHAIR: Members, I will go through a process—I note you are the lead speaker—and you will get your go.

Hon STEPHEN DAWSON: Chair, it seems to be that there are lots dorothy dixers happening.

Hon PETER COLLIER: That question came from Hon Ljiljanna Ravlich.

Hon STEPHEN DAWSON: Hon Peter Katsambanis has had a few. It has been standard practice in this committee and in the house not to have dorothy dixers and to in fact allow opposition members to question the minister.

Hon PETER COLLIER: Was that not an opposition question?

The CHAIR: Members, we do not need to get into a debate about this. I will go through in a respectful manner in terms of giving people questions that they have.

Hon PETER KATSAMBANIS: On a point of order, I have been smeared. I would like the opportunity to correct the record and point out that I was the one who after having been given the right to question by the Chair, ceded my questioning to Hon Ljiljanna Ravlich to continue on an area that I had touched on. I seek that Hon Stephen Dawson withdraw that comment, because I do not think it adds any standing or good grace to the conduct of this committee.

The CHAIR: Members are entitled to make their views heard. With respect to dorothy dixers, every member will see them in a different way. I want to get back to getting as many questions asked as possible. I will give Mr Weeks the call, then I will go back to Hon Ljiljanna Ravlich and then I will go through and give other members who have indicated they want the call the chance to ask questions.

Mr Weeks: It definitely has made a difference. I went to a heads of agency meeting two weeks ago in Adelaide and one of the things that all governments in the jurisdictions are struggling with is how to give their Aboriginal affairs portfolio the imprimatur to go through and drive accountability

across government. So the DGs, we get around the table and we are all there for the same purpose: we want to make a difference. Having the imprimatur from cabinet to be able to drive some of the reforms across cabinet is a definite advantage.

Hon LJILJANNA RAVLICH: Could the minister provide the committee with the dates of when the meetings of the AAC committee have been held since 2009, together with the minutes?

Hon PETER COLLIER: Certainly the AACC. Do you want the cabinet subcommittee as well? I have the dates of that if you like.

Hon LJILJANNA RAVLICH: Yes; and can I have the minutes of all AACC meetings.

[Supplementary Information No C1.]

Hon PETER KATSAMBANIS: In relation to the applications under section 18 of the Aboriginal Heritage Act, which Hon Robin Chapple touched on, you ought to be aware, obviously, that the participants in that process have often raised criticisms about firstly, the time taken to grant consents—you partly addressed that in answer Hon Robin Chapple's questions—but also in relation to the very detailed requirements that lead to higher costs of preparations of applications and then both the difficulty and the cost of complying with the conditions given on consent notices. What action has the government or the department taken to address those concerns from stakeholders?

Hon PETER COLLIER: In terms of that longevity of the applications?

Hon PETER KATSAMBANIS: For longevity, the high costs of preparation and also with the time and cost of complying with conditions.

Hon PETER COLLIER: We have done a number of things and we will continue to do so when we make some amendments to the Aboriginal Heritage Act with regard to the actual process itself.

Mr Rayner: In 2012–13 we received 122 section 18 applications and over 75 per cent met the 70-day target processing time frame, which represents a 20 per cent increase in performance compared to the previous year, so it is a much improved processing performance for the agency. That is good news for applicants because, of course, the amount of time it takes to process an application affects how quickly you get to a final investment decision and how quickly you can get on the ground to do the work et cetera. That is being received very well from the people who apply for section 18s. Last year as well the committee took a more pragmatic approach to recommending conditions on the consents. As you know, when a section 18 comes in, the committee considers the section 18 and then make recommendations to the minister about whether he should agree to this section 18—the consent—and then they recommend conditions. They have taken a much more targeted review on condition setting and that has resulted in lower compliance costs, on average by about 50 per cent. We have seen high performance in terms of turnaround and we have seen a reduction in red tape and costs.

Hon PETER KATSAMBANIS: What is the time frame for the review of the amendment of the act?

Hon PETER COLLIER: Ideally, I would like to think that I will read it in this year, but I cannot give that guarantee—if not this year, next year.

Hon STEPHEN DAWSON: I refer to page 319 of budget paper No 2, “Financial Statements”, “Income” and the line that reads —

Royalties for Regions ... funding for Aboriginal Community Emergency ... and Governance and Leadership ... Will be received by the Department in 2013–14.

It has been the best part of the year since the state government delivered its response to the WA Indigenous Implementation Board final report in which a figure of \$2.3 million was mentioned in this area. I will give the minister three questions so he has the chance to look at that point. What is the status of the business case for the leadership and governance program? I am aware that some

agencies were consulted three years ago. Will they have an opportunity to have some input again? Will the minister commit to ensuring that this a priority for his agency so we actually get on with this important issue?

Hon PETER COLLIER: Yes, I will. I will just get the director general to make some comments from an operational perspective, and then I will make some comments.

Mr Weeks: I have met with Paul Rosair, who is the director general of Regional Development, with him taking on the subcommittee that the minister mentioned before and economic development and governance. They see this as one of their key priorities. Yes, there have been a number of iterations of that business case. What actually happened was that it started to change to suit so many different needs of different stakeholders, so obviously started with the Pilbara Futures discussion with a whole range of Aboriginal people in that setting and really the onus was that the government was going in and saying, “Wouldn’t it be great to have one voice from the Aboriginal community?” and the Aboriginal community came back and said, “Wouldn’t it be great to have one voice from government?” It was a really good dialogue, but then we had the government’s response to the Indigenous Implementation Board review, and they had some other ideas about regional governance and it really started to dig into cultural authority and where cultural authority starts in terms of not only regional governance, but corporate governance. There have been a whole range of iterations and we have tried to accommodate as many needs as possible.

[2.40 pm]

What we have done now, in agreement with Regional Development, is that the Western Australian Aboriginal Affairs Advisory Council, which is a board created under the Aboriginal Affairs Planning Authority Act, is now going to work with the Department of Regional Development to finalise that business case and work out what the focus will be in terms of governance and leadership. Yes, I will put my hand up; it has taken too long, but it has been trying to accommodate what is a very complex area, and a whole range of stakeholders have different views on what leadership and governance is.

Hon STEPHEN DAWSON: Do you have a sense of when it might come to fruition?

Mr Weeks: As soon as possible. The reality is that the money is in the budget, so there is capacity to be able to deliver those programs now. At this stage it will focus on corporate support around prescribed bodies corporate around Aboriginal communities, so they have got their corporate capacity to be able to deliver business, but at the same time it is about fleshing out this cultural authority and how government engages with Aboriginal cultural authority to be able to get greater influence over our programs, design of services and so forth.

Hon PETER COLLIER: That advisory committee is a very good committee; that will provide guidance as well.

Hon STEPHEN DAWSON: You will give an undertaking, minister, to make sure this is a priority.

Hon PETER COLLIER: We will certainly expedite it; absolutely.

Hon STEPHEN DAWSON: Because my fear is that the money will be taken away. We have seen dollars elsewhere disappear, so I just hope this does not disappear. Just moving on, minister, I want to ask how many vacant positions exist in the department at present, and can you provide a breakdown of those positions and where the staff are located? I am happy to take it as a supplementary if you have not got it today.

Hon PETER COLLIER: We might need to.

Mr Weeks: I can give you some general numbers, but I prefer to give you the detail through supplementary information.

Hon STEPHEN DAWSON: That is okay. If you have not got it, I would like it as supplementary information. Chair, that was again for Hansard.

The CHAIR: Sorry?

Hon PETER COLLIER: It is the numbers of vacancies in the department and a breakdown of the roles; is that correct?

Hon STEPHEN DAWSON: Yes, the roles, and where the positions are located.

Hon PETER COLLIER: So a breakdown of the roles of the vacancies, yes.

[*Supplementary Information No C2.*]

Hon ROBIN CHAPPLE: As a supplementary to the information sought, could I get the qualifications and the CVs of those members, please?

The CHAIR: Is the minister able to provide that information?

Mr Weeks: Yes, we could, but I think we are getting into the realm of personal information about employees. If they are performing a specialist function, then absolutely, but I am not quite sure —

Hon ROBIN CHAPPLE: To fulfil the role of their employment, I would like to see verification of their qualifications.

Hon PETER COLLIER: That is unique ground. I do not know if we —

The CHAIR: I guess with my limited knowledge here of these things —

Hon ROBIN CHAPPLE: Maybe we will just deal with that in the heritage section.

Hon PETER COLLIER: Yes. If there is a specialist area like heritage, I can understand —

The CHAIR: If it is an essential requirement of their job description that they have qualifications, then the information that has been asked for by the member, I think, is not unreasonable.

Hon ROBIN CHAPPLE: It is stated in section 28 of the act.

Hon PETER COLLIER: And you are talking specifically about the heritage component.

Hon ROBIN CHAPPLE: Correct.

Hon PETER COLLIER: Okay. From that component, I think it is probably fair enough.

Hon KEN TRAVERS: So we will add that on to C2.

Hon STEPHEN DAWSON: Minister, I am still on page 319. It looks to me that there has been a reduction in staff at the agency. Can you confirm how many FTEs the DAA lost in 2012–13 and will lose in the 2013–14 financial year?

Hon PETER COLLIER: I will ask Mr Weeks. I am not sure if he will be able to tell you about the 2013–14 financial year. He is not going to pre-empt something that might or might not happen.

Mr Weeks: At this stage there are no staffing cuts planned for the department in 2013–14. In the previous financial year, as part of the state government's efficiency drive, we did lose 30 FTEs. Those positions were vacant at the time, and this went in line with the restructuring of the agency and refocusing on those four key areas. So the agency has now, I guess, locked in what its responsibilities are and we have mapped FTE to that. The positions were vacant at the time. That is why they were taken. But I would just have to clarify that, in terms of service delivery, there has not been an impact from losing that FTE.

Hon STEPHEN DAWSON: It is strange to lose 30 staff and have no impact. Chair, can I just ask further on this point: have you had any staff indicate that they will accept the government's voluntary redundancy program?

Mr Weeks: I have certainly had some staff that have indicated they are interested in the scheme, but at this stage I have not put any of those interested people through the system.

Hon STEPHEN DAWSON: And if they were to be successful, have we got a guarantee that we would actually get to replace those staff, or would that again be a decrease in the number of staff in the agency?

Mr Weeks: I think the point of the redundancy is that you lose that position, so there are no plans for the agency at the moment to reduce its FTE.

Hon STEPHEN DAWSON: Chair, I have some other questions in a different area. I am happy to ask one more.

The CHAIR: I am happy for you to have a couple more.

Hon STEPHEN DAWSON: Thank you. I refer to page 316, “Outcomes and Key Effectiveness Indicators”. Under the outcome for better utilisation of the Aboriginal Lands Trust estate, I want to ask: what is the annual budget provided to the Aboriginal Lands Trust to manage the land and buildings that they are responsible for; and, by way of supplementary information, will the minister provide a list of the land and properties that belong to the DAA and the Aboriginal Lands Trust?

Mr Weeks: In terms of appropriations for the ALT, their main source of revenue is from mining rents and royalties, so that goes through to the Department of Mines and Petroleum—any activity or mining activity that actually happens on the trust or on the estate. That money is then put through under the Aboriginal Affairs Planning Authority Act for the lands trust to be able to utilise. I do not have the exact figures, but I think that is in the order of about \$400 000 a year.

Hon STEPHEN DAWSON: Is there a line item in here that indicates that figure?

Mr Weeks: No. The Aboriginal Affairs Planning Authority is actually a discrete entity, so there is a separate annual report for that. It is not through the state budget process.

Hon STEPHEN DAWSON: Okay. So how would members of Parliament get access to that? Can we ask now that you provide that as supplementary information?

Mr Weeks: There is an annual report.

Hon PETER COLLIER: Yes.

Hon STEPHEN DAWSON: Okay. Could you provide by way of supplementary information a list of the land and properties that the DAA and the Aboriginal Lands Trust are responsible for?

Mr Weeks: Yes, we could do that.

[Supplementary Information No C3.]

Hon STEPHEN DAWSON: Just further on that point, does the DAA have an asbestos management plan for the properties that the department and the ALT are responsible for, and will the minister provide it by way of supplementary information?

Mr Weeks: Look, we are developing an asbestos management plan. Obviously, there have been some critical issues that have come to our attention on the estate. Historically, assets on the lands trust have been mismanaged; there is no other way to describe it. So the agency’s function at the moment is to find out more information about those assets. There have been a whole range of government agencies and private entities that have pretty much just placed assets on the estate itself, so in terms of the register being able to show you what the landholdings are, we do not have a detailed asset management plan around each of those buildings. At the moment we are working with the Department of Environment Regulation and the Department of Housing to utilise their experience in how to manage some of these asbestos issues. There was one recently in Beagle Bay where the department acted quickly to contain what was an asbestos issue. We engaged a licensed contractor to go into that building and actually isolate the asbestos itself. We have put that work on

hold, though, to align it with the school holidays. The contractor said that there was no risk, but just for the perception of the community, we wanted to make sure that they felt safe around it, so we have delayed the work until the school holidays now.

Hon STEPHEN DAWSON: I am pleased that you have, because I have written to the minister on that issue, asking for that to happen. When can we anticipate that you will have a plan for those properties, and what is the time line that you are going to try to work towards?

Mr Weeks: Well, it is ASAP, but it really is trying to bring these agencies together to work out how we approach this. There are 280 Aboriginal and remote communities. To think about going out and undertaking an audit of all the assets on the estate is a massive task, so we need to be able to prioritise which communities will be able to undertake that task, but at the same time be able to identify what information is already available in the department —

[2.50 pm]

Hon STEPHEN DAWSON: Will you be able to do that with the existing resources or will you need some extra assistance if the government makes this a priority, minister?

Hon PETER COLLIER: As Mr Weeks said, with over 280 remote communities it is very, very difficult, as you can imagine. It is —

Hon STEPHEN DAWSON: Look, I know it is difficult but my fear is that in 40 years' time we will have an epidemic of Aboriginal people in their 40s who have asbestosis or mesothelioma—I will not even try to say it again!

The CHAIR: We know what it is.

Hon STEPHEN DAWSON: Asbestosis. I have been asking questions about this, but it would be good to have a plan in place to start dealing with this issue.

Hon PETER COLLIER: It is certainly on the radar for the department and I am very conscious of that, as I said. Certainly, as it becomes more and more prevalent it is important that we expedite the process as quickly as we possibly can. The department is aware of it, as I said, and certainly I have great confidence that it will be developing a process or a program that will get to the communities as soon as they possibly can.

I am not sure if you can provide any more comfort than that, Cliff?

Mr Weeks: Just that we understand the seriousness of the nature and we are trying to respond the best we can.

The CHAIR: Does Hon Rick Mazza or Hon Martin Aldridge have questions? Hon Martin Aldridge and then Hon Alanna Clohesy.

Hon MARTIN ALDRIDGE: With respect to budget paper No 2, page 320, under the heading “Income from State Government, Royalties for Regions Fund”, it is noted as \$8 712 000.

Hon PETER COLLIER: Yes.

Hon MARTIN ALDRIDGE: On the page prior on page 319, under the heading, “Income Statement”, there is a subheading of “Income”. There is some \$7.6 million for the Aboriginal Community Emergency Response Fund and \$960 000 for the Governance and Leadership program. That is a total of \$8 560 000. The difference between those two figures is \$152 000. Could the minister tell me what programs within the department that royalties for regions provide for this funding to make up that difference?

Mr Weeks: I will refer to the executive director of corporate services, but what you are actually seeing with those two figures is the Aboriginal Community Emergency Response Fund broken into two allocations across two financial years. The first one was \$2.6 million and the following is

\$7.6 million; that makes up the balance of the \$10 million fund. The \$960 000 was the same as the first instalment of the, I think, \$3 million R for R for regional governance.

Hon MARTIN ALDRIDGE: Would the \$150 000 you mentioned from the Aboriginal Community Emergency Response Fund be in the 2012–13 estimated actual? Why would that appear then in the budget estimate for this financial year?

Mr Weeks: I cannot do that from an accounting point of view, but one of the differences with the Aboriginal Community Emergency Response Fund is it is treated as a pool of dollars to be essentially reclaimed from the responsible agency. The \$150 000 they are referring to was a commitment to the Laverton store. We had a supermarket—essentially; they did not have one in Laverton for I think around 12 months. We used that emergency fund to go into a joint venture with IBA and a range of other stakeholders to get that Laverton store back on track and open again, which it has now. But what that fund is used for is for me to be able to make a quick decision with those other director generals. If we need to do it, we will make that decision and then we try to get the money back from the responsible agency.

Hon PETER COLLIER: It might be a flood or it might be a fire or something along those lines.

Hon MARTIN ALDRIDGE: The minister is saying that the \$150 000 that went to the Laverton store in 2012–13 is then showing in the income for 2013–14 because the fund is essentially being reimbursed for the outlay; is that correct?

Mr Weeks: Yes.

Hon MARTIN ALDRIDGE: Who is reimbursing that money? Was the Laverton store run by a community group and they were reimbursing the money or the department?

Mr Weeks: We explored a whole range of options, but one of the undertakings I have to give is that if I cannot find anyone, then I pay for it. So the department ended up paying for that.

Hon MARTIN ALDRIDGE: Right. Should it be classed as income if it is not going to be recovered?

Mr Weeks: One of the differences—again, I am not trying to make it complicated, I am trying to make it simpler, but that fund actually sits in the Aboriginal Affairs Planning Authority Act. So it comes through our budget papers and then it is actually sent through to the account in the APA, which is an interest bearing account. I cannot give you the technical answer to that now, and I do not know if my ED corporate services can. But otherwise I am happy to take it on notice to give you clarification.

The CHAIR: Is Mr Kar able to assist?

Hon PETER COLLIER: No, we will take it on notice.

The CHAIR: That will be noted as C4.

[Supplementary Information No C4.]

Hon MARTIN ALDRIDGE: Specifically, in relation to the Aboriginal Community Emergency Response Fund, that is a \$10 million rolling fund. Obviously, if there are projects or situations that are funded—that the money is not recovered, then the fund will gradually, over time, reduce. There has not been any policy shift on that, has there? What I am receiving from the community is that some people are of the belief that it is not a grant that has to be repaid; it is simply a grant to deal with emergency situations. There has not been a shift in policy in relation to the fund?

Mr Weeks: No, it has not been formalised. There has been discussions with the Department of Regional Development that if we keep on having the requirement that someone has to pay the fund back, then it is going to limit our ability to actually respond. If I, in essence, end up just paying for it —

Hon PETER COLLIER: It would defeat the purpose of the funding in the first place.

Hon MARTIN ALDRIDGE: You would not get any money out the door because you are not going to get anyone to sign the agreement to pay it back.

Hon PETER COLLIER: Exactly.

Mr Weeks: That is right. So we are trying to relax that at the moment.

Hon MARTIN ALDRIDGE: Thanks.

Hon ALANNA CLOHESY: I would like to go to page 317, under the heading “Accountable Government”. For 2012–13, there was budgeting for 104 employees, but there ended up being an estimated actual of 44 FTEs. What was the big change there?

Mr Weeks: What I mentioned previously was that the role of the agency —

Hon ALANNA CLOHESY: That was not just in heritage?

Mr Weeks: No, it was across accountable government. One of the things that, I guess, the agency failed in the past, was that if we saw a gap, then the agency jumped in head first to try to deal with that issue. My very simple language is if it is an education issue, then it is the Department of Education. If we need to work closely with that agency around policy responses and an understanding of that within an Aboriginal context, we will do that; but by me sending my officers in to actually deal with that issue was just contributing to the problem. We have realigned some of that FTE into other parts of the agency.

Hon ALANNA CLOHESY: How would you explain the reduction in the average cost per 1 000 of Aboriginal population for the same year where it was budgeted to come in at \$327 956, but it ended up just being \$189 342?

Mr Weeks: Those efficiency indicators are actually taken from an average of expenditure by the state government across all services for Aboriginal people. So there is a commonwealth and state report called the National Indigenous Expenditure Report and that captures all of state governments’ expenditure on services for Aboriginal people. The expenditure last financial year was, I think, \$2.3 billion. That is a figure that uses that, and then divides it by one of every 1 000 Aboriginal persons within the state. It is not really a reflection on our expenditure; it is a reflection on the state’s expenditure as a total across the Aboriginal population.

Hon ALANNA CLOHESY: I might come back to that one. That is all for the time being, I need to look at that.

Hon SAMANTHA ROWE: Thank you, Mr Chair. I refer to page 317, under the heading, “Heritage Management”. My question is in three parts. In relation to the department’s employees full-time equivalents, can I ask the minister to advise on the percentage of staff within DAA that identify as Aboriginal? I would be interested in knowing if he could also provide the information on the levels of those staff.

Hon PETER COLLIER: Some 33 per cent of the staff identify as Aboriginal. Sorry, what was the second part?

Hon SAMANTHA ROWE: The second part was: can you provide the information of the levels of those staff?

Hon PETER COLLIER: Of each individual. I think we need to take that on notice.

Mr Weeks: I can start from the top, I guess. In terms of executive structure, there is myself, Mr Strickland, as an executive. We have two of our six executive positions who are Aboriginal. Out of our next tier down in terms of directors, I think there are five level 8s. But we can give you a breakdown across the staff structure as a supplementary.

[3.00 pm]

[*Supplementary Information No C5.*]

Hon SAMANTHA ROWE: Is the 33 per cent across all of the service levels?

Mr Weeks: Yes.

Hon SAMANTHA ROWE: Okay. Can you break it down to the four different service levels, the first one being heritage management—what is the percentage? Is it 33 per cent or is that for the total?

Mr Weeks: It is for the total.

Hon SAMANTHA ROWE: Can I have the breakdown for it then.

The CHAIR: So is that all going to be part of C5?

Hon PETER COLLIER: Yes.

Hon STEPHEN DAWSON: Further on that point, 33 per cent is commendable; it is much better than the average in other agencies but I would like to ask what the government is doing to increase that figure further.

Hon PETER COLLIER: Ultimately of course it is up to the director general et cetera through employment—I am not passing responsibility to the director general because that would be wrong. Wherever I go, and I emphasise that within education, or any of my government departments, or anything I have responsibility for, we encourage Aboriginal employment. Now, that is not just in government or within the Department of Aboriginal Affairs; I work closely, intimately, with specific industry groups right throughout the state working towards increasing their Aboriginal traineeships and employment. There is one particular area that we are targeting at the moment, the resources sector, that I feel has been a bit lacking in that area, so we are working with that group at the moment. You will find that most of them are very receptive to and very supportive of the notion. The hospitality industry, for example, is probably exceptional in terms of the effort that they make. But in terms of government, yes, we have a whole-of-government approach in regard to employment. From my perspective, I take a personal, hands-on approach in regard to Aboriginal employment. Just recently I spoke to Cliff Weeks and Clinton Wolf, who is the head of the Western Australian Aboriginal Lands Trust. There are a few areas, particularly in the north of the state, that we feel could improve and we are working collectively and at the same time individually—myself, Cliff in his role and Clinton is his role—to the same end.

The CHAIR: Do you have a question on the same area, Hon Robin Chapple? Have you finished Hon Sam Rowe?

Hon SAMANTHA ROWE: Yes.

Hon ALANNA CLOHESY: I just wanted to ask a further question on that point.

The CHAIR: On that point?

Hon ALANNA CLOHESY: Yes. So you are all working and encouraging people to do things. What are the key performance indicators on that? What target are you hoping to reach in terms of Indigenous employment, and is there a gender overlay with that? Are there targets in relation to women, particularly in senior executive positions?

Mr Weeks: The state signed up to a national Indigenous economic participation agreement a few years ago as part of the COAG process. The state signed up to 3.2 per cent representation across the public sector, so at the moment —

Hon ALANNA CLOHESY: And in your department?

Mr Weeks: That includes all state government agencies, so you can imagine if some agencies are getting 10 per cent or 20 per cent then they are doing the heavy lifting. It is now about getting that type of approach across all public sector agencies. One of the things that the Public Service

Commissioner has done is that in each CEO's performance agreement there is now an element around increasing the Aboriginal employment percentage and this is the way that the state will actually meet those targets in the national partnership agreement. It is something that goes up to each individual minister as part of our performance reports and we can identify which agencies are improving.

Hon ALANNA CLOHESY: Is there a gender element to that, particularly in senior executive positions?

Mr Weeks: The Public Sector Commission does have targets around gender equality —

Hon ALANNA CLOHESY: But for Indigenous women?

Mr Weeks: To be honest, I do not know if we do break it down to that. I can take that on notice and find out.

Hon ALANNA CLOHESY: Thank you.

The CHAIR: We can save that for when we get on to the police later in the week minister; it is an interesting question there, if there is not notice for that.

Hon LJILJANNA RAVLICH: Thank you Mr Chairman. Can I just go back to the issue about —

The CHAIR: Can I just interrupt. Are you going to provide some further supplementary information?

Hon PETER COLLIER: Yes, about gender equality.

[*Supplementary Information No C6.*]

The CHAIR: It may end up being combined with supplementary information C5.

Hon LJILJANNA RAVLICH: Minister, just going back to the analysis that you gave about the Aboriginal Affairs Coordinating Committee where you put on the public record that they were not doing a particularly good job —

Hon PETER COLLIER: I said it was not as effective as it could be.

Hon LJILJANNA RAVLICH: Okay. I want to put this on the public record because the Economic Audit Committee report, which you know was brought down in late 2009, on page 149 said of the same committee that you referred to —

The success of the AACC to date is attributed to:

- developing a common vision and agreeing to key areas of collective action;
- addressing systemic blockages;
- leadership and strong relationships to override traditional 'red tape' barriers;
- creating new public service instruments to augment collaborative effort;
- driving systemic change; and
- collaborating to achieve better coordinated and locally appropriate outcomes.

Can I just ask you minister, how is it that according to the Economic Audit Committee report, which you know, cost a zillion dollars and had some very, very learned people on it, reckons that the AACC was a great committee doing a great job and you have just come to this place and paid out on that committee saying it was not achieving its objectives. Can I just get some idea of where you are coming from because it just does not make sense to me. All I can think of is that it is you going back to you knowing better than everybody else. Can you just explain why you hold the view that you do, which is totally contrary to that contained in the Economic Audit Committee report of 2009.

Hon PETER COLLIER: Certainly. Can I just emphasise one thing; the AACC had been pretty much dormant for almost a decade before we got to power. So we resurrected it. Kim Hames resurrected it; so let's put that on the public record.

Hon LJILJANNA RAVLICH: Yes but this is 2009; this is the Economic Audit Committee of 2009.

Hon PETER COLLIER: On the public record, the AACC had been dormant. Now you are talking about 2009, we came into office at the end of 2008. As I said, I took over as Minister for Aboriginal Affairs 18 months later and because of the fact that the AACC had pretty much been dormant for most of that time, it is very little to compare it to. Now what happened—can I just emphasise again, the Aboriginal Affairs Coordination Committee had no imprimatur from government, other than that they would meet. You had these eight directors general from government who would come along, sit around a table and have a chat. But when it came down to it, they had no authority. As I said, that is not passing reflection on the role that they played in their individual departments. They may have been very effective in their particular departments, but as we all know, with Aboriginal Affairs—and anyone that has anything to do with Aboriginal Affairs would understand this—in order for there to be effective policy networks or effective policy outcomes, you need a coordinated approach. You need, as we learnt earlier today, cooperation and coordination between departments and cooperation and coordination between levels of government. The AACC simply was not achieving that. We were getting to the point where it was very frustrating for Cliff, or whoever held the role of CEO of Aboriginal Affairs, to actually do anything constructive from the AACC because, in essence, it had no imprimatur from government. A couple of things —

Hon LJILJANNA RAVLICH: So the Economic Audit Committee got it wrong and you got it right?

Hon PETER COLLIER: Can I explain to you again, the AACC did not exist for almost a decade before we re-established it at the end of 2008, early 2009.

Hon LJILJANNA RAVLICH: That may be so.

Hon PETER COLLIER: You are talking about the audit committee of 2009.

Hon LJILJANNA RAVLICH: Black and white.

Hon PETER COLLIER: I am just explaining to you.

The CHAIR: Can we just have one at a time for the benefit of Hansard.

Hon PETER COLLIER: I am sorry Mr Chairman.

The CHAIR: It was aimed at both of you, minister.

Hon PETER COLLIER: As I said to you, yes theoretically, if you are looking at me saying, if you get the departments of eight governments together, theoretically you would assume that you would provide some positive outcomes. But we all know that government is very territorial and very frequently, when you do need that coordination, there is that silo approach—particularly with regard to Aboriginal affairs. So, in theory, yes, the Aboriginal Affairs Coordination Committee should have produced good outcomes but as I said—do not forget I was Minister for Aboriginal Affairs for two years—by the time we were coming through I had heard enough from various directors general of whose departments when I was minister, expressing concern about the effectiveness of the AACC. What we did after the election was that I spoke to the Premier, spoke to Cliff and that is when we decided that in order to give the AACC more teeth we would actually give it the imprimatur of government through a cabinet subcommittee. It has been unanimously endorsed; they love it.

[3.10 pm]

It is getting to a point now where the committee, the Aboriginal Affairs Coordinating Committee, has got some teeth. Cliff likes that because, of course, he can go there and say, “This is government

policy.” This is not a reflection of the AACC, but I am saying to you that it was dormant and we resurrected it, and now we have improved it further.

Hon LJILJANNA RAVLICH: Can I just ask a follow-on question.

The CHAIR: Is it on this matter?

Hon LJILJANNA RAVLICH: No.

The CHAIR: I think the Hon Jacqui Boydell also has a question, so if you have a follow-on question. First, Hon Ljiljanna Ravlich — then Hon Jacqui Boydell.

Hon LJILJANNA RAVLICH: I cannot find reference to this in the committee papers—but as Minister for Aboriginal Affairs you would know—I read somewhere that the Closing the Gap partnership agreement on Indigenous health outcomes would not be signed by the government until such time as its finances are sorted out, vis-a-vis the budget. Can you advise whether the national partnership on Closing the Gap on Indigenous health outcomes has been signed, and, if so, when was it signed?

Hon PETER COLLIER: In the last six weeks it was signed for one year.

Hon LJILJANNA RAVLICH: Are all the national partnership agreements under Closing the Gap that apply to Indigenous people current, and have they all been signed?

Hon PETER COLLIER: We will now begin negotiations with the new federal government.

Hon LJILJANNA RAVLICH: Are you saying that some are not signed?

Hon PETER COLLIER: Yes.

Hon LJILJANNA RAVLICH: Which ones have not currently been signed?

Mr Weeks: Before the election, the commonwealth government had flagged a new national Indigenous economic participation agreement—that is one that is on the agenda. I am not sure about the status of the National Partnership Agreement on Remote Indigenous Housing. We are treating it as though there is now a new regime at the commonwealth level and we now need to engage with it on what the state’s priorities are and align them with commonwealth priorities.

Hon LJILJANNA RAVLICH: You might treat it like that, but with all due respect I think that the people of this state would expect that their programs would continue if they are programs that are designed to be over a number of years. Are you saying that the National Partnership Agreement on Remote Indigenous Housing may not currently be signed? Is that correct?

Mr Weeks: I said that I am not quite sure of the status of that, and we now need to work on state and commonwealth priorities.

Hon LJILJANNA RAVLICH: Mr Chairman, can I get through the committee the date at which the partnership expired, and the length of time that it has now not been an agreement with the commonwealth, if you like. Can I also have the same information for National Partnership Agreement on Indigenous Early Childhood Development, the National Partnership Agreement on Indigenous Economic Participation, the National Partnership Agreement on Remote Service Delivery, and the National Partnership Agreement on Remote Indigenous Public Internet Access? Can I also have the expiry date in Western Australia for each of those specific national partnership agreements, the financial contribution required—if any—for WA to reinstate those partnership agreements with the commonwealth, and when the expired agreements were to be re-signed by the WA government if it has not already done so?

Hon PETER COLLIER: Yes.

[Supplementary Information No C7.]

Hon JACQUI BOYDELL: I want to briefly carry on from Hon Ljiljanna Ravlich’s comments on the Aboriginal affairs cabinet subcommittee and the Aboriginal Affairs Coordinating Committee. I

do not understand the argument that the Aboriginal Affairs Coordinating Committee should not have the imprimatur of government. I believe that it should and that because it has not previously had the imprimatur of government, we continue to have this lack of importance in the role of government in Aboriginal affairs. I commend cabinet for appointing this committee. To further understand the development of this subcommittee and why it is necessary, can you explain some of the roles and key positions that the cabinet subcommittee has taken on with the Aboriginal Affairs Coordinating Committee and what the likely outcomes are?

Hon PETER COLLIER: I will get the director general to comment in a moment. Personally, I was really frustrated as Minister for Indigenous Affairs as a lot of the things that I really wanted to do and that I talked to Cliff about were simply not going anywhere. This has gone on for generations, and it is simply unacceptable. With your indulgence, Mr Chair, when I took over as Minister for Aboriginal Affairs, I asked the then director general, who had just moved on, to provide me with a list of all the programs for Aboriginal affairs that existed. He had difficulty doing that because, of course, they exist in each department. I said surely he could talk to the departments and get the programs that exist and have little bit of coordination. It was with great difficulty, but we finally got there. You would not be surprised that we had pages and pages of different programs, a lot of which were not necessarily effective and were duplicated across departments and at the federal and state levels and the private sector. It became increasingly evident to me that the system as it currently existed needed improvement. There is an enormous amount of goodwill out there. We have moved on as a community and a society, and now the vast majority of Australians want to close the gap. They genuinely want to improve the livelihoods of Aboriginal people—one of the most marginalised groups in our community. They acknowledge that for Aboriginal people health and welfare, literacy and numeracy rates, housing, and mental health are appalling in comparison. I said, “Let us have a look. We have an AACC and the Western Australia Aboriginal Advisory Committee—all these different committees, but not necessarily effective outcomes.” I am answering your question, but I need to emphasise why we did it. As I said to the question from Hon Ljiljana Ravlich, the AACC in theory should have been doing it. You are right; it should have been doing it. That is no disrespect to the various departments—I want to emphasise that—because they go out there and do what they feel is right in health or education or whatever it might be. But you cannot just look after the education of Aboriginal people in a particular community and not look after housing or employment et cetera—you cannot do that. For example, when I was at Onslow a couple of weeks ago, I met with a group of Aboriginal people faced with the dilemma that if they get a job, they lose their housing—and they cannot afford housing in Onslow. It is an oxymoron. I am saying that there is not that sort of coordination that exists between the various departments. Cliff is a top director general, with all due respect—he is so good. It was frustrating both of us that with felt that we were not getting what we needed out of government. I had a conversation with the Premier and said that I was frustrated with this; it does not matter who he put in this job, we will have this pedestrian mediocrity unless we actually had the imprimatur of government on this. You are right—the AACC as a statutory body should go off and do what it told to, but it has not been doing that. The cabinet subcommittee is now—and I will get Cliff to talk about what we have achieved so far in terms of its structure et cetera—allowing Cliff to go out there with a skip in his step and flex his muscles, which is something he has not been able to do before. I will get him to talk very briefly; sorry I carried on a bit there.

The CHAIR: Not because he is sending the transcript to the next Salaries and Allowances Tribunal review—with a skip in your step, Mr Weeks!

Mr Weeks: One thing—it is not to understate this—is the importance of having central policy and operational alignment across government. You can have the best policies in the world but if you do not have a clear line of sight to how they are delivered on the ground, somewhere along the way you get a mismatch. I have mentioned this before. The best thing about the cabinet subcommittee is the ability for me as a relatively junior director general—the AACC as a statutory committee is a

voting committee in which all the directors general get to vote on the decisions we make—to have a single vote as the chairperson. This enables me to take some of my issues and the issues of those directors general to a subcommittee of cabinet. I have face-to-face conversations with a range of ministers and tell them that this is important and we need your approval and imprimatur to progress this.

[3.20 pm]

So it is as simple as that. It may seem like it is a very simplistic thing, but in terms of me being able to carry out my function of providing greater accountability across government agencies to deliver outcomes for Aboriginal people, it is hugely useful. It does not mean that there has not been a lot of effort and a lot of goodwill and intent from within the sector and with other directors general; it just means that the ability to have that conversation directly with cabinet members means that we can fast-track things and we can get things done.

Hon ROBIN CHAPPLE: I want to go back quickly to the last question I asked to clarify two points. Can I get a clarification from the heritage manager, Mr Aaron Rayner, when he said that it was his advice that there was no need for an anthropologist on the ACMC to be in attendance at that time? I just want to clarify that it is from his advice and not from legal advice.

Mr Rayner: We have had State Solicitor's advice on this matter. I think a basic reading of the section that I brought the member's attention to makes it quite clear that the committee can operate with a vacancy in its membership.

Hon ROBIN CHAPPLE: Could I get a copy of the solicitor's advice on that matter?

Hon PETER COLLIER: Yes.

[Supplementary Information No C8.]

Hon ROBIN CHAPPLE: I have a further question to that last question, which derives from page 317 of the budget papers. How many of those members from the department who provide advice currently to the ACMC are level 6 and above? I will ask that by a question on notice.

Hon PETER COLLIER: Yes, we can provide that.

[Supplementary Information No C9.]

The CHAIR: Is the member aware that he could have submitted those as questions on notice in advance of the hearings? That is just as an advert for future reference.

Hon ROBIN CHAPPLE: Thank you. I now go to section 28 of the Aboriginal Heritage Act arising from page 317. What are the qualifications of, and who are the members of, the ACMC?

Mr Weeks: I can give you the names of the members now. We may have to provide their qualifications separately.

Hon ROBIN CHAPPLE: Let me have the names of the members to start off with, if I may.

Mr Weeks: We have Hon Gavin Fielding as the chairperson; Ms Vanessa Davies; Mrs Vanessa Kickett; Mr Alec Coles, who is ex-officio; Mr Ken McCrackan, who is an ex-officio; and myself as an ex-officio.

Hon ROBIN CHAPPLE: And you have deputies, I understand.

Mr Weeks: Yes, we do have deputies.

Hon ROBIN CHAPPLE: Can you name the deputies, please?

Mr Weeks: For the museum the deputy is Ian MacLeod. I do not think we have a deputy for the lands representative, Mr Ken McCrackan; and Aaron Rayner, the chief heritage officer, is my deputy.

Hon ROBIN CHAPPLE: I note that there are actually three members of the ACMC and three ex-officios. I note from the previous number of ACMC members, we were usually looking at around 10 ACMC members on average. Could you tell me why you have reduced the number of members, given the recommendations of the Casey report?

Mr Weeks: We have just done an advertising process to recruit new ACMC members, and there are two members that are with government for consideration at the moment to appoint them to the committee.

Hon ROBIN CHAPPLE: Do you concur with the Casey report of 2007, which said there should be an increase in the membership of the ACMC including two independent archaeologists, one who may be in the employ of the Western Australian Museum; that is, the former director general?

Mr Weeks: I do not think she was the director general.

Hon ROBIN CHAPPLE: I am sorry, the registrar.

Mr Weeks: At the moment the membership structure is performing that function. The two new members will be Aboriginal people, which will give us a good balance of Aboriginal people on that committee.

Hon PETER COLLIER: I am very happy with the current structure of the ACMC.

Hon ROBIN CHAPPLE: I have another point on that. I am aware of the time, minister, so I want to move on. I think I have asked for supplementary information on the qualifications of the members.

The CHAIR: I am sorry, going back to earlier?

Hon ROBIN CHAPPLE: No, the ACMC, which I just asked about.

The CHAIR: So, that is further information.

Hon PETER COLLIER: I am sorry, what did the member ask for?

Hon ROBIN CHAPPLE: The qualifications of the ACMC members.

The CHAIR: You asked for the heritage officers earlier but now you want the ACMC members' qualifications.

Hon ROBIN CHAPPLE: Yes, the ACMC, as per section 28 of the act.

Mr Weeks: There are profiles on our website, but if it does not have the qualifications, then we can find those.

[Supplementary Information No C10.]

Hon ROBIN CHAPPLE: I will stay on page 317. How does the department anticipate achieving the desired outcomes of improving accountability for the delivery of outcomes? That goes back to page 315 but it is actually deriving from page 317 when the actual FTE employees accountable to government in 2012–13 were less than half the budgeted numbers.

Mr Weeks: I mentioned previously that one of the changes was getting my staff to hold other agencies accountable, rather than going out and doing those functions themselves. So the reason why we have been able to reduce that number and perform the function to a better capacity is that they are now not going out and providing direct support around housing circumstances or any other service delivery area. It is now actually that they are performance monitoring those agencies. So that is why we are able to do it with less FTE.

Hon ROBIN CHAPPLE: In relation to that particular question, I refer to the heritage information submission form that is now available. I am assuming you are using this as part of your way of gathering more data and therefore not requiring officers to do it. Is my interpretation correct?

Mr Weeks: Yes, that is correct, but the FTE you are talking about is an accountable government function. The number of heritage officers has increased. You will see in the papers that they have gone from, I think, 20-odd to 40-odd. So heritage officers are responsible for that heritage information submission. The FTE has actually gone up.

Hon ROBIN CHAPPLE: Thank you. I refer to the senior site assessment officer advertisement of 3 May 2013, which states that applicants need not be an anthropologist or archaeologist to apply for that position. Could you explain why?

Mr Weeks: I can get further clarification from the chief heritage officer, but we are employing public servants. If there is a specialist position as a registrar that you need to have that capability, then it will be part of the job description form. But I can ask the chief heritage officer to explain a little further.

Mr Rayner: That is right. We want a blend of skill sets within the heritage branch. As you can see, we have increased the FTE quite significantly and we just wanted to attract a broad church of applicants.

The CHAIR: I just want to confirm—as I have noted Hon Peter Katsambanis, Hon Stephen Dawson and Hon Ljiljana Ravlich as wanting to ask questions—whether any other member wishes to ask questions. Hon Alanna Clohesy does, so I will give Hon Robin Chapple one more question and then we will quickly roll through the remainders so that we finish on time, hopefully.

Hon ROBIN CHAPPLE: I refer to page 317. From January 2011 to 2012, around about 50 per cent of the places reported to DIA were assessed by the ACMC, with around 80 of those being determined as sites. From January 2013 to June 2013, the last six months, the number of places reported to DIA and assessed by the ACMC went down to 15 per cent, with only 22 of those having been determined as sites. We have that information as a result of parliamentary questions. This is a huge decline. Could the heritage officer or the director general please explain how this might have happened?

Mr Weeks: I can give a general context. What we are starting to see now is the result of—I was going to call them land councils—native title rep bodies now working with proponents to do heritage agreements prior to that information getting to the ACMC. Aboriginal people are now working with those proponents to work out what those sites are that they want avoided, and then they are identifying places where they are okay with proponents going to, so it is the process of early advice. Some of those sites that Aboriginal people do not want to be impacted on are not actually getting into the ACMC because they have already agreed that they will be avoided. But I can ask the chief heritage officer to give his view.

[3.30 pm]

Hon ROBIN CHAPPLE: I would like to hear from the chief heritage officer.

Mr Rayner: The heritage information submission form was designed to collect as much information as possible, so that the committee was fully equipped with as much information before it assesses the places of importance and significance. A lot of the places previously considered important and significant—low level artefact scatters et cetera—are not considered to be as important or significant as previously thought.

Hon ROBIN CHAPPLE: Are they still sites?

Mr Rayner: The ones that have not been determined?

Hon ROBIN CHAPPLE: No, if they are of low-level importance, are they still sites under the act?

Mr Rayner: They are sites that we record in our register so that people can observe and learn from them, but they are not sites that the act would apply to or protect.

Hon ROBIN CHAPPLE: How have you determined that?

Mr Rayner: The committee determines that from the information it receives from the primary informants. A lot of the work that has been done on the form is designed to elicit the views of Aboriginal people first, and their views carry significant weight as per the requirements of the act.

Hon PETER KATSAMBANIS: Minister, I draw to your attention “Desired Outcomes” on page 315 of budget paper No 2 and “Better utilisation of the Aboriginal Lands Trust Estate to achieve shared social and economic outcomes”. That is obviously a goal that I and, I hope, every member in this place supports. I would like to ask some questions in relation to some specific ALT land held in the Gngangara area, just outside of Wanneroo. I believe that some of that land is going to be developed in a partnership, or some form of venture, around a light industrial precinct. Can you outline the status of that venture, where that is at, who the proposed partners are and what the desired social and economic outcomes will be from that partnership?

Hon PETER COLLIER: It is comprised of three freehold lots, totalling approximately 64.6 hectares. It was leased to the Noongar Community Incorporated, now the Noongar Community Aboriginal Corporation, in 1978 for a term of 99 years. Gngangara suffered a long history of poor community and corporate governance and a range of social issues which affected it not in only the Gngangara but the broader community. The ALT and DAA facilitated a joint venture arrangement in Gngangara and the South West Aboriginal Land and Sea Council established the Noongar Charitable Trust, or the NCT, to hold land and assets in trust for the benefit of the Noongar people. The joint venture arrangement is for a light industrial precinct between a private developer and the NCT. The project has the potential to realise significant financial benefit for the NCT. Additionally, there will be employment and training opportunities directly from the development, two replacement houses for NCAC members and the current Aboriginal cemetery will be formalised and managed by the Cemeteries Board. Is there anything beyond that?

Mr Weeks: Just that it is an example of what many would be aware of is a town-based reserve, where traditionally there have been a lot of social issues for Aboriginal people living in that community. This process kicked off well over five or six years ago when I was in the Department of Housing, so the people in that community were offered housing elsewhere within the city limits and were provided with that housing, with the purpose now of having 64 hectares of land that can be developed, so getting the agreement with SWALSC, the department and the ALT, they have worked with a private land developer to now develop those plots of land. A significant amount of the proceeds will go to the Noongar Charitable Trust in terms of the land development. One of the things that happens with native title determinations is that Aboriginal groups will get holdings of land and then the capacity to actually develop that land is quite limited, so land developers get a fair bit of comfort if they see the government as a partner in that arrangement. It is one of the first real examples of the Aboriginal Lands Trust being able to develop a parcel of land and for those proceeds to go to the Noongar Charitable Trust.

Hon PETER KATSAMBANIS: Will that trust have government oversight or supervision or will it be controlled by the community?

Mr Weeks: It will be controlled by the community because it is not an intimate part of the alternative settlement, but it is the same arrangement in that the community will need to demonstrate it has strong governance around how it utilises that fund; but it is there for the use and benefit of Aboriginal people, yes.

The CHAIR: I know the site well and the project reasonably well. You mentioned that you intend to get Aboriginal employment out of it. How is that delivered and who monitors that it is delivered? The Ord stage 2 is a classic where there was supposed to be a lot of Aboriginal employment, and there was initially, but whether there is any long-term Aboriginal employment that arises out of it—whose job is it to make sure of that employment rather than the money going to the trust?

Mr Weeks: It is our job to monitor that. The land developers have approached this with the right mindset to make sure they get outcomes for Aboriginal people, but they are treating it in a similar vein to the way industry does in terms of jobs for Aboriginal people, in that they are going to have to employ a range of civil contractors, trades, to perform that land development and create those subdivisions, so if they are doing that, they might as well employ Aboriginal contractors to do that. We will certainly monitor that, but in terms of the responsibility—yes, the department.

The CHAIR: If they do not, what is the follow up?

Mr Weeks: It goes against further agreements. The one thing with business and land developers is that they are going into this deal to hopefully get further deals, so their track record and how they demonstrate that will directly reflect on how many other JVs they get.

Hon PETER KATSAMBANIS: Are there any estimates or projections as to the value of contracts or the number of jobs?

Mr Weeks: I do not have that in front of me. There may be an element of commercial-in-confidence at this stage around it, but if it is not, then I am able to provide those numbers by way of supplementary information.

[*Supplementary Information No C11.*]

Hon STEPHEN DAWSON: I refer to page 321, “Details of Controlled Grants and Subsidies”, in particular the “Various Indigenous Community Grants” line item. I note that in the 2012–13 budget \$350 000 was budgeted, however the estimated actual was \$1.479 million. Why was there a difference between what was budgeted and the estimated actual and why was there a big decrease in the budget estimate for the 2013–14 year? Also could you provide by way of supplementary information a list of all community grants given out in the 2012–13 year?

Hon PETER COLLIER: Where was the disparity?

Hon STEPHEN DAWSON: I asked about the difference between what was budgeted—so \$350 000—in 2012–13 and the estimated actual of \$1.479 million. Do you have it now?

Hon PETER COLLIER: Yes.

Hon STEPHEN DAWSON: Why is there a difference? By way of supplementary information, can I get a list of what grants were given out in the 2012–13 year? Why was there a drop in the budget estimate in 2013–14? Could you also give me some general information about how people access these grants?

Hon PETER COLLIER: We can give you a copy of the grants. I will put that in as supplementary information.

The CHAIR: Give me your answer and then we will take what you do not answer as supplementary information.

Mr Weeks: The difference was we consolidated a number of various grants into one bucket. I can give the member the list of the grants. I have the list here so I can either read them out or provide them to the member separately.

Hon STEPHEN DAWSON: I am keen to hear them but I am conscious of the time.

The CHAIR: We will make that all part of C12.

[*Supplementary Information No C12.*]

Hon STEPHEN DAWSON: I would also like to know why there has been a drop from \$350 000 last year and what was budgeted to \$150 000 this year?

[3.40 pm]

Mr Weeks: The easiest explanation is that every state agency is looking at its budget and we are looking at what we can afford going into the out years.

Hon STEPHEN DAWSON: So the community grants program is getting it in the neck, essentially?

Mr Weeks: I would not say that we are getting it in the neck. It is about us demonstrating to government our programs are getting value for money.

Hon STEPHEN DAWSON: The other part of my question was how groups accessed this kind of program.

Mr Weeks: A lot of it is by different groups approaching the agency. We do not have a grants program that we advertise each year. It is a combination of what we think is a gap in the sector and what is a great idea and initiative. That can come from a range of stakeholders. Some of the things we are doing are as simple as cultural awareness training with the West Australian Football Commission. We are providing a lot of these grants because we have some money available now. We are not getting into recurrent funding arrangements. These are one-off activities to drive a particular purpose.

Hon STEPHEN DAWSON: Given how good this program sounds, it is a terrible shame the department has lost \$200 000 of funding.

Hon PETER COLLIER: I think that WAFL cultural awareness is a very good program.

Hon STEPHEN DAWSON: I have no doubt that that is very important.

Hon LJILJANNA RAVLICH: I refer the minister to “Services and Key Efficiency Indicators” on page 317 of budget paper No 2: heritage management; land management; accountable government; and community development. I understand from the website that the department has done work on strategic frameworks for each of those areas. They come in little packages of two or three pages, so they are pretty broad. These packages contain the actual projects and some key objectives for reform. The package on Aboriginal heritage contains a number of projects, the first of which is the reform of Aboriginal heritage environment and its main objective is the heritage compliance program that is due for completion in 2012, and other programs are due for completion in 2013. Then we have the 2013–14 strategic frameworks for Aboriginal land, accountable government and for community development. Each of those frameworks has milestones and a time frame. I would like the minister to provide the committee with a progress report on all of the initiatives across those four strategic framework areas in 2013–14.

Hon PETER COLLIER: Consider it done!

[Supplementary Information No C13.]

The CHAIR: I go back to the land transfer for the Gngangara land. Where does that appear in the budget papers as leaving government? Surely it should appear as a grant or some value that is transferred out of the government?

Mr Weeks: The land portfolio sits under the Aboriginal Affairs Planning Authority. As I mentioned, there are two discrete entities, so there is a separate group of papers for that entity. It reports annually, as does the Department of Aboriginal Affairs.

The CHAIR: So we will not pick that up until we see the annual reports for the Department of Aboriginal Affairs, because they are a completely off-budget agency?

Mr Weeks: That is right.

The CHAIR: It should be showing up somewhere in the consolidated accounts in budget paper No 3. Do you know in which year and the value it goes out at?

Mr Weeks: I do not have the exact detail, but we will be able to find that.

[*Supplementary Information No C14.*].

The CHAIR: If there are no other questions, congratulations members, we will finish the hearing in perfect time. I thank everyone for their attendance this afternoon. The committee will forward any additional questions it has to the agency via the minister in writing in the next couple of days together with the transcript of evidence, which includes the questions we have taken on notice. Responses to these questions will be requested within 10 working days of receipt of the questions. Should you be unable to meet this due date, please advise the committee in writing as soon as possible before the due date. The advice is to include specific reasons as to why the due date cannot be met. If members have any unasked questions, I ask them to submit them to the committee clerk at the close of this hearing. Again, on behalf of the committee, I thank you all for your attendance today.

Hearing concluded at 3.45 pm
