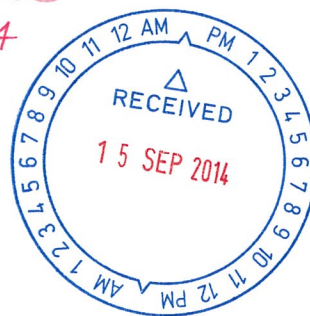




Government of **Western Australia**
Department of the **Premier and Cabinet**
Office of the **Director General**

PUBLIC

15/9/2014



Hon Ken Travers MLC
Chair
Standing Committee on Estimates and Financial Operations
GPO Box A11
PERTH WA 6837

Dear Mr Travers

Please find enclosed answers to requests for supplementary information relating to the 2014-15 Budget Estimates hearing held on 15 August 2014

Yours sincerely

Peter Conran
DIRECTOR GENERAL

12 SEP 2014

B1. FUNDING FOR ENTITLEMENTS - MEMBERS OF PARLIAMENT

Hon MARTIN ALDRIDGE: I refer to page 74 of budget paper No 2 and the heading "Service Summary". The first item under that heading is administration of executive government services, for which the budget estimate for 2014–15 is \$106.614 million. I refer also to page 77, which lists a number of dot points under service 1, "Administration of Executive Government Services".

Would the Minister be able to tell me what proportion of that funding is allocated to the dot point "administration of entitlements for Members and former Members of Parliament"?

Hon PETER COLLIER: We can get that information but we would need to take it on notice.

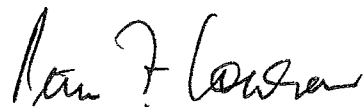
Hon MARTIN ALDRIDGE: Would that dot point include the provision of staff, officers and entitlements—those sorts of items? Would that be correct?

Hon PETER COLLIER: Yes.

Answer

The Administration of Executive Government Services covers a range of costs some of which are attributed to the provision of services and entitlements for Members and Former Members of Parliament. However the Department is able to advise that direct expenses including Electorate Officer salaries and accommodation as well as entitlements for Members and Former Members is estimated to be \$30,000.000.

This amount does not include corporate support services necessary to administer the entitlements.



B2. ANZAC DAY ACT CHANGES

Hon PETER KATSAMBANIS: I have a couple of questions around some of the significant issues impacting the agency, on page 74. Both the minister and the director general probably know my interest in preserving and enhancing the legacy of Anzac generally. But in relation to the issues that are articulated there in the significant issues, firstly around the legislative changes: what are the legislative changes that are required to the Anzac Day Act and when are they likely to see the light of day?

Answer:

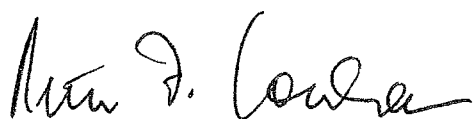
The ANZAC Day Act 1960 needs to be amended for two reasons – firstly, to recognise the creation of the Veterans portfolio since March 2013; and secondly, to improve the governance arrangements of the ANZAC Day Trust Fund.

The ANZAC Day Trust Fund is established under Section 10 of the *ANZAC Day Act 1960* (the Act) and, subject to the Treasurer, is administered by the Trust constituted under the provisions of the Act.

Under Section 10(3) of the Act, the funds are distributed each year by the Trust, with the approval and consent of the Treasurer. It is now appropriate that the approval of the Minister for Veterans should be sought, rather than the Treasurer.

Furthermore, additional amendments will be made to improve the governance arrangements of the Trust Fund.

It is hoped that amendments will be introduced into Parliament in 2015.



B3. ANZAC – FREMANTLE EVENTS

Hon PETER KATSAMBANIS: So there will be a major public event in Fremantle?

Mr Kennedy: Yes. What I have outlined are the events that are planned. I do not have any more detail on the actual Fremantle part. There will be a commemorative service, but I believe it might be the City of Fremantle who are organising those details. I am told that they are developing a website for the event, but I do not have a website address for that yet. If you would like us to get you some more information, we can get you that on notice.

Hon PETER KATSAMBANIS: Perhaps, because it is not far away, so if there are going to be public events, it would be good for the public to start knowing about them and planning around them.

Answer:

Between 30-31 October 2014 Western Australia will commemorate the two ships that departed Fremantle for World War One, with most of WA's troops and some South Australian troops (and later met up with the Albany convoy at sea). The events programme includes:

- 30 October - Bivouac with 75 Army Cadets at Greenmount Primary School (the site of the Blackboy Hill training ground); and a community event with activities and storytelling.
- 31 October – Departure service at Blackboy Hill; marches at Blackboy Hill and Fremantle; a heritage train journey from Blackboy Hill to Fremantle; and a commemorative service in Fremantle.

The WA Government is coordinating these events in conjunction with the City of Fremantle, RSL and Shire of Mundaring. The website www.anzacfremantle.com.au contains all relevant event information.



B4 ANZAC – WOMEN AND ABORIGINAL EVENTS

Hon ALANNA CLOHESY: When we are provided with a list of events, can you outline what events or activities are specifically planned to commemorate women's role in the services and in the centenary of World War I?

Mr Conran: Can I take that on notice? I know we do have a range of things planned for that, but, unfortunately, I do not have our adviser on this matter, Richard Muirhead, available. I think he may actually be in Albany. But I will raise that issue with him and ensure that the information is provided to you about all of the events, and whether there is anything in particular in relation to women.

Hon ALANNA CLOHESY: I would particularly like the full range of those, and Indigenous soldiers.

Mr Conran: I know there is a specific program with Indigenous soldiers. I might also point out, albeit in a somewhat different sense, that the giants program is focused on the young girl at the lighthouse at Albany. So that is a prime focus of the giants event as well.

Hon ALANNA CLOHESY: I am also looking particularly at women's systemic involvement in the services as well as Indigenous people's involvement.

Answer:

There are a number of events and initiatives planned to commemorate the role of women and indigenous soldiers as part of the Centenary of World War One, including:

- A remembrance service, organised by the RSL Albany Sub-Branch, will be held in Albany over the commemorative weekend of 31 October – 2 November 2014 in honour of the nurses who served;
- The stories of an Aboriginal ANZAC and an Australian WW1 nurse feature prominently in the National Anzac Centre's interpretive content;
- Lotterywest is providing funding to Honouring Indigenous War Graves, a small organisation dedicated to honouring deceased indigenous war veterans who were denied recognition of their wartime service;
- The community event 'Harbour Lights Projections and Storytelling', to be held in Albany over the commemorative weekend, which includes the stories of the local Aboriginal ANZACs who left in the convoy, women back home and the little girl in the Breaksea Island lighthouse; and
- The WA Government is currently working with arts and cultural organisations to assist with staging a range of different events and activities, some of which specifically focus on the service and sacrifice of Aboriginal ANZACs and of the role of women during wartime.



B5. COMPANIES PRESENT AT ZAMBIA MEETINGS

Hon ALANNA CLOHESY: I might change the topic completely, if you like. I refer to the Premier's visit to Zambia earlier this year. Did any of the dinners, official meetings or formal proceedings involve any Western Australian-based companies and/or their African-based subsidiary companies?

Mr Conran: I am not certain of the answer to that, and I will take it on notice. I know that the Premier gave a brief ministerial statement or a broader statement on that issue, which may contain that information. I anticipate that there will have been some involvement, noting that when he was in Zambia he signed a MOU between the state government and a group known as COMESA, which is the Common Market for Eastern and Southern Africa. The objectives included sharing knowledge and technology between Western Australia and the COMESA states across the fields of mining, petroleum and agriculture. We do know, of course, that there are enormous amounts of mining work undertaken by WA interests. I would assume that at that event—I was not there, but there were groups there. But I will see what detail I can provide in relation to that issue.

Hon ALANNA CLOHESY: When you give that supplementary information a number, could I also have in that supplementary information which companies, who from those companies and what their positions were in those companies?

Mr Conran: As best as can be provided.

The CHAIR: I understand what you are asking for is: on the trip to Zambia, the list of companies, who was there and what their positions were, and what the issues that were raised were. Is that it, just to be clear?

Hon ALANNA CLOHESY: Yes.

ANSWER

Yes. The Premier attended a dinner hosted by the Common Market for Eastern and South Africa (COMESA) in Lusaka on 30 January 2014. That dinner was also attended by representatives of a number of Western Australian mining companies operating in Zambia who were invited to attend by the COMESA Secretariat.

These companies were:

- African Energy Resources Limited
- Chrysalis Resources Limited
- Excalibur Mining Corporation Limited
- Kaboko Mining Limited
- Luiji Gold Limited
- Lycopodium
- Maysen and Borowski Group
- Pinto Minerals Limited
- Starfield Metals Limited
- Zamanco Minerals Limited
- Zambezi Resources Limited (ZRL).



The Premier also addressed a meeting of Ministers and officials of COMESA in Lusaka on 31 January 2014. He signed a Memorandum of Understanding with COMESA at that meeting. Representatives of a wide range of Australian and other companies operating in Africa were present at this event. It is understood that representatives of most of those companies represented at the Dinner on 30 January also attended that event.

Kevin F. Gordon

B6. REPRESENTATIONS MADE ON BEHALF OF WA COMPANIES

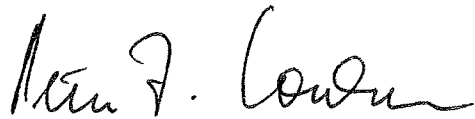
Hon ALANNA CLOHESY: While in Zambia, did the Premier make any representations, formal or informal, on behalf of Western Australian companies or any of their African-based subsidiary companies?

Mr Conran: I am not in the position to answer the details.

Hon PETER COLLIER: Not that I am aware of. But, again, we can take that on notice.

Answer

No representations were made on behalf of any individual company or subsidiary company.

A handwritten signature in black ink, appearing to read "Mr F. Conran". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

B7. ZAMBESI RESOURCES MEETING WITH THE MINISTER

Hon ALANNA CLOHESY: This might enlighten you a little bit. Are you aware that some executives from Zambezi Resources told the Zambian media that they were meeting with the Premier?

Hon PETER COLLIER: No, I am not aware of that.

Hon ALANNA CLOHESY: And the Premier has denied that.

Hon PETER COLLIER: What was that; sorry.

Hon ALANNA CLOHESY: And the Premier has denied that. Are you aware that these claims were made to the media?

Hon PETER COLLIER: Who made the claims; sorry?

Hon ALANNA CLOHESY: Some executives from Zambezi Resources.

Mr Conran: I am going on a recollection. If I am correct, there was a photo published of a person who indicated they had meetings and that identified that they had meetings, and the Premier has indicated that was not correct; that there was no such meeting taking place. It was potentially only a photo shoot. That matter has been dealt with by the Premier. Again, I am going on recollection, but I think there was a very firm denial in relation to that issue.

Hon ALANNA CLOHESY: Perhaps, if you are going on recollection, we might actually take that as supplementary information.

Answer

The Premier held no meeting with executives of Zambezi Resources. However Mr David Vilensky, Chairman of Zambezi Resources was on the same flight to Lusaka as the Premier and introduced himself to the Premier and his entourage.



B8. ZAMBESI RESOURCES COPPER MINE

Hon ALANNA CLOHESY: Does the Premier support Zambezi Resources Kangaluwi copper resources mine project in Zambia?

Mr Conran: I am not in a position to make any comment other than to again refer to some fairly strong denials by the Premier in relation to this issue. I would not like my uncertainty on the issue to be taken as suggesting that the Premier in any way endorsed anything in relation to a company.

Hon ALANNA CLOHESY: In which case we will have to take that as supplementary information.

The CHAIR: That is about the support for that company and its mine.

Answer

The Premier has no opinion in relation to that specific project but has worked with African Governments and Western Australian mining companies to facilitate responsible resource investment in Africa.



B9. NATIONAL PARTNERSHIP AGREEMENTS

The CHAIR: I understand that. It is not unusual. Probably when you were on the other side, WA held out on the national water agreement at one point and ultimately got a better deal as a result of it. I understand that. Maybe I might ask whether it is possible to get a list of the national partnership agreements that exist—those where WA is a signatory to it and those where we have either rejected it or we have indicated we intend to reject it. We did get some information from Treasury on this, but I would not mind getting an update, from your perspective as DPC, on where we expect the federal government will discontinue funding for those national partnerships. That is the other side of it. As they are expiring, we are finding that the feds are not re-engaging. Maybe you could get that list of those where they ceased since the last federal election in that regard. Can we get some figures on the anticipated financial loss in relation to those agreements that have either ceased or that we expect will cease at the end of their current life?

Mr Conran: It will be very difficult for us to indicate where we expect the commonwealth to —

The CHAIR: Sorry; where they have indicated to us that they intend to. We are aware that they have not included money in their budget. I guess there is always a chance of a government deciding at short notice to change, but where there is either a formal indication from them or we have identified that there is no money in the budget for that partnership to agree to continue after a certain date.

Mr Conran: Again, I think we can get close to that. The commonwealth will indicate that they will not provide further money. That is not always the end of the issue.

Answer

Expired National Partnership Agreements to which Western Australia was a signatory

- Health Infrastructure – Fiona Stanley Hospital State Rehabilitation Service
- Central Institute of Technology
- Financial Assistance for Long-Stay Older Patients
- Hospital and Health Workforce Reform – Activity Based Funding
- Veteran Community to Access Community Care Services
- Empowering Local Schools
- Improving Literacy and Numeracy
- Investing in Focus Schools
- Indigenous Early Childhood Development – Element 1
- Remote Service Delivery
- Rockingham Strategic Regional Centre – Sustainable Development Demonstration Project
- Pilot of Drought Reform Measures in Western Australia
- Stage Two of the COAG Strategy on Water and Wastewater in Remote (including Indigenous) Communities
- Joint Group Training Project
- Improving Public Hospital Services – New Sub-acute Beds Guarantee
- Certain Concessions for Pensioners and Seniors Card Holders

- Preventive Health

Of the above expired National Partnerships Agreements, two were unexpectedly terminated early by the Commonwealth, resulting in a total loss of \$123 million to the State:

Certain Concessions for Pensions and Seniors Card Holders (\$107 million over four years); and

Preventive Health (\$16 million over two years).

Existing National Partnership Agreements to which Western Australia is a signatory

Agreement	Expiry date	Commonwealth Budget Funding Expiry
National Quality Agenda for Early Childhood Education and Care School Pathways Program	30 Jun 2014	30 Jun 2015
Nation Building Program (includes Black Spots)	30 Jun 2014	30 Jun 2015
Legal Assistance Services	30 Jun 2014	30 Jun 2015
Homelessness	30 Jun 2014	30 Jun 2015
National Perinatal Depression Initiative	30 Jun 2014	30 Jun 2015
Indigenous Clearinghouse	30 Sep 2014	no change
Busselton General Dental Clinic	10 Oct 2014	no change
TAFE Fee Waivers for Childcare Qualifications	31 Dec 2014	no change
Natural Disaster Resilience	30 Jun 2015	30 Jun 2017
Low SES School Communities	30 Jun 2015	no change
Universal Access to Early Childhood Education	30 Jun 2015	no change
More Support for Students with Disabilities	30 Jun 2015	no change
Health Infrastructure - Midland Health Campus	1 Aug 2015	no change
Bringing Renal Dialysis and Support Services Closer to Home, Western Australia	1 Nov 2015	no change
Training Places for Single and Teenage Parents	1 Dec 2015	1 Jan 2015
Treating More Public Dental Patients	1 Dec 2015	no change
Point of Care Network for Rural and Remote Regions of Western Australia	14 Jan 2016	no change
Water for the Future- National Framework for Compliance and Enforcement Systems	30 Jun 2016	no change

Supporting National Mental Health Reform	30 Jun 2016	no change
Rheumatic Fever Strategy	30 Jun 2016	no change
OzFoodNet	30 Jun 2016	no change
National Bowel Cancer Screening Program - Follow-up Function	30 Jun 2016	no change
Improving Public Hospital Services – National Emergency Access Target	30 Jun 2016	30 Jun 2015
Improving Public Hospital Services - National Elective Surgery Target	30 Jun 2016	30 Jun 2015
Strengthening Cancer Services in Regional Western Australia	31 Jul2016	no change
Pathology Laboratories in Regional Western Australia	13 Jan 2017	no change
Narrogin General Dental Clinic	15 Jan 2017	no change
Fire Services Levy	30 Jun 2017	no change
Skills Reform	30 Jun 2017	no change
Moneysmart Teaching	30 Jun 2017	no change
Remote Indigenous Housing	30 Jun 2018	no change
Asset Recycling	30 June 2019	no change

Agreements rejected by Western Australia

Of the National Partnership Agreements that were open for Western Australia to participate, the following were not signed by Western Australia:

National Partnership Agreement on Coal Seam Gas and Large Coal Mining Development (January 2012)

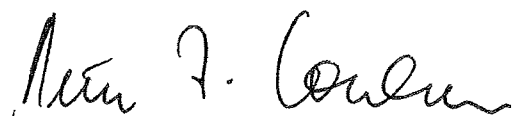
Not signed on the grounds that the proposed arrangements were not relevant to Western Australia circumstances; would duplicate existing processes; introduce significant uncertainty for industry; and significantly undermine community confidence in the State's regulators and the industry.

National Partnership Agreement on Empowering Local Schools (February 2012)

Not signed on the grounds that the agreement would largely replicate Western Australia's Independent Public Schools (IPS) Initiative without enhancement, resulting in conflicting requirements and compromising the quality of the ongoing implementation and operation of the IPS initiative.

National Education Reform Agreement (June 2013)

A higher-level National Agreement proposed to implement the former Commonwealth Government's Gonski school funding reforms. Western Australia did not sign this agreement which significantly increased the role of the Commonwealth Minister and agencies in school level operation and administration, infringed on the State's jurisdiction and ability to provide effective education services, and provided inadequate funding. The current Commonwealth Government did not require States to sign these agreements.



B10. COMMUNICATION WITH THE COMMONWEALTH – JOINT FUNDING ARRANGMENTS

The CHAIR: That leads into my final question in this area. What has been our means of communicating with the commonwealth over the rejection of our joint funding arrangements?

Where we have just made the decision not to accept a joint funding arrangement, how have we communicated that to the commonwealth government?

Mr Conran: I cannot speak on behalf of all ministers. Generally it is via correspondence, via discussion—via bureaucratic discussion, I think —

The CHAIR: Is it done at the ministerial level rather than through DPC?

Mr Conran: Sometimes. For example, with education, we do not deign to tell the education minister how he might conduct his negotiations with the commonwealth. If he needs our assistance, he will ask, and he does, but it is not our role to take on those issues. We certainly give guidance to departments. They keep us informed.

The CHAIR: If there is a general position that we have adopted, maybe you could take on notice what happens on a government-to-government basis rather than down to the individual ministries. I am not asking you to get a list from every minister. At a government-to-government level, have we had any communication with the commonwealth about the systemic issue rather than individual specific partnerships? If you have been involved in a specific partnership, I would not mind how you have communicated that, but also at that broad strategic or oversight level, what communications have you had with the commonwealth, or how have you done it?

Hon PETER COLLIER: You will find, as I said, that most of the national partnerships are discussed at COAG in a broader context. I can only speak from my perspective. When it comes to education, I deal with it. We will see if there is any more generalised information.


The CHAIR: I get that at your level there are minister-to-minister discussions, but noting the Premier's comments in the media, it struck me that you would also expect that there is now a more general whole-of-government approach to how they are going to deal with that. I thought that might be communicated to the commonwealth at a broader government level. That is what I am asking for.

Answer

National Partnerships are considered by Western Australia individually on their merits; including their benefit to the State and assistance in improving services for Western Australians, and the potential impact on existing service delivery. National Partnerships may be rejected if their outcomes are not aligned with State priorities; the agreement redirects funding from existing State programs; the State is already delivering better programs than those proposed by the National Partnership; and/or the cost of administration outweighs the value of the National Partnership.

Consideration and negotiation of National Partnerships is a matter for the Premier and Cabinet.

The Western Australian Government communicates its position on National Partnership Agreements at Premier, ministerial and departmental level. Regular engagement with the Commonwealth occurs, including through forums such as COAG and Ministerial Councils, as well as direct correspondence and discussions.



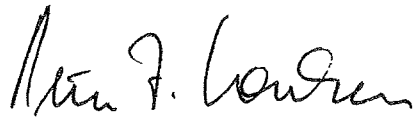
B11. MEMBERS CLOSE TO USING THEIR RELIEF ALLOCATION

Hon ALANNA CLOHESY: Just before we go on to that, can I take as a supplementary the number of MPs who are close to using their 150 hours of relief; that is, those who are, say, 10 hours or fewer away from using their 150 hours of relief? Will you take that as a supplementary?

Answer

5

Members are advised through an email when relief hours meet or exceed 112.5 hours and again when relief is exhausted at 150 hours.

A handwritten signature in black ink, appearing to read "Alan J. Lawrence". The signature is written in a cursive, flowing style.

B12. TOTAL HOURS OF ADDITIONAL RELIEF

Hon ALANNA CLOHESY: What are the total hours of additional special relief that have been provided?

Answer

3,223 hours as at 27 August 2014.

A handwritten signature in black ink, appearing to read "Alanna Clohesy". The signature is written in a cursive, flowing style.

B13. REASONS FOR ADDITIONAL RELIEF

Hon ALANNA CLOHESY: What is the range of circumstances that additional relief has been requested for?

Ms Andrews: Sorry, I do not have the data on that; I only have anecdotal advice from our manager of human resources, who says it is primarily for sickness of the remaining relief officer.

Hon ALANNA CLOHESY: Can we get that as supplementary as well?

Ms Andrews: Yes.

Answer

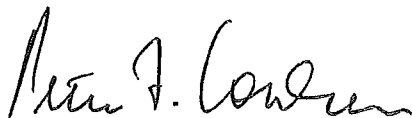
Extended leave periods of more than 4 weeks.

Extended period of illness.

Gap period between resignation of electorate/research officer and filling the vacancy.

Bereavement of close family member.

Extenuating circumstances – volunteer firefighter attending to bushfires, extended Carer's leave.



B14. TOTAL HOURS OF RELIEF TAKEN – COMPARISON TO 2013

Hon ALANNA CLOHESY: Compared to last financial year and the total hours of relief taken, what are the total hours of relief taken in the last 12 months?

Ms Andrews: I have not got hours, I am afraid—not here.

Hon ALANNA CLOHESY: Could we get that as supplementary?

Ms Andrews: Yes. That is for this calendar year so far?

Hon ALANNA CLOHESY: It is going to be hard to do like with like, but can we do a comparison of the same point in time, so from 1 January to 30 June compared with last year, 1 January to 30 June?

Answer

1 January 2013 to 30 June 2013 - 12,062 hours

1 January 2014 to 30 June 2014 - 3,335 hours (not including 3,223 hours relief approved based on special circumstances)



B15. ELECTORATE OFFICE ALARM PROCEEDURE

Hon ALANNA CLOHESY: So what is supposed to happen now is that the alarm goes off and the security company goes and visits the premises, and if there is obviously a crime, they contact the police.

Ms Andrews: Yes.

Hon ALANNA CLOHESY: Why has the notification of alarms not being set been stopped then?

Ms Andrews: Notifications of alarms?

Hon ALANNA CLOHESY: So, after hours. When you leave the office and you do not set the alarm, why has the notification of the alarm not being set stopped?

Ms Andrews: I understand because that was seen as the responsibility of the electorate officers to man the alarms. In regional areas there are difficulties of what happens with that. But I would obviously have to confer with my staff to get the detail on that, if I could take that on notice. I recall a discussion, but I cannot recall the exact detail there. But I can find that out.

Answer

The change in policy was a result of a significant increase in the number of call-outs to electorate offices as a result of electorate staff not arming the security system. An email was sent to all electorate offices in December 2013 reminding staff of their responsibilities in this regard.

The Department has now reviewed this change in policy and will reinstate the monitoring of unarmed systems outside of business hours. Any associated costs will continue to be met by the Department. Members will be advised of this change over the next few weeks.



B16. DAMAGE TO A MINISTERIAL VEHICLE – MEMBER FOR VASSE

Mr Conran: No. Late June, was the next time I can recall any discussion. I was on leave, not in the state. As I recall, I received a message on my phone from Mr Whithear. He indicated to me that some documents had been released under the Freedom of Information Act, and that included an email from a RiskCover employee with a reference that the director general of the Department of the Premier and Cabinet, that is myself, had an interest in the matter. I think a few days later—I was not particularly taking too much notice of my phone at that time—I may have rung him to say, “Okay, well, what has happened here?” It might have been that same day. He indicated to me that he was holding a press conference. I think subsequently he made some statements in relation to that matter. I also spoke to him when the issue of the confidentiality clause arose in the media in relation to the uninsured party. I rang him to say, “What was this about?” I knew nothing of the matter. He indicated that it was a standard clause that they had in that matter. As you know, the Premier, quite rightly, made comments that he did not think it was appropriate in this instance that that clause was introduced. Mr Whithear, later on, I think it was the day or afternoon that Mr Buswell’s lawyers advised the claim had been settled, rang me to advise me that Mr Buswell’s lawyers had indicated that they had settled the claim. Later that evening—I have mentioned this already—I received an email from Mr Whithear alerting me to the fact that a press release was or had been issued in relation to the matter. I know he also rang me that evening to tell me that he had been or his office had been unable to get the email to me, because they had not got through the DPC firewall, which rejects some emails if they have what is called JPG. I think it was a JPG of the logo. That is done for security reasons. I managed to get that corrected and that email subsequently came through. I also saw Mr Whithear this week. I think it was on the twelfth—it was Monday or Tuesday—when we discussed a range of issues and very briefly discussed the issue of the claim.

He informed me that they were seeking to finalise the issues with the third party matters with the lawyers. He also mentioned, as I have discussed—he indicated that they were working with Mr Buswell’s lawyers and the lawyer for the uninsured third party. As best as I can recall, that is the limit of the discussions in relation to this matter.

The CHAIR: It may just be the language you use, but you talked about the letter and the media release about Mr Buswell saying he or his lawyers had accepted responsibility for the damages to the other vehicles. Was it also accepting responsibility to pick up the cost for the damage to the DPC vehicle? He clearly accepted liability in that letter?

Mr Conran: Yes.

The CHAIR: The confidentiality clause: was anybody that was put into the response—the ICWA offer—anybody in DPC, made aware of that confidentiality clause before it was sent to the third party?

Mr Conran: Certainly, I was not. As far as I am aware, no-one else was, as well.

The CHAIR: Is it possible for us to get copies—you made reference to couple of emails and a letter. Are we able to get that as supplementary information?

Mr Conran: Yes; noting that there will need to be full sub third party consultation.

Answer

Requested documents are attached.





Government of Western Australia
Department of the Premier and Cabinet
Office of the Director General

COPY

Mr Rod Whithear
Chief Executive Officer
The Insurance Commission of Western Australia
The Forrest Centre, Level 13
221 St George's Terrace
PERTH WA 6000

Rod.
Dear Mr Whithear

I refer the recent request of Mr Steven Bradford, Riskcover's Commercial Claims Manager, for the driver of Holden Caprice Sedan 1DXJ315 to complete a claim form and return it to Riskcover. The matter relates to Claim No. 14/1596/STM.

The driver of the vehicle involved, the Hon Troy Buswell MLA, has sent the attached claim form and related additional information to the Department.

In order that I may be aware of the total cost of the claims resulting from this claim, it would be appreciated if this information could be forwarded to me at your earliest convenience.

At that time, I would also welcome a further discussion with you on how the claim will be resolved.

Yours sincerely

Peter Conran
DIRECTOR GENERAL

29 MAY 2014

Att

2 Havelock Street, West Perth WA 6005
Locked Bag 3001, West Perth 6872

Telephone (08) 6552 6777 Facsimile (08) 6552 6733 admin@dpc.wa.gov.au
ABN: 61 313 082 730 www.dpc.wa.gov.au



Motor Vehicle Claim Form

221 St George's Terrace, Perth
GPO Box K017 Perth WA 6002
Telephone (08) 9264 3333
Facsimile (08) 9322 1557
Website www.riskcover.gov.au

1. AGENCY DETAILS

Agency Name	The Department of the Premier and Cabinet	Phone	6552 5398
Postal Address	2 Havelock Street, West Perth 6005	Fax	6552 6726
Risk/Cost Centre		Vehicle Fleet Manager	SG Fleet
Make and Model	Holden Caprice	Body type e.g. Sedan, Ute	Sedan
		Year of Manufacture	2012
		Vehicle Identification Number (VIN)	6G1MY5E3CL705559
		Registration Number	1DXJ1313

2. GLASS CLAIMS (Complete sections 1, 2, 9, 10 and questions 1, 2 and 3 of section 3)

Please indicate what was broken: Front windscreen ☐ Side window ☐ Rear window ☐
If glass has not been replaced or repaired please contact your fleet manager or RiskCover.

3. INCIDENT DETAILS

1. Where did the incident occur? Street / Location: _____
Suburb / Town: _____ Date of Incident: _____ Time: _____ am/pm

2. Describe the events of the incident:
PLEASE SEE ATTACHED DOCUMENT

If previously reported to RiskCover, provide Incident No: **1415961 STM**

Sketch the scene of the incident.
DIRECTIONS:
(a) Name the streets.
(b) Indicate directions with arrows, so:
(c) Show your vehicle , other vehicle(s)
(d) Indicate distances so: 4m
(e) Show accurately the position of the pedestrian P or vehicles involved in the incident and witnesses W.
(f) Show point of impact so: X

Show existence of any road signs at intersections.

3. Who is or what was considered to have caused the incident? Why?

4. Describe the extent of damage to your vehicle:

5. What was the speed of your vehicle (kms) before the incident? _____ and at the moment of impact? _____

6. Was your vehicle towed away? Yes ☐ No ☐
If Yes, by whom and present location of vehicle: _____
Who is your choice of Repairer? _____

4. STOLEN VEHICLE (complete sections 1, 3, 4, 9, 10 and appropriate parts of section 5 only)

7. If the stolen vehicle has been located, where is it? _____
8. Have the Police located any offenders? Yes ☐ No ☐
If Yes, which Police Station and what is the Police Offence Report Number: _____
Provide the names and addresses of the offenders: _____

5. INCIDENT AND RISK FEATURES (tick all appropriate boxes)

Traffic Control	Road Feature	Agency Vehicle Usage	Weather Conditions	Road Surface
<input type="checkbox"/> No Sign or Control <input type="checkbox"/> Give Way Sign <input type="checkbox"/> Pedestrian Crossing <input type="checkbox"/> Rail Road Gates <input type="checkbox"/> Rail Crossing Unprotected <input type="checkbox"/> Rail Flashing Lights Only <input type="checkbox"/> Rail Give Way <input type="checkbox"/> Rail Stop Sign <input type="checkbox"/> Road Works Controlled <input type="checkbox"/> School Crossing <input type="checkbox"/> Stop Sign <input type="checkbox"/> Traffic Lights <input type="checkbox"/> Other - Specify	<input type="checkbox"/> No Special Feature <input type="checkbox"/> Bridge <input type="checkbox"/> Cor Pothole <input type="checkbox"/> Crossroad <input type="checkbox"/> Driveway <input type="checkbox"/> Junction Opening <input type="checkbox"/> Multiple Intersection <input type="checkbox"/> Pedestrian Island <input type="checkbox"/> Railway Crossing <input type="checkbox"/> Roundabout <input type="checkbox"/> Slow Road (eg. speed hump) <input type="checkbox"/> Subway/Tunnel <input type="checkbox"/> T Junction <input type="checkbox"/> Other - Specify	<input type="checkbox"/> Shared Usage <input checked="" type="checkbox"/> Exclusively one driver <input type="checkbox"/> Exclusively one driver 	<input checked="" type="checkbox"/> Clear <input type="checkbox"/> Fog/Mist <input type="checkbox"/> Rain <input type="checkbox"/> Snow/Ice <input type="checkbox"/> Other - Specify	<input checked="" type="checkbox"/> Sealed <input type="checkbox"/> Unsealed <input type="checkbox"/> Off Road <input type="checkbox"/> Combination Road Surface
Vehicle Ownership	Vehicle	Road Condition	Injured Person(s)	Single Vehicle Collision
<input type="checkbox"/> Agency <input type="checkbox"/> Private <input type="checkbox"/> Hire Vehicle	<input type="checkbox"/> Agency Vehicle <input type="checkbox"/> Headlight <input type="checkbox"/> Park Lights <input type="checkbox"/> Indicator	<input type="checkbox"/> Volo <input type="checkbox"/> Dry <input checked="" type="checkbox"/> Agency Vehicle Damage <input type="checkbox"/> Front <input type="checkbox"/> Side <input type="checkbox"/> Rear <input type="checkbox"/> Wheel of Vehicle	<input type="checkbox"/> Agency Driver <input type="checkbox"/> Agency Passenger(s) <input type="checkbox"/> Third Party Driver <input type="checkbox"/> Third Party Passenger(s) <input type="checkbox"/> Pedestrian(s) <input checked="" type="checkbox"/> No-one was injured <input type="checkbox"/> Other - Specify	<input type="checkbox"/> Struck pedestrian <input type="checkbox"/> Struck animal <input type="checkbox"/> Struck object <input type="checkbox"/> Overturned <input type="checkbox"/> Fell from moving vehicle
			<input type="checkbox"/> Driveway <input type="checkbox"/> Down or Dark <input checked="" type="checkbox"/> Night	<input type="checkbox"/> Turned into oncoming vehicle <input type="checkbox"/> Head on collision <input type="checkbox"/> Right angle collision <input type="checkbox"/> Rear end collision <input type="checkbox"/> Sideswiped - same direction <input checked="" type="checkbox"/> Collision with parked vehicle <input type="checkbox"/> Sideswiped - opposite direction <input type="checkbox"/> Collision with one vehicle reversing

6. AGENCY DRIVER DETAILS AND POLICE ACTION

Name John Smith Address 123 Main St, London, UK

Phone 01234 567890 Email address john.smith@agency.co.uk Gender Male ☒ Male ☐ Female ☐ Employee Code MD

Date of Birth 15/05/1980 How long has the driver/person had experience with this type of vehicle? 10 Years

10. How many years has the driver held a relevant Driver's Licence? 21 Years

Provide Driver's Licence No AB12CD34 Classed Category A

11. Was the driver an Agency employee? ☒ Yes ☐ No ☐ If No, provide details Part-time

12. Was the driver tested for drugs or alcohol? ☒ Yes ☐ No ☐ If Yes, state results None

13. Did Police attend the incident and take particulars? ☒ Yes ☐ No ☐ If Yes, provide Crash Number 123456789

14. Was the incident reported to the Police? ☒ Yes ☐ No ☐ If Yes, provide Crash Number 123456789

15. How many hours had the driver travelled in the 24 hours prior to the incident? 2 hours

7. DETAILS OF OTHER VEHICLE/PROPERTY

SEE ATTACHED DOCUMENT

Make VAUXHALL Model Corsa Body Type Hatchback Reg. No ABC123

Owner's name John Smith Owner's address 123 Main St, London, UK

Driver's name John Smith Driver's address 123 Main St, London, UK

Driver's telephone Number 01234 567890 If known, driver's date of birth 15/05/1980

16. Is the driver known to you? ☐ Yes ☒ No ☐ If Yes, advise how Yes

Describe the extent of damage to the vehicle and/or property: Minor damage to front end

17. Is this vehicle insured? ☒ Yes ☐ No ☐ N/A

If insured, provide name of Insurance company and Policy Number ABC Insurance, Policy No. 123456789

8. WITNESS DETAILS (Not Passengers Known to You)

Name	Address	Daytime Contact Number
<u>John Smith</u>	<u>123 Main St, London, UK</u>	<u>01234 567890</u>

9. DRIVER'S DECLARATION

10. AGENCY AUTHORIZATION

I declare that the details submitted are true and correct.

Signature of driver or person last in charge of vehicle John Smith

Date 16/05/2014

Was the person driving the vehicle with your Agency's authorization? ☒ Yes ☐ No

I declare that I am the person authorised to lodge the claim against RiskCovered on behalf of the above-mentioned Agency.

Signature of person having authority Kathryn Andrews

Name Kathryn Andrews Position Director Phone (08) 1234 567890

Date 29/05/2014

Traffic Incidents involving Holden Caprice 1DXJ 315 on 23 February 2014

Incident	Location	Other vehicle registration	Charges
1	Struck Telstra Pole on verge at north-west corner of roundabout at Intersection of Barker Rd and Olive St.	Nil	Careless driving s62 RTA Failure to report an incident in which property was damaged s56(4) RTA
2	Driving east on Barker Rd, sideswiped black Holden Barina parked outside [REDACTED] Barker Rd. Damage to right hand side of Barina	[REDACTED]	Careless driving s62 RTA Failure to report an incident in which property was damaged s56(4) RTA Fail to stop - property damage s55(1) RTA
3	Driving north on Olive St, collision with rear of Suzuki Vitara parked outside [REDACTED] Olive St, Suzuki forced into rear of Mitsubishi ASX. Suzuki damaged to rear and front bumper, Mitsubishi to rear bumper and tailgate area.	[REDACTED] (Suzuki) [REDACTED] (Mitsubishi)	Careless driving s62 RTA Failure to report an incident in which property was damaged s56(4) RTA Fail to stop - property damage s55(1) RTA
4	Driving north on Olive St, sideswiped blue Commodore outside [REDACTED] Olive Street. Damage to Drivers door of Commodore.	[REDACTED]	Careless driving s62 RTA Failure to report an incident in which property was damaged s56(4) RTA Fail to stop - property damage s55(1) RTA

-----Original Message-----

From: Rod Whithear [mailto:rod.whithear@icwa.wa.gov.au]

Sent: Friday, 25 July 2014 6:54 PM

To: Conran, Peter; Home, Stephen

Subject: Insurance Commission media release tonight

The release we propose putting out shortly. It will be sent to the people from media outlets that have asked questions of the Insurance Commission about this.

The last para is included as an effort to deal with the usual media backlash when a company or any other puts out a statement late on a friday, or on other days when journos are distracted. I consider that is necessary.

The only issue remaining is that we are now engaging with the law firm representing the client about the release. If they object, my inclination is to release it anyway. But that will be sorted in the next hour hopefully.

regards



Rod

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25 July 2014

MEDIA STATEMENT

Update on RiskCover Claim

The Insurance Commission of Western Australia's RiskCover Division provides the following information to update the status of the claims processes involving a State Government vehicle.

RiskCover requested further information from Mr Buswell who was the driver of the State Government vehicle involved in the events of 22/23 February 2014.

RiskCover received a reply today, 25 July 2014, from lawyers representing Mr Buswell. The response stated that Mr Buswell withdraws his claim for insurance cover from RiskCover under the Department of the Premier and Cabinet insurance policy.

Mr Buswell will, from his own funds, pay for any damage caused to the third party vehicles when the Government vehicle he was driving on 22/23 February 2014 collided with them.

Mr Buswell will pay RiskCover the amount it paid to repair the damage caused to the Government vehicle.

Documentation may need to be prepared to give effect to these arrangements.

RiskCover does not ordinarily provide comment on the status of claims, but given the sustained public interest and the information already in the public domain, this update is made late on the same day that progress has been made towards resolution of this matter

Media contact Kane Blackman - 9264 3333, 0418 255 549, kane.blackman@icwa.wa.gov.au

-----Original Message-----

From: Rod Whithear [<mailto:rod.whithear@icwa.wa.gov.au>]

Sent: Friday, 25 July 2014 6:56 PM

To: Home, Stephen; Conran, Peter

Subject: FW: Email with MULTIMEDIA attachment has been QUARANTINED

your firewall really causes some problems

From: viruswall@dpc.wa.gov.au [viruswall@dpc.wa.gov.au]

Sent: Friday, July 25, 2014 6:54 PM

To: prvs=12833b64f1=rod.whithear@icwa.wa.gov.au

Subject: Email with MULTIMEDIA attachment has been QUARANTINED

INTERSCANNEW

We have Quarantined this email, as the MULTIMEDIA attachment has violated our content security policy. Should this email contain business matters, please reply to this message, including its content, with the word RELEASE in the SUBJECT for inspection by the Postmaster. Please do not send your attachment when you reply to this message.

Message details:

Sender: prvs=12833b64f1=rod.whithear@icwa.wa.gov.au

Recipient: Stephen.Home@dpc.wa.gov.au; Peter.Conran@dpc.wa.gov.au

Fri Jul 25 18:54:32 2014

Subject: Insurance Commission media release tonight Message ID:

<3D91C49C9A82D64DB4F8D0518E2E07321A063019@prombx01.corp.icwa.wa.gov.au>

Reason: ATT00001.htm:HEADER

Detected: Attachment: ATT00001.htm matches regular expression: *.HTM\$*

Entity: ATT00001.htm:HEADER

NOTICE: The above message has been scanned and meets the Insurance Commission of Western Australia's Email security requirements for inbound transmission.

Notice: If you have received this email in error, please contact me immediately on the details above, delete it from your email system and do not read, print, re-transmit, or store this email. This email (including all attachments) is strictly confidential and may contain legally privileged information and/or copyright material of the Insurance Commission of Western Australia. Thank you.

-----Original Message-----

From: Rod Whithear [<mailto:rod.whithear@icwa.wa.gov.au>]

Sent: Friday, 25 July 2014 7:56 PM

To: Conran, Peter

Subject: FW: Fwd: ICWA Press Release - Update on RiskCover Claim.pdf

From: Rod Whithear

Sent: Friday, July 25, 2014 7:54 PM

To: Stephen.Home@dpc.wa.gov.au

Subject: FW: Fwd: ICWA Press Release - Update on RiskCover Claim.pdf

If your firewall bounces this again I'll send you a txt letting you know our release has gone out.

From: Kane Blackman

Sent: Friday, July 25, 2014 7:42 PM

To: Rod Whithear; Lew Watts; Steven Bradford; Don Williams

Subject: Fwd: ICWA Press Release - Update on RiskCover Claim.pdf

Sent from my iPhone

Begin forwarded message:

From: Kane Blackman <kane.blackman@icwa.wa.gov.au<<mailto:kane.blackman@icwa.wa.gov.au>>>

Date: 25 July 2014 7:36:29 pm AWST

To: "news@7perth.com.au<<mailto:news@7perth.com.au>>"

<news@7perth.com.au<<mailto:news@7perth.com.au>>>,

"ninenewspers@nine.com.au<<mailto:ninenewspers@nine.com.au>>"

<ninenewspers@nine.com.au<<mailto:ninenewspers@nine.com.au>>>,

"perthnews@networkten.com.au<<mailto:perthnews@networkten.com.au>>"

<perthnews@networkten.com.au<<mailto:perthnews@networkten.com.au>>>,

"abcnews@your.abc.net.au<<mailto:abcnews@your.abc.net.au>>"

<abcnews@your.abc.net.au<<mailto:abcnews@your.abc.net.au>>>,

"tvperth@your.abc.net.au<<mailto:tvperth@your.abc.net.au>>"

<tvperth@your.abc.net.au<<mailto:tvperth@your.abc.net.au>>>,

"news@mix.com.au<<mailto:news@mix.com.au>>" <news@mix.com.au<<mailto:news@mix.com.au>>>,

"news@nova937.com.au<<mailto:news@nova937.com.au>>"

<news@nova937.com.au<<mailto:news@nova937.com.au>>>

Subject: Fwd: ICWA Press Release - Update on RiskCover Claim.pdf

Please find attached a press release that provides an update on the Buswell claims processes.

This is being sent in the evening as we have only received updated information late today and we wanted to provide the information promptly given public interest in the matter.

Regards

Kane

Notice: If you have received this email in error, please contact me immediately on the details above, delete it from your email system and do not read, print, re-transmit, or store this email. This email (including all attachments) is strictly confidential and may contain legally privileged information and/or copyright material of the Insurance Commission of Western Australia. Thank you.

B17. TRAVEL UNDERTAKEN BY MINISTER NALDER MLA

Hon ALANNA CLOHESY: Did the Premier approve the travel and the alterations to the travel?

The CHAIR: So the circumstances in which—coming back early or whatever.

Hon PETER COLLIER: That is fine.

Hon ALANNA CLOHESY: Was the minister recalled during that period?

The CHAIR: We will make that part of B17 about whether there was any request for him to come back earlier or recalled, would probably be the better way of recording it.

Hon ALANNA CLOHESY: And maybe whom he was travelling with; I think it was a ministerial arrangement.

The CHAIR: That is in addition to B17—so, who else was travelling with the minister. We will make that all part of B17, I think. That is all together, I think, is it not?

Answer

The Premier approved leave for Minister Nalder for the period 14 to 27 July 2014 (both dates inclusive), with the approval published in the Government Gazette on 8 July 2014. The Premier then approved a request from the Minister to alter the leave period to 14 to 22 July 2014 (both dates inclusive), which was subsequently published in the Government Gazette on 8 August 2014. Minister Nalder did not seek approval to travel in his official ministerial capacity during this period.



B18. DECISIONS MADE BY ACTING MINISTER MARMION MLA

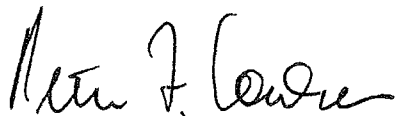
Hon ALANNA CLOHESY: Yes. Were any decisions made by Minister Marmion in that period as acting minister? Were they subsequently changed by Minister Nalder after that acting period?

Hon PETER COLLIER: I have no idea.

Mr Conran: It is a matter that we would have to take on notice. I think I was actually on leave at the time.

Answer:

- 1) No
- 2) Not applicable.

A handwritten signature in black ink, appearing to read "Peter J. Collier". The signature is written in a cursive, flowing style.

B19. ASSETS HELD BY MINISTER NALDER MLA

Hon ALANNA CLOHESY: Has he divested himself of any assets that might have created a conflict?

Mr Conran: That is a matter I would have to take on notice.

Hon ALANNA CLOHESY: If he did, in what manner did he divest himself of those interests?

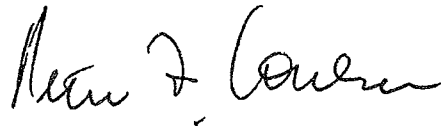
Hon PETER COLLIER: I honestly do not know.

Mr Conran: Again, that is a matter which would have to be taken on notice.

The CHAIR: We will keep that all as the two elements of B19, which would be: did he divest himself of any assets; and, if so, what was the manner in which he divested them?

Answer

Minister Nalder provided a copy of his Primary Return in accordance with the *Members of Parliament (Financial Interests) Act 1992*. These documents are updated annually. Minister Nalder also submitted a declaration as required under the Ministerial Code of Conduct. This declaration is made for consideration of issues by Cabinet and as such is confidential. Minister Nalder has complied with his obligations.



B20. 457 VISA EMPLOYEES IN THE DEPARTMENT

Hon ALANNA CLOHESY: In terms of the number of permanent positions that are currently held by temporary employees, are you able to give me the number of those positions?

Ms Andrews: Permanent positions, you mean —

Hon ALANNA CLOHESY: That are currently being filled by temporary employees.

Ms Andrews: I would have to get data on that, I am afraid, yes.

Hon ALANNA CLOHESY: And the percentage of those who are on non-resident visas.

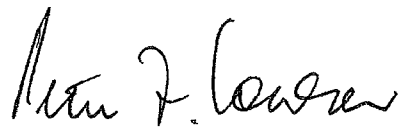
Ms Andrews: Okay, we can get that. So you want the —

Hon ALANNA CLOHESY: And by level, if possible.

Ms Andrews: Yes. So you want the number of permanent vacant positions and, of those, which are occupied by anyone on a temporary working visa or a temporary visa, obviously.

Answer

Nil

A handwritten signature in black ink, appearing to read "Alan F. Lawson". The signature is written in a cursive, flowing style with a large initial 'A'.

B21. BUDGET OF STRATEGIC PROJECTS

The CHAIR: What is the total annual budget for your internal strategic projects unit?

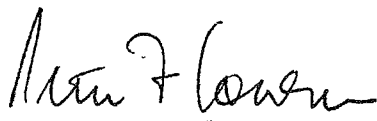
Mr Conran: Could I take that on notice? Generally, across our policy unit, we do not allocate specific funds to the specific areas simply because we move our people around areas. One area will grow, one area will decline, depending on the workflows in the office. We do not specifically have a budget for any particular area.

The CHAIR: Anyway, if you could give us some indication of the rough costs for that unit, even if it is on the total salary, and what percentage of their work you believe was taken up with the drum line policy. I am happy for that to be taken as supplementary information.

Answer

There is no budget amount allocated specifically to the Strategic Projects business unit of the Department. Rather an amount dedicated to overall Government Policy Management. The 2014-15 budget for Government Policy Management is \$73,754,000.

In relation to the drum line trial and associated project work within the Government's Shark Hazard Mitigation Strategy the following estimated salary costs were incurred \$267,573.00. Which represents 0.36% of the total 2014-15 budget for Government Policy Management.



B22. SHARK MITIGATION STRATEGY EVALUATION REPORT

The CHAIR: Finally, you provided us with the evaluation report. We have kept it private. I was wondering if you could provide to us a copy of it with the information that you believe needs to be redacted for that to be made public. A fair number of issues are raised with me about views that there were tenderers that were lower priced and had greater skill and experience in shark fishing that were not successful. Whilst I understand your concerns about not wanting names of companies raised, I would very much appreciate it if you were able to provide us with a copy of the information that you feel is sufficiently redacted not to identify anybody but hopefully provides enough information that would allow people to be confident that the best tender was successful. I do that because I think it is in the department's interest as much as anyone else's for that to occur.

Mr Conran: We will endeavour to do that. We may need some legals in relation to that just to clarify a few issues. As with all things related to tenders, there are a whole range of complexities. I can never understand them, but we will endeavour to get you that information.

Answer

See attached redacted report.

Please note that although the pricing information has been left in, it is considered commercially sensitive and should not be published. Any final decision on this is for the Committee.

