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**SALARIES AND ALLOWANCES ACT 1975**

**DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL**

**FOR CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT,**

**PUBLIC SERVICE OFFICE HOLDERS INCLUDED IN THE**

**SPECIAL DIVISION OF THE PUBLIC SERVICE AND**

**PERSONS HOLDING OFFICES PRESCRIBED IN**

**SALARIES AND ALLOWANCES REGULATION NUMBER 3**

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## PREAMBLE

### Statutory context

- (1) In accordance with the *Salaries and Allowances Act 1975* (“the Act”), the Salaries and Allowances Tribunal sets the remuneration to be paid or provided to –
  - (a) the Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House (section 6(1)(c));
  - (b) officers of the Public Service holding offices including in the Special Division of the Public Service (section 6(1)(d)); and
  - (c) a person holding any other office of a full-time nature, created or established under a law of the State, that is prescribed for the purposes of this section, but not being an office the remuneration for which is determined by or under any industrial award or agreement made or in force under any other law of the State (section 6(1)(e)).
- (2) This determination is subject to the restrictive provisions of the *Salaries and Allowances (Debt and Deficit Remediation) Act 2018*, which commenced in February 2018 and prevents the Tribunal, until July 2021, from increasing remuneration provided for the offices listed above.
- (3) While the Tribunal cannot determine general remuneration increases at this time, section 10D(8) allows reclassification of Special Division offices following changes in work value.

### Considerations

- (4) This determination consolidates numerous variations since the Tribunal’s last major determination, issued on 25 June 2018.
- (5) While the Tribunal is prevented from determining general remuneration increases, it may consider reclassification of offices following changes in work value. It is generally assumed that office holders will meet the challenges of changing roles and responsibilities arising from policy initiatives, changing priorities and the demands of the community. For reclassification to be warranted, work value changes must be significant and sustained, and clearly impact on the character of the office.
- (6) This determination confirms the reclassification of one position: the Deputy Director General Public Schools, at the Department of Education. The Tribunal considered reclassification was justified in this case following external assessments of work value that indicated significant and sustained changes to the office.

### Conclusion

- (7) In accordance with current statutory restrictions, this determination provides no general increase in remuneration for offices identified in sections 6(1)(c), (d) and (e) of the Act.
- (8) The determination will now issue.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

# DETERMINATION

## PART 1 INTRODUCTORY MATTERS

*This Part deals with some matters that are relevant to the Determination generally.*

### 1.1 Short Title

This Determination may be cited as the *Special Division, Prescribed Office Holders and Clerks of the Parliament Determination No. 1 of 2019*.

### 1.2 Commencement

This Determination comes into operation on 2 July 2019.

### 1.3 Content and intent

- (1) Pursuant to the *Salaries and Allowances Act 1975* ('the Act') this determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to:
- (a) the Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House (section 6(1)(c));
  - (b) officers of the Public Service holding offices including in the Special Division of the Public Service (section 6(1)(d); and
  - (c) a person holding any other office of a full-time nature, created or established under a law of the State, that is prescribed for the purposes of this section, but not being an office the remuneration for which is determined by or under any industrial award or agreement made or in force under any other law of the State (section 6(1)(e)).

### 1.4 References to Dates

- (1) In this Determination, a reference to "a year" or "per annum" relates to a financial year.
- (2) Where benefits or entitlements are provided with specific reference to "a financial year", these cease on and from 30 June each year and, unless otherwise specified in this Determination, no unexpended amount can be carried over to later financial years.

### 1.5 Terms used

In this Determination, unless the contrary intention appears –

**remuneration** means salary, allowances, fees, emoluments and benefits (whether in money or not);

**salary** means the portion of remuneration which is paid as money;

**Special Division officer** means the holder of an office which has been included in the Special Division of the Public Service pursuant to section 38 of the *Public Sector Management Act 1994* and for the purposes of section 6(1)(d) of the Act;

**Prescribed Officer** means the holder of an office which has been created or established under a law of the State, that is prescribed for the purposes of section 6(1)(e) of the Act.

**Tribunal** means the Salaries and Allowances Tribunal.

#### **1.6 Conditions of service**

- (1) Unless the conditions of service of a Special Division officer or Prescribed Officer are determined pursuant to a law of the State other than the Act, the conditions of service specified in this determination will apply.
- (2) To the extent that terms and conditions of employment affect remuneration (e.g. paid leave), office holders listed in this Schedule are entitled to the same terms and conditions as contained in the *Public Service Award 1992* as at the date of this determination and the *Public Service and Government Officers General Agreement 2017*.
- (3) Where there is any inconsistency between this determination and the terms and conditions of the *Public Service Award 1992* and the *Public Service Government Officers General Agreement 2017*, the conditions of service specified in this determination shall prevail to the extent of any inconsistency.

#### **1.7 Salaries**

- (1) All salaries stated in the Schedules of this determination are inclusive of annual leave loading.
- (2) A person holding more than one Special Division or Prescribed Office, shall receive remuneration for one office only, being the office classified or remunerated at the highest level.

#### **1.8 Salary Packaging**

- (1) An Office holder identified in this determination is entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the "Guidelines for Salary Packaging in the WA Public Sector" issued by the Department of Mines, Industry Regulation and Safety.

**FIRST SCHEDULE  
SPECIAL DIVISION AND PRESCRIBED OFFICE HOLDERS**

**PART 1 SALARY**

*This Part deals with the salary payable to Special Division and Prescribed Office Holders listed below.*

**1.1 Salary**

(1) The annual salaries specified in the Tables of this Part apply to the holders of the corresponding offices.

**Table 1: Special Division CEOs**

SPECIAL DIVISION CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Director General	Biodiversity, Conservation and Attractions	2	M Webb	\$319,881
Chief Executive Officer	Botanic Gardens and Parks Authority	4	M Webb	See Director General, Biodiversity, Conservation and Attractions
Managing Director	Central Regional TAFE	4	W Swetman	\$215,000
Chief Executive Officer	ChemCentre	4	Vacant	\$-
Director General	Communities	1	M Andrews	\$428,500
Registrar	Department of the Registrar, Western Australian Industrial Relations Commission	4	S Bastian	\$220,056
Director General	Education	1	L Rodgers	\$441,406
Director General	Finance	1	J Cant	\$402,288
Director	Gascoyne Development Commission	4	Vacant	\$-
Director	Goldfields-Esperance Development Commission	4	Vacant	\$-
Chief Executive Officer	Government Employees Superannuation Board	2	B Palmer	\$304,151
Director	Great Southern Development Commission	4	B Manning	\$202,631
Managing Director	Insurance Commission of Western Australia	2	R Whithear	\$341,567
Director General	Jobs, Tourism, Science and Innovation	1	R Brown	\$402,288
Director General	Justice	1	A Tomison	\$389,500
Director	Kimberley Development Commission	4	J Gooding	\$202,631
Director General	Local Government, Sport and Cultural Industries	2	D Ord	\$304,151
Commissioner	Mental Health Commission	2	Vacant	\$-
Chief Executive Officer	Metropolitan Cemeteries Board	4	P Deague	\$220,056
Chief Executive Officer	Metropolitan Redevelopment Authority	3	Vacant	\$-
Director	Mid-West Development Commission	4	G Treasure	\$204,246
Chief Executive Officer	Minerals Research Institute of Western Australia	4	N Roocke	\$221,500



SPECIAL DIVISION CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Director General	Mines, Industry Regulation and Safety	2	D Smith	\$367,070
Managing Director	North Metropolitan TAFE	3	M Hoad	\$235,539
Managing Director	North Regional TAFE	4	K Doig	\$215,000
Director	Peel Development Commission	4	A Ward	\$202,631
Director	Pilbara Development Commission	4	T Hill	\$210,858
Director General	Planning, Lands and Heritage	2	G McGowan	\$343,800
Director General	Premier and Cabinet	1	D Foster	\$441,406
Director General	Primary Industries and Regional Development	2	D Addis	\$319,881
Chief Executive Officer	Public Transport Authority	2	R Sellers	See Director General, Department of Transport
Chief Executive Officer	Rottneest Island Authority	4	M Webb	See Director General, Department of Biodiversity, Conservation and Attractions
Chief Executive Officer	School Curriculum and Standards Authority	3	L Rodgers	See Director General, Department of Education
Small Business Commissioner	Small Business Development Corporation	4	D Eaton	\$231,355
Managing Director	South Metropolitan TAFE	3	T Durant	\$235,539
Managing Director	South Regional TAFE	4	D Anderson	\$215,000
Director	South West Development Commission	4	Vacant	\$-
Chief Executive Officer	State Supply Commission	4	Vacant	\$-
Director General	Training and Workforce Development	2	A Driscoll	\$304,151
Director General	Transport	1	R Sellers	\$402,288
Under Treasurer	Treasury	1	M Barnes	\$441,406
Director General	Water and Environmental Regulation	2	M Rowe	\$304,151
Chief Executive Officer	Western Australian Land Information Authority	3	G Gammie	\$274,430
Director	Wheatbelt Development Commission	4	Vacant	\$-
Chief Executive Officer	WorkCover Western Australia Authority	4	Vacant	\$-
Chief Executive Officer	Zoological Parks Authority	4	M Webb	See Director General, Biodiversity, Conservation and Attractions

**Table 2: Prescribed Office Holders**

PRESCRIBED OFFICE HOLDERS			
Office	Department or Agency	Office Holder	Salary
Commissioner for Equal Opportunity	Equal Opportunity Commissioner	J Byrne	\$252,020
Commissioner	Fire and Emergency Services	D Klemm	\$304,151
General Manager	Forest Products Commission	S West	\$263,900
Chief Health Officer	Health	A Robertson	See Eighth Schedule
Director	Health and Disability Services Complaints Office	S Cowie	\$235,539
State Librarian	Library Board of Western Australia	M Allen	\$235,539
Commissioner of Main Roads	Main Roads WA	R Sellers	See Director General, Department of Transport
President	Mental Health Tribunal	K Whitney	\$242,108
WorkSafe Commissioner	Mines, Industry Regulation and Safety	D Kavanagh	\$200,000
Auditor General	Office of the Auditor General	C Spencer	\$402,288
Chief Psychiatrist	Office of the Chief Psychiatrist	N Gibson	See Seventh Schedule
Commissioner for Children and Young People	Office of the Commissioner for Children and Young People	C Pettit	\$235,539
Director of Public Prosecutions	Office of the Director of Public Prosecutions	A Forrester SC	See Fourth Schedule
Deputy Director of Public Prosecutions	Office of the Director of Public Prosecutions	C Barbagallo SC	See Fourth Schedule
Information Commissioner	Office of the Information Commissioner	Vacant	\$235,539
Inspector of Custodial Services	Office of the Inspector of Custodial Services	E Ryan	\$235,539
Solicitor General	Office of the Solicitor General	J Thomson SC	See Sixth Schedule
Commissioner	Parliamentary Commissioner for Administrative Investigations	C Field	\$372,070
Deputy Commissioner	Parliamentary Commissioner for Administrative Investigations	G (Mary) White	\$198,054
Public Sector Commissioner	Public Sector Commission	S O'Neill	\$441,406
Electoral Commissioner	Western Australian Electoral Commission	D Kerlake	\$252,020
Deputy Electoral Commissioner	Western Australian Electoral Commission	C Avent	\$190,776
Commissioner of Police	Western Australian Police Service	C Dawson	\$441,406
Deputy Commissioner Operations	Western Australian Police Service	S Brown	\$281,139
Deputy Commissioner Specialist Services	Western Australian Police Service	G Dreiberger	\$281,139
Assistant Commissioner	Western Australian Police Service	N Anticich	\$212,337
Assistant Commissioner	Western Australian Police Service	C Blanch	\$212,337
Assistant Commissioner	Western Australian Police Service	G Budge	\$212,337
Assistant Commissioner	Western Australian Police Service	K Properjohn	\$212,337
Assistant Commissioner	Western Australian Police Service	M Smalpage	\$212,337
Assistant Commissioner	Western Australian Police Service	P Steel	\$212,337
Assistant Commissioner	Western Australian Police Service	C Ward	\$212,337

PRESCRIBED OFFICE HOLDERS			
Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	K Whiteley	\$212,337
Assistant Commissioner	Western Australian Police Service	P Zanetti	\$212,337
Chief Executive Officer	Western Australian Tourism Commission	Vacant	See Director General, Jobs, Tourism, Science and Innovation

- (2) Where the Deputy Commissioner, Western Australian Electoral Commission (WAEC), acts in the position of Electoral Commissioner, WAEC, for a period of four or more consecutive weeks while the office is substantively vacant or the office holder is on leave, the Deputy Commissioner is entitled to receive the salary awarded in Table 2 Prescribed Office Holders, to the position of Electoral Commissioner for the duration of the acting arrangement.
- (3) A person appointed by the Governor to temporarily act in the Office of the Inspector of Custodial Services, is entitled to receive the same salary that is awarded to the position of Inspector of Custodial Services as set out in 'Table 2 Prescribed Office Holders'. The acting Inspector of Custodial Services is also entitled to the motor vehicle benefits set out in Part 3 and the superannuation entitlements set out in Part 6 of this Determination. The salary and benefits apply on a pro-rata basis for any period in which the Inspector of Custodial Services is absent from duty.

**Table 3: Special Division Non-CEOs**

SPECIAL DIVISION NON-CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General	Biodiversity, Conservation and Attractions	3	P Dans	\$227,819
Deputy Director General, Education Business Services	Education	2	J McGrath	\$281,140
Deputy Director General, Public Schools	Education	2	Vacant	\$-
Executive Director, School Curriculum and Standards	Education	3	A Blagaich	\$241,451
Deputy Director General, Building Management and Works	Finance	2	Vacant	\$-
Executive Director, Strategic Projects and Asset Sales	Finance	2	Vacant	\$-
Executive Director, Government Procurement	Finance	3	S Black	\$239,006
Commissioner of State Revenue	Finance	3	N Suchenia	\$227,819
Deputy Commissioner, Operations	Fire and Emergency Services	4	C Waters	\$227,819
Deputy Commissioner, Support and Capability	Fire and Emergency Services	4	S Fewster	\$227,819
Assistant Director General Strategy and Governance	Health	2	Vacant	\$-
Assistant Director General Purchasing and System Performance	Health	2	A Kelly	\$293,590
Deputy Director General, Industry Science and Innovation	Jobs, Tourism, Science and Innovation	3	Vacant	\$227,819
Deputy Director General Resources and Project Facilitation	Jobs, Tourism, Science and Innovation	3	Vacant	\$227,819
Deputy Director General Strategy and International Engagement	Jobs, Tourism, Science and Innovation	3	Vacant	\$-
Managing Director	Jobs, Tourism, Science and Innovation	3	B Carr	\$281,140
Commissioner of Corrective Services (Deputy Director General)	Justice	3	T Hassall	\$281,140
Deputy Commissioner, Adult Justice Services	Justice	Under Review	S Maines	\$254,480
Deputy Commissioner, Youth Justice Services	Justice	Under Review	Vacant	\$-
Executive Director, Courts and Tribunal Services	Justice	4	J Stampalia	\$212,336
Public Trustee	Justice	4	B Roche	\$227,819
Managing Director	Main Roads WA	2	P Woronzow	\$307,301
Deputy Director General, Resource and Environmental Regulation	Mines, Industry Regulation and Safety	3	P Gorey	\$227,819
Deputy Director General, Industry Regulation and Consumer Protection	Mines, Industry Regulation and Safety	3	K Berger	\$227,819
Deputy Director General, Safety Regulation	Mines, Industry Regulation and Safety	3	I Munns	\$227,819
Deputy Auditor General	Office of the Auditor General	3	S Labuschagne	\$227,819
Deputy Director General	Premier and Cabinet	2	M Bradshaw	\$307,301

SPECIAL DIVISION NON-CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General	Premier and Cabinet	2	Vacant	\$-
Executive Director State Services	Premier and Cabinet	4	R Kennedy	\$227,819
Government Chief Information Officer	Premier and Cabinet	4	G Italiano	\$220,000
Deputy Director General Industry and Economic Development	Primary Industries and Regional Development	3	N Grazia	\$227,819
Deputy Director General Sustainability and Biosecurity	Primary Industries and Regional Development	3	Vacant	\$-
Executive Director Strategic Initiatives and Liaison	Public Sector Commission	3	D Volaric	\$227,819
Managing Director	Public Transport Authority	2	M Burgess	\$281,140
Managing Director, Transport Services	Transport	2	N Lyhne	\$281,140
Project Director, Metronet	Transport	2	A Kannis	\$307,301
Deputy Under Treasurer	Treasury	2	M Court	\$307,301
Executive Director, Public Utilities Office	Treasury	2	Z Khan	\$281,140
Executive Director, Economic	Treasury	3	Vacant	\$-
Executive Director, Infrastructure and Finance	Treasury	3	R Watson	\$254,480
Executive Director, Strategic Policy and Evaluation	Treasury	3	A Jones	\$281,140
Executive Director	Western Australian Police Service	3	F Pasquale	\$271,510

## PART 2 CLASSIFICATION FRAMEWORK FOR SPECIAL DIVISION OFFICES

*This Part deals with the classification framework applicable to Special Division offices listed in Part 1 of this Schedule.*

### 2.1 General

- (1) Special Division offices listed in this Schedule have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.
- (2) Each classification (Band 1 to Band 4) has a commensurate annual salary as specified in this Section. The salary is exclusive of other benefits described further below in Parts 3, 4, 5 and 6.
- (3) Chief Executive Officers (CEOs) have been designated a higher salary range within each Band in recognition of the distinction between CEOs with end of line responsibility and non-CEOs in subordinate positions.
- (4) The Tribunal will review the classification of an office when that office becomes vacant and prior to a new appointment being made.

**Table 4: Annual salary range for the classification of Chief Executive Officers in the Special Division of the Public Service**

SPECIAL DIVISION CHIEF EXECUTIVE OFFICERS		
Band	Annual Salary Range	
Band 1	\$367,070	\$516,293
Band 2	\$304,151	\$367,070
Band 3	\$235,539	\$304,151
Band 4	\$202,631	\$235,539

**Table 5: Annual salary range for the classification of non-Chief Executive Officers in the Special Division of the Public Service**

SPECIAL DIVISION NON-CHIEF EXECUTIVE OFFICERS		
Band	Annual Salary Range	
Band 1	Not applicable	Not applicable
Band 2	\$281,140	\$330,938
Band 3	\$227,819	\$281,140
Band 4	\$190,776	\$227,819

## **PART 3            MOTOR VEHICLE BENEFITS**

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in Part 1 of this Schedule.*

### **3.1        General**

- (1) In addition to the salary determined for the office holders listed in Part 1 of this Schedule, those office holders have an entitlement to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.
- (2) The vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document "State Fleet – Agency General Agreement".
- (3) A person holding more than one Special Division or Prescribed Office, shall be entitled to a motor vehicle or cash in lieu of a motor vehicle for one such office only, being the office classified or remunerated at the highest level.
- (4) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for ensuring the vehicle is regularly serviced and maintained at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions taken at all times. Any theft or damage should be reported to the Fleet Manager.
- (5) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.
- (6) While the vehicle may be used anywhere in Western Australia at no cost to the individual, if the vehicle is driven interstate, the individual is liable for the cost of fuel and oil while interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.
- (7) Should the officer choose not to use the vehicle, supplied through State Fleet, for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for their private use, including transport to and from work.

- (8) Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal’s intent that this should result in additional government expense or an increase in the government fleet to provide transport for the office holder during business hours. The office holder is not entitled to claim a mileage allowance for use of their private vehicle for work purposes. Neither are they entitled to access another government vehicle for their personal use including transport to and from work.

**3.2 Notional value of the lease and the cost to the Office Holder**

- (1) The notional value of the lease (and all associated costs) shall be:

**Table 6: Notional Value of a Motor Vehicle**

Salary of Office Holder	Notional value of the lease
Below \$246,397 p.a.	\$20,300 p.a.
Equal to or above \$246,397 p.a.	\$22,650 p.a.

- (2) The notional value of the lease shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.
- (3) Office holders located in non-metropolitan locations that require a four wheel drive vehicle for operational reasons, can apply to the employing authority for the issue of a four wheel drive vehicle in lieu of the entitlement mentioned in this Section. Four wheel drive vehicles shall be of a standard, the cost of which does not exceed the Toyota Prado GXL Automatic 3.0 litre Turbo Diesel.
- (4) The total lease cost of the chosen vehicle and accessories determined in this section, must be borne by the office holder. This includes the purchase cost of any accessories and the installation cost and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.
- (5) In the event an office holder’s motor vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values in Table 6, then the reasonable additional cost may be approved by the office holder’s employing authority.
- (6) Where the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder’s remuneration.
- (7) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.



- (8) The notional value of the vehicle benefit must include the lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is outlined in Table 7.

**Table 7: Value of a Motor Vehicle Formula**

Value of a Motor Vehicle =		
L + R + aD + FBT + I + LCT, where		
L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury Car Tax

- (9) FBT is costed at applicable Australian Taxation Office rates. FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470). A 'Fringe Benefits Tax Exempt Agency' means where an organisation is exempt from FBT in accordance with Commonwealth Government legislation, a notional amount equal to the standard FBT must be added to the cost of the benefit.
- (10) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

### 3.3 Choice of motor vehicle

- (1) Where an office holder elects to access a leased vehicle under State Fleet arrangements, he/she may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.
- (2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.
- (3) Office holders unable to lease their choice of vehicle within the scope of the arrangements set out in this determination should elect to make their own arrangements to meet their personal transport needs.

**3.4 Cash value of the motor vehicle benefit**

- (1) Where a person elects not to be provided with a motor vehicle through State Fleet he/she is entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is to be determined in accordance with the following criteria:

**Table 8: Cash Value of a Motor Vehicle**

Salary of Office Holder	Cash Value
Below \$246,397 p.a.	\$20,300 p.a.
Equal to or above \$246,397 p.a.	\$22,650 p.a.

- (2) The cash value of a motor vehicle shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

## PART 4 DISTRICT AND TRAVEL ALLOWANCES

This Part deals with the district and travel allowances paid or provided to Office holders listed in this Part.

### 4.1 District Allowances

- (1) Officer holders listed in this Section shall be entitled to the applicable district allowances, if they are residing in the relevant region of their department or agency, in accordance with the *District Allowance (Government Officers) General Agreement 2010* and the relevant provisions of the *Public Service Award 1992* as at the date of this determination. Applicable FBT shall be payable by the relevant department or agency.
- (2) For the purposes of calculating the standard rate, dependant rate or partial dependant rate applicable under the *District Allowance (Government Officers) General Agreement 2010* the standard rates set out in Table 9 below shall form the basis of the calculations unless and until determined otherwise by the Tribunal.

**Table 9: District Allowances**

Office	Department or Agency	Office Holder	Annual District Allowance (Standard Rate)
Managing Director	Central Regional TAFE	W Swetman	\$1,239
Director	Goldfields-Esperance Development Commission	Vacant	\$-
Director	Kimberley Development Commission	J Gooding	\$7,436
Director	Mid West Development Commission	G Treasure	\$1,239
Managing Director	North Regional TAFE	K Doig	\$8,361
Director	Pilbara Development Commission	T Hill	\$9,449

### 4.2 Travel Allowances – Annual Leave Travel Concessions

- (1) Office holders listed in this section are entitled to travel allowances in accordance with the *Public Service Award 1992* (as at the date of this determination) and described in clause 23(10) of that Award as “Annual Leave Travel Concessions”.

**Table 10: Travel Allowances – Annual Leave Travel Concessions**

Office	Department or Agency	Office Holder
Director	Kimberley Development Commission	J Gooding
Managing Director	North Regional TAFE	K Doig
Director	Pilbara Development Commission	T Hill

## **PART 5 HOUSING AND UTILITIES**

*This Part deals with the housing and utilities subsidies paid or provided to Office holders listed in this Part.*

### **5.1 Rental Subsidies**

- (1) Office holders listed in this section are entitled to the applicable Government Regional Officers Housing (GROH) rental subsidies, if they are residing in the relevant region of their department or agency, in accordance with the Department of Housing *Tenant Rent Setting Framework Policy (July 2016)* (as at the date of this determination).
- (2) The rental subsidy shall be payable to GROH for the benefit of the office holders and is to be calculated using the Department of Housing on-line rent calculator which can be accessed at:  
  
[http://www.housing.wa.gov.au/currenttenants/governmentemployeehousing/rentcalculator/Pages/groh\\_rent\\_calc.aspx](http://www.housing.wa.gov.au/currenttenants/governmentemployeehousing/rentcalculator/Pages/groh_rent_calc.aspx)
- (3) In the event the full rental cost is more than the rental subsidy, the difference is to be borne by the office holder. However, Departments or Agencies can apply to the Employing Authority for approval for the difference to be borne by the Department or Agency.
- (4) Applicable FBT shall be paid by the office holder's department or agency.

**Table 11: Rental Subsidies**

Office	Department or Agency	Office Holder
Director	Mid West Development Commission	G Treasure
Managing Director	North Regional TAFE	K Doig
Director	Pilbara Development Commission	T Hill

## 5.2 Home ownership subsidies

- (1) Office holders identified in this section shall be entitled to applicable Government home loan subsidies which are aligned generally to the Department of Housing's *Home Ownership Subsidy Scheme for Government Employees in Regional Western Australia (November 2001)*.
- (2) The home ownership subsidy shall be payable for the benefit of the office holder up to the maximum specified in Table 12 below.
- (3) The subsidy shall be paid in accordance with and for the period specified in the relevant Home Loan Subsidy Agreement between the office holder and their Department or agency identified in Table 12 below.
- (4) Applicable FBT shall be paid by the office holder's department or agency.

**Table 12: Home Ownership Subsidies**

Office	Department or Agency	Office Holder	Maximum Annual Home Ownership Subsidy
Managing Director	Central Regional TAFE	B Swetman	\$9,100 (\$175 per week)

## 5.3 Electricity subsidies

- (1) Office holders listed in this Section shall be entitled to claim electricity subsidies as specified in Table 13 below.
- (2) Claims made under this Section must be accompanied by a tax invoice for electricity utilised at the residence ordinarily occupied by the office holder within the relevant Development Commission region where the office holder's department or agency is located.
- (3) A claim for an electricity subsidy made under this Section must be submitted within 90 days of the due payment date of the tax invoice. In the case of exceptional circumstances, the administering authority may approve an extension of time to submit a claim. Any application made to the administering authority seeking an extension of time to submit a claim under this Section, should be in writing and explain the exceptional circumstances leading to the need for extra time to submit a claim. Exceptional circumstances, for which an extension will be approved, will only be where the office holder has demonstrated that the claim submission has been delayed for reasons outside the office holder's control or in circumstances where ill health or bereavement has prevented a claim being made on time. Where delays in submitting a claim have been due to administrative oversight or negligence, the Tribunal does not regard these as circumstances appropriate to grant an extension of time to submit a claim. Where a claim is made after 90 days and no extension has been granted, payment against the claim will not be made.

- (4) Applicable FBT shall be paid by the office holder's department or agency.
- (5) Any gap between the electricity subsidy as stated in Table 13 and the full electricity amounts is payable by the office holder.

**Table 13: Electricity Subsidies**

Office	Department or Agency	Office Holder	Maximum Annual Electricity Subsidy
Director	Kimberley Development Commission	J Gooding	\$2,477
Managing Director	North Regional TAFE	K Doig	\$1,554
Director	Pilbara Development Commission	T Hill	\$2,735

## PART 6 SUPERANNUATION ENTITLEMENTS

*This Part deals with the superannuation entitlements paid or provided to Office holders listed in Part 1 of this Schedule.*

### 6.1 Superannuation Entitlements

- (1) Employer superannuation contributions are payable in accordance with the obligations applicable under the *Superannuation Guarantee (Administration) Act 1992* (Cth), the *State Superannuation Act 2000* and the *State Superannuation Regulations 2001* or the *Fire and Emergency Services Regulations 1986*, as the case may be, unless determined otherwise in this Schedule.
- (2) Superannuation contributions to the Gold State Super scheme are based on the concept of remuneration set out in Regulation 5 of the *State Superannuation Regulations 2001*. Contributions to an accumulation scheme, whether a GESB accumulation scheme or a scheme of choice, are determined by the concept of Ordinary Time Earnings (OTE) defined in the *Superannuation Guarantee (Administration) Act 1992* (Cth) and 'over OTE items' as defined in the *State Superannuation Regulations 2001*. The Department of Treasury document titled *Ordinary Time Earnings and the Treatment of Allowances and Payments for Superannuation Remuneration Purposes – General Principles* provides useful guidance on this matter. The document can be found on the Department of Treasury web site at:  
  
[http://www.treasury.wa.gov.au/cms/uploadedFiles/Treasury/State\\_finances/ote\\_treatment\\_allowances\\_payments\\_superannuation\\_remuneration\\_general\\_principles.pdf?n=1655](http://www.treasury.wa.gov.au/cms/uploadedFiles/Treasury/State_finances/ote_treatment_allowances_payments_superannuation_remuneration_general_principles.pdf?n=1655)
- (3) Superannuation contributions to the Fire and Emergency Services Superannuation Fund are governed by the *Superannuation Guarantee (Administration) Act 1992* (Cth) and the *Fire and Emergency Services Regulations 1986*.
- (4) The position of CEO, Metropolitan Cemeteries Board, while held by Mr P Deague, shall be paid superannuation in accordance with the *WA Local Government Superannuation Plan*.
- (5) A *Gold State* member electing to take a motor vehicle or the cash equivalent in lieu of a motor vehicle is not entitled to have either amount included for superannuation purposes.
- (6) A *West State* or *GESB Super* member electing to take a vehicle does not have the cash value of that vehicle included for superannuation. However if the office holder elects to take a cash equivalent in lieu of a motor vehicle then this amount is included for the purposes of superannuation.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**



## SECOND SCHEDULE SENIOR LEGAL OFFICES

Pursuant to section 6(1)(d) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid per annum to the holders of the offices listed below and is as follows.

### PART 1 SALARY

*This Part deals with the salary payable to the holders of Senior Legal Offices listed below in Part 1 of this Schedule.*

#### 1.1 Salary

The annual salaries specified in Table 14 of this Part apply to the holders of the corresponding offices.

**Table 14: Remuneration and Offices**

Office	Department or Agency	Band	Office Holder	Annual Salary
State Solicitor, SSO	Justice	1	N Egan	\$441,164
Parliamentary Counsel, PCO	Justice	1	G Lawn	\$441,164
State Counsel, SSO	Justice	2	G Tannin SC	\$397,766
Deputy State Solicitor, SSO	Justice	2	A Komminos	\$375,819
Deputy State Solicitor – Commercial, SSO	Justice	2	C Bydder	\$375,819
Deputy Parliamentary Counsel, PCO	Justice	2	U Couper	\$375,819
Senior Adviser, SSO	Justice	3	J O’Halloran	\$354,043
Deputy State Counsel, SSO	Justice	3	A Sefton	\$333,003
Senior Parliamentary Counsel, PCO	Justice	3	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	P Usher	\$333,003
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J Whalley	\$333,003
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	L Christian	\$333,003
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J Scholz	\$333,003
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	Vacant	\$-
Director Legal Services	Office of the Director of Public Prosecutions	3	M Bugg	\$333,003

Office	Department or Agency	Band	Office Holder	Annual Salary
Adviser, SSO	Justice	4	M Payne	\$250,705
Adviser, SSO	Justice	4	Vacant	\$-
Adviser, SSO	Justice	4	Vacant	\$-
Adviser, SSO	Justice	4	I Petersen	\$250,705
Senior Parliamentary Counsel, PCO	Justice	4	D Djurdjevic	\$243,600
Senior Parliamentary Counsel, PCO	Justice	4	R Jacobs	\$243,600

Abbreviations: SSO - State Solicitor's Office / PCO – Parliamentary Counsel's Office

## PART 2 CLASSIFICATION FRAMEWORK

*This Part deals with the classification framework applicable to the holders of Senior Legal Offices listed in Part 1 of this Schedule.*

### 2.1 General

- (1) Offices listed in this Schedule have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.
- (2) Each classification (Band 1 to Band 4) has a commensurate indicative annual salary as specified in this Section.
- (3) The Tribunal will review the classification and salary of an office when that office becomes vacant and prior to a new appointment being made.

**Table 15: Indicative annual salary range for the classification of Senior Legal Offices**

SENIOR LEGAL OFFICES		
Band	Annual Salary Range	
Band 1	\$411,698	\$474,182
Band 2	\$345,581	\$411,698
Band 3	\$276,318	\$345,581
Band 4	\$243,600	\$276,318

### **PART 3            MOTOR VEHICLE BENEFITS**

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this schedule.*

The holders of the offices listed in this Schedule have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to office holders listed in this Schedule.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

#### **SALARIES AND ALLOWANCES TRIBUNAL**

## THIRD SCHEDULE

### COURT REGISTRARS

Pursuant to section 6(1)(d) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid to the holders of the offices listed.

#### **PART 1 SALARY**

*This Part deals with the salary payable to the holders of the offices listed below*

**Table 16: Annual salary for Court Registrars**

OFFICE	ANNUAL SALARY
<b>Supreme Court</b>	
Principal Registrar	\$340,979
Registrar	\$301,959
<b>District Court</b>	
Principal Registrar	\$317,562
Registrar	\$298,389
Deputy Registrar	\$289,437

#### **PART 2 MOTOR VEHICLE BENEFITS**

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this schedule.*

The holders of the offices listed in this Schedule have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$24,000 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to office holders listed in this Schedule.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

## FOURTH SCHEDULE

### DIRECTOR OF PUBLIC PROSECUTIONS AND DEPUTY DIRECTOR OF PUBLIC PROSECUTIONS

Pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the offices of the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.

#### **PART 1 SALARY AND ALLOWANCES**

*This Part deals with the salary and allowances payable to the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.*

##### **1.1 Director of Public Prosecutions**

- (1) The holder of the office of Director of Public Prosecutions is to be paid a salary of \$486,517 per annum.
- (2) All other allowances payable from time to time are the same as provided to a Puisne Judge of the Supreme Court of Western Australia.
- (3) Pursuant to clause 2(a) of the Director of Public Prosecutions Act 1991 the Director of Public Prosecutions has the same annual leave, sick leave and long service leave entitlements as an officer of the public service.

##### **1.2 Deputy Director of Public Prosecutions**

- (1) The holder of the office of Deputy Director of Public Prosecutions is to be paid a salary of \$397,766 per annum.
- (2) All other allowances payable from time to time are the same as provided to a District Court Judge of Western Australia.

## **PART 2          MOTOR VEHICLE BENEFITS**

*This Part deals with the motor vehicle benefits paid or provided to the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.*

### **2.1          Motor Vehicle Entitlement**

The Director of Public Prosecutions and the Deputy Director of Public Prosecutions each have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$26,900 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to these office holders.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

## FIFTH SCHEDULE

### CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT

Pursuant to section 6(1)(c) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House.

#### PART 1 SALARY

*This Part deals with the salary payable to the holders of the offices listed below.*

**Table 17: Annual salary for the Clerks and Deputy Clerks of the Parliament**

Office	Annual Salary
Clerk of the Legislative Council	\$219,380
Deputy Clerk of the Legislative Council	\$168,709
Clerk of the Legislative Assembly	\$219,380
Deputy Clerk of the Legislative Assembly	\$168,709

#### PART 2 MOTOR VEHICLE BENEFITS

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this Schedule.*

The holders of the offices listed in this Schedule have an entitlement to the supply of a fully maintained motor vehicle for business and private use.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

## **SIXTH SCHEDULE**

### **SOLICITOR-GENERAL**

Pursuant to section 4 of the *Solicitor-General Act 1969* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of the Solicitor-General.

#### **PART 1 REMUNERATION**

The holder of the office of Solicitor-General is entitled to remuneration of \$596,903 per annum inclusive of salary, motor vehicle entitlement and superannuation. This remuneration is provided on the basis that the holder of the office of Solicitor-General has not retained the right to private practice.

#### **PART 2 MOTOR VEHICLE BENEFITS**

For the purpose of superannuation the notional value of the motor vehicle entitlements is \$26,900 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Solicitor-General.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**



## **SEVENTH SCHEDULE**

### **CHIEF PSYCHIATRIST**

Pursuant to Section 510 of the *Mental Health Act 2014* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of the Chief Psychiatrist.

#### **PART 1 REMUNERATION**

The holder of the office of Chief Psychiatrist is entitled to remuneration of \$487,200 per annum inclusive of salary, motor vehicle entitlement and superannuation.

#### **PART 2 MOTOR VEHICLE BENEFITS**

For the purpose of superannuation the notional value of the motor vehicle entitlements is \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Chief Psychiatrist.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

## **EIGHTH SCHEDULE**

### **CHIEF HEALTH OFFICER**

Pursuant to Section 12 of the *Public Health Act 2016* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of Chief Health Officer.

#### **PART 1 REMUNERATION**

The holder of the office of Chief Health Officer is entitled to remuneration of \$493,051 per annum inclusive of salary, motor vehicle entitlements and superannuation.

#### **PART 2 MOTOR VEHICLE ENTITLEMENTS**

For the purpose of superannuation the notional value of the motor vehicle entitlement is \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Chief Health Officer.

Signed on 2 July 2019

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C P Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**