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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 (“the Tribunal”) is required to inquire into and determine, 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) In discharging its statutory requirements with respect to the remuneration for Clerks and Deputy Clerks of the Parliament, holders of offices in the Special Division of the Public Service and Prescribed offices, the Tribunal’s approach has been to -
  - (a) invite public submissions;
  - (b) invite submissions from all office holders; and
  - (c) request advice from the Statutory Advisor.
- (3) Section 8(a) of the Act provides that a determination relating to offices identified in sections 6(1)(c), (d) and (e) must be issued within 12 months of the previous determination.
- (4) The Tribunal’s most recent determination in relation to Clerks of the Parliament, officers of the Special Division of the Public Service and the holders of prescribed offices was issued on 21 June 2016. By issuing this Determination, the Tribunal discharges its obligation under section 8(a).
- (5) When issuing determinations under sections 6(1)(c), (d) and (e), section 10A of the Act requires the Tribunal to consider specific information. Accordingly, in issuing this Determination, the Tribunal has considered the:
  - (a) *Public Sector Wages Policy Statement 2017*;
  - (b) financial position and fiscal strategy of the State as set out in the *2016-2017 Pre-Election Financial Projections Statement*, and through the update provided by the Treasurer and Under Treasurer in the “Economic and Fiscal Outlook”, on 6 April 2017; and
  - (c) submission provided to the Tribunal on behalf of the State Government.

## **Economic context**

- (6) The Tribunal is mindful of Western Australia's current economic circumstances. The Western Australian economy is enduring serious economic challenges, including:
- (a) Increased government debt;
  - (b) Reduced government revenue;
  - (c) Falling business investment;
  - (d) Declining tax and rates base;
  - (e) Unemployment and underemployment at high levels;
  - (f) WA Average Weekly earnings falling by -0.7% and the Wage Price Index remaining at low levels; and
  - (g) Increasing economic stress on households.
- (7) It is apparent that the Western Australian community, as a whole, is facing a difficult period that will require some economic sacrifices to reverse some of the economic declines and restore confidence in the economy.

## **Proposed Structural Changes in the Public Sector**

- (8) It is noted that the Premier recently announced significant structural changes in the public sector, which will result in new amalgamated departments and will impact on the number of Special Division and Prescribed Office Holder positions. These changes are scheduled to be formalised on 1 July 2017.
- (9) However, the Tribunal's statutory deadlines require this Determination to reflect the structure of the public sector as it stands on 20 June 2017.
- (10) The forthcoming structural changes will be reflected in a subsequent variation by the Tribunal.

## **2017 Inquiry Process**

- (11) The Tribunal invited public submissions to the inquiry in an advertisement in *The West Australian* newspaper on 4 March 2017, with a closing date of 24 March 2017.
- (12) No submissions were received from members of the general public.
- (13) The State Government provided a submission, which, in essence, emphasised the current economic circumstances in Western Australia and the need for restraint with respect to remuneration provided to office holders.
- (14) Four submissions were received from office holders and were noted by the Tribunal.
- (15) The Tribunal also consulted its statutory adviser, the Public Sector Commissioner, Mr Mal Wauchope AO, who is appointed under Section 10(4)(b) of the Act to assist the Tribunal in its deliberations.

- (16) In exercising its statutory responsibilities, the Tribunal applies broad principles upon which levels of remuneration are determined for all categories of offices and positions coming within the scope of the Act.
- (17) These principles, particularised to the Clerks of the Parliament, Special Division and Prescribed Office holders, have been applied by the Tribunal to make judgments with respect to the remuneration and entitlements in this determination. These principles are:
- (a) the value of the offices to the State and our democratic system of government;
  - (b) measures of the “work value” of the offices; and
  - (c) the level of remuneration of the offices within the context of wage and salary rates applying generally in the community.
- (18) In relation to the work value of positions, there is an expectation that senior executives within the Public Service and other statutory office holders must meet the challenges of changing roles and responsibilities arising from policy initiatives, changing priorities and the demands of the community. To warrant an increase in classification and/or remuneration the changes in the work value of the position must be significant and result in a fundamental change in the character of the office above the demands that an effective senior executive must meet on an ongoing basis.
- (19) The Tribunal has reviewed Electricity Subsidies provided to certain eligible regional office holders. Subsidies in most cases have been reduced in order to reflect the average cost per capita consumption in the office holders’ relevant location.

### **Conclusions**

- (20) On balance, given the Western Australian economy’s significant challenges, the Tribunal has concluded that there will be no change to remuneration provided to the Special Division, Prescribed Office Holders and the Clerks of the Parliament.
- (21) The Determination includes a minor amendment to Electricity Subsidies provided to certain eligible regional office holders.
- (22) The determination will now issue.

Signed on 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
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 2017*.

### 1.2 Commencement

This Determination comes into operation on 20 June 2017.

### 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)).
- (2) This determination fulfils the Tribunal's obligations under the Act with respect to:
  - (a) issuing annual determinations (section 8); and
  - (b) considering government financial matters (section 10A).
- (3) In accordance with section 10A of the Act, the decisions by the Tribunal in relation to sections 6(1)(c), (d) and (e) have taken consideration of the:
  - (a) Public Sector Wages Policy Statement 2017, issued on 12 May 2017 ;
  - (b) financial position and fiscal strategy of the State as set out in the *2016-2017 Pre-Election Financial Projections Statement*, issued on 9 February 2017, and through the update provided by the Treasurer and Under Treasurer in the "Economic and Fiscal Outlook", on 6 April 2017; and
  - (c) submission provided to the Tribunal on behalf of the State Government.

### 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 2014*.
- (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 2014*, 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 Commerce.

**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	Aboriginal Affairs	3	Vacant	\$-
Director General	Agriculture and Food	2	Vacant	\$-
Director General	Attorney General	2	A Tomison	\$304,151
Chief Executive Officer	Botanic Gardens and Parks Authority	4	M Webb	\$220,056
Managing Director	Central Regional TAFE	4	W Swetman	\$215,000
Chief Executive Officer	ChemCentre	4	Vacant	\$-
Director General	Child Protection and Family Support	2	E White	\$304,151
Director General	Commerce	2	A Driscoll	\$304,151
Commissioner	Corrective Services	2	Vacant	\$-
Director General	Culture and the Arts	3	D Ord	\$235,539
Registrar	Department of the Registrar, Western Australian Industrial Relations Commission	4	S Bastian	\$220,056
Director General	Disability Services Commission	2	R Chalmers	\$344,819
Director General	Education	1	S O'Neill	\$441,406
Director General	Education Services	3	R Strickland	\$262,151
Director General	Environment Regulation	3	Vacant	\$-
Director General	Finance	1	A Nolan	\$402,288
Director General	Fisheries	2	H Brayford	\$304,151
Director	Gascoyne Development Commission	4	G Robins	\$210,858
Director	Goldfields-Esperance Development Commission	4	S Flanagan	\$202,631
Chief Executive Officer	Government Employees Superannuation Board	2	Vacant	\$-
Director	Great Southern Development Commission	4	B Manning	\$202,631
Director General	Housing	2	Vacant	\$-
Managing Director	Insurance Commission of Western Australia	2	R Whithear	\$341,567
Director	Kimberley Development Commission	4	J Gooding	\$202,631
Director General	Lands	3	C Slattery	\$235,539
Director General	Local Government and Communities	3	J Mathews	\$288,860
Commissioner	Mental Health Commission	2	T Marney	\$367,070
Chief Executive Officer	Metropolitan Cemeteries Board	4	P Deague	\$220,056

SPECIAL DIVISION CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Chief Executive Officer	Metropolitan Redevelopment Authority	3	K Kinsella	\$262,151
Director	Mid-West Development Commission	4	G Treasure	\$204,246
Chief Executive Officer	Minerals Research Institute of Western Australia	4	M Woffenden	\$235,539
Director General	Mines and Petroleum	2	Vacant	\$-
Managing Director	North Metropolitan TAFE	3	M Hoad	\$235,539
Managing Director	North Regional TAFE	4	K Doig	\$215,000
General Manager	Office of the Environmental Protection Authority	3	K Taylor	\$268,989
Director General	Parks and Wildlife	2	J Sharp	\$304,151
Director	Peel Development Commission	4	A Ward	\$202,631
General Manager	Perth Theatre Trust	4	D Ord	See Director General, Department of Culture and the Arts
Director	Pilbara Development Commission	4	T Hill	\$210,858
Director General	Planning	2	G McGowan	\$304,151
Director General	Premier and Cabinet	1	Vacant	\$-
Chief Executive Officer	Public Transport Authority	2	R Sellers	See Director General, Department of Transport
Director General	Racing, Gaming and Liquor	3	B Sargeant	\$288,860
Director General	Regional Development	3	D (Ralph) Addis	\$235,539
Commissioner	Road Safety Commission	4	K Papalia	\$202,631
Chief Executive Officer	Rottnest Island Authority	4	Vacant	\$-
Chief Executive Officer	School Curriculum and Standards Authority	3	A Blagaich	\$262,151
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	\$-
Director General	Sport and Recreation	3	R Alexander	\$288,860
Director General	State Development	1	S Wood	\$402,288
Executive Director	State Heritage Office	4	G Gammie	\$202,631
Chief Executive Officer	State Supply Commission	4	Vacant	\$-
Director General	Training and Workforce Development	2	R Shean	\$367,070
Director General	Transport	1	R Sellers	\$402,288
Under Treasurer	Treasury	1	M Barnes	\$441,406
Director General	Water	3	M Rowe	\$235,539
Chief Executive	Western Australian Land Information Authority	3	M Bradford	\$274,430
Director	Wheatbelt Development Commission	4	W Newman	\$202,631
Chief Executive Officer	WorkCover Western Australia Authority	4	M Reynolds	\$235,539
Chief Executive Officer	Zoological Parks Authority	4	S Hunt	\$235,539

**Table 2: Prescribed Office Holders**

PRESCRIBED OFFICE HOLDERS			
Office	Department or Agency	Office Holder	Salary
Commissioner for Equal Opportunity	Equal Opportunity Commissioner	A Lucas	\$252,020
Commissioner	Fire and Emergency Services	W Gregson	\$367,069
General Manager	Forest Products Commission	S West	\$263,900
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	Vacant	\$-
Auditor General	Office of the Auditor General	Vacant	\$-
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	See Fourth Schedule
Deputy Director of Public Prosecutions	Office of the Director of Public Prosecutions	Vacant	See Fourth Schedule
Information Commissioner	Office of the Information Commissioner	S Bluemmel	\$235,539
Inspector of Custodial Services	Office of the Inspector of Custodial Services	N Morgan	\$235,539
Solicitor General	Office of the Solicitor General	P Quinlan SC	See Sixth Schedule
Commissioner	Parliamentary Commissioner for Administrative Investigations	C Field	\$367,070
Deputy Commissioner	Parliamentary Commissioner for Administrative Investigations	G (Mary) White	\$198,054
Public Sector Commissioner	Public Sector Commission	M Wauchope	\$441,406
Electoral Commissioner	Western Australian Electoral Commission	D Kerslake	\$252,020
Deputy Electoral Commissioner	Western Australian Electoral Commission	C Avent	\$190,776
Commissioner of Police	Western Australian Police Service	K O'Callaghan	\$441,406
Deputy Commissioner Operations	Western Australian Police Service	S Brown	\$281,139
Deputy Commissioner Specialist Services	Western Australian Police Service	G Dreibergs	\$281,139
Assistant Commissioner	Western Australian Police Service	N Anticich	\$212,337
Assistant Commissioner	Western Australian Police Service	D Bell	\$212,337
Assistant Commissioner	Western Australian Police Service	G Budge	\$212,337
Assistant Commissioner	Western Australian Police Service	M Fyfe	\$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
Assistant Commissioner	Western Australian Police Service	P Zanetti	\$212,337
Chief Executive Officer	Western Australian Tourism Commission	E (Gwyn) Dolphin	\$319,881

- (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
Public Trustee	Attorney General	4	B Roche	\$227,819
Executive Director, Courts and Tribunal Services	Attorney General	4	Vacant	\$-
Executive Director Consumer Protection / Commissioner for Consumer Protection	Commerce	4	Vacant	\$-
Executive Director, WorkSafe / WorkSafe Western Australia Commissioner	Commerce	4	L McCulloch	\$212,337
Executive Director, Building Commission / Building Commissioner	Commerce	4	P Gow	\$212,337
Executive Director, Labour Relations and Industry Development	Commerce	4	K Berger	\$212,337
Deputy Commissioner, Youth Justice Services	Corrective Services	3	R Green	\$227,819
Deputy Commissioner, Adult Justice Services	Corrective Services	3	S Maines	\$254,480
Deputy Director General, Finance and Administration	Education	2	J McGrath	\$281,140
Deputy Director General, Schools	Education	3	D Axworthy	\$246,451
Deputy Director General, Building Management and Works	Finance	2	B Sullivan	\$307,301
Deputy Director General, Public Utilities Office	Finance	2	R Challen	\$330,938
Executive Director, Government Procurement	Finance	3	S Black	\$239,006
Commissioner of State Revenue	Finance	3	N Suchenia	\$227,819
Deputy Commissioner, Support and Capability	Fire and Emergency Services	4	S Fewster	\$227,819
Deputy Commissioner, Operations	Fire and Emergency Services	4	L Bailey	\$227,819
Deputy Director General	Health	2	R Brown	\$307,301
Assistant Director General System, Policy and Planning	Health	2	Vacant	\$-
Assistant Director General Purchasing and System Performance	Health	2	Vacant	\$-
Assistant Director General System and Corporate Governance	Health	3	Vacant	\$-
Managing Director	Main Roads WA	2	Vacant	\$-
Deputy Director General, Approvals and Compliance	Mines and Petroleum	3	T Griffin	\$227,819
Deputy Director General, Strategic Policy	Mines and Petroleum	3	M Andrews	\$227,819
Deputy Auditor General	Office of the Auditor General	3	G Clarke	\$227,819
Deputy Director General, Economic and Deregulation	Premier and Cabinet	2	D Smith	\$307,301
Deputy Director General, Community and Health Services	Premier and Cabinet	2	Vacant	\$-
Executive Director, Office of Science	Premier and Cabinet	3	F Roche	\$227,819

SPECIAL DIVISION NON-CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Assistant Director General, State Security and Emergency Coordination	Premier and Cabinet	4	G Hay	\$227,819
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	A Murphy	\$227,819
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	R Kennedy	\$227,819
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	Vacant	\$-
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	Vacant	\$-
Deputy Commissioner, Agency Support	Public Sector Commission	3	D Volaric	\$227,819
Managing Director	Public Transport Authority	2	M Burgess	\$281,140
Deputy Director General, State Initiatives	State Development	3	J Ostojich	\$227,819
Deputy Director General, Strategic Policy	State Development	3	Vacant	\$-
Deputy Director General, Resources & Industry Development	State Development	3	G Wedgwood	\$227,819
Deputy Director General, Policy, Planning and Investment	Transport	2	Vacant	\$-
Managing Director, Transport Services	Transport	2	N Lyhne	\$281,140
Project Director, Metronet	Transport	2	A Kannis	\$307,301
Executive Director, Strategic Policy and Evaluation	Treasury	3	A Jones	\$281,140
Executive Director, Infrastructure and Finance	Treasury	3	K Gulich	\$281,140
Deputy Under Treasurer	Treasury	2	M Court	\$307,301
Executive Director, Strategic Projects and Asset Sales	Treasury	2	R Mann	\$307,301
Executive Director, Economic	Treasury	3	R Watson	\$254,480
Executive Director	Western Australian Police Service	3	Vacant	\$-

## 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) 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.
- (6) 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.

- (7) 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

- (8) 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.
- (9) 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 2014* 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 2014*, 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	Gascoyne Development Commission	G Robins	\$4,387
Director	Goldfields-Esperance Development Commission	S Flanagan	\$2,399
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	Gascoyne Development Commission	G Robins
Director	Goldfields-Esperance Development Commission	S Flanagan
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) Applicable FBT shall be paid by the office holder's department or agency.

**Table 11: Rental Subsidies**

Office	Department or Agency	Office Holder
Director	Gascoyne Development Commission	G Robins
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	Gascoyne Development Commission	G Robins	\$1,455
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 Inspector of Custodial Services, while held by Mr N Morgan, shall be paid superannuation in accordance with *UniSuper*.
- (5) 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*.
- (6) 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.
- (7) 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 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
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	Attorney General	1	Vacant	\$-
Parliamentary Counsel, PCO	Attorney General	1	G Lawn	\$441,164
State Counsel – Queen’s/Senior Counsel, SSO	Attorney General	2	G Tannin SC	\$397,766
State Counsel, SSO	Attorney General	2	Vacant	\$-
Deputy State Solicitor – QC/SC, SSO	Attorney General	2	Vacant	\$-
Deputy State Solicitor, SSO	Attorney General	2	K Glancy	\$375,819
Deputy State Solicitor – Commercial, SSO	Attorney General	2	N Egan	\$375,819
Deputy Parliamentary Counsel, PCO	Attorney General	2	A Harvey	\$375,819
Senior Adviser, SSO	Attorney General	3	J O’Halloran	\$354,043
Deputy State Counsel, SSO	Attorney General	3	A Sefton	\$333,003
Senior Parliamentary Counsel, PCO	Attorney General	3	Vacant	\$-
Director Legal Services	Office of the Director of Public Prosecutions	3	M Bugg	\$333,003
Consultant State Prosecutor – QC/SC	Office of the Director of Public Prosecutions	3	C Barbagallo	\$343,003
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	A Burrows	\$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	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	Vacant	\$-

Office	Department or Agency	Band	Office Holder	Annual Salary
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	B Meertens	\$333,003 (Review when vacant)
Adviser, SSO	Attorney General	4	M Payne	\$250,705
Adviser, SSO	Attorney General	4	C Bydder	\$250,705
Adviser, SSO	Attorney General	4	A Komninos	\$250,705
Adviser, SSO	Attorney General	4	I Petersen	\$250,705
Senior Parliamentary Counsel, PCO	Attorney General	4	L O'Dwyer	\$250,705
Senior Parliamentary Counsel, PCO	Attorney General	4	Vacant	\$-

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 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
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 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
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 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
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 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
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 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
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 20 June 2017

W S Coleman AM  
CHAIRMAN

C A Broadbent  
MEMBER

B J Moore  
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL