



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Annual Report 2021–22



Acknowledgement

The Department of Mines, Industry Regulation and Safety (DMIRS) respectfully acknowledges Aboriginal peoples as the Traditional Custodians of this land on which we deliver our services to the communities throughout Western Australia. We acknowledge their enduring connection to the lands, waterways and communities and pay respects to Elders past, present and emerging leaders.

Cover image

The artwork by Bradley Kickett, represents the department's commitment to continue to work collaboratively and build stronger partnerships leading to shared decision making and genuine engagement with the people we serve. The five DMIRS metropolitan offices: Gordon Stephenson House Perth; 66 St Georges Terrace Perth; Mineral House East Perth; 1 Adelaide Terrace East Perth and Mason Bird Building Cannington are depicted along the Derbarl Yerrigan (Swan River) extending out to the Indian Ocean.



Bradley's style of art is abstract with paintings depicted from an aerial view and illustrated in a fluid style developed over the years. This is Bradley's second Derbarl Yerrigan piece however, this particular painting was composed with new layering techniques and an evolution of personal style that brings a maturity in shading and composition. It is the start of a new phase in Bradley's artistry and DMIRS is proud to display this work.

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About the artist

Bradley Kickett is a local Ballardong Noongar artist descended from the Kickett clan in York, Western Australia. Bradley was born in Northam, and grew up in Perth – Bradley's talent in painting was a part of his extended heritage. In 2007, painting initially as a hobby, Bradley's style flourished and by 2015 enrolled in university studies in artistry to expand on this talent. Bradley's art pieces are influenced by experiencing Noongar country, from the oceans to the rivers and seeing the wildflowers and the land from the air and showing the flow and the shapes of the earth. These images are all interwoven with the history and the stories that are shared and passed down to him from his family and elders. Bradley's art pieces have won many local awards such as the City of Gosnells Art Awards in 2015 and City of Belmont Art Awards in 2016 and in 2021, was awarded the Commendation of Outstanding Work at the Hatched: National Graduate Show.



Rain falls to shape the earth, I use water to help the paint move in the same way.
Bradley Kickett

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Statement of compliance



Hon Bill Johnston MLA
Minister for Mines and Petroleum; Energy; Corrective Services;
Industrial Relations



Hon Roger Cook MLA
Deputy Premier; Minister for State Development; Jobs and Trade;
Tourism; Commerce; Science

In accordance with section 63 of the [Financial Management Act 2006](#), I hereby submit for your information and presentation to Parliament, the Annual Report of the Department of Mines, Industry Regulation and Safety for the year ending 30 June 2022.

The annual report has been prepared in accordance with the provisions of the [Financial Management Act 2006](#) and also fulfils obligations pursuant to section 73(3) of the [Building Services \(Registration\) Act 2011](#); section 60 of the [Credit \(Administration\) Act 1984](#); section 12A of the [Debt Collectors Licensing Act 1964](#); section 175ZE [Electoral Act 1907](#); section 33 of the [Electricity Act 1945](#); section 10A of the [Employment Agents Act 1976](#); section 13CA of the [Gas Standards Act 1972](#); section 31 of the [Land Valuers Licensing Act 1978](#); section 51 of the [Motor Vehicle Dealers Act 1973](#); section 59E(7) and 59H(2) of the [Plumbers Licensing Act 1995](#); section 135(2) of the [Real Estate and Business Agents Act 1978](#); section 12 of the [Retirement Villages Act 1992](#); and section 112(2) of the [Settlement Agents Act 1981](#).

Richard Sellers
Director General
7 September 2022



About us



Welcome

The Department of Mines, Industry Regulation and Safety is pleased to present our Annual report for 2021-22.

Our annual report last year titled 'Adapt' was focused around our ability to adapt during a year that was challenging like no other. We demonstrated strong flexibility and agility, and drew upon our sense of togetherness and our strong purpose to get us through.

Reflecting on what we learnt last year, during 2021-22 we have considered the future.

We discussed our biggest challenges and came up with a plan to ensure our regulatory settings meet the contemporary challenges facing Western Australia.

We worked towards modernising laws that support investment, promote safety and protect workers in the State. And we engaged at national levels to ensure national standards and Australia-wide programs enhanced our State, protecting consumers and businesses.

We prepared for the transition of Energy Policy WA joining the department as a Group from 1 July 2022 and continued progressing the exit strategy for the collection of royalties to Revenue WA in 2023.

Enabling legislation

The department was established under the *Public Sector Management Act 1994* on 1 July 2017.

Accessibility

We are committed to providing accessible services to our customers and stakeholders. This report is available online and in alternative format upon request.

Translator and Interpreter Services

For our customers and stakeholders from culturally and linguistically diverse backgrounds, you may prefer to contact the Translator and Interpreter Service on 13 14 50 and we will arrange an interpreter to communicate the report to you.

Feedback

We welcome feedback and questions on this annual report and encourage you to do so:

- ▶ in person: 100 Plain Street, East Perth; or
- ▶ via email: spprr@dmirs.wa.gov.au



Kaya Wandju

Message from the Director General

It is always a pleasure to acknowledge the hard work and commitment of DMIRS staff.

Once again, we have achieved a lot during the year - a time when Western Australia faced considerable uncertainty and a difficult business environment. 2021–22 was a year that tested our resilience, yet we proved that we could work collaboratively and think innovatively to continue delivering our services.

We have reflected on this period - the challenges we faced, our lessons learned, the feedback we received and considered our future.

While we are a diverse organisation spread right across the State, we have developed a shared commitment to lead with integrity, strive for excellence and look for better ways of doing things. We are constantly working towards **supporting a safe, fair and responsible future for the Western Australian community, industry and resources sector** as a regulator, policy maker and service provider.

Detailed in this annual report we recognise and celebrate the many successes and achievements we have had over the year. Achievements which would not have been possible without the dedication of our officers – of whom I am immensely proud.

I would like to acknowledge our many partners and stakeholders across metropolitan and regional WA who have taken time to provide feedback and worked with us to implement our ongoing projects and programs.

As we look to the future, we will continue to share information so West Australians can better protect themselves from the challenges of the modern world. We will work with businesses to help reduce red tape and focus on operating the right way in Western Australia, and the department will work with industry and the community as WA focuses on decarbonising its economy and transforming its energy sector.

I look forward to the year ahead and remain committed to providing timely and reliable services to the people of Western Australia.

Richard Sellers
Director General

Report structure

This report details our progress from 1 July 2021 to 30 June 2022 towards delivering our purpose, presented in the context of the department's three approaches from our Strategic Intent and aligned to the priorities of government. Each year we commit to the principles of good governance and being accountable for our actions, and have also linked our content throughout the report to the Public Sector Commission's nine governance principles.



To present our performance in a clear and consistent manner, the following key has been used throughout the report. The result is indicated by the direction and the colour of the arrow indication the status:

Key: exceeded target: above ▲ or below ▼ did not meet target: above ▲ or below ▼ met target: (variance ±5 per cent) ►

About us

In this section we discuss what it is that makes up the department, who we are, what we value and what we do. We provide an overview of the current structure, details of administered legislation and a regional map that demonstrates the wide reach of the department's activities across Western Australia. We discuss our performance management framework (Outcomes Based Management) which is the formal mechanism allowing the department to demonstrate accountability and transparency to Parliament, the public and our stakeholders.

In this section we detail our governance with regard to good governance principles:



Our performance

In this section we cover the department's performance during the year highlighting various activities undertaken, how we have collaborated with other state government agencies and progressed key government reforms. A major undertaking by the department focused on the new Work Health and Safety laws impacting the Western Australian community, industry, and workers. We also looked forward to progress regulatory reform for industrial relations and occupational licensing as well as initiating WA-Array to map the State's geology. An assessment of our effectiveness and efficiency is contained within a summary of our key performance indicator report, as well as other performance reporting.

In this section we detail our governance activities with regard to good governance principles:



Significant issues

In this section we cover the current and emerging issues and trends that have impacted the department during the year. Significant judicial decisions that the department was engaged in are also discussed in this section.

In this section we detail our governance activities with regard to good governance principles:



Disclosure and legal compliance

In this section we cover our governance activities in relation to compliance and accountability, financial statements and other reporting obligations. We outline our commitment to our people, through our adherence to public sector standards, equal opportunity, work health and safety and recordkeeping obligations.

In this section we detail our governance activities with regard to good governance principles:



Appendix

In this section we provide terminology and hyperlinks to public documentation referred to in this report as well as providing our Act specific reporting.

In this section we detail our governance activities with regards to good governance principles:



Thank you for taking the time to read about our contributions to the State during 2021–22.



Corporate Executive members as of 30 June 2022

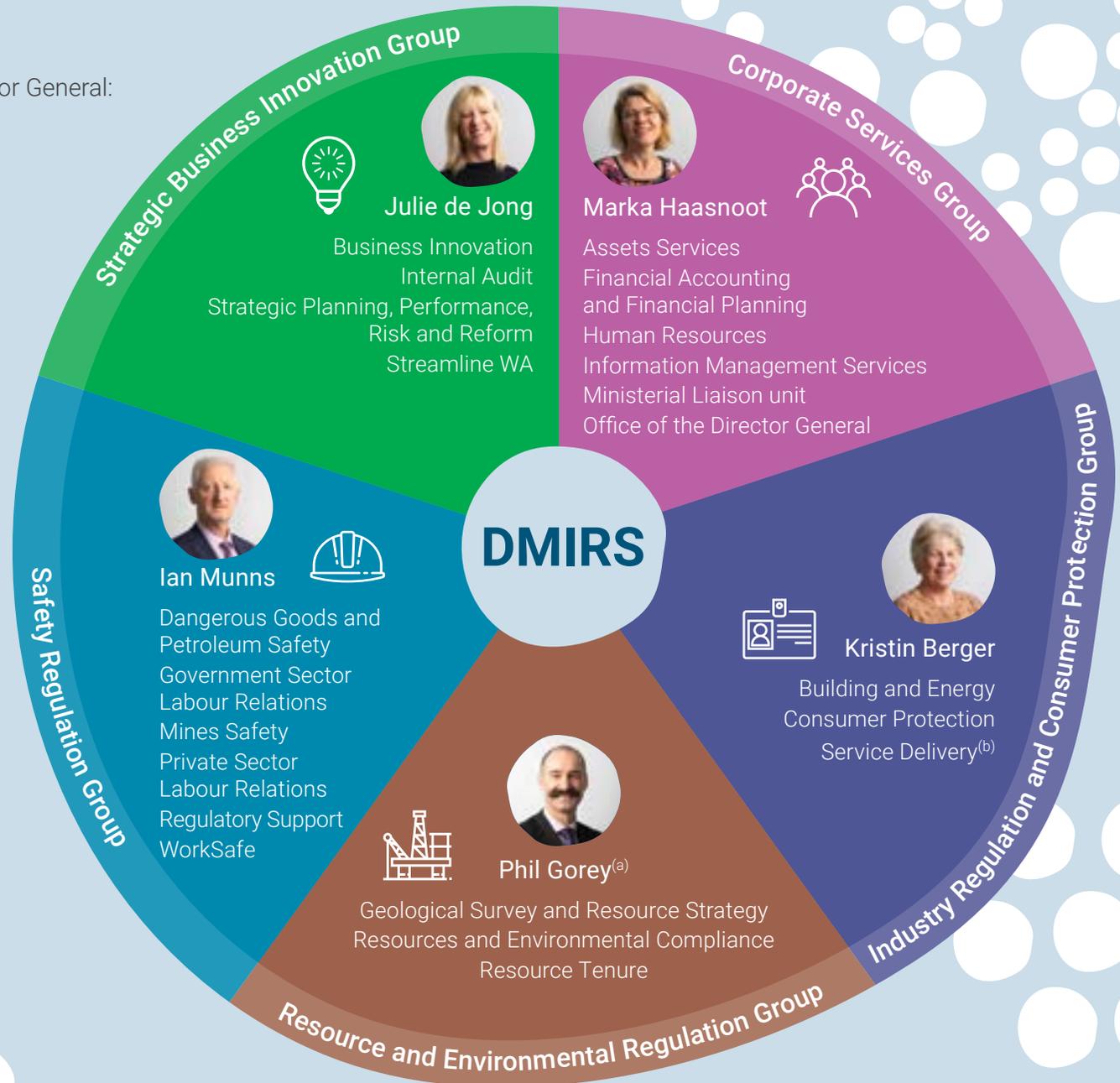
Marka Haasnoot, Ian Munns, Kristin Berger, Richard Sellers, Julie de Jong and Jeff Haworth.

Organisational chart

Group Heads reporting to Richard Sellers, Director General:

A stand-alone sub-department of DMIRS named Energy Policy WA was formed during 2019–20. Under the *Financial Management Act 2006*, for 2021–22 *Energy Policy WA* has its own appropriation and division in the State Budget, and is responsible for the preparation of its own annual report to Parliament. From 1 July 2022, Energy Policy WA will integrate into DMIRS.

- (a) Jeff Haworth acted in the role of Deputy Director General Resource and Environmental Regulation Group from 16 May 2022.
- (b) From 17 January 2022, the Service Delivery Group joined the Industry Regulation and Consumer Protection Group and the Executive Director, Service Delivery is now reporting to the Deputy Director General, Kristin Berger.



Our leadership



Richard Sellers
Director General

Richard Sellers was appointed as Director General of the Department of Mines, Industry Regulation and Safety on 31 May 2021. Richard has extensive experience in the public sector, holding previous roles as the Director General of the Department of Jobs, Tourism, Science and Innovation, Director General of the Department of Transport, Commissioner for Main Roads WA, CEO of the Public Transport Authority as well as Director General of the former Department of Mines and Petroleum.



Marka Haasnoot
Executive Director,
Corporate Services Group

With a background in organisational psychology, Marka Haasnoot advanced her career in human resources and business management working in private industry and local government. In 2008 Marka joined the State Government employed as the Manager of Human Resources of the former Department of Industry and Resources, and Department of Mines and Petroleum. At the Department of Mines and Petroleum she was promoted to the General Manager Human Resources position and in April 2018 was appointed to her current position of DMIRS Executive Director of Corporate Services.



Ian Munns
Deputy Director General,
Safety Regulation Group

Ian Munns joined the former Department of Commerce in 2010 working in a variety of roles including as the Director of Policy WorkSafe, Executive Director Corporate Services and the Executive Director Building Commission. When DMIRS was created he was appointed to his current role as Deputy Director General Safety Regulation Group. Prior to 2010, Ian worked for the Commonwealth in a variety of regulatory roles at the Australian Taxation Office and the Child Support Agency.



Kristin Berger
Deputy Director General,
Industry Regulation and
Consumer Protection Group

Kristin Berger was appointed to this role in July 2018 after originally joining the former Department of Commerce in 2002. Before this appointment, Kristin spent a year in Premier Mark McGowan's Office as Principle Policy Adviser with responsibility for the portfolios of Jobs and Trade, and State Development and led the interagency working group which developed the Future Battery Industry Strategy. Prior to this, she led the Labour Relations and Industry Development Division of the former Department of Commerce.





Julie de Jong
Executive Director, Strategic
Business Innovation Group

Julie de Jong worked at both former departments as an Executive Director leading the Science, Innovation and Business Division within the Department of Commerce from 2011–2014 and Department of Mines and Petroleum from 2014–2017. In December 2017, Julie was appointed to her current role within the Strategic Business Innovation Group, and during 2019 had a six month secondment to Department of Transport working to improve the governance and compliance for the multi-agency Westport Project.



Jeff Haworth
Acting Deputy Director
General, Resource
and Environmental
Regulation Group

(16 May 2022 onwards)

Jeff Haworth joined the department in 1991 as the Petroleum Data Manager, and later worked in the Geological Survey Division (GSD) managing the research and basin studies into petroleum systems in Western Australia. In 2011, Jeff took up the role of Director of Technology, Petroleum and Geothermal, overseeing the regulatory management of Western Australia's upstream petroleum industry. He was appointed as Executive Director Petroleum in 2013 and Executive Director, Geological Survey and Resources Strategy in 2018.



Phil Gorey
Deputy Director
General, Resource
and Environmental
Regulation Group

(1 July 2021 to 13 May 2022)

In 2009, Phil Gorey joined the former Department of Mines and Petroleum which is now part of DMIRS, and has experience in the areas of policy, planning and regulation for natural resource development. Phil has worked in technical and policy roles relating to natural resource management and development in State Governments in Victoria and South Australia, in addition to the private sector in Western Australia.

Secondment to Department of Jobs, Tourism, Science and Innovation (JTISI) commenced 16 May 2022.

Our Groups

Safety Regulation Group



This Group oversees the regulatory and policy requirements of workers' health and safety in the resources and general industries sectors, and safety legislation for dangerous goods, including the State's major hazard facilities, and petroleum operations.

Safety Regulation is also responsible for the coordination, governance, and consistent management of public sector labour relations, and shapes and implements labour relations policy and legislative reform. It assists private sector employers and employees in understanding and achieving compliance with Western Australian employment laws.

Safety Regulation plays a significant part in building and strengthening Western Australia's economy, by ensuring that one of the State's most significant assets, its workforce, operates in a healthy and safe environment where workers' rights are protected.

Resources and Environmental Regulation Group



This Group is responsible for the regulation of one of Western Australia's largest industry sectors, playing a critical role in building the State's economy and ensuring resources are developed in a sustainable and responsible manner.

Resource and Environmental Regulation oversees the regulatory and policy requirements of the resources sector in all areas with the exception of worker safety. This includes managing a system for mineral titles and approval of mining associated activities. This Group also delivers the department's geoscience functions, which provide geoscientific data to understand the State's mineral and petroleum resources, reduce risk for explorers and increase the attractiveness of Western Australia as a destination of choice for resource companies.

Industry Regulation and Consumer Protection Group



This Group works towards ensuring that there is a fair trading environment for Western Australian consumers and traders and that building, plumbing, gas and electricity services are safe.

This Group ensures there is a fair, safe and equitable marketplace by applying the Australian Consumer Law and other trading and occupational legislation, as well as setting and enforcing the licensing and technical safety requirements, standards and legislation for the building, plumbing, gas and electrical industries. Since January 2022, service delivery functions including licensing services, legal counsel, customer information and communications also sit within this Group.

Strategic Business Innovation Group



This Group supports DMIRS in building high performance and achieving its strategic and operational objectives.

It does this by focusing on whole-of-department strategic capability, fostering innovative thinking and maximising digital delivery. The Group is responsible for: creating vision and strategies; leading whole-of-government regulatory reform; providing specialist advice to add value and improve the department's operations; controls; corporate performance reporting and risk management.

Corporate Services Group



This Group offers specialist advice, effective business systems and internal controls to assist the department in achieving its strategic and operational objectives.

This includes financial services, human resources, corporate information, assets services, ministerial liaison and Office of the Director General.

We have looked forward by

living our values



Forward thinking

We foster innovative thinking to plan for the future and actively embrace change.



Ethical

We act with honesty and integrity.



Respectful

We are always courteous and considerate to others, regardless of beliefs, backgrounds or abilities.



Responsive

We adapt to change, act on concerns, and provide information in a timely manner.



Fair

We treat people equitably and act without judgement or bias.



Transparent

We are open and accountable in what we do.

DMIRS at a glance

Who are we?

We are the Department of Mines, Industry Regulation and Safety. Our Director General, Richard Sellers and 1,686 staff have looked forward throughout 2021–22 to continue working towards our purpose of supporting a safe, fair and responsible future for the Western Australian community, industry and resources sector.



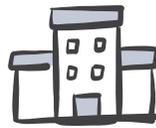
1,686

staff

▼ **2.4%** from 2020–21

32% aged > 55 years

16% aged < 34 years



5

metropolitan offices, and

12

regional offices across the State.



We support and protect Western Australian communities, industries, workers and consumers.



Over **100**

pieces of legislation was administered by the department during 2021–22.



We provide licensing services for

7

statutory authorities.

We listen, engage and work collaboratively with stakeholders to benefit Western Australia

Our strategic intent approach

To view the ways we maximise our impact as a regulator, services provider and policy maker refer to pages 26–46.



Regulator



Service Provider

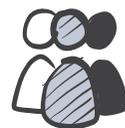


Policy Maker



70

different countries identified by our staff as their 'country of origin'.



16%

representation of staff who are diverse culturally and linguistically.



16

age of our youngest staff member, a school based trainee.



84

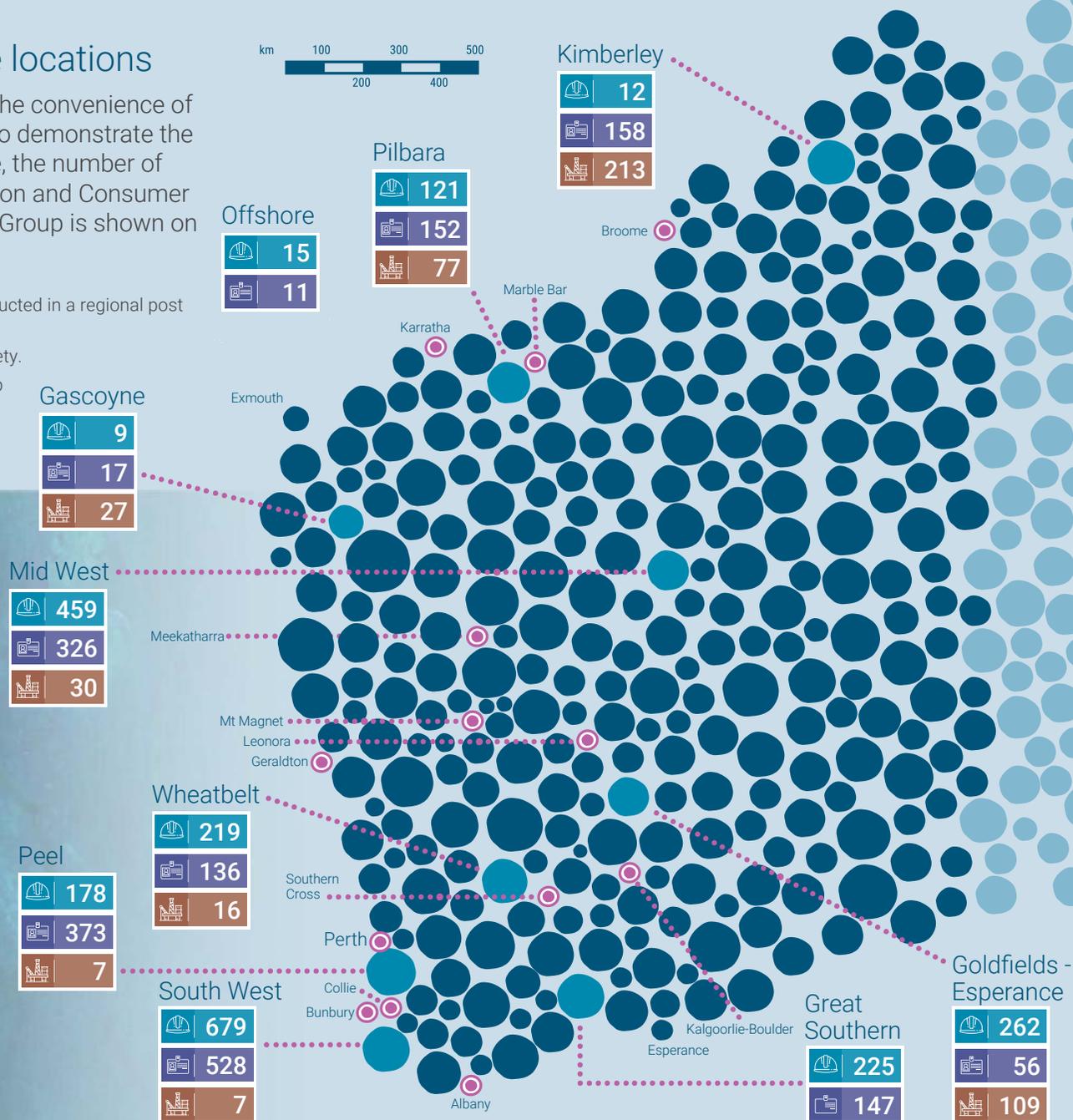
age of our oldest staff member.

Working together across WA – office locations

Our offices are located around Western Australia for the convenience of our customer and are flagged on the map with a . To demonstrate the widespread provision of our services across the State, the number of visits¹, for Safety Regulation Group², Industry Regulation and Consumer Protection Group³ and Resources and Environmental Group is shown on the map below.

- 1 Visits include inspections, complaint investigations and audits conducted in a regional post code by a DMIRS staff member.
- 2 Excludes industrial relations, mineral exploration and petroleum safety.
- 3 Not all entries had suburb information available. Visits where suburb information was not available were excluded.

	Safety Regulation Group
	Industry Regulation and Consumer Protection Group
	Resource and Environmental Regulation Group



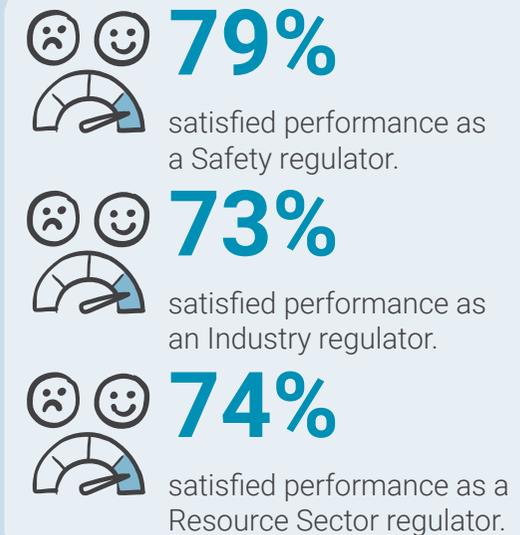
Stakeholder satisfaction summary

DMIRS has an ongoing commitment to improving stakeholder satisfaction that is also reflected in our Strategic Intent. We undertake an annual stakeholder satisfaction survey to measure satisfaction with DMIRS as an effective resource sector and industry regulator for KPI reporting, and for the last two years as a safety regulator for internal reporting purposes.

The results from the 2022 DMIRS stakeholder satisfaction survey were positive overall. Across almost all performance indicators, the results are either consistent with, or slightly improved from the 2021 survey.

Areas of strength based on feedback from stakeholders related to staff conducting themselves in a professional, courteous, and ethical manner, as well as provision of sufficient information in a helpful format. The appropriateness of regulations and legislation for the adequate protection of consumers and workers, the environment, and safety and health were also rated highly overall.

The key improvements that will drive enhanced perceptions are being seen to enforce regulations in a fair and evidence-based way, having the right policies in place, and improving timeliness of processes.



Key findings (strengths):

- ▶ 75 per cent agreed that staff behaved in a professional and courteous manner, ▲ 3 per cent.
- ▶ 73 per cent agreed that we provided reliable and accurate information, ▲ 6 per cent.
- ▶ 72 per cent agreed that we provided information in a format that is helpful to them, ▲ 5 per cent.
- ▶ 72 per cent agreed that we have appropriate regulations and legislation to achieve adequate levels of safety and health, ▲ 5 per cent.
- ▶ 71 per cent agreed that we provide sufficient information for their needs, ▲ 3 per cent.
- ▶ 69 per cent agreed that staff conduct themselves with high ethical standards, ▲ 2 per cent.

Key findings (challenges):

- ▶ Community members were more dissatisfied with DMIRS as a regulator than other groups; resources sector regulation 18 per cent dissatisfied - industry regulation 25 per cent dissatisfied.
- ▶ Stakeholders who made a complaint or reported an incident tended to rate DMIRS lower overall, across regulation, operations, and staff performance.
- ▶ 19 per cent disagreed that we have easy to follow processes, ▼ 3 per cent.
- ▶ 18 per cent disagreed that we have easy to use online systems, ▼ 3 per cent.
- ▶ 23 per cent disagreed that we have timely processes, ▼ 5 per cent.
- ▶ 21 per cent disagreed that we provided information and education so that the community knows what DMIRS does, when and how to contact, ▼ 6 per cent.

Engaging with our stakeholders

The department listens, collaborates, informs and works with a wide range of stakeholders and participates in various committees, working groups and boards to improve outcomes that benefit Western Australia and its citizens. Below are some examples of stakeholder engagement across the business (not mentioned elsewhere in the report).



Administered legislation

[Architects Act 2004](#)

[Associations Incorporation Act 2015](#)

[Auction Sales Act 1973](#)

[Barrow Island Royalty Trust Account Act 1985](#)

[Barrow Island Royalty Variation Agreement Act 1985](#)

[British Imperial Oil Company, Limited \(Private\) Act 1925](#)

[Building Act 2011](#)

[Building and Construction Industry \(Security of Payment\) Act 2021](#)

[Building Services \(Complaint Resolution and Administration\) Act 2011](#)

[Building Services \(Registration\) Act 2011](#)

[Building Services Levy Act 2011](#)

[Business Names \(Commonwealth Powers\) Act 2012](#)

[Business Names Act 1962](#)

[Charitable Collections Act 1946](#)

[Chattel Securities Act 1987](#)

[Churches of Christ, Scientist, Incorporation Act 1961](#)

[Coal Miners' Welfare Act 1947](#)

[Commercial Tenancies \(COVID-19 Response\) Act 2020⁴](#)

[Commercial Tenancy \(Retail Shops\) Agreements Act 1985](#)

[Competition Policy Reform \(Taxing\) Act 1996](#)

[Competition Policy Reform \(Western Australia\) Act 1996](#)

[Conspiracy and Protection of Property Act of 1900](#)

[Construction Contracts Act 2004](#)

[Construction Industry Portable Paid Long Service Leave Act 1985](#)

[Co-operatives Act 2009](#)

[Credit \(Administration\) Act 1984](#)

[Credit \(Commonwealth Powers\) Act 2010](#)

[Credit Act 1984](#)

[Dangerous Goods Safety Act 2004](#)

[Debt Collectors Licensing Act 1964](#)

[Decimal Currency Act 1965](#)

[Disposal of Uncollected Goods Act 1970](#)

[Distress for Rent Abolition Act 1936](#)

[Dividing Fences Act 1961](#)

[Electricity Act 1945](#)

[Employment Agents Act 1976](#)

[Employment Dispute Resolution Act 2008](#)

[Energy Coordination Act 1994⁵](#)

[Energy Safety Act 2006](#)

[Energy Safety Levy Act 2006](#)

[Fair Trading Act 2010](#)

[Finance Brokers Control Act 1975](#)

[Fremantle Buffalo Club \(Incorporated\) Act 1964](#)

[Gas Standards Act 1972](#)

[Gas Supply \(Gas Quality Specifications\) Act 2009⁶](#)

[Growers Charge Act 1940](#)

[Hire-Purchase Act 1959](#)

[Home Building Contracts Act 1991](#)

[Industrial Relations Act 1979](#)

[Land Valuers Licensing Act 1978](#)

[Law Reform \(Common Employment\) Act 1951](#)

[Limited Partnerships Act 2016](#)

[Long Service Leave Act 1958](#)

[Metric Conversion Act 1972](#)

[Minerals Research Institute of Western Australia Act 2013⁷](#)

[Mines Safety and Inspection Act 1994](#)

[Minimum Conditions of Employment Act 1993](#)

[Mining \(Validation and Amendment\) Act 1986](#)

[Mining Act 1978](#)

[Mining On Private Property Act 1898](#)

[Mining Rehabilitation Fund Act 2012](#)

[Motor Vehicle Dealers Act 1973](#)

[Motor Vehicle Repairers Act 2003](#)

[New Tax System Price Exploitation Code \(Taxing\) Act 1999](#)

⁴ This Act was repealed on 28 March 2022.

⁵ Pt.2 and 3 only; remainder of Act administered by the Minister for Energy principally assisted by Energy Policy WA.

⁶ Pt. 5 Div. 2 only; remainder of Act administered by the Minister for Energy principally assisted by Energy Policy WA.

⁷ Administration of this Act was moved to the Minerals Research Institute of Western Australia. Government gazette 21 December 2021 No 218 SPECIAL.

[New Tax System Price Exploitation Code \(Western Australia\) Act 1999](#)

[Occupational Safety and Health \(Validation\) Act 1998](#)

[Occupational Safety and Health Act 1984⁸](#)

[Offshore Minerals \(Consequential Amendments\) Act 2003](#)

[Offshore Minerals \(Registration Fees\) Act 2003](#)

[Offshore Minerals Act 2003](#)

[Offshore Petroleum \(Royalty\) Act 2006⁹](#)

[Offshore Petroleum and Greenhouse Gas Storage Act 2006⁹](#)

[Personal Property Securities \(Commonwealth Laws\) Act 2011](#)

[Petroleum \(Submerged Lands\) Act 1982](#)

[Petroleum \(Submerged Lands\) Registration Fees Act 1982](#)

[Petroleum Act 1936](#)

[Petroleum and Geothermal Energy Resources \(Registration Fees\) Act 1967](#)

[Petroleum and Geothermal Energy Resources Act 1967](#)

[Petroleum and Geothermal Energy Safety Levies Act 2011](#)

[Petroleum Pipelines Act 1969](#)

[Petroleum Products Pricing Act 1983](#)

[Petroleum Retailers Rights and Liabilities Act 1982](#)

[Petroleum Titles \(Browse Basin\) Act 2014](#)

[Plumbers Licensing Act 1995¹⁰](#)

[Public and Bank Holidays Act 1972](#)

[Real Estate and Business Agents Act 1978](#)

[Residential Parks \(Long-stay Tenants\) Act 2006](#)

[Residential Tenancies \(COVID-19 Response\) Act 2020¹¹](#)

[Residential Tenancies Act 1987](#)

[Retail Trading Hours Act 1987](#)

[Retirement Villages Act 1992](#)

[Safety Levy Amendment Act 2020](#)

[Sale of Goods \(Vienna Convention\) Act 1986](#)

[Sale of Goods Act 1895](#)

[Settlement Agents Act 1981](#)

[Street Collections \(Regulation\) Act 1940](#)

[Ticket Scalping Act 2021](#)

[Transfer of Incorporation \(HBF and HIF\) Act 2009](#)

[Work Health and Safety Act 2020¹²](#)

⁸ This Act was repealed on 31 March 2022.

⁹ Administered on behalf of the Commonwealth.

¹⁰ Changes to the responsible Minister for the *Plumbers Licensing Act 1995* was gazetted on 21 December 2021. Previously DMIRS was responsible for Part 5A only.

¹¹ This Act was repealed on 29 March 2022.

¹² This Act replaced the work health and safety elements of the following Acts, covering mining and petroleum – *Mines Safety and Inspection Act 1994*; *Petroleum and Geothermal Energy Resources Act 1967*; *Petroleum (Submerged Lands) Act 1982*; *Petroleum Pipelines Act 1969*.



Performance management framework

The Western Australian public sector performance management framework is referred to as Outcome Based Management (OBM). Our OBM reflects the department's contribution towards our government goals and purpose.





*Our
performance*



Makuru

Winter July 2021



Launched the Building Compliance Audit Strategy 2021-24 that focuses efforts on residential and commercial building industry practices.



Djilba

First spring
August – September

Participated in the Dowerin Field Days to promote scams awareness to attendees.

The *Ticket Scalping Act 2021* received Royal Assent.



Exhibitor at the Outdoor Spa Expo engage with pool builders, traders and consumers with an interest in owning pools and spas.



The Minister for Mines and Petroleum officially opened the Joe Lord Core Library expansion.

Organised the annual Safety and Health Representative Forum, with presentations on the new WHS laws.



The Minister for Commerce endorsed the Integrated Debt Management and Short Term Loan Strategy.

The inaugural quarterly departmental licensing performance report was published to promote transparency with industry on occupational licensing.



Kambarang

Second spring
October – November

Electricity, gas and water are not usually a good mix but an exception was the Electrical Gas and Plumbing Inspectors Conference where over 200 inspectors attended.

Exhibited at the Perth 4WD and Adventure Show to promote and discuss matters relating to motor vehicle repairer/dealer licensing, complains processes and consumer rights.



Birak
First summer
December – January



Held the second Streamline WA Common Understanding workshop.



Gazetted changes to the Electricity (Network Safety) Amendment Regulations 2021.

Organised the Building Surveyors Information Day which had over 100 attendees and had presentations from the AIBS, DFES and DPLH.



Amendments to the Residential Parks (Long stay tenants) Act 2006 came into effect.



Exhibited at the Perth Wedding Show to promote consumer rights awareness.




Second summer
February – March

Hosted a Ministerial roundtable with Small Business Development Corporation to understand the impact of COVID-19 on the commercial tenancy sector.


Autumn
April – May



Launched the Consumer Justice Strategy 2021–25 which outlines legislative reforms, policy development and strategic priorities.


108 staff joined the #BreaktheBias Webinar with guest speakers to celebrate International Women's Day.

Released a draft Funeral Pricing Code, which will require funeral directors to provide upfront and transparent prices for all funeral goods and services, for public and industry consultation.

Published updated educational information related to residential and commercial tenancy with the State's COVID-19 Response measures ending.

Released the decision paper regarding consignment selling under the Motor Vehicle Dealers Act 1973.



Prepared for the State's Budget Hearings promoting economic development in the resources, commerce and industry sectors, at the same time supporting workplace safety and worker remuneration.


Winter
June

W.S. LONNIE AWARDS
RECOGNISING EXCELLENCE AND ACCOUNTABILITY IN ANNUAL REPORTING IN WESTERN AUSTRALIA
Scooped two W.S Lonnie Awards; Bronze Award (Agency with more than 1,000 FTE) and for the second year in a row, the PSC Award for Good Governance Reporting.



Announced new pay rates effective from 1 July 2022 and promoted changed and new entitlements as well as new employment records requirements.

Performance snapshot

Our financial summary

\$302,787,000

Total cost of services⁽¹⁾
Target \$302,109,000⁽²⁾
▲ Variation \$678,000^(1a)

\$127,167,000

Net cost of Service⁽¹⁾
Target \$133,273,00⁽²⁾
▼ Variation \$(6,106,000)^(1b)

\$571,529,000

Total equity⁽¹⁾
Target \$553,529,000⁽²⁾
▲ Variation \$18,000,000^(1c)

\$8,261,000

Working cash limits⁽¹⁾
Target \$14,780,000⁽²⁾
▼ Variation \$6,443,000

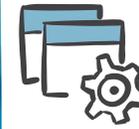
(1) Explanation of the variation between Actual and Target (refer also to [note 9.1](#) in the financial statements):

- The actual expenditure is within 99.8 per cent of the financial year target.
- Spending increased by \$8.2 million. Income increased by \$15.5 million (mainly due to increase in revenue from the Mines Safety Levy and the Mining Rehabilitation Fund (MRF), leading to a more favourable net cost of service for government.
- Increase in equity driven by continued year on year surpluses mainly driven by the MRF special purpose account whose contributions exceeded amounts expensed, and a larger than expected asset revaluation increment for land and buildings.

(2) Information on the target is based on estimates published in the 2021–22 budget statements.
Note: Approved salary expense level - Actual \$166,457,000, Target \$169,800,000 Variation ▼(\$3,343,000).

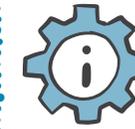


Our business



Over
3,500

applications for mining exploration and prospecting Programme of Work.



26

information sessions held on the new work health and safety laws.



Increased by
10%

petroleum and mineral tenement applications, objections and other dealings.



4,134

building, painting, building surveying, plumbing, electrical and gas inspections conducted.



98%

met reporting obligations for the Mining Rehabilitation Fund.



3,701

items of plant and design registration applications processed.



\$771,310

recovered in unpaid wages and other entitlements on behalf of workers.



454,390

occupational licences, permits, certificates, and registrations administered.



219,911

calls managed by our frontline customer services teams.

Key achievements

Throughout 2021–22, the department progressed key government initiatives and delivered on business as usual activities, while looking at how we can be more innovative, streamline, and forward thinking in the future. The department's Corporate Executive was asked what was the key achievement of their Group or the achievements they are most proud of.



Delivery of WHS regulations in an extraordinarily short timeframe for the task.

Ian Munns

Read more on pages 26–27



The resilience and outcome focus staff have shown during pressure moments influenced by COVID-19.

Richard Sellers

Read more on page 60



Commencement of the Geoscience Data Transformation Strategy.

Jeff Haworth

Read more on page 36



Release of our Action Plan for the implementation of the Security of Payment laws, and the passing of the ticket scalping laws.

Kristin Berger

Read more on page 46



Delivered on the strategic plan and strategic risk profiles.

Julie de Jong

Read more on page 78



Strengthening our governance and integrity frameworks.

Marka Haasnoot

Read more on pages 72–75

The department seeks to build on our Strategic Intent by maximising our impact as regulator, service provider and policy maker. Further in this section of the annual report is some of our key activities and highlights achieved during the year.



Work Health and Safety laws

During the year, the department worked to provide a comprehensive suite of new laws, codes of practice, guidance and awareness material to support the new Work Health and Safety (WHS) laws.

The new WHS laws bring together new national harmonised workplace safety and health laws to Western Australia (WA). As opposed to other jurisdictions that have different acts covering general, mining and petroleum industries, WA has only one Work Health and Safety Act covering workplace health and safety for all industries. In November 2020, the WHS Bill was passed and received assent, with the new WHS laws commencing on 31 March 2022.

Drafting and implementing the Work Health and Safety laws

Implementing the new WHS laws was a major undertaking by the department that required significant coordination and collaboration. Due to the urgency of the new laws, the writing of the associated regulations by the Parliamentary Counsel's Office took place at the same time as the department was developing the processes and procedures required to implement the new laws.

To ensure an approach that was structured and accountable, the proposed implementation was divided into six major tasks, with a working group assigned to each. The working groups were formed in early 2021 and included prosecution and enforcement; regulation and compliance processes; licensing (authorisations); online business systems; communications; and training.

Each working group typically met weekly, was chaired by a director or senior manager and had a dedicated full-time executive officer. The role of each working group was to consult, plan and contribute to the change management strategy required for their particular task.

The working groups were coordinated by an Executive Director and reported monthly to a Steering and Governance Group, ensuring transparency and accountability for reaching important milestones, and the overall management of project risks.

Internal communications were critical to the WHS Implementation Project so successes and achievements could be recognised and acknowledged, and to share information on new policies, procedures, processes, internal training and external communications.

Raising awareness on the new WHS laws

Raising awareness of the new laws, and their impact on responsibilities and obligations, was considered paramount in successfully transitioning WA workplaces to the new laws. To achieve this, the department developed an integrated public awareness campaign. Specific messaging aimed at First Nations Australians, as well as culturally and linguistically diverse audiences were included in the campaign. A key factor in the success of the campaign was ensuring there was consistent messaging across all platforms. Two campaign phases were developed to target specific audience categories. Phase 1 targeted duty holders. Phase 2 commenced prior to the implementation of the legislation and was designed to reach a much wider audience.

The \$650,000 awareness campaign used social media channels, print media, indoor and outdoor digital signage, radio advertising, on-demand video advertising (e.g. YouTube) and digital search engine management. The campaign finishes in August 2022.





Refresh workplace codes of practice and guidance

During the year, the department assisted the Commission for Occupational Safety and Health to review codes of practice and guidance related to psychosocial hazards in the workplace. As part of the review, the Violence, Aggression and Bullying at Work code of practice was appraised. The review included expert and public consultation and resulted in the previous code of practice being revoked and replaced with three new codes of practice - Psychosocial hazards in the workplace; Violence and aggression at work; and Workplace behaviour. The codes cover a wide range of psychological hazards and inappropriate workplace behaviours.

The new codes of practice were approved under the *Occupational Safety and Health Act 1984* in February 2022, and then subsequently updated and released under the *Work Health and Safety Act 2020* in April 2022.

In addition to the above review, and as part of the department's ongoing response to the Respect@Work: Sexual Harassment National Enquiry Report, further targeted guidance material was developed. These materials were produced to assist the person conducting a business or undertaking (PCBU) in understanding their WHS duties to control workers' exposure to psychosocial hazards, such as gendered violence. Two extensive information sheets were published in June 2022 titled Gendered violence: Sexual harassment and Gendered violence: Sexual assault. Furthermore, the department also released an information sheet specifically designed to assist mine site operators titled Gendered violence: Notification of sexual harassment and/or assault to WorkSafe Mines Safety. This publication clarifies a PCBU's reporting obligations for these types of incidents.



“The new laws reflect the social obligations and responsibilities the community expects from companies and their senior management. The reforms that come with the new laws will most certainly further enhance workplace safety in Western Australia.

Hon Bill Johnston MLA
Minister for Industrial Relations





Mental Awareness, Respect and Safety Program



The department is the lead agency on the Mental Awareness, Respect and Safety (MARS) Program. The \$8.4 million program was established in December 2021 to address significant concerns about the culture and work environments in the mining industry that are exposing workers to psychosocial hazards in a workplace setting, and in particular sexual harassment and assault on mine sites.

The MARS Program complements other work the State Government is undertaking to eliminate sexual violence by implementing the Respect@Work report recommendations and developing the Sexual Violence Prevention and Response Strategy. It will be delivered in collaboration with mining industry stakeholders over the next four years.

The first phase of the MARS Program is underway with the following activities:

- ▶ The establishment of a cross-agency project team.
- ▶ Creation of MARS Program webpage on wa.gov.au containing information on the program and the support available for mental health, and sexual harassment and assault matters.
- ▶ Commencement of a landmark study to understand the extent of health and safety issues in the mining sector and help develop mental health and workplace culture initiatives to improve safety outcomes.
- ▶ Appointment of an independent expert to review and recommend improvements on the department's regulatory response to incidents of sexual harassment and assault.
- ▶ Launch of flagship initiatives to improve mental health and respect in the mining sector (Thrive at Work in Mining Masterclass Series, This Mining Life and Respect in Mining).
- ▶ Support provided through the Mentally Healthy Workplaces Grant Program to two initiatives targeting mining workplaces.

Mentally Healthy Workplaces Grant Program

In 2022, the department established the Mentally Healthy Workplaces (MHW) Grant Program, which provides funding for initiatives that:

1. Prevent mental injury and mental health conditions at work by managing work-related psychosocial hazards and their associated risks; and
2. Promote positive practices at work that support worker mental health and wellbeing.

The MHW Grant Program is part of the McGowan Government election commitment announced on 11 March 2021.

Half of the funding over four years was allocated to Mates in Construction and Steering Healthy Minds to deliver peer support mental health programs for the construction and transport industries. The remaining \$500,000 per annum funding was allocated to other initiatives following an expression of interest process.

Guidelines for the distribution of funds were formulated in consultation with the Mental Health Commission, and in consideration of other similar successful Australian grants programs e.g. WorkSafe Victoria's WorkWell Program, and the Better Practice Principles from the Western Australian Auditor General's Report 12: 2020–21: Grants Administration.

On 22 June 2022, Minister for Industrial Relations Bill Johnston announced the successful applicants for the Mentally Healthy Workplaces Grant Program. The successful grantees who will share around \$500,000 in funding per year are:

- ▶ The WA Centre for Rural Health
- ▶ Juniper and People Diagnostix
- ▶ South West Aboriginal Medical Service
- ▶ Pivot Support Services

Regulator

The following are key indicators of our success as a regulator:



- ▶ Regulated entities know and comply with the rules
- ▶ Individuals and businesses have the confidence to operate in WA
- ▶ Better regulatory outcomes at a lower cost to the community
- ▶ Public confidence is high in our area of responsibility

Second Perth Mining Warden appointed

Increased mining activity has brought with it an increasing number of applications and objections. In late 2021 the department identified that the number of pending applications had grown by approximately 11 per cent when compared to the same time in 2020. At the same time there was a 51 per cent increase in objections over the same period.

The department considers the efficient and timely processing of mineral titles as a vital feature of the State's resource industry, and this year secured additional funding for a second Perth Mining Warden and supporting staff. The first priority is to reduce the number of active matters before the Warden's Court. This will assist in ensuring the resources industry functions efficiently and sustainably and continues to attract private investment in resources exploration and development in Western Australia.



Imaging the State's geology

The WA-Array project is in its first year and will accelerate the acquisition of passive seismic data across Western Australia to identify areas of higher prospectivity under deep cover, which will assist in evaluating future competing land uses and maximise Western Australia's opportunities in the State's transition to net zero emissions. The program is a major logistical undertaking, representing one of the largest of its type completed anywhere in the world.

The project is funded by the State Government over a period of 10 years and will be run by the Geological Survey of Western Australia. The project will involve the deployment of an array of 165 seismometers arranged in a grid pattern spaced at 40km intervals, with the entire State mapped over 10 years by relocating the instruments annually between nine regional areas. Each station requires deployment, servicing, retrieval and rehabilitation. About 52 per cent of the stations will require transport via helicopter, with the remaining accessible by road. As data is generated, it will be subject to a rigorous quality assessment process and review by seismologists before being made freely available to explorers, researchers and the community through the national [AusPASS](#) portal. Derivative spatial and 3D products will be available through DMIRS online geoscience data platforms.

The roll out of the program will prioritise regions according to areas of greatest expected resource development potential, with data being progressively released.



30 years of Golden Gecko Awards

Celebrating its 30th year, the prestigious Golden Gecko Award for Environmental Excellence has recognised more than 60 projects for demonstrating innovation, outstanding performance and positive environmental outcomes for Western Australia. Award winning projects have raised best practice standards and demonstrated continual adoption of innovative techniques and skills across the sector.

Applicants continue to develop innovative and remarkable solutions to address modern challenges and regulatory requirements. The 2021 Awards for Excellence saw a focus on reducing reliance on fossil fuel. Gold Fields Australia and EDL received the Golden Gecko Award for Environmental Excellence for their Agnew Hybrid Renewable project, while Premier Coal was awarded a Certificate of Merit for Lake Kepwari.

2021 Resources Sector Award - Community Partnerships

The Community Partnership Award helps build the reputation of Western Australian resources and extractive industry organisations that are working closely with communities or community groups to understand local concerns and issues, deliver positive outcomes, and leave a positive legacy that extends well beyond gaining a social licence to operate.



We congratulate the Dandjoo Darbalung Program for receiving the Community Partnership Award for supporting and inspiring students from First Nations Australians communities to undertake university education. Dandjoo Darbalung means 'mixing together' in Nyungar, the way fresh water and the saltwater mixes in the Swan estuary.

Supported by St Catherine's College, IGO Ltd, AngloGold Ashanti, Sandfire Resources and Barmenco, the program provides holistic support to Aboriginal students with their tertiary studies, while encouraging and nurturing their cultural identity. It is the largest Aboriginal residential program in Australia.





Raising awareness about consumer and industry safety

During the year, the department engaged in a number of awareness and informative campaigns related to industry and consumer safety. Some of the regular topics that the department promotes include Scams Awareness Week and Asbestos Awareness Month, in addition to a variety of expos, presentations and industry forums.

Protecting vulnerable consumers

The department supports consumers from vulnerable community groups.

- ▶ We designed a consultation survey to specifically seek feedback from First Nations Australians on the proposed reforms to improve funeral price transparency.
- ▶ To promote awareness, a scams information poster aimed at First Nations Australians was published in local languages of Kimberley Kriol, Yinjibarndi and English.
- ▶ Other promotion posters developed related to consumer protection services and were created in Wangkatja and Ngaanyatjarra languages for the people of Ngaanyatjarra Lands.

Button battery campaign

In a world first, Australia has implemented mandatory safety and information standards for button batteries, which came into effect on 22 June 2022. Following the announcement in December 2021, the department collaborated with the Perth Children's Hospital (PCH) and Kidsafe WA to develop a campaign to raise awareness of the dangers of button batteries and inform retailers of the changes. The campaign included a short educational video, electronic mail out to retailers and school Parents and Citizens Committees, as well as refreshed website content, radio interviews, and articles in local community newspapers. The department extended the campaign to include leaflet distributions via PCH and Sir Charles Gairdner Hospital, paid advertising with Buggybuddys and a presence at the Hello Baby Fair to increase reach within the target audience.

Toppling furniture

As a result of the tragic death of a child in Byford in December 2021, the department ran a campaign about toppling furniture. Despite laws coming into effect in December 2019 allowing renters to fix furniture to walls (with landlord permission) to prevent death or injury to children from toppling furniture, social media commentary about the Byford death indicated some people were not aware of these changes. The campaign included updated web and video content promoted via social media posts, digital polls, radio segments, a media release, newspaper column, a post on the Commissioner's blog, and industry and stakeholder emails. Electronic direct mail-outs were also issued to landlord, real estate agent and tenancy bulletin subscribers.

Managing hazards in roof spaces of domestic dwellings

There are inherent risks of electric shocks occurring in roof spaces of domestic dwellings. All workers performing work in domestic dwellings are required to turn off all sources of electricity at the main switchboard before entering the roof space. In 2022, a public awareness campaign was run to inform people about the electrical dangers that can exist in roof spaces and urge consumers to switch the main power off before any person enters the roof space. The campaign included the distribution of a sticker for home owners to affix to roof access covers, serving as a reminder to anybody entering the roof space of a property.





Industry education and training

The department regularly participates in the delivery of industry focused training, working collaboratively with Registered Training Organisations and Industry Associations. Topics include the National Construction Code 2019 Amendment, Building Amendment Regulations 2021 for bush fire, Energy efficiency provision for housing, Performance Solution process and the role of local government in the *Building Act 2011*.

Resources sector education

The department regularly provides training and education sessions on resource related matters.

During the year, industry briefings were held on the Mining Amendment Bill 2021, and Mining Amendment Bill 2022.

Industrial relations and safety in the workplace education

The department regularly provides training and awareness sessions related to safety and matters on industrial relations with businesses and workers. Often, inspectors will provide ad hoc awareness advice as part of an official site inspection.



40 presentations to plumbers.



Hosted one of the Common Understanding inter-agency session (Streamline WA).



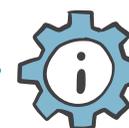
2 professional development sessions to swimming pool safety inspectors and building surveyors.



4 regional briefing sessions to electrical workers.



2 interviews with media outlets on abandoned mine features.



26 information sessions on implementation of WHS.



20 on demand videos developed on safety.



16 presentations to electricians.



21 presentations to electrical apprentices.



7 metropolitan briefing sessions to electrical workers.



1 briefing session on onshore decommissioning.



8 live webinars for Safe Work Month.



3,996 registrations for Safe Work Month.



Safety around gas and gas products

New LPG gas connectors increasing consumer safety

LPG appliances have been the biggest contributors of gas related incidents involving backyard BBQ fires. Many of the incidents resulted from gas leakage due to a weakness in the Type 21 'POL' cylinder valve, present in 3kg and 9kg gas cylinders. The department supported extensive research to find a solution to the problem and as a result, amendments to the Australian Standard AS/NZS 5601 Gas Installations introduced a thermal cut out device that requires a positive connection before gas can flow out of a cylinder. The new LCC27 connection is now mandatory on all new LPG appliances including BBQs, from 1 April 2022.



Using gas appliances safely, and in the great outdoors

Over recent years there have been several fatalities across Australia associated with carbon monoxide poisoning. These have occurred in indoor and outdoor settings, with the main contributing factors being faulty or inadequately serviced open flued heaters or the incorrect use of gas appliances.

Open flued and flue-less gas space heaters pose a safety risk if there is inadequate ventilation. With houses becoming more energy efficient and air tight, and powerful exhaust fans being installed, the risk of carbon monoxide being drawn back into homes rather than escaping via the flue has increased considerably. The "Tick Tick Tick" campaign raised awareness of these factors and that regular servicing is essential to support the safe functioning of heaters and all gas appliances.



The use of outdoor portable gas appliances in tents, caravans and recreational vehicles creates its own hazard as they are not designed for use in enclosed (non-ventilated) areas. To raise awareness on safe use of outdoor gas appliances the department created the "Great Outdoors, Lethal Indoors" campaign to run over the spring and summer months.

Looking forward, new gas technologies and standards

The department is responsible for ensuring gas safety legislation and standards are agile, responsive to an emerging sector and meet the expectations of the Western Australian community.

Inspection policy statement and plan guidelines for gas suppliers

After extensive consultation with industry the department published the Inspection Policy Statement and Plan Guidelines for gas suppliers and distributors in Western Australia in October 2021. The guidelines set out the minimum technical, investigative, reporting, administrative, and other requirements that gas suppliers need to implement as part of their obligations under the *Gas Standards Act 1972*. The guidance documents were developed by identifying and prescribing a consistent and effective system of inspection for domestic, commercial and industrial consumers of gas and is vital for maintaining a high standard of safety for gas distribution and supply across the State.

Adoption of hydrogen appliance standards

The department is committed to ensuring the safety standards associated with new and emerging technologies is maintained. In the case of hydrogen fuel cells, new Australian Standard benchmarks were published on 29 March 2022 under the *Gas Standards Act 1972*. The growth in stand-alone power systems and the drive towards hydrogen adoption will continue to be a significant issue for the department to manage and respond to in coming years in respect of the safety legislative framework and technical standards.



Building and construction industry challenges

The building and construction sector, which has played a significant role in keeping the Western Australian economy strong through the pandemic, is experiencing major impacts from global supply chain disruptions. In many cases, global shortages have led to increased costs and delays to projects in Western Australia (WA), impacting a range of developments, from residential to major infrastructure. Many of these price increases could not have been anticipated and resulted in building projects taking longer and costing more for WA builders and tradespeople to complete. Many builders opted to pass on some or all of these price increases and as a consequence the highest number of complaints were lodged with Building and Energy since the service began. This was partly due to a sharp rise in the number of contractual disputes which increased from 114 in 2020–21 to 231 in 2021–22. To assist consumers and industry to navigate these unprecedented challenges, the department published a guide on price increases to home building work contracts and launched a campaign in response to building a home in challenging times.

Looking forward, modernising building laws

During the year, the department continued its work with industry and consumers on reviewing and modernising the State's building regulatory framework to implement the recommendations from the Building Confidence – Improving the Effectiveness of Compliance and Enforcement Systems for the Building and Construction Industry across Australia report (Building Confidence Report) and improve compliance and enforcement of building standards in WA. This included finalising the proposal on a new registration scheme for building engineers, issuing the Code of Practice for building surveyors and completing a significant economic impact analysis of a large number of reforms to be presented for Government consideration in the second half of 2022. The department also conducted further consultation with the Master Builders Association and the Housing Industry Association throughout 2021–22 on proposals to modify applicable building standards.

The Building Confidence Report identified that in order to improve compliance with building standards, regulators must have a strategy for proactively auditing the design, certification and construction of buildings. In July 2021, we developed and published our four-year Building Compliance Audit Strategy 2021–24 and our Audit Priorities Statement 2021–22. Both documents clearly set out the approach we will take to our inspections of registered builders, building surveyors and owner-builders to monitor compliance and respond to emerging issues and risks in the residential and commercial building industry.



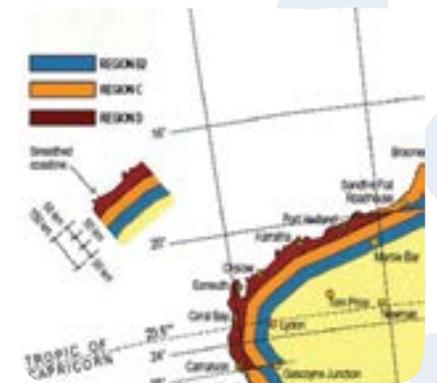
For the upcoming year, we will continue to work on implementing the recommendations from the Building Confidence Report.

Kristin Berger

Ensuring building standards are adequate for Western Australia

Building laws in WA adopt the National Construction Code (NCC) and technical standards. The proposed new NCC 2022 mandate a new Australian Standard AS/NZS 1170.2:2021 (2021 edition) Structural design actions, Part 2: Wind actions. The new standard would allow lower design wind speeds to be used when designing new buildings in certain parts of Australia.

Informed by an expert report, which was commissioned from James Cook University Cyclone Testing Station, the department ensured that a state-variation is included in NCC 2022. The variation maintains the 2011 edition standards on design wind speeds for the mid northwest coastal region (region D). It also requires buildings in the Kalbarri and Geraldton regions, must be designed to cater for increased internal pressures.





Fast tracking mining approvals

The Fast tracking mining approvals strategy is an election commitment of the McGowan Government. The strategy's two main streams will transform the regulation of resources projects under the *Mining Act 1978* by reducing assessment timeframes through additional resourcing and people/cultural enhancements, supported by a four-year digital transformation project.

Stream 1: Reduction in approvals timeframes

The department achieved 73 per cent of positions filled as part of the phased recruitment plan for this stream. The current skills shortage and competitive employment market have influenced the outcome and it was not possible to achieve the target of 100 per cent.

Digital enhancements were also completed, which support approval timeframes and other features such as error reductions in the Programmes of Work lodgement system, Online Approvals Tracking for proponents and Wardens Court Integration.



Stream 2: Digital transformation (completion due mid-2025)

The department's digital program, Resources Online, will significantly expand, modernise and enhance the digital capability of mining and petroleum lodgements to the department via its Environmental Assessment and Regulatory System, and will ultimately fast track the associated assessments and approvals. Key lodgements (for assessment) within this program encompass Programmes of Work, Mining Proposals, Mine Closure Plans, Environment Plans, and Oil Spill Contingency Plans. Enhancements also incorporate the Mining Amendment Bill 2021 outcomes that are anticipated to pass through Parliament by the end of 2022.

The digital transformation stream has inter-dependences with other government-wide projects such as the Digital Environment Assessments program and Cloud Transition. Subsequently, the project team engages regularly with other agencies to understand dependencies and ensure consistency of requirements into the transition strategy.

In early 2022–23 the department will focus on finalising the platform solution options analysis and procurement strategy, undertaking the Spatial Services design and commencing the analysis to develop the implementation strategy, and completing the requirement analysis including the user journey, function and non-function requirements, data, and integration requirements.

We are responding to a changing resources sector with agile approaches in the way we do business.



Service provider

The following are key indicators of our success as a service provider:



- ▶ We know and monitor our costs and keep them moderate
- ▶ Customers have fewer touchpoints when doing business with us
- ▶ Customers and staff find it easier to do business
- ▶ Customers are satisfied with their treatment

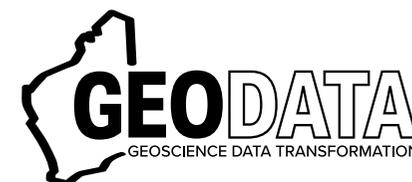
Exploration Incentive Scheme

The State Government increased the annual budget of the the Exploration Incentive Scheme (EIS) to \$12.5 million. In line with the additional funds, the Co-funded Exploration Drilling Program was increased from \$5 million to \$6 million per year. Following a review of direct drilling costs compared to expenses, an increase to the capped values for different categories was introduced for the first time since the scheme started in 2009. With the steady increase in companies opting for diamond drilling, a single deep hole application was increased to \$220,000 (from \$200,000) and now includes two deep diamond holes. The Energy Analysis Program of co-funding will see the first release of open file data from the co-funded projects in September 2022.

In collaboration with Geoscience Australia, funding of Airborne Electromagnetic (AEM) data acquisition across the southern half of Western Australia has resulted in approximately 98 per cent of the State now covered on a 20km line spacing. Multiple resource companies have already reviewed the released data and have announced the identification of EM basement anomalies warranting exploration with their tenements for battery minerals such as nickel.

Understanding the lithospheric structure through seismic activity in three regions of Western Australia has been supported by the EIS. Collaborating with the Department of Fire and Emergency Services and the Australian National University, monitoring of seismic activity in the southwest will help exploration for critical minerals and the State’s emergency planning in a seismically active region of Australia. In partnership with Geoscience Australia, twenty long-term seismic stations have been deployed around the greater Kalgoorlie region and in the northwest near Broome.

Geoscience Data Transformation Program



The Geoscience Data Transformation Strategy intends to digitally transform the entirety of the billions of dollars’ worth of government and industry geoscience information into “intelligent FAIR data” and unlock its hidden mineral and energy resource potential.

A five year program of work identified as the Geoscience Data Transformation Program has been established to deliver the Strategy through a series of activity streams that commenced on 1 October 2021 with a budget of \$10.6 million. Program governance has been established and the current focus is to finalise the program foundational elements such as resourcing, internal and external stakeholder engagement planning and activity stream scoping. The Data Optimisation and Data Storage activity streams are scheduled to move into Execute Phase during the first quarter of the 2022–23 financial year.



“The five year Geoscience Data Transformation Strategy will revolutionise the way we provide information to the world.”

Jeff Haworth



Expedited process reform – *Native Title Act 1993*

Prior to 2022, State policy on the inclusion of the expedited procedure statement in notices issued under Section 29 of the *Native Title Act 1993 (Commonwealth)* applied a 'blanket approach' to particular kinds of tenements, namely prospecting licences, exploration licences and retention leases (exploratory titles). The expedited procedure is a process for future acts that the department considers will have minimal impact on native title. This approach was more than 20 years old, and was no longer consistent with whole of government objectives outlined in the Aboriginal Empowerment Strategy.

After extensive consultation with stakeholders, a new State policy for the expedited procedure process was endorsed by Government and implemented on 1 June 2022, providing great discretion. The new process involves the introduction of an early risk assessment, triage and case management approach. The purpose of the new process is to encourage early agreement making between parties and reduce delays to the grant of exploratory titles.

The rocks beneath – a geologist perspective

The Rocks Beneath Our Feet is a series of podcasts consisting of 20 individual episodes. In this series, five geologists talk about their years devoted to working for the Geological Survey of Western Australia. From understanding early life, to the tectonic processes that shaped our planet, and making the maps that unearth our understanding of Western Australia's geology, they reveal their shared passion for discovering the stories in the rocks beneath our feet. The series was run from November 2021 through to the end of February 2022. So far, it has attracted over 3000 listens, with the two most downloaded episodes covering the organisation's transformation of geological mapping into the digital era and, the challenge of explaining how mining works and why it is so important. The series can be accessed through all podcast outlets including Spotify.

New FuelWatch website making it easy to find cheap fuel sites in Western Australia

In October 2021, the department rolled out a revamped FuelWatch website featuring enhanced search and interactive mapping features which make it quick and easy for Western Australian motorists to find the cheapest fuel sites in their area. Record fuel prices saw the use of the FuelWatch website reach record highs. In March 2022, the website had more than two million visits.

The mobile-friendly website www.fuelwatch.wa.gov.au now has an interactive map that displays the brands and prices of all sites within an area defined by the user on a dynamic map, so motorists can more readily determine both price and distance. A list of available sites from the lowest to the highest prices is displayed next to the map. After 2.30pm each day, the page will show the fuel price for that day and the day after which, under FuelWatch rules, are locked in for a 24 hour period.





Policy maker

The following are key indicators of our success as a policy maker:

- ▶ Business community and industry behaviour supports policy intent
- ▶ Disruptors are identified early enough for pre-emptive policy action
- ▶ Intelligence is regularly shared and used for public benefit
- ▶ New ideas on how to address regulatory challenges are on the policy agenda

Implementation of industrial relations reforms

The *Industrial Relations Legislation Amendment Act 2021* (IRLA Act) was passed by Parliament and received Royal Assent in December 2021. The IRLA Act implements key reforms recommended by two independent reviews; the 2018 Ministerial Review of the State Industrial Relations System and the 2019 Inquiry into Wage Theft in Western Australia (WA), and delivers on the McGowan Government election commitments to strengthen protections for workers in the State's industrial relations system.



The provisions of the IRLA Act establishing a new Easter Sunday public holiday in WA commenced on 12 February 2022. The remainder of the IRLA Act commenced on 20 June 2022, along with supporting regulations.

Among other things, the IRLA Act:

- ▶ Ensures all WA employees are covered by minimum wages and other employment protections, including employees engaged in domestic service in a private home.
- ▶ Enables workers to seek a stop bullying or sexual harassment order from the Western Australian Industrial Relations Commission (the WAIR Commission).
- ▶ Enables the WAIR Commission to make equal remuneration orders.
- ▶ Introduces a new minimum entitlement to five days' unpaid family and domestic violence leave for employees.
- ▶ Significantly increases penalties for non-compliance with State industrial laws and instruments.
- ▶ Facilitates the transfer of WA local government employers and employees from the national industrial relations system to the State system.

Extensive information on the new employment laws was published on the department's website to raise awareness for employers, employees and stakeholders about the new obligations and entitlements being implemented by the IRLA Act. Website announcements, newsletters, emails to stakeholders, social media posts and a social media advertising campaign were also used to communicate the changes.

 Safety relates to worker safety both physically (including mental health), and from the perspective of remuneration/entitlements (wage theft).

Ian Munns



Regulatory Reform

It was a busy year for the department implementing various regulatory reforms, improving supporting processes and raising awareness to impacted parties and stakeholders. In particular, drafting the Work Health and Safety regulations was the biggest single drafting exercise that had ever been undertaken by the Parliamentary Counsel's Office in collaboration with the department.

Legislative developments and amendments

A number of amendments to existing Regulations and Acts and the development of new Regulations were made during the 2021–22 financial year including:

- ▶ Amendments to the Electricity (Network Safety) Regulations 2015 to address uncertainty relating to the scope of network operator obligations, and expansion of scope to capture new supply arrangements, such as standalone power systems that are being rolled out by electricity network operators.
- ▶ Improvements to the *Residential Parks (Long-stay Tenants) Act 2006* to increase the security of long-stay tenancy agreements with the provision of clearer rules, clarification on obligations and introducing standard forms agreements for new arrangements.
- ▶ Amendments due to the *Work Health and Safety Act 2020* replacing the work health and safety elements of the *Mines Safety and Inspection Act 1994*, *Petroleum and Geothermal Energy Resources Act 1967*, *Petroleum (Submerged Lands) Act 1982* and *Petroleum Pipelines Act 1969*.
- ▶ New regulations that came into operation from 31 March 2022 to support the *Work Health and Safety Act 2020*; - Work Health and Safety (General) Regulations 2022, Work Health and Safety (Mines) Regulations 2022, Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022.
- ▶ Development of the Building and Construction Industry (Security of Payment) Regulations 2022. This regulation comes into operation from 1 August 2022.

- ▶ Review of the *Association Incorporations Act 2015*.
- ▶ Amendments to the Building Regulations 2021 requiring the building industry to implement and comply with revised bushfire construction requirements.
- ▶ Updating the minimum conditions of employment to include unpaid family and domestic violence leave as part of the Industrial Relations Amendment Bill 2021.
- ▶ Gazetting of the Commerce Regulations Amendment (Motor Vehicle Dealers and Repairers) Regulations 2021 to reduce the number of different classes of licences for repair work (29 to 23) and motor vehicle dealers (6 to 4).
- ▶ Consequential amendments to various occupational licensing legislation was progressed to support the implementation of Automatic Mutual Recognition.



Shared responsibilities with other agencies

The department contributed to the delivery of several whole-of-government and cross-agency initiatives, each of which had shared accountabilities for their successful implementation. The following initiatives were reported against the 2021–22 Resource Agreement.

Initiative	Working together with
<p>Transfer of Functions (royalty collection and administration)</p> <p>Outcome: Collection of Royalties for the State of WA</p> <p><i>DMIRS Groups: Corporate Services and Resources and Environmental Regulation</i></p>	<p>Department of Finance (Revenue WA)</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Transitional arrangement in place. ▶ Progress made on system migration setup. ▶ Transfer of function is expected to occur by 30 June 2023 after amendments are made to existing legislation to transfer responsibility, and the complete migration of computer systems to support the activity.
<p>Bush-fire policy reform</p> <p>Outcome: Implement reforms for bush-fire policy</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Departments of; Planning, Lands and Heritage (DPLH); Fire and Emergency Services (DFES)</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Assisted with new bushfire mapping and guidelines for assessing bushfire accreditation providers through inter-departmental working groups.
<p>Ticket scalping regulation</p> <p>Outcome: Support consumers in being aware of risks of ticket scalping activities</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>VenuesWest</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Royal Assent on 9 September 2021 for the <i>Ticket Scalping Act 2021</i>. ▶ Implemented community education strategies at VenuesWest managed venues.
<p>Fatigue and Isolated Drivers in the Commercial Vehicle Sector</p> <p>Outcome: A workplace operated in a safe and healthy manner</p> <p><i>DMIRS Group: Safety Regulation</i></p>	<p>WA Police Force and Main Roads WA</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ 207 stops. ▶ 15 audits.

Initiative	Working together with
<p>Puppy farming</p> <p>Outcome: Support the government in the implementation of puppy farming legislation</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Department of Local Government, Sport and Cultural Industries (DLGSC)</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Compiled and supplied a comprehensive database of pet breeders in WA to support the DLGSC. ▶ Educated traders about the upcoming new laws and consumers about their rights. ▶ Referrals to the DLGSC website.
<p>Provide advice on impact of COVID-19 on Commercial Tenancies</p> <p>Outcome: Assist commercial tenants and their landlords in relation to the impact of any COVID-19 lockdowns on their tenancies</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Small Business Development Corporation</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Provided ongoing advice to government throughout the various COVID-19 restriction periods. ▶ Hosted a Ministerial roundtable in February 2022 to understand the impact of COVID-19 on the commercial tenancy sector. ▶ Education information updated in March 2022.
<p>Tenancy issues for Aboriginal consumers</p> <p>Outcome: Assist non-government support agencies to inform Aboriginal consumers of their tenancy rights and obligations</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Legal Aid Commission</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Joint launch of the 'My Place' Blurred Borders Tenancy Resource Kit in October 2021. ▶ This specially-designed educational toolkit will assist with improving the understanding of renting rights in vulnerable communities.
<p>State-wide cladding audit</p> <p>Outcome: Assist relevant Western Australian public sector agencies to scope audits of their respective public buildings for identification of combustible cladding</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>State Government departments and public universities</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Continued assistance to public sector agencies with remediation efforts. ▶ 27 identified sites requiring remedial works (8 completed).

Initiative	Working together with
<p>Streamline WA</p> <p>Outcome: Encourage investment in Western Australia by creating better ways of applying regulation</p> <p><i>DMIRS Groups: Strategic Business Innovation and Resources and Environmental Regulation</i></p>	<p>Departments of; Planning, Lands and Heritage (DPLH); Water and Environmental Regulation (DWER); Biodiversity, Conservation and Attractions (DBCA); Treasury (DT)</p>

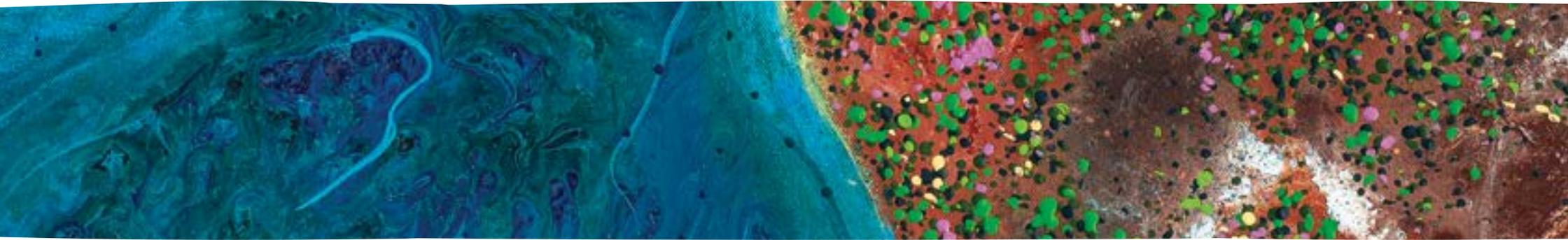
The Streamline WA Steering Committee worked closely with regulatory and economic development government agencies through the Council of Regulators to provide a peak collaborative forum for modernising and streamlining regulation, regulatory practices and timeframes.

Results:

- ▶ Our Director General Richard Sellers, co chaired the Streamline WA Steering Committee and the Council of Regulators in 2021–22.
- ▶ Moved to fill 60 frontline approvals and reform officer positions following the government’s announcement in July 2021 to invest \$120 million across key regulatory agencies to streamline Western Australia’s approvals systems.
- ▶ Worked with other agencies to progress the ‘performance measurement’ project developing a holistic transparent reporting regime across government.
- ▶ Participated in the second Common Understanding workshop in December 2021, with DWER and other agencies, to strengthen cross sector collaboration on assessments and approvals.

Under the broad banner of Streamline WA, the department also:

- ▶ Progressed several legislative amendments to simplify decision-making and improve efficiency across its mining, petroleum and motor vehicle repairers and dealers portfolios.
- ▶ Initiated the Fast Tracking Mining Approvals Strategy election commitment, an initiative to transform the regulation of resources projects by the department by reducing assessment timeframes.



Initiative	Working together with
<p>COVID-19 response and recovery</p> <p>Outcome: Preparing for Western Australia's economic and social recovery</p> <p><i>DMIRS Groups: Resources and Environmental Regulation and Industry Regulation and Consumer Protection</i></p>	<p>Departments of; Premier and Cabinet (DPC); Finance (DoF); Treasury (DT); State Emergency Coordination Group; Public Sector Leadership Council</p>

Results:

- ▶ 1,841 applications for Residential Rent Relief Grants received with a total of \$2,424,572.61 in assistance being disbursed to 1,463 tenancies. These grants ceased on 21 December 2021 with the winding back of the State's COVID-19 response.
- ▶ The Joe Lord Core Library (Kalgoorlie) expansion successfully completed, delivered on time and on budget.
- ▶ Installation of the CAMECA-1300 HR ion microprobe in the John de Laeter Centre at Curtin University. As at the 30 June 2022 the ion microprobe was undergoing testing and calibration post-install.
- ▶ An additional 32,761 line kilometres of Airborne Electromagnetics (AEM) data across the Goldfields, Esperance and far east Yilgarn was acquired.
- ▶ Rounds 22 and 23 EIS co-funded drilling had more successful applicants due to one-off additional funding of \$2.5 million.

Tow truck operators regulation

Responsibility of the Tow Truck Operators Regulation cross-agency initiative was formally transferred to the Department of Transport for further development and progression of regulatory options as a result of a Consumer Protection report into regulatory options.



Working together across the Western Australian public service

Throughout the year, the department continued to work collaboratively on cross-agency projects to deliver better outcomes to the community, industry and resources sector of Western Australia by sharing knowledge and expertise.

Keeping people and property safe

We work with the ACCC on voluntary and mandatory recalls including the LG solar energy storage battery (part of solar PV installations) recall.

Interagency Graduate Program

We are working with JTSI to provide opportunities for new graduates as they enter the public service.

Energy Transformation Strategy

We are part of the Lithium-ion Battery Working Group, as part of this group we are involved with the Synergy Kwinana Big Battery Project.

Renewable Hydrogen Strategy

We work with DoT to develop policy on hydrogen fuel cells use in vehicles and machinery
We provide regulatory advice and review gas network submissions with JTSI.

Aboriginal Empowerment Strategy

We implemented a new expedited procedure process that allows greater discretion and encourages early agreement making between traditional landowners and other interested parties that can also reduce delays to granting of exploratory titles.

Short term rental accommodation

We are working with DPLH and DLGSC to develop proposals on a short-term rental registration scheme.

COVID-19 Response

We worked with the department of Health and other agencies by sending staff to support COVID-19 response efforts and the contact tracing team.

Keeping schools safe

We provided advice on electrical safety around DoE aquatic facilities and Residual-current device (RCD) protection for switchboard circuits in schools.

Digital Strategy

We worked with DGov to implement My Account, a single sign-on for WA government services and rolled in the departments' FuelWatch and Geophysical Survey Index to be accessible through Service WA.



Additional government initiatives and commitments

The department works collaboratively with industry, consumers and other stakeholders to deliver on key government initiatives as well as election commitments from the McGowan Government.

Promoting fair and transparent arrangements for tenants

Changes to improve the security of long-stay tenancy agreements and promote fair and transparent arrangements between park operators and tenants came into effect on 31 January 2022. Long-stay tenancies can involve living in a caravan, mobile home or park home located within a caravan park or lifestyle village.

The changes to the *Residential Parks (Long-stay Tenants) Act 2006* (the Act) cover on-site home agreements - where the tenant rents a site and a dwelling in a residential park, and site-only agreements - where the tenant rents the site from the park operator and owns their own dwelling which is placed on the site. These changes included the following:

1. Limiting the termination of new fixed-term agreements on the sale of a park or if the owner's financier takes possession of the park.
2. No longer allowing 'without grounds' terminations of site-only long-stay agreements, instead setting out specific grounds that will provide greater certainty in relation to termination rights.
3. Improved disclosure requirements on contractual issues such as exit fees.
4. Clearer rules for park operators, home owners and prospective tenants in relation to the sale of homes.
5. Clarification of the park operator's obligation to enforce park rules in a fair, reasonable and equitable manner.
6. Standard lease clauses will apply to all agreements and will no longer be able to be varied.
7. Introduction of standard form agreements for new arrangements.

In implementing changes to the Act, Bonds Administration streamlined processes for all residential tenancy bond transactions, using QR code technology to make lodging bonds easier and the creation of new forms.





Security of payment regulations

The Government's signature *Building and Construction Industry (Security of Payment) Act 2021* (the Act) was passed by Parliament in June 2021. The Act delivers on the election commitment to improve payment protections for contractors in the Western Australian (WA) building and construction industry. In September 2021, the department released an Action Plan for implementing the landmark Security of Payment protections for the building and construction sector. The Action Plan for Reform: Better Payment Protections for Contractors in the WA Building and Construction Industry outlines a clear roadmap for how the reforms will be implemented in stages over the next few years. The department undertook extensive public consultation on draft supporting regulations which were released in November 2021, including two public feedback sessions in December 2021, industry group briefings and took consideration of a large number of public and special interest submissions. The supporting regulations were published in the Government Gazette on 17 June 2022 to commence operation with the Act on 1 August 2022.

Raising awareness

To support industry in getting ready for the new laws, the department produced and delivered a range of information materials and training, including:

- ▶ Two sets of three-day adjudicator/review adjudicator training courses.
- ▶ A large number of animated videos, factsheets and a 90 minute seminar available on the department's website.
- ▶ Development of sixteen recommended forms and user guides for various processes required under the laws.

Education and awareness campaigns will continue to be delivered over the next two years to further support the Act's implementation.

Ticket scalping legislation

The *Ticket Scalping Act 2021* came into effect on 10 September 2021. As a result, ticket scalping is now illegal in Western Australia.

Ticket scalpers have been known to systematically buy large numbers of sporting and entertainment event tickets with the sole aim of reselling them. The use of 'bot' software (computer programs that allow people to quickly buy tickets in large quantities) has proliferated the occurrences and assisted with rapid placement on resale websites at inflated prices.

Anti-scalping laws apply to tickets to WA events that are first sold on or after 10 September 2021, the use of 'bot' software to obtain them is now illegal and all tickets have a resale restriction. A resale restriction is a term or condition on a ticket that limits the circumstances in which the ticket may be resold. These laws provide fairer access to events in WA by prohibiting anyone from reselling a ticket to a WA event for more than the original price plus 10 per cent. Advertisements for resale tickets must specify the original cost of the ticket, compliant resale price, and must also include any bay, row or seat number that applies to the ticket.

The staging of the Australian Football League (AFL) Grand Final for the first time in Perth, on 25 September 2021, presented an excellent platform to promote the new ticket scalping laws that generated significant local and national media coverage. The department ran a campaign to promote the new laws including new web and video content promoted via social media posts, digital polls, radio segments, a newspaper column, post on the Commissioner's blog and stakeholder email. A downloadable campaign poster was created and distributed via VenuesWest to target attendees at the AFL Grand Final. Staff attended the event to talk to people about the new laws and assist anyone who had been scalped or scammed. A further mini-campaign was run by the department in March 2022 to coincide with the issue of the Ticket Scalping Regulations 2022.

Audited Key Performance Indicators

Certification of key performance indicators

I hereby certify that the key performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Department of Mines, Industry Regulation and Safety, and fairly represent the performance of the department for the financial year ended 30 June 2022.



Richard Sellers
Accountable Authority
7 September 2022





Outcome Based Management

DMIRS' purpose is "Supporting a safe, fair and responsible future for the Western Australian community, industry and resources sector". This is also our single desired Outcome for our Outcome Based Management (OBM) structure, providing a shared focus for the department. Adopting a customer-centric approach, our functions are delivered via three Key Services and aligned to our operational structure.

This outward-facing service model focused to our single Outcome assists us to provide meaningful and easy to understand performance information to our stakeholders, be they individuals, industry bodies, companies, unions, community groups, Parliament, or government agencies.

Key **Effectiveness** Indicators measure the extent to which our department achieves its Outcome. To ensure the effectiveness of our core business is measured against our single Outcome each of our three Key Effectiveness Indicators are aligned with one of our three Key Services.

Key **Efficiency** Indicators relate the level of resource input required to deliver our Services. They demonstrate how efficiently we are conducting our activities and can be represented as an average cost per service or through a measure of timeliness. Our three Key Services are each measured by at least one Key Efficiency Indicator.

These performance measures allow us to quantify achievement made during 2021–22 towards stated Government Goals and our desired outcome, measure our performance against targets set in our Resource Agreement and as published in the 2021–22 State Budget.

The DMIRS OBM structure was implemented in the 2018–19 State Budget, within a year from the department's inception. The structure was last revised from the 2020–21 reporting period to align Key Services to our organisational structure and ministerial portfolios.



Safety and Labour Relations Advice and Regulation Service

Provides regulatory and policy oversight of work health and safety in the resource and general industries sectors, the licensing regime, and safety legislation for dangerous goods, including regulation of the State's major hazard facilities and petroleum operations. Playing a significant role in building and strengthening WA's economy by ensuring and protecting the rights of all employees to work in a safe and healthy working environment.



Industry Advice and Regulation Service

Incorporating both Building and Energy and Consumer Protection Divisions, administers legislation covering WA's industry, community and consumers through its programs for compliance, conciliation, dispute resolution and enforcement. Contributing to safer, more responsible actions by traders and industries, and a better informed, risk-aware community.



Resources Advice and Regulation Service

Regulates one of WA's largest industry sectors, and plays a critical role in building WA's economy while ensuring the State's resources are developed in a sustainable and responsible manner through information provision and appropriate compliance processes. In addition to its regulatory role, the Service delivers geoscience functions to the State.




Safety and Labour Relations Advice and Regulation



18

Number of work-related traumatic injury fatalities.

Rolling five year average **16**

▲ Did not meet target
Target (0)



\$5,171

Average cost per transaction to deliver safety and labour relations regulation services.

▼ 17% Exceeded target
Target \$6,210



32%

Percentage of high-risk work licence applications determined within agreed timeframes.

▼ 68% Did not meet target
Target 100%



Industry Advice and Regulation



73%

Stakeholder satisfaction with the department as an effective industry regulator.

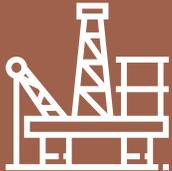
▶ Met target
Target 75%



\$221

Average cost per transaction to deliver industry advice and regulation services.

▲ 16% Did not meet target
Target \$190



Resources Advice and Regulation



74%

Stakeholder satisfaction with the department as an effective resource sector regulator.

▶ Met target
Target 75%



\$4,117

Average cost of resource regulation per live title.

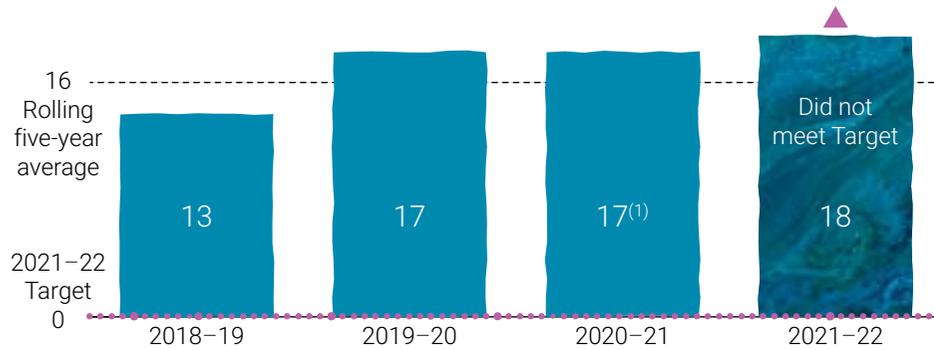
▼ 13% Exceeded target
Target \$4,731

Key Performance Indicators 2021-22



Effectiveness

Number of work-related traumatic injury fatalities



(1) The number of previously reported traumatic injury fatalities for 2020-21 (15) has been adjusted to 17 in 2021-22.

While reported work-related traumatic injury fatality numbers are relatively low, any work-related death is considered unacceptable, so the target for this indicator is always zero (0). The nature, frequency, location and circumstances surrounding fatalities influence our regulatory efforts. This indicator reports fatalities within DMIRS jurisdiction. A rolling average (mean, rounded to nearest whole number) of the previous five years is also reported to provide context.

Investigation into these incidents may extend over years and the work-related status may vary.

Comment on results

During 2021-22 there were 18 confirmed work-related traumatic injury fatalities, including one in the Resource Industries sector, and 17 in the WorkSafe General Industries sector. The rolling five-year average is 16.

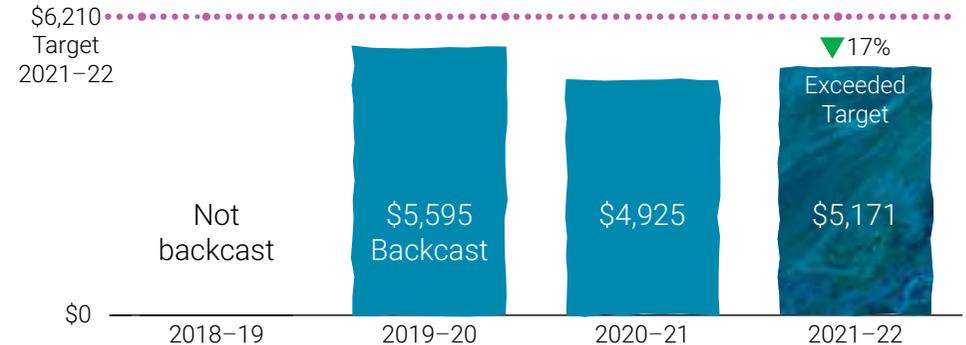
Work-related traumatic injury fatalities are reported by DMIRS in the State of the Work Environment Report however that report also includes fatalities within WA but outside DMIRS jurisdiction.



Efficiency – Safety and Labour Relations

Advice and Regulation Service

Average cost per transaction to deliver safety and labour relations regulation services



This indicator demonstrates the cost efficient and responsible delivery of safety and labour relations regulatory services by representing the total cost of the service in relation to unique regulatory ‘transactions’. Regulatory transactions are “an action by the department (proactive or reactive) that protects the community by intervening decisively to avert and minimise harm, commensurate with the circumstances” i.e. investigations and inspections. Each finalised regulatory transaction is counted once.

This indicator is calculated by dividing the total cost of the service by the number of regulatory transactions. The indicator was introduced in 2020-21, results were back-cast to 2019-20.

New Work Health and Safety (WHS) laws commenced on 31 March 2022.

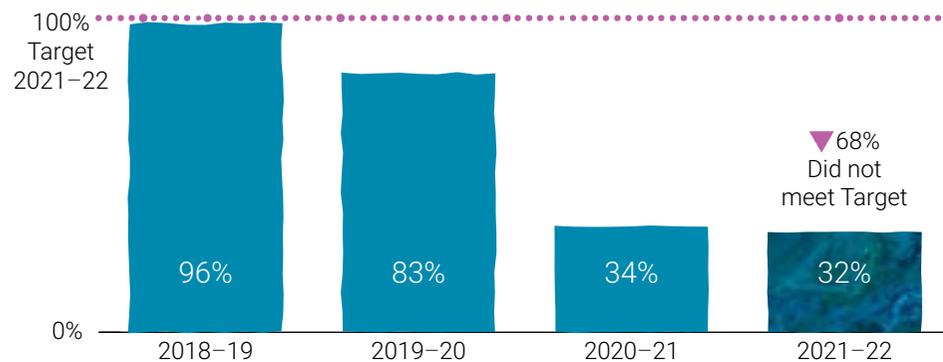
Comment on results

The average cost per regulatory transaction for 2021-22 is \$5,171, which is 17 per cent less than the budget estimates target (\$6,210). This result is due to an increase in both the number of transactions reported being significantly higher than Budget and additional allocation of funds approved post Budget.



- ▶ The budgeted number of regulatory transactions had been reduced to allow for new WHS legislation implementation related tasks, however the overall impact during the year was less than anticipated.
- ▶ Increased transactions resulting from a steep rise in resource industry COVID-19 incident notifications since February 2022.
- ▶ The number of transactions increased since the commencement of WHS laws due to additional notifiable matters.
- ▶ Allocation of additional funding was approved by the Expenditure Review Committee to meet Work Health and Safety (WHS) initiatives and implement the Mental Awareness, Respect and Safety Program.

Percentage of high-risk work licence applications determined within agreed timeframes



This measure is intended to demonstrate our capacity to efficiently administer and enforce safety regulation through the timely assessment of high-risk work licence (HRWL) applications.

The indicator is calculated as a proportion of the total number of HRWL applications finalised within 14 calendar days for each new, modified, and renewed licence during the same reporting period. Days taken is calculated as the elapsed days between the date received by DMIRS to the date the application was finalised. New, modified, and renewed HRWL applications have been considered to be equivalent in workload

but the volume within these categories varies. The weighted average by category is calculated and added together to determine the overall weighted average.

Comment on results

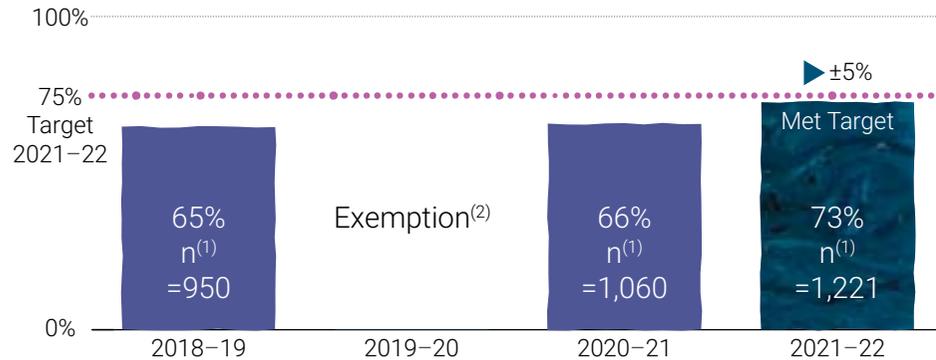
32 per cent of HRWL applications were determined within 14 calendar days, a 68 per cent variance from target. Licence application processing times were adversely impacted due to incomplete applications being submitted, transfer of staff to other activities to support integration of the new WHS laws with the existing licensing framework and COVID-19 affecting staff availability, and additional workload to finalise COVID-19 Economic and Health Relief Package refund from 2020-21:

- ▶ A key driver of determination timeliness was whether all required legislated information was included with the initial application.
- ▶ New WHS laws required changes to licences, including introducing new categories and making changes to names, durations and requirements.
- ▶ A larger than usual number (4,200) of applications were in progress at the start of 2021-22.
- ▶ The number of determined HRWL applications has again increased from last year to 70,513.



Effectiveness

Stakeholder satisfaction with the department as an effective industry regulator



(1) n is the sample size

(2) An exemption for reporting results in 2019-20 was granted by the Under Treasurer

To determine our influence in delivering effective regulation to support sustainable industry development this indicator measures the overall effectiveness of DMIRS as a regulator by quantifying stakeholder satisfaction with our regulatory role. As part of a stakeholder satisfaction survey, respondents rated their satisfaction against the benchmarking question “Overall, how satisfied are you with the performance of DMIRS as an effective industry regulator?” on a scale of 0-10. Satisfaction is the per cent of respondents who gave a rating between six and ten.

Comment on results

Close to three in four (73 per cent) of 2021-22 respondents expressed satisfaction with the effectiveness of DMIRS as an industry regulator, within ±5 per cent of the target. Improvement in satisfaction with DMIRS as an industry regulator was observed in 2021-22 (7 per cent).



Efficiency – Industry Advice and Regulation Service

Average cost per transaction to deliver industry advice and regulation services



This indicator measures the cost efficient and responsible delivery of industry advice and regulation services by representing the cost of the service in relation to unique service ‘transactions’. A ‘transaction’ is defined as an action by DMIRS to provide a service or regulatory action to an external stakeholder, initiated by either party. Each transaction is only counted once – for example, a finalised application is counted as one transaction, associated ‘transactions’, such as a related fee payment, are not counted separately. The indicator is calculated by dividing the total cost of the Industry Advice and Regulation service by the number of transactions. Previous results were re-cast in 2020-21.

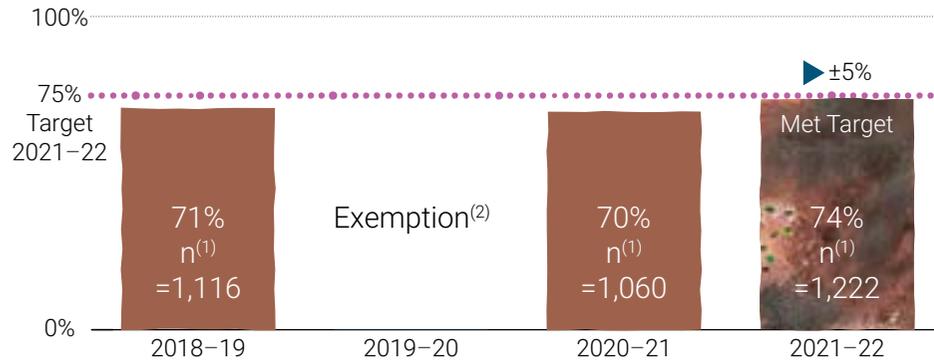
Comment on results

The average cost per transaction for 2021-22 is \$221, which is 16 per cent greater than the Target (\$190). The Cost of the Industry Advice and Regulation Service was within 5 per cent of the estimate, so variance of this result is driven by a lower overall number of regulatory transactions than estimated (in total 13 per cent less than Target).



Effectiveness

Stakeholder satisfaction with the department as an effective resource sector regulator



(1) n is the sample size

(2) An exemption for reporting results in 2019-20 was granted by the Under Treasurer

To determine our influence in delivering effective regulation to support sustainable resource sector development, this indicator measures the overall effectiveness of DMIRS as a regulator by quantifying stakeholder satisfaction with our regulatory role. As part of a stakeholder satisfaction survey, respondents rated their satisfaction against the benchmarking question “Overall, how satisfied are you with the performance of DMIRS as an effective resource sector regulator?” on a scale of 0-10. Satisfaction is the per cent of respondents rating between six and ten.

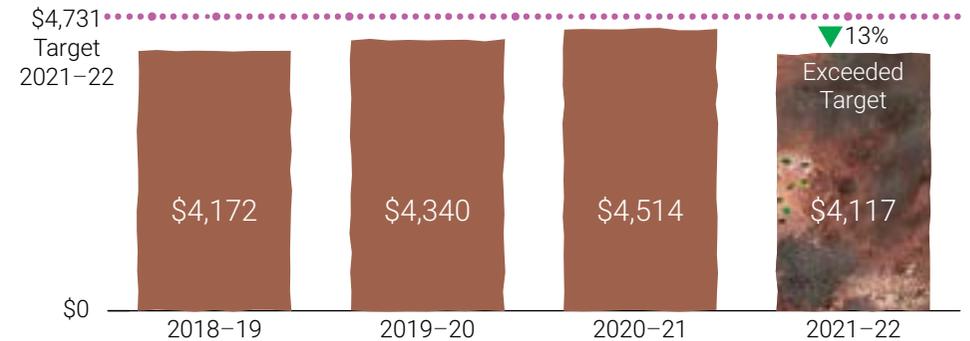
Comment on results

Almost three in four (74 per cent) of 2021-22 respondents expressed satisfaction with the effectiveness of DMIRS as a resource sector regulator, within ±5 per cent of the target. Overall, satisfaction with DMIRS as a resource sector regulator has remained largely consistent with 2020-21.



Efficiency – Resources Advice and Regulation Service

Average cost of resource regulation per live title



Resource development and exploration occurs in the context of the resource management ‘life cycle’. All activities within the ‘lifecycle’ are associated with a ‘live title’ (minerals and petroleum). Live titles give the right to explore for, recover and develop Western Australia’s natural resources. This indicator measures the cost efficient and responsible delivery of resource regulation services by representing the cost of the service in relation to the number of live resource titles approved or renewed during the current year, or are subject to ongoing regulation by the department. The indicator is calculated by dividing the total cost of the service by the number of live titles.

Comment on results

The average cost per live title for 2021-22 is \$4,117, which is 13 per cent less than the target (\$4,731).

- ▶ The number of live titles in force has again increased, to a new record of 25,080 in 2021-22. This is largely attributable to a significant increase in exploration applications, which rose from 7,119 applications in 2020-21 to 8,172 applications in 2021-22.
- ▶ Heightened exploration activity has targeted gold, iron ore, copper, as well as critical and battery minerals including nickel-cobalt, lithium, and rare earth elements. This focus has been supported by high prices for those commodities.

Looking forward, what we are hoping to achieve next year

We asked our Executive what they would like their groups to achieve in the next 12 months.



...consolidation of the Safety Regulation Group functions while implementing two major reforms around the WHS laws and the Industrial Relations reforms.

Ian Munns



...embed our new safety regime. Work with industry, the community and other agencies to advance renewable industries and be a valued and respected regulator by the community.

Richard Sellers



...build a resilient resources regulator and meeting commitments in an expanding and diverse resources sector.

Jeff Haworth



...continue work on the government's legislative reform agenda and focus on our staff and continuing to support their physical and mental wellbeing after a challenging few years and planning for the future with filling key positions and succession planning.

Kristin Berger



...continue to be motivated by reform and change and have the courage to challenge and maintain strong values with a consistent professional approach.

Julie de Jong



...continue with the consolidation of our corporate systems, like the department's records management information system, to achieve efficiency in how we do our work.

Marka Haasnoot



*Significant
issues*



Emerging issues and trends

The following section outlines significant issues and trends impacting the department, and our responses to remain agile and customer focused, as well as judicial decisions that the department was engaged in during the year.

Responding to findings in the mining industry and looking forward

On 7 July 2021, the Parliamentary Community Development and Justice Standing Committee commenced an inquiry in to sexual harassment against women in the fly-in, fly-out (FIFO) mining industry. The 'Enough is Enough' report was tabled on 23 June 2022 and government will respond in due course.

The department continues to take psychosocial hazards including workplace sexual harassment and sexual assault very seriously, and improvements have been made during the reporting period to enhance our regulatory capability in these areas.

These improvements include, but are not limited to:

1. Standardising incident triaging systems to deliver consistent management of all incidents reported to WorkSafe;
2. Employing WorkSafe Mines Safety Mental Health and Wellbeing inspectors to provide a more timely response to reports;
3. Providing psychosocial hazard training for all WorkSafe Mines Safety inspectors with a focus on how to manage sexual harassment and sexual assault matters;
4. Publishing new [codes of practice](#) to address inappropriate workplace behaviours related to sexualised behaviour and new information sheets to aid in understanding of [gendered violence](#);
5. Conducting mentally healthy workplaces audits and confidential workplace surveys; and
6. Working with other key agencies to address sexual harassment and sexual assault issues in a whole of government approach.





Automatic Mutual Recognition Project

The ability to attract interstate tradespeople and licensed workers to Western Australia (WA) have increased. This is a result of legislative changes that enable automatic recognition for certain occupational licences and trades. The Automatic Mutual Recognition (AMR) project reflects the State Government's commitment to attract skilled workers to WA by making it easier for them to move and take advantage of employment opportunities. As the largest occupational licensing regulator in WA, the department established a small multi-disciplinary project team to work with various licensing authorities and regulators across Australia to implement the AMR scheme. The AMR features the following:

- ▶ A national (excluding Queensland) initiative that allows licensed individuals to undertake regulated activities in other states or territories (host states) under the authority of the licence held in the state the person principally resides or works.
- ▶ Allows an individual who operates in multiple jurisdictions to do so without needing to apply for separate licences and pay multiple registration fees in each of those states.
- ▶ Obligations on licensing authorities to share information with other states and territories on regulatory actions taken against persons undertaking activities under their home state licence.
- ▶ Obligations on interstate workers to notify a host state of an intention to undertake activities and establish that particular protective measures, such as insurance, contributions to fidelity funds or financial requirements have been met.
- ▶ Obligations on interstate workers to comply with occupational licensing laws that apply to activities undertaken in each state they operate.

Licensing authorities within the department are responsible for over 40 different licences that fall within the AMR scheme. This was a significant project that was required to be delivered in a relatively short amount of time.

The first phase of the project, focused on implementation, has achieved the following:

1. Amendments to various occupational licensing Acts and Regulations to meet AMR outcomes and to ensure that outcomes of disciplinary action could be provided to interstate regulators.
2. Participated in discussions on the challenges associated with implementing the AMR and collaborating with states and territories and the development of GovTeams for information sharing.
3. Worked extensively with internal stakeholders to identify particular licences that should be exempt from the AMR scheme.
4. Developed a simple notification process for interstate licencees to notify of their intention to undertake activities in Western Australia.
5. Liaised with other Western Australian licensing authorities and peak bodies representing licensed occupations.
6. Developed comprehensive website information for each licence and occupation the department administers.

The initial implementation was finalised on 30 June 2022, with the project team transferring responsibility to the operational area.





Significant court outcomes

The department serves Western Australia by supporting and protecting the community, industry, workers and consumers. One way the department does this is by establishing and enforcing standards including, where appropriate, pursuing outcomes in the WA Magistrate and/or Supreme Court by the departments legal services branches.

Prosecuting breaches in the workplace

Health and safety of workers

While the department and the WorkSafe Commissioner (the regulator) seek compliance with safety and health legislation, they also take enforcement action in the form of prosecutions in the WA Magistrates Court, aiming to penalise those who breach the laws and provide a deterrent for others.

During the year, the department increased the number of convictions it achieved in the WA Magistrates Court related to breaches of the work health and safety laws. A total of 30 convictions was achieved compared with 23 the previous year. This year also saw the highest ever penalty handed down for a breach of workplace safety legislation. **In March 2022, a State department was fined \$900,000 after an employee was seriously injured when attacked by a dog trained to respond to critical incidents.** The increase in the number of convictions achieved was facilitated by the addition of resources in the investigations and legal services areas of the department.

Electrical safety

The department regularly promotes awareness of electrical safety and regulation for consumers, industry and workers and as a result, the issues and implications of unsafe and uncontrolled electricity are well known. For the first time in department history, the regulator pursued two prosecutions under the Electricity (Network Safety) Regulations 2015 against a network operator. **The network operator contracted-out jobs to independent workers and failed to provide adequate instructions to them. This resulted in the community being exposed to unsafe electrical installations following the completion of their work.** It is the network operator's responsibility to ensure that the work of their contractors does not endanger any persons. The network operator was fined a total of \$75,000.





Australian Consumer Law (ACL) outcomes

For over a decade the Australian Consumer Law (ACL) has been in effect in Western Australia. The Consumer Protection division of the department works extensively to protect consumers, and promote fair and equitable outcomes for consumer and traders. Below are two significant Supreme Court outcomes the department has achieved on behalf of consumers.

Use of unfair contracts

During the year, the department concluded its first civil litigation¹ under the Unfair Contract Terms provisions of the ACL with the Supreme Court ordering a Perth landlord to stop using and relying on terms in short-stay accommodation contracts which were declared to be unfair. The issue centred on the standard-form residence contracts for short-stay and holiday accommodation however, these contracts contained numerous terms that were difficult for occupants to comply with and sought to impose penalties for minor breaches.

Contract terms are considered unfair under the ACL if the standard form agreement being presented results in significant imbalance of rights and obligations between two parties. In this case, the contract terms were strongly in favour of the landlord while the renters faced considerable detriment. The Supreme Court accepted that the disputed contract terms were unfair. This success has reinforced the Commissioner for Consumer Protection's legal position on Unfair Contract Terms.

Permanently barred

The department pursued the harshest penalty available under the provisions of the ACL against an individual with over 20 years of history with Consumer Protection, resulting in nearly every form of enforcement action being taken against them by the department. In 2015, this individual received an Enforceable Undertaking which barred them from trading for five years, however, this was subsequently ignored. After further similar breaches of the ACL that resulted in further consumer

financial loss, the Commissioner for Consumer Protection considered it was within the public interest to pursue the strictest penalty available under the ACL. The unprecedented action involved an application to the Supreme Court seeking order² that this individual be permanently barred from having any involvement in any capacity in the retail sale, supply, installation, negotiation or acceptance of orders for any air-conditioning system for personal, household or domestic use. The Supreme Court was satisfied that a permanent injunction was necessary.

The comprehensiveness of the judgement against this individual puts an end to an ongoing saga against an individual who would not stop their misconduct until such drastic legal measures were imposed. It is a credit to all current and past department officers who have investigated this individual on behalf of consumers for such a lengthy period. It also marks a historic precedent for consumer protection in Western Australia.

The above two matters involved individuals and companies whom have become known to the department through repeated complaints. Most complaints do not require such extensive action to be taken and is demonstrated by the number of complaints resolved each year. Refer to pages 151–161 for more details. Regulated entities will be pursued if repeat offences occur, or if the risk to the community is high, and will be prosecuted if considered in the interest of the Western Australian community to take such action.



¹ Matter number CIV 3065/2019.

² Matter number CIV 2066/2020.



Responding to COVID-19

The COVID-19 pandemic continued to be of major concern through the year. The department remained proactive in its response to the COVID-19 pandemic through the department's COVID-19 Response Working Group, led by the Executive Director Corporate Services. The working group monitors incidences of COVID-19 in the department, and oversees the development and implementation of policies and procedures to support staff and ensure their ongoing wellbeing. With the support of Corporate Executive, the working group continued to implement strategies to manage the department's response to COVID-19 in the workplace. This included enacting business continuity plans specifically addressing the impacts of COVID-19 on vital business functions. Consequently, the department has continued to successfully deliver its services during a period of intense pressure. Staff were not only able to deliver services but also demonstrated great flexibility, resilience and perseverance in the face of the challenges presented.

The Work Health and Safety (WHS) team was instrumental in responding to staff who contracted COVID-19, ensuring they were safe and cared for and that they were aware of their entitlements. The WHS team also answered enquiries, organised the provision of personal protective equipment, including masks and rapid antigen tests, consulted with other agencies and ensured accurate and current advice was implemented and provided to the department's staff.

A special thanks to the efforts of the WHS team. The emails are informative and it is comforting to know the department is reaching out to staff with COVID-19.

Julie de Jong

The Premier recently thanked 19 departmental staff who responded to the call to assist the Public Health Emergency Operations Centre Contact Tracing Surge Workforces team. Staff were deployed full and part time, and collectively undertook 350 surveillance contact tracing shifts.

The Director General received feedback that the deployed staff performed to a high standard and their contribution was immensely valuable.

The department also continued to play its part in assisting workplaces to minimise the health and safety risks while allowing the economy to continue functioning. In support of the vitally important resources sector, some of the department's officers were authorised by the Chief Health Officer to help enforce compliance with the State's vaccine mandates within the mining and construction industry. We provided guidance and updated workplace information as the pandemic progressed and circumstances changed. This included changes to reflect duties under the new *Work Health and Safety Act 2020*. In response to the emerging issues around isolation in March 2022, the department developed specific guidelines to address isolation requirements on mine sites. These guidelines addressed mental health considerations for workers required to quarantine or isolate in accommodation provided by the person conducting a business or undertaking (PCBU).

The COVID-19 pandemic continues to affect the economy, with a direct impact on workers and consumers. In particular the economy is experiencing a high demand for workers, as well as a shortage of housing that has dramatically increased rental costs and made security of tenure a pressing issue for many renters. This has been exacerbated by stimulus measures to support building activity and the expansion of the mining sector. Furthermore, global shortages of goods and materials and disruptions to supply chains have also contributed to inflationary pressures. During the year, the department noted an increasing trend of complaints and enquiries related to the quality of used vehicles and timeliness in the delivery of building services, as well as travel cancellations that continue to cause problems for consumers. Balancing regulatory measures and consumer protections with the ongoing sustainability of industry continues to be a focus for policy work and regulatory reform in this area. This is in addition to ensuring regulation remains fit for purpose in the context of new products entering the market, such as e-rideables.



*Disclosures
and legal
compliance*



Other financial disclosures

Pricing policies of services provided

Statutory fees and charges to the public for various services provided by the department. These fees and charges are reviewed annually in accordance with the Government's policy on the costing and pricing of Government services. A costing methodology is used to determine the projected costs of service delivery, with particular attention to the level of cost recovery being achieved. Any increases in fees and charges are limited to the extent of cost recovery. The department's fee changes for 2021–22 were published in the WA Government Gazette on the following dates.

21 June 2021: **No 110 of 2021:**

- ▶ Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2021.

11 March 2022: **No 32 of 2022:**

- ▶ Petroleum and Geothermal Energy Safety Levies Regulations 2022 - Petroleum and Geothermal Energy Safety Levies Regulations 2011 repealed.

11 March 2022: **No 34 of 2022:**

- ▶ Work Health and Safety (General) Regulations 2022 – Occupational Safety & Health Regulations (OSH) 1996 repealed.

11 March 2022: **No 35 of 2022:**

- ▶ Work Health and Safety (WHS) (mines) Regulations 2022 – Mines Safety and Inspection Regulations 1995 repealed.

20 May 2022: **No 69 of 2022:**

- ▶ Mines and Petroleum Regulations Amendment (Fees and Charges) Regulations 2022.
- ▶ Commerce Regulations Amendment (Fees and Charges) Regulations 2022.





Capital works

The department manages two purpose-built core libraries: the Perth Core Library located in Carlisle, and the Joe Lord Core Library in Kalgoorlie. The core libraries are used to display and archive drill core samples to assist subsequent exploration activity. Both facilities are administered by the Geological Survey of Western Australia (GSWA).

The Joe Lord Core Library was close to capacity for both storage of drill core samples and available core viewing space. This was due to a number of factors including improvements in drilling technology and the success of Government funded incentive schemes increasing deposits.

The State Government announced \$7 million of funding in July 2020 to support the core library extension as part of its COVID-19 Stimulus Package.

The contract was awarded to ACorp Construction (a Perth and Kalgoorlie based company). The project works included the extension of the core storage and external core viewing areas and the expansion of the vehicular hard stand around the western corner of the new building, connecting through from Hunter Street to Broadwood Street.

The drill core storage extension was designed to provide an additional 2,100m² of core storage and 827m² of external core viewing area. The core storage expansion can accommodate an additional 6,720 pallets of drill core in 10 additional aisles of proprietary high rise racking.

The project commenced on 1 December 2020 and the construction component was completed on 20 October 2021, with the official opening by the Hon. Bill Johnston MLA on 24 November 2021. A Welcome to Country was performed as part of the opening ceremony.

Further works to deliver the project in full such as establishing display structures and installation of shade sails over the expanded viewing area are expected to be completed by October 2022.





Our people

Staff profile

Full Time Equivalent	2020–21	2021–22
Full time	1,454.20	1,400.51
Part time	135.05	123.52
Secondment	35.60	25.00

Recruitment initiatives

The department is actively promoted as an inclusive employer and builds diversity and inclusion into our employer brand across a number of social media platforms. This includes the department's LinkedIn page, and creating engaging content to promote our Section 51 processes. We have included additional wording into all advertisements, noting that 'Suitable Aboriginal and Torres Strait Islander people, people with disability and youth may be given priority consideration over non diversity group applicants to achieve public sector outcomes.' This allows panels to use Section 51 and Section 66R of the *Equal Opportunity Act 1994* within all recruitment processes to make recommendation decisions.



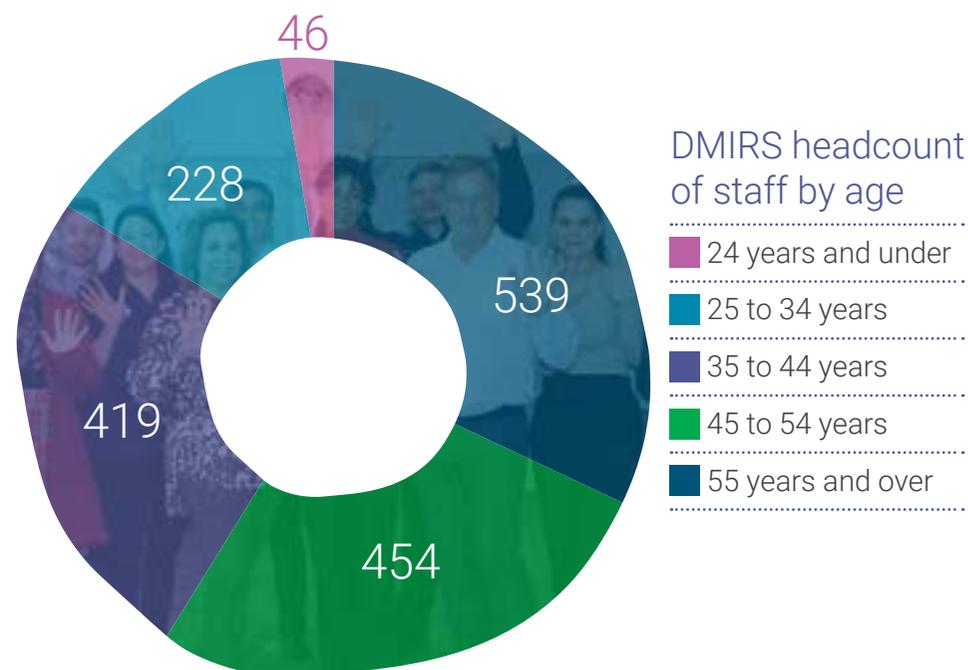
215

advertised recruitment processes completed.

In addition to our advertising initiatives, we have also considered ways we could remove barriers to employment and improve the department's diversity profile. As a result, a change was made to the 'Driver's Licence' pre-employment requirement, which appears within our Job Description Forms, to now state 'Current Western Australian C or C-A class driver's licence or independent travel capability'. This removes the potential barrier for people with disability who wish to apply but are unable to hold or obtain a driver's licence. This condition has been applied to positions where other forms of transport can be used (i.e. taxis or public transport), which would not limit a person's ability to fulfil the duties of the role. Refer to page 69 for our disability access and inclusion plan outcomes.

Workforce planning

The department continues to focus on strengthening the skills, diversity and flexibility of our workforce to meet the needs of the community both now and in the future. In 2021, the department finalised the development of the Workforce Planning Framework in consultation with the Public Sector Commission. A workforce planning process and a suite of supporting documentation was developed and approved by the Corporate Executive for rollout across the department. The framework process has a strong focus on the promotion of diversity, was designed to align with the department's operational planning process and Leadership Development Framework. Implementation has commenced this year with business areas and will continue into the next financial year.





Supporting and managing a flexible and inclusive workforce

The department continues to provide a positive work environment which supports inclusive, mobile and flexible work options that assist staff in balancing their work and non-work commitments, where it is mutually beneficial. In line with the department's flexible work policy, flexible work options are recognised and encouraged to attract and retain staff and enable a responsive and engaged workforce.



754

staff worked at least one day per week at home.

There has been an increase in the number of staff taking up a regular work at home arrangement. Staff are embracing the use of available technology to interact with customers, team members and managers to fulfil their job requirements whilst working at home. Arrangements are reviewed annually as a minimum to monitor and report on effectiveness.

The department is committed to the health and wellbeing of our staff. We assist and encourage staff to maintain their safety, good health and wellness.

Employee wellbeing strategy

In November 2021, the new employee wellbeing strategy was launched, establishing the department's approach to key wellbeing priorities. This was informed by the Future of Work Institute's Thrive at Work initiative completed last year. Thrive at Work is underpinned by decades of research and presents wellbeing along a spectrum – focusing on helping people to get well again (mitigate illness), stay well (prevent harm) and helping people be the best they can be (promote thriving). The strategy aims to provide and ensure:

1. Staff have greater awareness of the tools, resources and supports available to improve their health and wellbeing at work.

2. Increased confidence for staff to share mental health concerns and seek help.
3. Improved confidence in recognising signs of mental illness and proactive management of issues.
4. Improved use of data analytics to ensure strategies are evidence driven.

Information on our complementary Working on Wellness (WOW) program can be found on page 85.

Potentially Traumatic Event Response Support

Due to the nature of their position, some staff may be exposed to potentially traumatic events in the course of their duties. In 2020, the department engaged Phoenix Australia to review the Potentially Traumatic Event Response Support (PTERS) services available in the department, identify any gaps, and make recommendations to align our services to best practice in order to positively impact the psychological wellbeing of individuals in these positions. Following the review, the department developed a plan to implement the high priority recommendations which were approved by Corporate Executive in October 2021.

The implementation plan is progressing well. A PTERS working group was established, consisting of representatives from across the department to assist with the ongoing maintenance of the PTERS program. Work has also progressed to identify the PTERS roles and to develop a new PTERS Procedure, which will provide information on the support available to employees to reduce the risk of psychological harm following exposure to a potentially traumatic event.

The department is also working to establish a new tailored version of the current Managing Mental Health training to focus on providing participants with the skills and knowledge to prepare for, identify, manage and respond to exposure to a potentially traumatic event. Additional content will be included for managers to assist with supporting and monitoring their staff should such an event occur.



Performance development

The department’s performance development process is managed through the My Performance and Development (MyPD) system to promote ongoing discussion between staff and their manager. This year, a project to enhance the MyPD system and process commenced, with the proposed enhancements taking into account feedback from staff and managers. The Corporate Executive approved the recommended enhancements and they will be live in the MyPD system for the 2022–23 planning cycle. As a department we invest in our staff by providing learning and development opportunities, including the Professional Foundational Skills Program and Learn Explore and Do Program. Staff can also participate in customised in-house programs, such as the Certificate IV in Government Investigations, and the Mentoring Program, and sponsored external public sector-wide programs such as Entry to the C-Suite for Women.

Continuing to build an inclusive workplace

The department continues to build and maintain an inclusive workplace culture where all staff are valued, respected and connected. We are a department dedicated to achieving the commitments outlined in our Diversity and Inclusion Plan 2019–2023 (refer to page 69).

As part of our initiatives, we made a commitment to measure our workforce diversity and inclusion objectives and took part in the Diversity Council Australia’s Inclusion@Work Survey in October 2021. Run every two years, this survey allows us to measure and track our diversity and inclusion activities and benchmark against our own previous results and other organisations around Australia.

Celebrating diversity in our workplace and improving our diversity profile is a priority in the department’s Strategic Plan Towards 2024. The strategy includes the establishment of a partnership with National Disability Services Western Australia to increase work opportunities at the department for people with disability.



As a safety regulator and as leaders of the department, we must lead by example and ensure we provide a safe, healthy and supportive work environment.

Marka Haasnoot

In November 2021, the Bonds Administration team was awarded the department’s annual staff Excellence Award for Overall Excellence. The team was acknowledged for their commitment to being a diverse and inclusive workplace, participating in and promoting diversity and inclusion events, training and recruitment, and creating a work environment where all staff feel valued, respected and connected. The Assets branch was awarded the Team Excellence award for the promotion of team diversity, organising team events such as Wear It Purple Day and high levels of attendance to associated events and training.





Aiming for diversity in our department

We believe that diversity and gender-balanced teams have the ability to improve operational effectiveness and deliver better outcomes for the Western Australian community. Below is our current status as at 30 June 2022.



50%

women in Senior Executive Service contracts.



48%

women substantively appointed to tier 2 and 3 positions.



2

new school based trainees started in February.



10

new graduates started the Inter-agency graduate program in January.



29

national and international diversity and inclusion dates celebrated.



10

positions filled using s51 or s66R of the EEO Act to achieve equality.



2

participants welcomed from the PSC Solid Futures Aboriginal Traineeship Program for a 12 month contract.



18.6%

young professionals.



2.3%

First Nations Australians.



2.7%

youth, 24 years.



3.7%

people with disability.

Our goals include

We aim to increase our representation by June 2023

At 30 June 2022 2.7% are aged 24 and under

3.1%

At 30 June 2022 18.6% of staff are young professionals

20.2%



Continuing the Gnalla Mila, Gnalla Wangkiny (Our Future, Our Say) to support our First Nations Australians staff.



Reconciliation Action Plan

As part of the department's Innovate Reconciliation Action Plan 2020–2022 (RAP), we advertised six positions using Section 51 of the *Equal Employment Opportunity Act 1984* – a diversity initiative to achieve equality and increase workforce representation of First Nations Australian people at the department. The department's Innovate RAP commits to practical actions that build respectful relationships and create opportunities for First Nations Australian peoples. Our plan is in the "Innovate" category of Reconciliation Australia's 'Reflect, Innovate, Stretch, Elevate' Framework. This plan follows a long history of reconciliation in the department and we are very pleased to continue our journey towards building and integrating reconciliation into our values and culture. Work is currently underway to develop our new Innovate RAP. Our new RAP will continue to focus on building mutually respectful relationships and generating opportunities for First Nations Australian peoples and businesses through employment and procurement.

To assist with our reconciliation journey we maintain professional memberships with Reconciliation Australia, Reconciliation WA and Supply Nation. We continue to celebrate and acknowledge significant events including NAIDOC Week, National Reconciliation Week, National Close the Gap Day, Indigenous Literacy Day and National Sorry Day. For example, as part of our National Reconciliation Week activities we were proud to host a Smoking Ceremony and Welcome to Country at Mineral House and at our Cannington office for NAIDOC Week.

Raising awareness and supporting people with disability

In 2021, the department's International Day of People with Disability celebrations featured two events and Disability Awareness training.

The first event, Meet the Artist Talk, unveiled the latest addition to the department's art collection, a painting from the White Series by Perth artist Philip Baker. Philip spoke about the piece and shared some of his experiences as a person with a lived experience of a visual impairment.

At the second event Meet the Guide Dogs, staff met resident guide dog Sundae and were joined by some very special guests from Guide Dogs WA.

To assist in improving the department's representation of people with disability, staff were invited to attend Disability Recruitment Confidence training sessions. The three-hour sessions helped staff build a better understanding of disability and the issues faced by people with disability who are actively looking for employment. This training is provided as part of our ongoing partnership with National Disability Services and our commitment to their Building the Talent Pool initiative.





Disability access and inclusion plan outcomes

The department is committed to delivering on the seven outcomes of our Disability Access and Inclusion Plan (DAIP) 2019–2023 by working to provide equal access to services, events, facilities, consultation and feedback, employment and information for people with disability.

DAIP outcome goals	2021–22 DAIP achievements, outcomes and commitments	
Outcome 1: People with disability have the same opportunities as other people to access the services of, and any events organised by DMIRS.	Hosted specialised Deafness Awareness training workshop on International Day of Sign Language, facilitated by Access Plus WA Deaf. Held a “Positive Psychology Series” on the five key pillars of wellbeing.	Provided staff with an understanding of deaf culture and insights into how to communicate with deaf and hard of hearing people as well as an understanding of the language they use. Staff invited to participate in guided mindfulness mediation sessions, mindful colouring-in sessions and mindfulness taster workshop.
Outcome 2: People with disability have the same opportunities as other people to access the buildings and other facilities of DMIRS.	Installation of braille vacant/occupied signs on all the quiet rooms at 1 Adelaide Terrace, East Perth.	Allows people with a vision impairment to be able to determine whether the room is vacant or occupied.
Outcome 3: People with disability receive information from DMIRS in a format that will enable them to access the information as readily as other people are able to access it.	Collaborated with Access Plus WA Deaf to create a scams video in Auslan for the deaf/hard of hearing community.	We are committed to help all Western Australians learn about scam prevention, including consumers who communicate in a language other than English.
Outcome 4: People with disability receive the same level and quality of service from the staff of DMIRS as other people receive from the staff of DMIRS.	Workshop facilitated by Cahoots, a registered National Disability Insurance Scheme (NDIS) provider.	Empowered staff to identify, understand and then respond appropriately to the environment and behaviours around them to reduce potential barriers and ensure inclusion.
Outcome 5: People with disability have the same opportunities as other people to make complaints to DMIRS.	Clear and accessible communication is a key part of the department’s customer service principles.	Implementation of the new complaints systems has been delayed due to COVID-19 impacts.
Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation by DMIRS.	Compliance with Web Content Accessibility Guidelines 2.0 Level AA to ensure easy access to information regarding public consultations.	Accessibility checks on documents prior to publishing online to maximise stakeholder range.
Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with DMIRS.	Amendment to position descriptions, travel criteria. Now includes the words; “or independent travel capability”.	Changes based on advice from National Disability Services.



WA Multicultural Policy Framework

The department is committed to creating a diverse workforce with a range of skills, experiences and perspectives reflective of the Western Australian community. To support our diverse workforce, we strive to maintain an inclusive workplace culture where all staff are valued, respected and connected. The department embraces multiculturalism and is committed to implementing and monitoring the policy priorities of the Western Australian Multicultural Policy Framework (the Framework) as demonstrated in the department’s Multicultural Plan 2021–22.

Progressing the Multicultural Plan for 2021–2022, the department continues to support the capacity and contribution of people from culturally and linguistically diverse (CaLD) backgrounds and enable effective services to be delivered. The workforce focussed policy priorities of the Framework are being implemented and monitored through the department’s Diversity and Inclusion Plan 2021–2023. The external and community focussed priorities of the Framework will be implemented and monitored through the development of key initiatives, including the development of a language services policy along with other specific strategies and activities to ensure our services meet our customers’ needs and expectations.

Policy priority	DMIRS initiatives and achievements	
Policy priority 1: Harmonious and inclusive communities	Promotion of the Diversity and Inclusion Event Calendar that acknowledges and celebrates CaLD backgrounds, including International Mother Language Day, World Religion Day, Harmony Week, Human Rights Day, World Cultural Diversity Day and World Refugee Day.	Published a Harmony Week cookbook which celebrates the CaLD backgrounds of our staff through their family stories and recipes.
Policy priority 2: Culturally responsive policies, programs and services	Updated recruitment and selection training to include the benefits of having a team that is diverse and the awareness of unconscious bias to ensure panel member’s decisions are consistent with the Employment Standard.	The selection report highlights applicants who are from targeted diversity groups.
	Progressed development of a Language Services policy with stakeholders to ensure language is not a barrier to provide equitable access to information and services, including our complaints processes.	The department is committed to raising the awareness and educating staff on the language assistance services that are available and are to be provided when requested.
Policy priority 3: Economic, social, cultural, civic and political participation	In collaboration with Legal Aid WA, launched the Blurred Borders My Place Tenancy Legal Resource Kit to improve the understanding of renting rights in vulnerable communities.	The resource kit contains material using visual art, plain language and storytelling as the basis to reach First Nations Australians as well as those from CaLD backgrounds.
	Creation of a suite of presentations about scams, consumer rights and tenancy matters for the TAFE Adult Migrant English Program and Red Cross forums specifically targeting multicultural communities.	Presentation included posters created in Chinese, Malay and Cocos Malay languages.

2021–22 was...



“ Fulfilling despite it being a hectic and demanding year.

Ian Munns



“ It was a year that tested our resilience but we proved that we could deliver the needs of the WA community during challenging times.

Richard Sellers



“ Was the year of ‘emerging’ from the pandemic restrictions and returning to a sense of normality.

Jeff Haworth



“ Was informative, rewarding and busy – a year to learn from and build on for the future.

Kristin Berger



“ Was a year when we thought that COVID-19 would be gone and we could recalibrate and reconnect outside of MSTeams.

Julie de Jong



“ Busy and hectic on all fronts but also a year where we learned and embedded new approaches to work.

Marka Haasnoot



Governance

Ministerial Directions

There were no ministerial directives issued by our Ministers during 2021–22.

Governance disclosures

The department has been progressing multiple action plans in response to self-assessments against the recommendations of the [Department of Communities: Housing Authority Review, EY Report](#) (Commissioned by the Public Sector Commission); and the [Public Sector Commission Integrity in financial management: Self-assessment checklist](#).

Outcomes of the action plans have been reported to our Corporate Executive and the Governance and Integrity Sub-Committee. The outcomes will also be provided to the department's Audit and Risk Committee. There were many action outcomes that included, for example, the development and implementation of a Corporate Governance Framework, which included our governance policies and practices mapped against the nine principles outlined in the Western Australian Public Sector Commission's "Good governance guide for public sector agencies".

Our Fraud and Corruption Control Plan was updated to a Framework along with updated content to comply with the most recent related Australian Standard. An Integrity Framework has been drafted and will be implemented in the near future.

Improvements have been made across a variety of areas in response to implementing the action plans including in the areas of governance, integrity, fraud and corruption prevention and financial management. Although many of the actions have been achieved, it is recognised that this is not the end of what is an ongoing continuous improvement process.

Internal committee governance structure

The department's internal committee governance structure is inclusive of internal standing committees that report directly to the Director General or Corporate Executive which include the Audit and Risk Committee, Finance Committee, Classification Review Committee, Health and Safety Committee and the Corporate Policy Committee. In addition to the standing committees, five sub-committees have been established by the Corporate Executive to assist with achieving our strategic objectives. These include the Diversity and Inclusion Sub-Committee, Digital Technology Sub-Committee, Performance Sub-Committee, Reform Sub-Committee and the more recently established Governance and Integrity Sub-Committee.

Details about each of the committees and sub-committees is outlined below.



Audit and Risk Committee

Meets quarterly to provide oversight of the department's governance, risk management and internal control practices to provide confidence in the integrity of these practices and enable achievement of government and organisational strategic objectives.

Outcomes:

- ▶ Examined a broad range of the department's functions and activities related to governance and assurance listed in the Committee Terms of Reference and the Committee Work Plan.
- ▶ Received good quality financial reporting and there was an unqualified Financial Statements external audit result, with the department being named as one of the Auditor General's 'Best practice Top 20 Large Entities'.
- ▶ Devoted time to ICT reporting at every meeting, especially around cybersecurity.
- ▶ Internal audit program reviewed at every meeting – timely audit recommendation implementation received greater management focus.
- ▶ Risk management practices incrementally improved over time.
- ▶ The department's pandemic response was examined.



Corporate Policy Committee

Assists in the management, accountability and oversight of the department's corporate policies, procedures and guidelines (corporate policy documents).

Outcomes:

- ▶ Provided advice and support for corporate policy writers.
- ▶ Ongoing review and approval of corporate policy documents.
- ▶ Continued management and oversight of corporate policy documents due for review.



Finance Committee

Meets monthly to monitor and discuss the budget of DMIRS.

Outcomes:

- ▶ DMIRS costing models were reviewed as part of the 2022–23 fees and charges process, resulting in an improvement in DMIRS' unrestricted cash position.
- ▶ Expenditure budgets continued to be closely monitored.



Health and Safety Committee

Meets quarterly to provide a forum for discussion of work health and safety (WHS) issues, facilitate effective and efficient consultation and cooperation, review internal health and safety reporting and makes recommendations to the Executive on related matters including policy.

Outcomes:

- ▶ Ensured clearer communications for regions regarding COVID-19 restrictions.
- ▶ Discussed staff concerns related to COVID-19.
- ▶ Increased number of safety and health representatives at East Perth and Kalgoorlie.
- ▶ Provided feedback on 15 WHS policies, procedures and guidelines, and endorsed the department's WHS Policy.
- ▶ Reviewed and endorsed the Committees' Terms of Reference to ensure alignment with the WHS Act.
- ▶ Ongoing consultation regarding establishment of work groups and health and safety representatives under the WHS Act.



Classification Review Committee

Met 10 times, and also considered out of session requests, to provide recommendations for classifying positions and determining the remuneration of staff, up to and including level 8 and advise the Director General in relation to the functions under sections 29(1)(h) and 36(1) (c) of the *Public Sector Management Act 1994*.

Outcomes:

- ▶ Recommended creation of 146 permanent positions and 52 temporary positions.
- ▶ Assisted to ensure significant reforms were sufficiently resourced including, but not limited to, WHS Legislation and Security of Payment Reforms, Fast Tracking Mining Approvals Strategy, Streamline WA and the Aboriginal Empowerment Initiative.



Performance Sub-Committee

Met five times during the year to assist leadership with governance and oversight responsibilities in relation to corporate performance reporting.

Outcomes:

- ▶ Enhanced the quality and transparency over quarterly corporate performance reporting Key Performance Indicators (KPIs) and externally published approvals and licensing performance information.
- ▶ Promoted engagement and discussion of performance measurement and trends within the leadership group and Corporate Executive.
- ▶ Endorsed changes to DMIRS Outcome Based Management Framework and KPI activity composition.
- ▶ Discussed and approved ongoing approach for the Stakeholder Satisfaction Survey.





Governance and Integrity Sub-Committee

Established in October 2021 in response to the department's commitment to governance, integrity and effective fraud and corruption risk management.

Outcomes:

- ▶ Developed and implemented a Governance and Integrity Communication Plan encouraging conversations about governance and integrity related topics and assisting in the growth of a culture of integrity.
- ▶ Provided oversight and management of action plans in response to self-assessments against the recommendations of the [Department of Communities: Housing Authority Review, EY Report](#) (Commissioned by the Public Sector Commission) and the [Public Sector Commission Integrity in financial management: Self-assessment checklist](#).
- ▶ Established an Integrity Training Working Group and a Integrity Declarations Working Group to review current practices and present recommendations for improvement where needed. Recommendations were agreed to and actioned.



Digital Technology Sub-Committee

Meets monthly to provide an opportunity for leadership to consider and discuss new and strategic approaches to DMIRS technology.

Outcomes:

- ▶ Improved DMIRS strategic technology prioritisation process to incorporate more robust financial data.



Reform Sub-Committee

Assists DMIRS to ensure accountability and strategic decision making on regulatory reform matters, aligned to government and organisational priorities and strategic direction. The sub-committee met less than usual during the year due to COVID-19 placing many projects on hold.

Outcomes:

- ▶ Monitored delivery progress of agreed regulatory reform initiatives and priority strategic projects.
- ▶ Reviewed future direction of the Sub-Committee to ensure it remains current, and changed Terms of Reference to meet quarterly.



Diversity and Inclusion Sub-Committee

Meets quarterly to ensure accountable and strategic decision-making on diversity and inclusion matters, aligned to organisational priorities and strategic direction. In addition, assists the Corporate Executive to create an inclusive work environment that is free from all forms of unlawful discrimination and where staff are valued for their diverse experience, knowledge and abilities.

Outcomes:

- ▶ Continued implementation of diversity and inclusion initiatives in line with DMIRS Diversity and Inclusion Plan 2019–2023.
- ▶ Provided a Masterclass for Women in Senior Roles series.
- ▶ Continued partnership with National Disability Services Western Australia to increase work opportunities at DMIRS for people with disability.
- ▶ Provided LGBTI awareness training for staff.
- ▶ Unveiled the latest addition to DMIRS art collection; a painting from the White Series by Perth visually impaired artist Philip Baker.



Other legal requirements

Unauthorised use of credit cards

The department adheres to *Treasurer's Instruction 321 Credit Cards – Authorised Use* regarding card expenditure. Despite all cardholders being aware of their obligations under the department's credit card policy, there were 53 instances of personal usage and zero matters referred for disciplinary action. All of this expenditure was repaid.

In accordance with *Treasurer's Instruction 903 Agency Annual Reports*, the table below discloses credit card use for personal expenditure.

Instances of unauthorised credit card use	2021–22
Number of instances the Western Australian Government Purchasing Cards have been used for personal purposes	53
Aggregate amount of personal use expenditure for the reporting period	\$2,040.80
Aggregate amount of personal use expenditure settled by the due date (within 5 working days)	\$1,962.11
Aggregate amount of personal use expenditure settled after the period (after 5 working days)	\$78.69
Aggregate amount of personal use expenditure remaining unpaid at the end of the reporting period	\$0.00
Number of referrals for disciplinary action by the notifiable authority during the reporting period	0

Act of grace payments

In accordance with *Treasurer's Instruction 319: Act of Grace Payments*, all act of grace payments are to be disclosed in the annual report. Requests for an act of grace payment arise from many and varied situations and each request is assessed on the circumstances associated with that particular request. Act of grace payments are linked to the services delivered by the department.

This year, the department's act of grace payments relate to royalty rebates as per the financial assistance agreement for the Koolyanobbing Iron Ore Mine, and refunds of tenement rental monies paid.

Act of grace payments 2021–22		
Administered funds	Payment amount \$	Purpose of payment
Payment date (approved by the Minister)		
August 2021	132.00	Caveat fee refund
Payment date (approved by the Governor ^(a))		
August 2021	38,534,435.52	Royalty refund
November 2021	813,437.63	Royalty refund
November 2021	18,318,431.22	Royalty refund
Total acts of grace - administered	57,666,436.37	
Controlled funds		
Payment date (approved by the Minister)		
March 2022	11,620.00	Annual tenement rent refund
Total acts of grace - controlled	11,620.00	
Total acts of grace payments	57,678,056.37	

(a) Section 80(1) and (2) of the *Financial Management Act 2006* and Financial Management Regulation 8 provide that the Treasurer may approve an act of grace payment of up to \$250,000, and where the payment exceeds that amount prior approval of the Governor must be sought.



Expenditure of advertising, market research, polling and direct mail

In accordance with section 175ZE of the *Electoral Act 1907*, the department incurred the following expenditure in advertising, market research, polling, direct mail and media advertising. Total expenditure for 2021–22 was \$1,623,632 (ex GST). Expenditure was incurred in the following areas (detailed below).

Organisation	Amount	Total
Advertising agencies		
Initiative	\$1,052,741	
Norlap Creative	\$169,647	
FujiFilm Data Management Solutions Australia Pty Ltd	\$119,045	
Western Power - campaign contribution	\$75,000	
Mintox Media	\$16,813	
Trans Tasman Media Pty Ltd	\$5,503	
Media Junction	\$5,000	
Farm Guide Pty Ltd	\$3,060	
The Islander	\$2,172	
Platform Communications	\$2,138	
Branch Media	\$1,990	
Mulga Mail	\$549	
The Atoll	\$436	
Access Community Engagement Services	\$300	
Dubsat Pty Ltd	\$96	
Optimise Online	\$36	
Advertising agencies total		\$1,454,526
Market research organisations		
Ipsos Pty Ltd	\$37,769	
Survey Monkey	\$5,044	
Market research organisations total		\$42,813

Organisation	Amount	Total
Direct mail organisations		
Carat Australia Media Services Pty Ltd	\$55,714	
Createsend.com	\$28,389	
Quickmail	\$12,052	
Australia Post	\$7,609	
Campaign Monitor	\$2,049	
State Law Publisher	\$1,986	
Direct mail organisations total		\$107,799
Media advertising organisations		
Facebook	\$12,629	
LinkedIn	\$3,266	
Tik Tok	\$2,600	
Media advertising organisations total		\$18,494
Total		\$1,623,632

Expenditure increased with the 'Better Worker Safety' campaign for the commencement of the *Work Health and Safety Act 2020* and regulations; 'Tick Tick Tick' and 'Great Outdoors, Lethal Indoors' gas safety campaigns; and an electrical safety community notice for 'Power Off Before Entering the Roof Space'.



Risk management and business continuity

The risk management program continued to be implemented throughout the department during 2021–22. The resultant operational risk registers are maintained in an online risk database and reported on a quarterly basis to both the Audit and Risk Committee and the Corporate Executive. Highlights for 2021–22 included:

- ▶ Reviewed the DMIRS strategic and corporate risk register.
- ▶ Facilitated of 34 risk workshops with business areas.
- ▶ Developed and reviewed the operational risk registers (around 95 per cent complete).
- ▶ Risk assessments conducted for significant projects, in particular the new Work Health and Safety (WHS) laws implementation project.
- ▶ Conducted 17 pre-tender procurement risk assessments.
- ▶ Tailored quarterly risk reports to meet the needs of Audit and Risk Committee and Corporate Executive.
- ▶ Implemented new process of Group level risk reports to inform meetings between Director General and Deputy Director Generals/ Executive Directors.

Business continuity is an ongoing program, with activities for each year documented in the annual business continuity management work plan. Progress made towards achieving this plan is reported quarterly to the Audit and Risk Committee and Corporate Executive. In 2021–22, the business continuity plans for all vital business functions were refreshed to consider the impacts of COVID-19. In addition, business areas were guided in preparing business response plans for management of non-vital business functions including an appropriate response to COVID-19 and related staff shortages.

Internal audit

The Director General has established an effective internal audit function as a key component of the governance framework within the department. In compliance with the *Financial Management Act 2006* and Treasurer's Instructions, the internal audit function operates in accordance with the International Professional Practices Framework of the Institute of Internal Auditors and under an approved audit charter.

Internal audit provides independent, objective assurance, and consulting services that are designed to add value and improve the department's operations. The department's internal audit mission is to enhance and protect organisational value by providing risk-based and objective assurance, advice and insight. It also plays an active role in developing and maintaining a culture of accountability, integrity and adherence to high ethical standards.

The annual audit plan is risk-based and covers both financial and non-financial operations. The plan is continually reviewed and amended during the year to reflect current and emerging risks. To provide a comprehensive internal auditing service, the audit plan is developed by considering operational areas across the department. This year probity audits were conducted on the Exploration Incentive Scheme to demonstrate good governance and that the grant application and assessment process is transparent, impartial and defensible.

Agency Capability Review Program

The Public Sector Commission Agency Capability Review Program (ACRP) aims to identify the capabilities needed to be a high performing agency. The review provides the participating agency with a clear understanding of its current capabilities including strengths and areas for improvement. The department's review commenced in November 2021 and is currently being finalised. DMIRS will establish commitments, reporting format and assign responsibilities for future reporting on progress as part of the ACRP.



Recordkeeping plans

The department continuously monitors and evaluates the performance of its document management systems (DMS) to ensure it is compliant with legislative standards and meets business requirements. Information that is created by staff and business systems, or received from customers, and is stored in the DMS is regularly monitored, audited, verified and reviewed for both quality assurance and data integrity. This includes qualitative and quantitative system checks that analyse information, providing accountability and transparency. The department is in the process of implementing a single unified document management solution on the Objective EDRMS platform (oneDMS). Once complete, this will replace the OurDocs/Records Manager system. This year, the oneDMS work program has progressed significantly, having moved the DMS onto the cloud in GovNext, and achieved over 50 per cent deployment across the department.



442

oneDMS deployment training sessions provided.

Training programs

All new staff receive an email introducing the Information Management Services (IMS) branch, providing details about the services offered along with mandatory information management and recordkeeping training requirements.

The mandatory online self-paced Total Recordkeeping Awareness Course (TRAC) was completed by 440 new staff during 2021–22. The course covers government employee accountability and compliance standards, legislative requirements including the *State Records Act 2000* and the *Freedom of Information Act 1992*, benefits of best practice recordkeeping, consequences of inadequate record keeping, and the creation, access, storage and disposal of government records.

Staff are also trained to use the document management systems. The training is complementary to the TRAC and guides staff to practically apply the principles of good information management practices in system use, document creation, and storage and life cycle management.

Other training options include one-on-one coaching sessions, direct support and assistance, online guides and bespoke training sessions created to meet the specific needs of individual work areas. The table below outlines the number of staff trained in 2021–22.

Recordkeeping system training	oneDMS	OurDocs
Basics (not oneDMS deployment)	444	305
Coaching	28	24
Masterclass/Business Folders	52	28

The IMS branch staff regularly attend workshops and presentations offered by the State Records Office and industry providers to ensure their skills and knowledge remain current and relevant.

Public sector standards and ethical codes

The department is committed to maintaining an ethical, transparent and accountable workforce and actively encourages staff to uphold the highest standard of conduct and integrity in accordance with the Public Sector Commissioner’s Instructions No. 7 and 8 at all times.

Induction training for new staff includes Accountable and Ethical Decision Making (AEDM) and Conflict of Interest (COI) training. As at 30 June 2022, 93 per cent and 91 per cent of staff have completed the AEDM and COI courses respectively. This training is also required to be completed every five years for existing staff as a refresher. The training is interactive, using scenarios so that the principles being taught can be applied in real world situations. Staff are encouraged to say no to any gift or benefit in any circumstances. Letters of appreciation however, are always welcome and can be submitted via our online feedback form. There were no Public Interest Disclosures during 2021–22.

Complaints and Compliments

Feedback received by the department during 2021–22:

Compliments: 61 Complaints: 154 Suggestions: 65 Total: 280

The department can confirm that the complaints were responded to in a timely manner by appropriate officers of the department.



International Labour Organization Convention 81: Labour inspections

Australia is a member nation of the International Labour Organization (ILO). The ILO is the peak international organisation responsible for setting international labour standards through the development and monitoring of international conventions and recommendations. The Australian Government ratified International Labour Organization Convention 81 - Labour inspections on 24 June 1975. Article 21 of Convention 81 requires certain information to be published in annual reports for each of the central inspection authorities.

In Western Australia (WA), the department is the central authority responsible for conducting inspections for wages and conditions of employment, and workplace safety.

Relevant laws and regulations

The reporting in this section relates to inspection services delivered by the department during 2021–22 for: workplace safety under the *Occupational Safety and Health Act 1984* (OSH Act)¹, *Mines Safety and Inspection Act 1994* (MS&I Act), *Petroleum (Submerged Lands) Act 1982*, *Petroleum and Geothermal Energy Resources Act 1967*, and *Petroleum Pipelines Act 1969* (Petroleum Acts); and wages and conditions of employment under the *Industrial Relations Act 1979* (IR Act).

Inspection staff

During 2021–22, the department employed the full-time equivalent of 175.5 workplace safety inspectors and 8.9 industrial relations inspectors.

Workplaces liable for inspection in WA

At the beginning of the reporting period, the total number of businesses operating in WA was 230,234.

During 2021–22, a total of 1.44 million people were employed in WA.

It should be noted that workplaces covered by the Comcare system for workers' compensation are subject to the Commonwealth's work health and safety legislation, and are therefore outside of the jurisdiction of the State system for occupational safety and health.

It should also be noted that the WA industrial relations system applies only to unincorporated businesses and the State's public sector. It is estimated that between one third and one fifth of WA employees are covered by the State system.

Inspections conducted

Inspections conducted during 2021–22 relating to workplace safety totalled 7,413. Also during the period, 290 employer activities were inspected under the IR Act.

Type of inspection ^(a)	No. of inspections ^(b)
Employers inspected under the IR Act	290
Site inspections under the OSH Act ¹	6,911
Site audits under the Petroleum Acts ¹	6
Sites inspections and audits under the MS&I Act ¹	496

(a) Excludes dangerous goods safety activities

(b) Excludes Indian Ocean Territories site visits

¹ On 31 March 2022, the *Work Health and Safety Act 2020* was replaced the *Occupational Safety and Health Act 1984* and the work health and safety elements of the following Acts, covering mining and petroleum. *Mines Safety and Inspection Act 1994*; *Petroleum (Submerged Lands) Act 1982*; *Petroleum and Geothermal Energy Resources Act 1967* and *Petroleum Pipelines Act 1969*.

Inspection outcomes

During 2021–22, workplace safety enforcement proceedings resulted in 30 convictions. Fines imposed totalled \$4,963,250. The table below illustrates the three-year trend for workplace safety enforcement outcomes.

Workplace safety enforcement			
	2019–2020 ^(c)	2020–21 ^(d)	2021–22
Number of convictions	10	23	30
Total of fines imposed	\$836,000	\$2,139,750	\$4,963,250

(c) Enforcement proceedings in 2019–20 were negatively affected by the COVID-19 pandemic.

(d) The figures published in the 2020–21 annual report were those for 2019–20. The correct figures are provided in the table above.

Each year the department undertakes proactive campaigns targeting employer activities in different industries. In 2021–22 the campaign focused on the horticulture industry, which was largely compliant (of those who directly employed) resulting in fewer identified breaches compared to the previous year.

Of the 290 employer inspections conducted in 2021–22 under the *Industrial Relations Act 1979*, 477 separate breaches of awards, agreements or legislation were identified. A total of \$771,310 in wages and other entitlements was recovered for employees. Three enforcement proceedings were finalised during the period, resulting in pecuniary penalties of \$11,200.



Industrial accidents and occupational diseases

In Western Australia (WA), a lost time injury or disease (LTI/D) is defined as one day/shift lost or more. Unless specified otherwise, LTI/D data is based on workers' compensation claims for work-related injuries and diseases supplied by WorkCover WA that involve one or more days off work as a result of the work-related incident.

The LTI/D frequency and incidence rate are the principal measure of safety performance in WA, and are used to monitor performance against national targets.

Frequency rate = number of LTI/Ds / number of hours worked x 1,000,000

Incidence rate = number of LTI/Ds / number of workers x 100

According to the most recent preliminary workers' compensation claims data, work-related LTI/Ds in Western Australia recorded a 10.54 per cent increase in frequency rate, from 6.35 LTI/Ds per one million hours worked in 2019–20 (revised data) to 7.02 in 2020–21 (preliminary data). The five-year trend (2016–17 to 2020–21) shows a 3.32 per cent increase.

There was a 9.94 per cent increase in the incidence rate, from 1.06 LTI/Ds per one hundred employees in 2019–20 (revised data) to 1.16 in 2020–21 (preliminary data). The five-year trend (2016–17 to 2020–21) shows a 1.56 per cent increase.

Note 1: The LTI/D figures have been rounded up to two decimal places.

Note 2: Frequency and incidence rates have been calculated using denominator values derived from publicly available data from the Australian Bureau of Statistics.

Information on disease groups that are being monitored at a national level can be accessed on the Safe Work Australia website: www.safeworkaustralia.gov.au



Occupational safety, health and injury management Commitment

Our commitment to safety is demonstrated in our purpose of *supporting a safe, fair and responsible future for the Western Australian community, industry and resources sector*. It is also acknowledged as a priority within our Strategic Plan of *building and strengthening an inclusive and diverse workplace culture with a strong focus on our values, safety, health and wellness*. This commitment is further supported by the goal of our work health and safety management system (WHSMS) to meet and exceed the requirements of the *Work Health and Safety Act 2020* (WHS Act) and its supporting laws.



328

participants for
WHS inductions.

Our Work Health and Safety (WHS) Policy has been reviewed against the newly proclaimed WHS Act and laws. In line with the primary duty of care of the WHS Act, the department will ensure the health and safety of its staff, other workers and visitors, by eliminating any health and safety risks so far as reasonably practicable. If a risk is not able to be removed, the department will minimise the risk so far as reasonably practicable.

This commitment begins at the highest level with the Director General and Corporate Executive of the department's WHSMS, in their support, involvement and resourcing. This also includes the Working on Wellness (WOW) program, mental health awareness training and the Health and Safety Committee (HSC), which provides an avenue for health and safety consultation across the department. Staff also reflected the same level of commitment to health and safety through their positive response to the WOW program, support of mental health training sessions, representation of Health and Safety Representatives (HSR) and First Aid Officers, and participation in identifying, eliminating or managing risks and hazards.



35

internal
Newsflash
messages to
staff on WHS.

The department is determined to raise awareness of health and safety issues in the workplace by ensuring that it is a standing agenda item for Corporate Executive, divisional and branch meetings. To facilitate and encourage discussion, the WHS team circulate a monthly 'Safety on the Agenda' email to managers and HSRs, communicating key health and safety messages (including the latest COVID-19 related health advice), recent incidents, resolution of safety issues and new or updated procedures.

The WHS team continued to be key in providing support and advice by carrying out an extensive number of work health and safety assessments for those who worked at home (WAH), including an annual ergonomic WAH audit carried out by an external provider. As a result of the increased WAH agreements within the department, there are plans to increase the number of WAH audits for 2022–23. The audit found that overall, staff had a safe working environment free from most household hazards. The recommendations from the audit were predominately minor adjustments to the height or position of office equipment and the purchasing of additional equipment such as chairs or monitor raisers.



639

approved WAH
ergonomic
assessments
completed.





Consultation

Staff commitment across all levels of the department was demonstrated by the high response rate to the consultation processes conducted and various surveys on health and safety issues and initiatives.

Health Safety Representatives (HSRs) were enthusiastic in expanding their knowledge during the HSR Forum held during Safety Month and attendance at training sessions. The HSRs consult with and raise WHS issues of the staff they represent during quarterly HSR and Health and Safety Committee (HSC) meetings.

To address the requirements of the new WHS Act and laws, the WHS team, in consultation with the HSC, have developed a road map to ensure all WHS policies, procedures and guidance material are reviewed and published in the department's electronic quality management system, available for all staff to refer to and utilise. To ensure this is achieved by 31 March 2023, the department has provided a new resource to assist with this task. As at 30 June 2022, 15 WHS policies, procedures and guidelines have been reviewed, and five have been approved for publishing.

The department has passionate HSRs who are committed to demonstrating excellence in WHS matters. Every year a HSR staff member is recognised for their outstanding contribution. The 2021 winner of the department's Safety and Health Representative of the Year, was nominated by their peers for the outstanding commitment and contribution to WHS in their area. During the year, they provided information to staff about lockdowns, encouraged colleagues to participate in various initiatives such as the annual flu vaccinations and skin checks and helped foster a positive and safe environment for those who may have felt isolated while working at home. In addition to carrying out regular inspections and raising awareness on how to improve the ergonomics of workstations.



130

workplace ergonomic assessments completed.

Injury management

In addition to complying with its primary duty of care under the WHS Act, the department complies with the injury management requirements of the *Workers' Compensation and Injury Management Act 1981*.

The department commits to providing all staff with a safe work environment. Should a work related injury or disease occur, the department manages all workers' compensation claims in a fair, equitable and efficient manner, in accordance with legislative requirements. This includes assisting injured staff back to meaningful and productive work as soon as possible through a gradual return to work program. The department also manages non-work related injuries and illness, and work related injuries that do not result in a workers' compensation claim in the same fair, equitable and efficient manner.

We have continued to provide comprehensive WHS and injury management training for managers, updated in accordance with the WHS Act. This training highlights early intervention strategies and facilitating successful return to work for injured staff throughout the department.

Overall, the department continues to have low levels of workers' compensation claims when compared to industry benchmarks. In 2021–22, the department reported a significant decrease in the lost time injury and/or disease incidence rate, however did experienced an increase in the severity rate. While the 25 per cent appears to be a significant increase, it has been as a result of three psychological claims incurring, or estimated to incur, more than 60 days lost time. The percentages of staff who returned to work within 13 and 26 weeks has increased by seven per cent over the last financial year.



50

WHS related incidents reported.



88

hazard notifications.



Report on performance

Measure	Actual results			Results against target	
	2019–20	2020–21	2021–22	Target	Comment on result
Number of fatalities	0	0	0	0	Target achieved.
Lost time injury and/or disease incidence rate	0.50	0.62	0.39	0 or 10% reduction	Target achieved.
Lost time injury and/or disease severity rate	0	40.0	50.0	0 or 10% reduction	This is a 25% increase. 10 claims lodged in 2021–22, three of which were psychological claims incurring over 60 days lost time.
% of injured workers returned to work:					The percentages of injured staff returned to work are indicative of the three claims reported this period and complexity of their injuries and return to work programs.
i) within 13 weeks	100%	40%	67%	Greater than or equal to 80%	
ii) within 26 weeks	100%	60%	67%		
% of managers trained in OSH management responsibilities, including refresher training within three years	92%	85%	83%	Greater than or equal to 80%	Target achieved.

Mental health training

The department has a strong focus on mental health for its staff. In 2021–22, training for managing mental health was made mandatory for managers. The session provides specific training to assist managers with responding to mental health issues in the workplace. In addition, mental health awareness training is offered to all staff. This training is well attended and provides knowledge and information to staff on maintaining their own personal wellness and how to support friends and colleagues.



25

appointed mental health first aid officers.



Work Health and Safety Management System

The department's work health and safety management system (WHSMS) has undergone a WorkSafe Plan audit by the department's Internal Audit team. The audit was completed in June 2022 and identified a number of recommendations for implementation across the department. In order to address the strategic recommendations, Corporate Executive have approved the establishment of a Corporate Executive WHSMS Audit Steering Committee with membership including all Group heads. The audit recommendations will be addressed in consultation with stakeholders including the HSC, HSRs and the WHS and Assets branches for implementation throughout 2022–23. The department anticipates that the WHSMS will be externally audited during 2023.

Working on wellness (WOW)



400

staff had skin cancer screenings.

The purpose of the WOW program is to raise awareness of health and wellness issues to assist staff to be proactive in looking after their physical and mental health and wellbeing. The WOW program has successfully continued its focus on increasing regional engagement with many of the presentations offered by the WHS team moving to a virtual platform, resulting in sessions being well attended by staff in both metropolitan and regional offices. The core elements of the WOW program are offered in all our offices and has included annual influenza vaccinations, skin cancer screening as well as a strong and continuing focus on mental health.

The WOW program continued to adjust to the challenges presented by the COVID-19 pandemic. The program offered 25 virtual and interactive webinars to all departmental staff, only four of which were offered only face-to-face. The topics ranged from family wellbeing, such as avoiding burnout, family nutrition, a live cooking demonstration, getting a good night's sleep and nurturing family positivity, mindfulness practice, building mental fitness and resilience, to desk-based stretching and empowering your spine.



31

WOW events delivered.

The WOW program aligns with national events such as Men's and Women's Health Weeks, R U OK? Day, National Skin Cancer Action Week and Mental Health Month. The program also includes 'come and try' sessions and other physical activities, and supports staff engagement through wellness activities such as lunch time walks, 'Boxfit', guided meditation and supervised gym circuit sessions.



800

staff vaccinated against influenza.



188

staff participated in the DMIRS Great Southern Adventure Challenge.



2,970

WOW participants.



44,000

kilometres walked.



Board and committee remuneration

The department is required to report on the individual and aggregate costs of remunerating all positions on boards and committees as defined in [Premier's Circular 2021/18 – State Government Boards and Committees](#).

Audit and Risk Committee

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Andrew Cox	Per meeting	12 months	3 years	\$5,230	\$20,920
Member	Margaret Butcher	Ineligible	12 months	2 years	Not applicable	\$0
Member	Santa Cardenia	Ineligible	12 months	3 years	Not applicable	\$0
Member	Stuart Cowie	Ineligible	12 months	3 years	Not applicable	\$0
Member	Allison Fitzpatrick	Ineligible	12 months	2 years	Not applicable	\$0
Total						\$20,920

The Audit and Risk Committee is an independent committee in compliance with Treasurer's Instruction 1201.

Consumer Advisory Committee

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Scott Phillips	Half day	12 months	3 years	\$380	\$1,900
Member	Linda Castle	Half day	12 months	3 years	\$250	\$750
Member	Dr Jennie Gray	Half day	12 months	3 years	\$250	\$750
Member	Roberta Grealish	Half day	10 months	3 years	\$250	\$1,000
Member	Kathryn Lawrence	Half day	12 months	3 years	\$250	\$1,000
Member	Amy Pereira	Half day	12 months	3 years	\$250	\$1,000
Member	Sandy Lukjanowski	Half day	12 months	3 years	\$250	\$1,250
Member	Danielle Loizou-Lake	Half day	12 months	3 years	\$250	\$1,250
Member	Gary Newcombe – Commissioner for Consumer Protection	Ineligible	12 months	Ex-officio	Not applicable	\$0
Total						\$8,900

The following were reappointed in August 2021; Scott Phillips, Amy Pereira and Danielle Loizou-Lake.



Agricultural Working Group

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Darren Kavanagh - WorkSafe Commissioner	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Antony Pearson - UnionsWA	Did not claim	12 months	Not applicable	\$0	\$0
Member	Doug Hall - Pastoralists and Graziers Association of Western Australia	Half day	12 months	Not applicable	\$249	\$747
Member	Darren Spencer - WA Shearing Industry Association	Half day	12 months	Not applicable	\$249	\$498
Member	Nicola Kelliher - Country Women's Association of WA	Half day	12 months	Not applicable	\$249	\$996♦
Member	Trevor Naughton - Chamber of Commerce and Industry WA	Did not claim	12 months	Not applicable	\$0	\$0
Member	Peter Nunn - Chamber of Commerce and Industry WA	Did not claim	12 months	Not applicable	\$0	\$0
Member	Trevor Whittington - WA Farmers Federation	Full/half day	12 months	Not applicable	\$249	\$747
Member	Nigel Martin - DMIRS representative	Ineligible	12 months	Not applicable	Not applicable	\$0
Total						\$2,988

The Agricultural Working Group no longer functions, with the last meeting held in February 2022. The Agricultural Safety Group is being established as an advisory committee to the Work Health and Safety Commission as a replacement.

Tenure terms were not specified for the Agricultural Working Group.

♦ Includes outstanding payment for 2020–21.

Motor Vehicle Industry Advisory Committee

The terms of the Motor Vehicle Industry Advisory Committee members expired on 30 April 2021 and the composition of the committee is under review by the department.



Building Services Board

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Venetia Bennett	Full/half day	12 months	3 years	\$758 full/\$498 half	\$8,338
Deputy Chair	Serena Giudice	Full/half day	7 months	3 years	\$498 full/\$325 half	\$4,482
Deputy Chair	Helmut Schwanke	Full/half day	5 months	2 years, 4 months	\$498 full/\$325 half	\$1,754
Member	Joanne Motteram	Full/half day	12 months	2 years	\$498 full/\$325 half	\$4,980
Member	Jack Mast	Full/half day	12 months	3 years	\$498 full/\$325 half	\$5,478
Member	Michael Adams	Full/half day	7 months	2 years	\$498 full/\$325 half	\$3,486
Member	Angela Lefante	Full/half day	12 months	3 years	\$498 full/\$325 half	\$5,976
Member	Jason Pennings	Full/half day	7 months	2 years	\$498 full/\$325 half	\$2,988
Member	Jeya Ramanathan	Full/half day	7 months	3 years	\$498 full/\$325 half	\$3,486
Member	Faye Stewart	Full/half day	11 months	2 years	\$498 full/\$325 half	\$3,984
Member	Laurie Kruize	Full/half day	3 months	2 years, 7 months	\$498 full/\$325 half	\$1,494
Member	Deborah Smith	Full/half day	3 months	2 years, 8 months	\$498 full/\$325 half	\$1,494
Total						\$47,940

If a member's term has expired and a new member has not been appointed, the member may continue in the role for a period of 3 months.

The following were reappointed in November 2021; Angela Lefante.

Deborah Smith, Helmut Schwanke and Laurie Kruize ceased being members in September 2021. Faye Stewart ceased being a member in May 2022.

Charitable Collections Advisory Committee

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Annette Frazer	Half day	12 months	2 years	\$370	\$4,070
Member	Dr Jane Hutchison	Half day	12 months	2 years	\$250	\$2,750
Member	Rachelle Spyker	Half day	12 months	2 years	\$250	\$2,500
Member	Henry (Han Kee) Thong	Half day	12 months	2 years	\$250	\$2,750
Member	Dr Helen Gryzb	Half day	6 months	1 year	\$250	\$1,500
Member	Mick Tuteja	Half day	6 months	2 years	\$250	\$1,250
Total						\$14,820

Dr Helen Gryzb ceased as a member in December 2021. The following were reappointed in January 2022; Annette Frazer and Dr Jane Hutchison.



Construction Industry Safety Advisory Committee

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Darren Kavanagh - WorkSafe Commissioner	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Bob Benkesser - Construction, Forestry, Mining and Energy Union	Did not claim	12 months	Not applicable	\$0	\$0
Member	Charlotte Sutton - Master Builders Association of WA	Did not claim	8 months	Not applicable	\$0	\$0
Member	Kim Drew - Chamber of Commerce and Industry WA	Did not claim	12 months	Not applicable	\$0	\$0
Member	Libby Pracillo - Housing Industry Australia	Did not claim	12 months	Not applicable	\$0	\$0
Member	Tony Poulton - DMIRS representative	Ineligible	12 months	Not applicable	Not applicable	\$0
Member	Glenn McLaren - Australian Manufacturing Workers' Union	Did not claim	12 months	Not applicable	\$0	\$0
Total						\$0

Tenure terms not specified for the Construction Industry Safety Advisory Committee.

Charlotte Sutton ceased being a member in February 2022.

Electrical Licensing Board

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Peter Beveridge	Full/half day	12 months	3 years	\$510 full/\$330 half	\$4,230
Member	Momcilo Andric	Full/half day	12 months	2 years, 4 months	\$340 full/\$220 half	\$2,600
Member	Geoff Kelly	Full/half day	12 months	2 years, 4 months	\$340 full/\$220 half	\$3,160
Member	Melissa Mammone	Ineligible	12 months	2 years 6 months	Not applicable	\$0
Member	Christopher Sweeting	Full/half day	12 months	2 years, 6 months	\$340 full/\$220 half	\$3,160
Member	Peter Carter	Full/half day	12 months	2 years, 4 months	\$340 full/\$220 half	\$2,820
Member	Natalia Kostecki-Baranski	Full/half day	12 months	2 years, 4 months	\$340 full/\$220 half	\$2,480
Total						\$18,450

The following were reappointed in February 2020; Peter Beveridge, Melissa Mammone and Christopher Sweeting.



Plumbers Licensing Board

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Shona Zulsdorf	Full/half day	12 months	3 years	\$689 full/\$451 half	\$7,877
Deputy Chair	Sonia McKeiver	Full-half day	9 months	2 years	\$451 full/\$298 half	\$3,608
Member	Murray Thomas	Full-half day	12 months	2 years	\$451 full/\$298 half	\$5,259
Member	Brian Bintley	Full-half day	12 months	2 years	\$451 full/\$298 half	\$4,808
Member	Michael Wynne	Full-half day	12 months	2 years	\$451 full/\$298 half	\$5,259
Member	Gladys Demissie	Full-half day	12 months	3 years	\$451 full/\$298 half	\$4,357
Member	Tehani Mahony	Full-half day	12 months	3 years	\$451 full/\$298 half	\$4,357
Member	Rebecca Johnston	Full-half day	3 months	3 years	\$451 full/\$298 half	\$1,353
Total						\$36,878

The following were reappointed in February 2022; Brian Bintley and Michael Wynne.

Sonia McKeiver ceased being a member in April 2022.

Property Industry Advisory Committee

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Gary Newcombe – Commissioner for Consumer Protection	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Fran Andrews	Did not claim	12 months	2 years	\$0	\$0
Member	Andrea Constable	Did not claim	12 months	2 years	\$0	\$0
Member	Dion Dosualdo	Did not claim	12 months	2 years	\$0	\$0
Member	Lisa Joyce	Did not claim	12 months	2 years	\$0	\$0
Member	Catherine Lezer	Did not claim	12 months	1 year, 5 months	\$0	\$0
Member	Neville Pozzi	Did not claim	12 months	2 years	\$0	\$0
Member	Rajeev Rajan	Did not claim	12 months	2 years	\$0	\$0
Member	Patrick Lilburne	Did not claim	12 months	2 years	\$0	\$0
Total						\$0



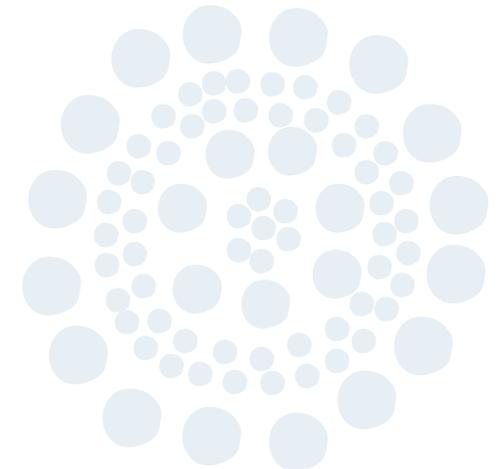
Mining Industry Advisory Committee

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Andrew Chaplyn - DMIRS - Chief Inspector of Mines	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Christina Folley - DMIRS representative	Ineligible	12 months	1 year	Not applicable	\$0
Member	Elysha Millard - Industry representative	Half day	10 months	1 year	\$261	\$1,566♦
Member	Glenn McLaren - Union representative	Did not claim	12 months	1 year	Not applicable	\$0
Member	Greg Stagbouer - Industry representative	Did not claim	12 months	1 year	Not applicable	\$0
Member	Rob Watson - Industry representative	Did not claim	4 months	1 year	Not applicable	\$0
Member	Dr Gary Bryant - Expert member	Did not claim	12 months	1 year	Not applicable	\$0
Member	Meagan Smart - Expert member	Half day	12 months	1 year	\$261	\$1,305
Member	Vanessa Colmer - Industry representative	Did not claim	12 months	1 year	Not applicable	\$0
Member	Helen Anderson - Expert member	Half day	12 months	1 year	\$261	\$1,566
Member	Pearl Lim - Union representative	Did not claim	12 months	1 year	Not applicable	\$0
Member	Gregory Busson - Union representative	Did not claim	12 months	1 year	Not applicable	\$0
Member	Samantha Panickar - Industry representative	Half day	7 months	1 year	\$261	\$1,305
Member	Laila Nowell - Industry representative	Did not claim	1 month	1 year	Not applicable	\$0
Total						\$5,742

The Mining Industry Advisory Committee was established under the *Occupational Safety and Health Act 1984* (WA) which has now been repealed. This committee will be disbanded by or on 31 September 2022. It will be replaced by the Mining and Petroleum Advisory Committee which is currently being established.

♦ Includes outstanding payment for 2020–21.

Rob Watson ceased being a member in October 2021. Elysha Millard ceased being a member in April 2022.





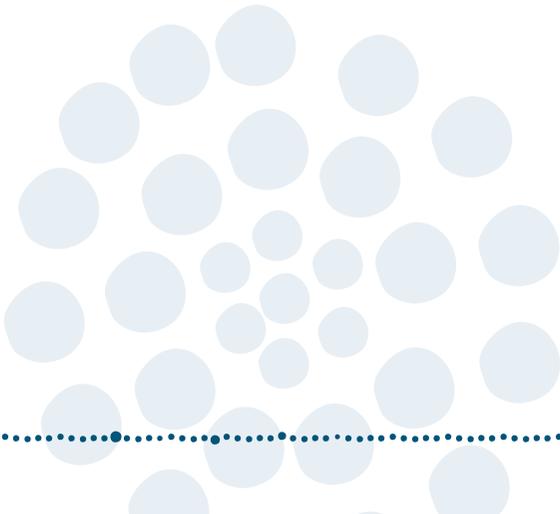
Work Health and Safety Commission

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Dr Patricia Todd	Annual	12 months	3 years	\$22,618.44	\$22,618.44
Deputy Chair	Darren Kavanagh - WorkSafe Commissioner	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Andrew Chaplyn - Chair of the Mining Industry Advisory Committee	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Paul Moss - Chamber of Commerce and Industry WA	Did not claim	12 months	3 years	\$0	\$0
Member	Jennifer Low - Chamber of Commerce and Industry WA	Half day	12 months	3 years	\$396	\$3,960
Member	Owen Whittle - UnionsWA	Did not claim	12 months	3 years	\$0	\$0
Member	Glen McLaren - UnionsWA	Did not claim	12 months	3 years	\$0	\$0
Member	Prof. Jacqueline Fritschi - expert member	Half day	12 months	3 years	\$396	\$3,564
Member	Dr Julia Norris - expert member	Half day	12 months	3 years	\$396	\$3,168
Member	Naomi McCrae - UnionsWA	Did not claim	7 months	3 years	\$0	\$0
Member	Dr Matthew Davies - expert member	Half day	12 months	3 years	\$396	\$4,356
Member	Elysha Millard - Chamber of Minerals and Energy	Half day	10 months	3 years	\$396	\$3,168♦
Member	Erin Gisborne - UnionsWA	Did not claim	2 months	3 years	\$0	\$0
Total						\$40,834.44

Previously the Commission for Occupational Health and Safety, changed name to Work Health and Safety Commission on 31 March 2022.

Erin Gisborne ceased being a member in August 2021. Elysha Millard ceased being a member in April 2022.

♦ Includes outstanding payment for 2020–21.





Mines Survey Board

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Andrew Chaplyn - DMIRS - State Mining Engineer	Ineligible	12 months	Ex-officio	\$0	\$0
Member	Dione Bilick - Surveyor General	Did not claim	12 months	3 years	\$0	\$0
Member	Leith Coaker - Institution of Surveyors Australia	Did not claim	12 months	3 years	\$0	\$0
Member	Martin Robinson - Curtin University and TAFE	Did not claim	12 months	3 years	\$0	\$0
Member	Shane Watson - Institution of Engineering and Mining Surveyors Australia	Did not claim	12 months	3 years	\$0	\$0
Member	Gemma Murphy - Institution of Engineering and Mining Surveyors Australia	Did not claim	12 months	3 years	\$0	\$0
Total						\$0

Legislative Advisory Committee

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021–22 FY
Chair	Darren Kavanagh - WorkSafe Commissioner	Ineligible	12 months	Not applicable	\$	\$0
Member	Owen Whittle - Union representative	Did not claim	12 months	Not applicable	\$	\$0
Member	Elysha Millard - Industry representative	Half day	10 months	Not applicable	\$249	\$1,494
Member	Laila Nowell - Industry representative	Did not claim	2 months	Not applicable	\$	\$0
Member	Anil Atri - DMIRS representative	Ineligible	10 months	Not applicable	\$	\$0
Member	Paul Moss - Industry representative	Did not claim	12 months	Not applicable	\$	\$0
Member	Andrew Chaplyn - DMIRS representative	Ineligible	2 months	Not applicable	\$	\$0
Total						\$1,494

Tenure terms not specified for the Legislative Advisory Committee.

Elysha Millard and Anil Atri ceased being members in April 2022.



Board of Examiners

Winding Engine Driver's Certificate Board

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021-22 FY
Chair	Andrew Chaplyn - DMIRS - State Mining Engineer	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Jose Sanchez - DMIRS representative	Ineligible	12 months	3 years	Not applicable	\$0
Member	Nominee of the Trades and Labour Council	No appointment	0 months	3 years	\$0	\$0
Total						\$0

In Western Australia there are few mine shafts consequently requests for new drivers are rare. Subsequently, the Nominee of the Trades and Labour Council is not appointed at this time, as the board is not required to convene due to lack of applications.

Mine Manager's and Underground Supervisor's Certificate Board

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021-22 FY
Chair	Andrew Chaplyn - DMIRS - State Mining Engineer	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Anil Atri - DMIRS representative	Ineligible	12 months	3 years	Not applicable	\$0
Member	Sabina Shugg - Principle of the WA School of Mines	Did not claim	12 months	Ex-officio	\$0	\$0
Member	Russell Cole - Chamber of Minerals and Energy of WA	Did not claim	12 months	3 years	\$0	\$0
Member	Holly Allday - Chamber of Minerals and Energy of WA	Did not claim	12 months	3 years	\$0	\$0
Total						\$0



Quarry Manager's Certificate Board

Position	Name	Type of remuneration	Period of membership	Term of appointment/tenure	Base salary/sitting fee	Gross/actual remuneration 2021-22 FY
Chair	Andrew Chaplyn - DMIRS - State Mining Engineer	Ineligible	12 months	Ex-officio	Not applicable	\$0
Member	Anil Atri - DMIRS representative	Ineligible	12 months	3 years	Not applicable	\$0
Member	Claudia Baker - Department of Technical and Further Education	Did not claim	12 months	3 years	\$0	\$0
Member	Andrew Haslam - Chamber of Mines and Energy of WA	Did not claim	12 months	3 years	\$0	\$0
Member	Robert Murdoch - Chamber of Mines and Energy of WA	Did not claim	12 months	3 years	\$0	\$0
Total						\$0





Disclosures and legal compliance

*Financial
performance*



Auditor General

Independent Auditor's Report 2022

Department of Mines, Industry Regulation and Safety

To the Parliament of Western Australia

Report on the audit of the financial statements

Opinion

I have audited the financial statements of the Department of Mines, Industry Regulation and Safety (Department) which comprise:

- ▶ the Statement of Financial Position at 30 June 2022, and the Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year then ended
- ▶ Administered schedules comprising the Administered assets and liabilities at 30 June 2022 and the Administered income and expenses by service for the year then ended
- ▶ Notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion, the financial statements are:

- ▶ based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the Department of Mines, Industry Regulation and Safety for the year ended 30 June 2022 and the financial position at the end of that period
- ▶ in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006* and the Treasurer's Instructions.

Basis for opinion

I conducted my audit in accordance with the Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the Director General for the financial statements

The Director General is responsible for:

- ▶ keeping proper accounts
- ▶ preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006* and the Treasurer's Instructions
- ▶ such internal control as it determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Director General is responsible for:

- ▶ assessing the entity's ability to continue as a going concern
- ▶ disclosing, as applicable, matters related to going concern
- ▶ using the going concern basis of accounting unless the Western Australian Government has made policy or funding decisions affecting the continued existence of the Department.

Auditor's responsibilities for the audit of the financial statements

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial statements. The objectives of my audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

A further description of my responsibilities for the audit of the financial statements is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf.

Report on the audit of controls

Opinion

I have undertaken a reasonable assurance engagement on the design and implementation of controls exercised by the Department of Mines, Industry Regulation and Safety. The controls exercised by the Director General are those policies and procedures established to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions (the overall control objectives).

In my opinion, in all material respects, the controls exercised by the Department of Mines, Industry Regulation and Safety are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities have been in accordance with legislative provisions during the year ended 30 June 2022.

The Director General's responsibilities

The Director General is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities are in accordance with the *Financial Management Act 2006*, the Treasurer's Instructions and other relevant written law.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the suitability of the design of the controls to achieve the overall control objectives and the implementation of the controls as designed. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3150 *Assurance Engagements on Controls* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements and plan and perform my procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the overall control objectives and were implemented as designed.

An assurance engagement involves performing procedures to obtain evidence about the suitability of the controls design to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including an assessment of the risks that controls are not suitably designed or implemented as designed. My procedures included testing the implementation of those controls that I consider necessary to achieve the overall control objectives.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Limitations of controls

Because of the inherent limitations of any internal control structure, it is possible that, even if the controls are suitably designed and implemented as designed, once in operation, the overall control objectives may not be achieved so that fraud, error or non-compliance with laws and regulations may occur and not be detected. Any projection of the outcome of the evaluation of the suitability of the design of controls to future periods is subject to the risk that the controls may become unsuitable because of changes in conditions.

Report on the audit of the key performance indicators

Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Department of Mines, Industry Regulation and Safety for the year ended 30 June 2022. The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, the key performance indicators of the Department of Mines, Industry Regulation and Safety are relevant and appropriate to assist users to assess the Department's performance and fairly represent indicated performance for the year ended 30 June 2022.

The Director's responsibilities for the key performance indicators

The Director General is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal control as the Director General determines necessary to enable the preparation of key performance indicators that are free from material misstatement, whether due to fraud or error.

In preparing the key performance indicators, the Director General is responsible for identifying key performance indicators that are relevant and appropriate, having regard to their purpose in accordance with Treasurer's Instruction 904 *Key Performance Indicators*.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the key performance indicators. The objectives of my engagement are to obtain reasonable assurance about whether the key performance indicators are relevant and appropriate to assist users to assess the entity's performance and whether the key performance indicators are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements relating to assurance engagements.

An assurance engagement involves performing procedures to obtain evidence about the amounts and disclosures in the key performance indicators. It also involves evaluating the relevance and appropriateness of the key performance indicators against the criteria and guidance in Treasurer's Instruction 904 for measuring the extent of outcome achievement and the efficiency of service delivery. The procedures selected depend on my judgement, including the assessment of the

risks of material misstatement of the key performance indicators. In making these risk assessments I obtain an understanding of internal control relevant to the engagement in order to design procedures that are appropriate in the circumstances.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

My independence and quality control relating to the reports on financial statements, controls and key performance indicators

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements*, the Office of the Auditor General maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Other information

The Director General is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2022, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators do not cover the other information and, accordingly, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, controls and key performance indicators, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and key performance indicators or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to those charged with governance and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

Matters relating to the electronic publication of the audited financial statements and key performance indicators

This auditor's report relates to the financial statements, and key performance indicators of the Department of Mines, Industry Regulation and Safety for the year ended 30 June 2022 included in the annual report on the Department's website. The Department's management is responsible for the integrity of the Department's website. This audit does not provide assurance on the integrity of the Department's website. The auditor's report refers only to the financial statements, controls and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version.



Sandra Labuschagne
Deputy Auditor General
Delegate of the Auditor General for Western Australia
Perth, Western Australia
10 September 2022



Disclosures and legal compliance

Financials

Financial Statements

Certification of Financial Statements

For the reporting period ended 30 June 2022

Department of Mines, Industry Regulation and Safety

The accompanying financial statements of the Department of Mines, Industry Regulation and Safety have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the reporting period ended 30 June 2022 and the financial position as at 30 June 2022.

At the date of signing we are not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.



Richard Sellers
Director General
7 September 2022



Ralph De Giorgio
Chief Finance Officer
7 September 2022





Statement of comprehensive income

For the year ended 30 June 2022

	Notes	2022 \$000	2021 \$000
Cost of services			
Expenses			
Employee benefits expense	2.1(a)	183,558	189,405
Supplies and services	2.3	71,201	60,619
Depreciation and amortisation expenses	4.1, 4.2, 4.3	4,043	4,619
Finance costs	6.3	97	105
Accommodation expenses	2.3	17,113	16,217
Grants and subsidies	2.2	22,198	18,001
Other expenses	2.3	4,577	5,658
Total cost of services		302,787	294,624
Income			
User charges and fees	3.2	168,639	154,522
Sales	3.2	40	43
Interest revenue	3.3	1,922	1,150
Commonwealth grants and contributions	3.4	42	–
Other income	3.5	4,947	4,404
Total income		175,590	160,119
Gains			
Gain on disposal of non-current assets	3.6	30	3
Total Gains		30	3
Total income other than income from State Government		175,620	160,122
Net cost of services		127,167	134,502

	Notes	2022 \$000	2021 \$000
Income from State Government			
Service appropriation	3.1	148,443	160,719
Income from other public sector entities	3.1	4,535	–
Services received free of charge	3.1	3,585	3,665
State grants and subsidies	3.1	100	100
Royalties for Regions Fund	3.1	186	505
Total income from State Government		156,849	164,989
Surplus for the period		29,682	30,487
Other comprehensive income			
<i>Items not reclassified subsequently to profit or loss</i>			
Changes in asset revaluation surplus	4.1	7,546	944
Total other comprehensive income		7,546	944
Total comprehensive income for the period		37,228	31,431

The Statement of Comprehensive Income should be read in conjunction with the accompanying notes.





Statement of financial position

As at 30 June 2022

	Notes	2022 \$000	2021 \$000
Assets			
Current Assets			
Cash and cash equivalents	6.4	8,261	4,852
Restricted cash and cash equivalents	6.4	460,791	424,212
Receivables	5.1	17,849	15,066
Amounts receivable for services	5.2	914	914
Other current assets	5.3	3,879	3,319
Total Current Assets		491,694	448,363
Non-Current Assets			
Restricted cash and cash equivalents	6.4	4,117	2,970
Amounts receivable for services	5.2	38,283	37,306
Property, plant and equipment	4.1	135,844	124,330
Right-of-use assets	4.3	2,371	3,206
Intangible assets	4.2	975	1,957
Total Non-Current Assets		181,590	169,769
Total assets		673,284	618,132
Liabilities			
Current Liabilities			
Payables	5.4	15,330	7,760
Amounts due to the Treasurer	5.5	5,000	2,000
Revenue received in advance	5.6	24,877	22,446
Employee related provisions	2.1.b	39,656	41,617
Lease liabilities	6.1	938	1,326
Other current liabilities	5.7	1,499	1,248
Total Current Liabilities		87,300	76,397

	Notes	2022 \$000	2021 \$000
Non-Current Liabilities			
Payables	5.4	665	601
Employee related provisions	2.1.b	6,872	8,475
Lease liabilities	6.1	1,621	2,052
Other non-current liabilities	5.7	5,297	5,452
Total Non-Current Liabilities		14,455	16,580
Total liabilities		101,755	92,977
Net assets		571,529	525,155
Equity			
Contributed equity		248,312	239,166
Reserves		112,509	104,963
Accumulated surplus/(deficit)		210,708	181,026
Total equity		571,529	525,155

The Statement of Financial Position should be read in conjunction with the accompanying notes.





Statement of changes In equity

For the year ended 30 June 2022

	Note	Contributed equity \$000	Reserves \$000	Accumulated surplus/ (deficit) \$000	Total equity \$000
Balance at 1 July 2020		235,636	104,019	150,539	490,194
Surplus/(deficit)		-	-	30,487	30,487
Other comprehensive income		-	944	-	944
Total comprehensive income for the period		-	944	30,487	31,431
<i>Transactions with owners in their capacity as owners:</i>					
Capital appropriations		3,530	-	-	3,530
Total		3,530	-	-	3,530
Balance at 30 June 2021		239,166	104,963	181,026	525,155
Balance at 1 July 2021		239,166	104,963	181,026	525,155
Surplus/(deficit)		-	-	29,682	29,682
Other comprehensive income	4.1	-	7,546	-	7,546
Total comprehensive income for the period		-	7,546	29,682	37,228
<i>Transactions with owners in their capacity as owners:</i>					
Capital appropriations		6,592	-	-	6,592
Other contributions by owners		2,554	-	-	2,554
Distributions to owners		-	-	-	-
Total		9,146	-	-	9,146
Balance at 30 June 2022		248,312	112,509	210,708	571,529

The Statement of Changes in Equity should be read in conjunction with the accompanying notes.





Statement of cash flows

For the year ended 30 June 2022

Notes	2022 \$000	2021 \$000
Cash flows from State Government		
Service appropriation	151,087	158,521
Capital appropriations	6,592	3,530
Other contributions by owners	2,554	–
Holding account drawdown	914	914
Royalties for Regions Fund	186	505
Net cash provided by State Government	161,333	163,470
Utilised as follows:		
Cash flows from operating activities		
Payments		
Employee benefits	(185,534)	(186,149)
Supplies and services	(55,659)	(56,018)
Accommodation	(18,942)	(17,912)
Grants and subsidies	(22,198)	(18,001)
Other payments	(7,712)	(6,209)
GST payments on purchases	(15,237)	(13,119)
Receipts		
Sale of goods and services	64	67
User charges and fees	160,035	152,059
Grants and contributions	–	100
GST receipts on user charges and fees	4,959	5,150
GST receipts from taxation authority	9,725	7,969
Other receipts	14,313	10,664
Net cash (used in) operating activities	(116,186)	(121,399)

Notes	2022 \$000	2021 \$000
Cash flows from investing activities		
Payments		
Purchase of non-current physical assets	(2,984)	(2,835)
Repayments of loans/advances		
Receipts	2	–
Proceeds from sale of non-current assets	(2,982)	(2,835)
Net cash (used in) investing activities		
Receipts		
Proceeds from Borrowings	3,000	–
Payments		
Right of use lease liability payment	(4,030)	(1,438)
Net cash provided by/(used in) financing activities	(1,030)	(1,438)
Net increase in cash and cash equivalents	41,135	37,798
Cash and cash equivalents at the beginning of the period	432,034	394,236
Cash and cash equivalents at the end the period	473,169	432,034

The Statement of Cash Flows should be read in conjunction with the accompanying notes.



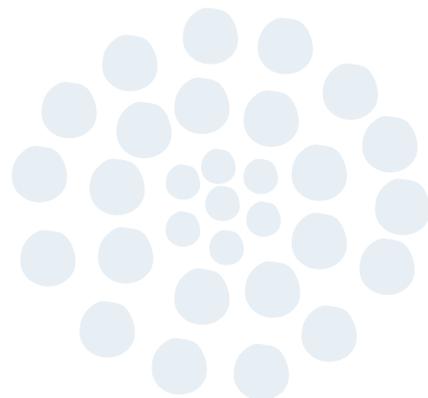


Administered income and expenses

	2022 \$000	2021 \$000
Income		
For transfer:		
Mining Rentals	184,777	12,312,935
Regulatory fees and fines	89	160
Commonwealth Grants	236	261
Appropriations	103,246	134,809
Other revenue	27,537	31,077
Total administered income	315,885	12,479,242
Expenses		
Refunds of previous years' revenue	40,335	22,269
Services and contracts	41,972	27,880
Receipts paid into Consolidated Account ^(a)	181,266	10,752,882
Grants and subsidies	30,013	104,582
Total administered expenses	293,586	10,907,613

(a) Receipts paid into the Consolidated Account represent the transfer of non-retainable regulatory fees, fines and penalties to the Consolidated Account.

(b) Further explanations of variances are contained in [note 9.2](#) 'Explanatory statement for administered items'.



Administered assets and liabilities

As at 30 June 2022

	2022 \$000	2021 \$000
Current Assets		
Cash and cash equivalents	9,539	9,258
Restricted cash and cash equivalents	512,415	461,772
Receivables	10,560	3,811,897
Finance Lease Receivable	825	779
Total administered current assets	533,339	4,283,706
Non-current assets		
Finance Lease Receivables	2,538	5,361
Total administered non-current assets	2,538	5,361
Total administered assets	535,877	4,289,067
Current Liabilities		
Payables	4,095	4,296
Other liabilities	850	850
Other current liabilities	463,350	434,876
Total Current Liabilities	468,295	440,022
Total administered liabilities	468,295	440,022

Supplementary financial information

Other matters of uncertainty

There were no matters of uncertainty recognised during the financial year.

Home Indemnity Insurance

The contingent liability for Home Indemnity Insurance (HII) has been assessed to be the future claims liability (FCL) as at 30 June 2022. The FCL is an estimation of the future claims costs which will arise as a result of events which will occur in the future for currently in-force HII policies. In accordance with the PricewaterhouseCoopers actuarial report, the future claims liability has been assessed at an approximate value of \$42,030,000 (2021: \$28,100,000).



Write-offs

During the financial year, \$111,786 (2021: \$328,752) was written off the department's asset register under the authority of:

	2022 \$000	2021 \$000
Director General	112	329
	112	329

32 individually recognised debts which were written-off during the period related to lease rentals and licences recognised under The Mining Act.

Act of grace payments

During the financial year, 4 payments totalling \$57.666 million (2021 \$106.8 million from four payments) were paid out as act of grace payments for circumstances relating to and returned royalties under the authority of:

	2022 \$000	2021 \$000
The Minister	–	10
The Governor	57,666	106,787
	57,666	106,797

Approval from the Governor was granted for payment of a royalty rebate on Iron Ore royalty revenue relating to the Koolyanobbing Mine.



Notes to the Financial Statements

1. Basis of Preparation

The department is a WA Government entity and is controlled by the State of Western Australia, which is the ultimate parent. The department is a not-for-profit entity (as profit is not its principal objective).

A description of the nature of its operations and its principal activities have been included in the 'Overview' which does not form part of these financial statements.

These annual financial statements were authorised for issue by the Director General of the department on 7 September 2022.

Statement of Compliance

These general purpose financial statements have been prepared in accordance with:

- 1) The *Financial Management Act 2006 (FMA)*
- 2) Treasurer's Instructions (**TI's**)
- 3) Australian Accounting Standards (**AASs**) - Simplified Disclosures
- 4) Where appropriate, those **AAS** paragraphs applicable for not-for-profit entities have been applied.

The *FMA* and *TI's* take precedence over *AASs*. Several *AASs* are modified by the *TI's* to vary application, disclosure format and wording. Where modification is required and has had a material or significant effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

Basis of preparation

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. Certain balances will apply a different measurement basis (such as the fair value basis). Where this is the case the different measurement basis is disclosed in the associated note. All values are rounded to the nearest thousand dollars (\$'000).



Accounting for Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

- (a) amount of GST incurred by the department as a purchaser that is not recoverable from the Australian Tax Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- (b) receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of Cash Flows on a gross basis. However, the GST components of cash flows arising from the investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

Contributed Equity

Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, as designated as contributions by owners (at the time of, or prior, to transfer) be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by T1 955 *Contributions by Owners made to Wholly-Owned Public Sector Entities* and have been credited directly to Contributed Equity.

Administered items

The department administers, but does not control, certain activities and functions for and on behalf of Government that do not contribute to the department's services or objectives. It does not have discretion over how it utilises the transactions in pursuing its own objectives.

Transactions relating to the administered activities are not recognised as the Department's income, expenses, assets and liabilities, but are disclosed in the accompanying schedules as 'Administered income and expenses', and 'Administered assets and liabilities'.

As of July 1, 2021 the department no longer administers the Mining Royalty collections on behalf of State Government. The function and administrative activities surrounding the collection of these royalties have been transferred to the Department of Finance.

The accrual basis of accounting and applicable AASs have been adopted.

Comparative information

Except when an AAS permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements. AASB 1060 provides relief from presenting comparatives for:

- ▶ Property, Plant and Equipment reconciliations;
- ▶ Intangible Asset reconciliations; and
- ▶ Right-of-Use Asset reconciliations

Judgement and estimates

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements and estimates made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements and/or estimates are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances.

2. Use of our funding

Expenses incurred in the delivery of services

This section provides additional information about how the department's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements. The primary expenses incurred by the department in achieving its objectives and the relevant notes are:

	Notes
Employee benefits expenses	2.1(a)
Employee benefits provisions	2.1(b)
Grants and subsidies	2.2
Other expenditure	2.3



2.1 (a) Employee benefits expenses

	2022 \$000	2021 \$000
Employee benefits	166,457	173,237
Termination benefits	116	52
Superannuation - defined contribution plans	16,985	16,116
Employee benefits expenses	183,558	189,405
Add: AASB 16 Non-monetary benefits	1,472	1,567
Less: Employee Contributions	(274)	(414)
Total employee benefits provided	184,756	190,558

Employee benefits include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, profit-sharing and bonuses; and non-monetary benefits recognised under accounting standards other than AASB 16 (such as medical care, housing, cars and free or subsidised goods or services) for employees.

Termination benefits are payable when employment is terminated before normal retirement date, or when an employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the department is demonstrably committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

Superannuation is the amount recognised in profit or loss of the Statement of comprehensive income comprises employer contributions paid to the GSS (concurrent contributions), the WSS, the GESBs, or other superannuation funds.

AASB 16 non-monetary benefits are non-monetary employee benefits, predominately relating to the provision of vehicle and housing benefits that are recognised under AASB 16 and are excluded from the employee benefits expense.

Employee Contributions are contributions made to the department by employees towards employee benefits that have been provided by the department. This includes both AASB 6 and non-AASB 16 employee contributions.

2.1 (b) Employee related provisions

	2022 \$000	2021 \$000
Current		
<u>Employee benefits provisions</u>		
Annual leave	19,027	19,729
Long service leave	19,871	21,123
Deferred salary scheme	277	226
Purchased leave	236	228
	39,412	41,306
<u>Other provisions</u>		
Employment on-costs	244	311
Total current employee benefits provisions	39,656	41,617
Non-current		
<u>Employee benefits provisions</u>		
Long service leave	6,829	8,412
<u>Other provisions</u>		
Employment on-costs	43	63
Total non-current employee benefits provisions	6,872	8,475
Total employee benefits provisions	46,528	50,092

Provision is made for benefits accruing to employees in respect of annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

Annual leave liabilities are classified as current as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.



The provision for annual leave is calculated at the present value of expected payments to be made in relation to services provided by employees up to the reporting date.

These statements are prepared on the expectation that it is unlikely for annual leave to be settled wholly within 12 months after the end of the reporting period.

Long service leave liabilities are unconditional long service leave provisions which are classified as current liabilities as the department does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

Pre-conditional and conditional long service leave provisions are classified as **non-current** liabilities because the department has an unconditional right to defer the settlement of the liability until the employee has completed the requisite years of service.

The provision for long service leave is calculated at present value as the department does not expect to wholly settle the amounts within 12 months. The present value is measured taking into account the present value of expected future payments to be made in relation to services provided by employees up to the reporting date. These payments are estimated using the remuneration rate expected to apply at the time of settlement, and discounted using market yields at the end of the reporting period on national government bonds with terms of maturity that match, as closely as possible, the estimated future cash flows.

Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2022 \$000	2021 \$000
Within 12 months of the end of the reporting period	6,653	7,554
More than 12 months after the end of the reporting period	20,048	21,981
	26,701	29,535

Deferred salary scheme liabilities are classified as current where there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

	2022 \$000	2021 \$000
Deferred salary scheme		
Within 12 months of the end of the reporting period	277	226
	277	226

Purchased leave liabilities are classified as current where there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

	2022 \$000	2021 \$000
Purchased leave		
Within 12 months of the end of the reporting period	236	228
	236	228

Employment on-costs involves settlements of annual and long service leave liabilities which gives rise to the payment of employment on-costs including workers' compensation insurance.

Employment on-costs, including workers' compensation insurance premiums, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of Other expenses, [note 2.3](#) (apart from the unwinding of the discount (finance cost) and are not included as part of the departments 'employee benefits expense'. The related liability is included in 'Employment on-costs provision'.



Employment on-costs provision	2022 \$000	2021 \$000
Carrying amount at start of period	374	278
Additional provisions recognised	164	200
Payments /other sacrifices of economic benefits	(251)	(104)
Carrying amount at end of period	287	374

Key sources of estimation uncertainty – long service leave

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

Several estimates and assumptions are used in calculating the department's long service leave provision. These include:

- ▶ Expected future salary rates;
- ▶ Discount rates;
- ▶ Employee retention rates; and
- ▶ Expected future payments

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision. Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as employee benefits expense.

2.2 Grants and subsidies

	2022 \$000	2021 \$000
Recurrent		
Co-Funded Drilling Scheme (Exploration Incentive Scheme)	7,015	4,900
Mineral Research Institute of WA (MRIWA)	408	905
Farmsafe WA	70	70
Asbestos Diseases Society	125	50
Circle Green Community Legal	430	330
Property Industry Grants	7,124	7,735
Australian Building Codes Board	519	649
Mental Health in the Workplace	1,000	–
Mental Awareness Respect and Safety Initiative	1,692	–
Other Miscellaneous Grants - contributions to Commonwealth & others	3,815	3,362
Total grants and subsidies	22,198	18,001

Transactions in which the department provides goods, services, assets (or extinguishes a liability) or labour to another party without receiving approximately equal value in return are categorised as 'Grants or subsidy expenses'. These payments or transfers are recognised at fair value at the time of the transaction and are recognised as an expense in the reporting period in which they are paid. They include transactions such as grants, subsidies, personal benefit payments made in cash to individuals, other transfer payments made to public sectors agencies, local government, non-government schools, and community groups.

The department is not responsible for administering a government subsidy scheme.

Grants can be paid as general purpose grants which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants which are paid for a particular purpose and/or have conditions attached regarding their use.



2.3 Other expenditure

	2022 \$000	2021 \$000
Supplies and services		
Consultants and contractors	47,212	42,543
Advertising and promotion	2,011	870
Travel	1,138	1,207
Communication	572	1,026
Consumables	2,634	2,368
Maintenance	1,157	812
Insurance	1,367	1,299
Lease rent and hire costs	1,203	1,093
Utilities	1,222	1,158
Other	12,685	8,243
Total supplies and services expenses	71,201	60,619
Accommodation expenses		
Rental	14,190	12,744
Repairs and maintenance	1,750	2,415
Cleaning	1,173	1,058
Total accommodation expenses	17,113	16,217
Other expenses		
Audit Fees (internal and external)	389	526
Expected credit losses expense	26	2
Employment On Costs	(87)	96
Industry fidelity claims	968	506
Minor Plant and Equipment	3,643	2,220
Refunds of prior years revenues	50	1,970
Other expenses	(412)	338
Total other expenses	4,577	5,658
Total other expenditure	92,891	82,494

Supplies and services expenses are recognised as an expense in the reporting period in which they are incurred. The carrying amounts of any materials held for distribution are expensed when the materials are distributed.

Accommodation expenses:

Rental Expenses is expensed as incurred as a Memorandum of Understanding Agreements between the department and the Department of Finance for the leasing of office accommodation contain significant substitution rights

Repairs, maintenance and cleaning costs are recognised as expenses as incurred.

Other operating expenses generally represent the day-to-day running costs incurred in normal operations.

Audit Fees: an expense is recognised for internal and external audit services received during the 2021–22 reporting period.

Expected credit losses is recognised for movement in allowance for impairment of trade receivables. Refer to [note 5.1](#) Movement in the allowance for impairment of receivables.

Employee on-cost includes workers' compensation insurance and other employment on-costs. The on costs liability associated with the recognition of annual and long service leave liabilities is included at [Note 2.1\(a\) Employee benefit provision](#). Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

Industry Fidelity Claims are paid as a reimbursement to people who suffer pecuniary or property loss through defalcation by a licensee or employee of a real estate agent or settlement agent.

Minor Plant and Equipment: items identified as portable and attractable that do not meet the criteria of an asset are expensed in the year the item is acquired.

Other Expenses: this includes items recorded as prior period expenses and various other minor other miscellaneous expense items.



3. Our funding sources

How we obtain our funding

This section provides additional information about how the department obtains its funding and the relevant accounting policy notes that govern the recognition and measurement of this funding. The primary income received by the department and the relevant notes are:

	Notes
Income from State Government	3.1
User charges and fees and sales	3.2
Interest revenue	3.3
Commonwealth grants and contributions	3.4
Other revenue	3.5
Gains/(Losses)	3.6

3.1 Income from State Government

	2022 \$000	2021 \$000
Appropriation received during the period:		
- Service appropriation	148,443	160,719
Total service appropriation	148,443	160,719
Income received from other public sector entities during the period:		
Digital Capability Fund	4,535	-
Total income from other public sector entities	4,535	-
Resources received free of charge from other public sector entities during the period:		
State Solicitors Office		
- legal services	2,753	2,498
Department of Treasury and Finance		
- accommodation services	658	605
Landgate		
- land dealings, land information, valuation services and products	173	519

	2022 \$000	2021 \$000
Department of Primary Industries and Regional Development		
- to support the Accountable Authority of the Commission to fulfil its statutory obligations	1	35
Department of Water and Environmental Regulation		
- provision of spatial and water information data	-	8
Total resources received	3,585	3,665
State grants and subsidies - Specific Purpose	100	100
Total grants and subsidies	100	100
Royalties for Regions Fund:		
- District allowance	104	205
- Royalties for Regions funding agreement	82	300
Total Royalties for Regions Fund	186	505
Total Income from State Government	156,849	164,989

Service Appropriations are recognised as income at the fair value of consideration received in the period in which the department gains control of the appropriated funds. The department gains control of appropriated funds at the time those funds are deposited in the bank account or credited to the holding account held at Treasury.

Income from other public sector entities are recognised as income when the department has satisfied its performance obligations under the funding agreement. If there is no performance obligation, income will be recognised when the department receives the funds.

Resources received from other public sector entities is recognised as income equivalent to the fair value of assets received, or the fair value of services received that can be reliably determined and which would have been purchased if not donated.

The Regional Infrastructure and Headworks Account, funding agreement and, Regional Community Services Accounts are sub-funds within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas and are recognised as revenue when the department gains control on receipt of the funds.



Summary of consolidated account appropriations

For the year ended 30 June 2022

	2022 Budget \$000	2022 Supplementary Funding \$000	2022 Revised Budget \$000	2022 Actual \$000	2022 Variance \$000
Delivery of Services					
Item 86 Net amount appropriated to deliver services	118,528	6,503	125,031	125,031	–
Service appropriation - Service to industry component	21,910	–	21,910	21,910	–
Amount authorised by other statutes - <i>Salaries and Allowances Act 1975</i>	1,502	–	1,502	1,502	–
Total appropriations provided to deliver services	141,940	6,503	148,443	148,443	–
Administered Transactions					
Item 46 Amount provided for Administered Grants, Subsidies and other transfer payments	126,662	(23,416)	103,246	103,246	–
<i>Item 121 Capital Appropriation</i>	6,592	–	6,592	6,592	–
Total administered transactions	133,254	(23,416)	109,838	109,838	–
Total consolidated account appropriations	275,194	(16,913)	258,281	258,281	–





3.2 User fees and charges and sales

	2022 \$000	2021 \$000
User fees and charges		
Petroleum annual licenses	5,103	5,084
Mining, prospecting and exploration licenses	9,642	10,149
Explosives and dangerous goods licenses and fees	7,387	5,616
Mining Safety Levy	40,920	39,664
Petroleum Safety	3,945	4,258
Mining Rehabilitation Fund	38,235	34,669
WorkSafe	6,627	4,537
EnergySafety	14,920	11,615
Motor Vehicle Dealers and Repairers	2,852	2,534
Consumer Protection	3,073	2,690
Building Commission	26,368	26,296
Rental Accommodation Account	8,664	6,465
Other fees	903	945
Total user fees and charges	168,639	154,522
Sales		
General Sales	40	43
Total sales	40	43
Total user fees and charges and sales	168,679	154,565

User fees and charges

Revenue is recognised at the transaction price when the department transfers control of the services to customers.

Revenue is recognised at a point in time for user fees and charges. The performance obligations for these user fees and charges are satisfied when services have been provided.

Revenue is recognised by reference to the stage of completion of the transaction for relevant services.

Sales

Revenue from the sale of goods and services is recognised at the transaction price when the department transfers control of the goods to customers.

3.3 Interest revenue

	2022 \$000	2021 \$000
Mining Rehabilitation Fund Interest	1,278	694
Other Interest Revenue	644	456
Total interest revenue	1,922	1,150

3.4 Commonwealth grants and contributions

	2022 \$000	2021 \$000
Total grants and other funding contributions	42	-

Recurrent grants are recognised as income when the grants are receivable.

Income from grants to acquire/construct a recognisable non-financial asset to be controlled by the department is recognised when the department satisfies its obligations under the transfer. The department satisfies the obligations under the transfer to construct assets over time as the non-financial assets are being constructed. The department typically satisfies the obligations under the transfer when it achieves milestones specified in the grant agreement and amounts received in advance of obligation satisfaction are reported at [note 5.6](#).

3.5 Other income

	2022 \$000	2021 \$000
Employee contributions	274	414
Miscellaneous revenue	2,929	2,493
Other Revenue - Recoups	1,744	1,497
Total other income	4,947	4,404



Income received by the department from subleasing of right-of-use assets relates to lease payments received from operating leases. The department has leased a number of right-of-use assets from the Government Regional Officer Housing (GROH), which it subleases out to employees at a subsidised rate. Information on the department's leasing arrangements with GROH can be found in [note 2.1\(a\)](#).

3.6 Gains/(Losses) on Disposal

	2022 \$000	2021 \$000
Net proceeds from disposal of non-current assets	30	3

Realised and unrealised gains are usually recognised on a net basis. These include gains arising on the disposal of non-current assets.

4. Key Assets

This section includes information regarding the key assets the department utilises to gain economic benefits or assets the department utilises for economic benefit or service potential or provide service potential. This section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes
Property, plant and equipment	4.1
Intangible assets	4.2
Right-of-use assets	4.3





4.1 Property, plant and equipment

	Land \$000	Buildings \$000	Leasehold Improvements \$000	Furniture, plant, equipment and vehicles \$000	Computer hardware and software \$000	Scientific equipment \$000	Works in Progress \$000	Total \$000
Year ended 30 June 2022								
1 July 2021								
Gross Carrying Amount	71,932	46,010	1,068	12,537	9,566	1,141	1,958	144,212
Accumulated Depreciation	–	(1,231)	(551)	(8,173)	(9,537)	(390)	–	(19,882)
Carrying amount at start of period	71,932	44,779	517	4,364	29	751	1,958	124,330
Additions	–	–	–	193	6	1,146	4,311	5,656
Transfers ^(a)	–	–	–	–	–	–	–	–
Revaluation increments/(decrements)	2,694	4,852	–	–	–	–	–	7,546
Depreciation	–	(1,020)	(107)	(417)	(23)	(121)	–	(1,688)
Carrying amount at 30 June 2022	74,626	48,611	410	4,140	12	1,776	6,269	135,844
Gross carrying amount	74,626	48,611	1,068	12,380	9,272	2,287	6,269	154,514
Accumulated depreciation	–	–	(658)	(8,240)	(9,260)	(511)	–	(18,669)
Accumulated impairment loss	–	–	–	–	–	–	–	–

(a) The Department of Planning, Lands and Heritage (DPLH) is the only department with the power to sell Crown land. The land is transferred to DPLH for sale and the department accounts for the transfer as a distribution to owner.

Initial recognition

Items of property, plant and equipment, costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no cost or significantly less than fair value, the cost is valued at its fair value at the date of acquisition. Items of property, plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of comprehensive income (other than where they form part of a group of similar items which are significant in total).

The cost of a leasehold improvement is capitalised and depreciated over the shorter of the remaining term of the lease or the estimated useful life of the leasehold improvement.



Subsequent measurement

Subsequent to initial recognition of an asset, the revaluation model is used for the measurement of:

- ▶ land; and
- ▶ buildings

Land is carried at fair value.

Buildings are carried at fair value less accumulated depreciation and accumulated impairment losses.

All other property, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Land and buildings are independently valued annually by the Western Australian Land Information Authority (Landgate) and recognised annually to ensure that the carrying amount does not differ materially from the asset's fair value at the end of the reporting period.

Land and buildings were revalued as at 1 July 2021 by the Western Australian Land Information Authority (Landgate). The valuations were performed during the year ended 30 June 2022 and recognised at 30 June 2022. In undertaking the revaluation, fair value was determined by reference to market values for land: \$37,636,000 (2021: \$36,540,000) and buildings: \$29,207,000 (2021: \$27,793,000). For the remaining balance, unobservable (level 3) inputs were used to determine the fair value. As at 30 June 2022, there were no indications of impairment to property, plant and equipment.

Unobservable (level 3) inputs used to determine fair values of property, plant and equipment are

Land:	Fair value for restricted use land is determined by comparison with market evidence for land with low level utility. Relevant comparators of land with low level utility are selected by the Western Australian Land Information Authority (Valuation Services).
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Buildings:	<p><i>Historical cost per square metre floor area (m2)</i></p> <p>The costs of constructing specialised buildings with similar utility are extracted from financial records of the Model Department, then indexed by movements in CPI.</p> <p><i>Consumed economic benefit/obsolescence of asset</i></p> <p>These are estimated by the Western Australian Land Information Authority (Valuation Services).</p>
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Significant assumptions and judgements: The most significant assumptions and judgements in estimating fair value are made in assessing whether to apply the existing use basis to assets and in determining estimated economic life. Professional judgement by the valuer is required where the evidence does not provide a clear distinction between market type assets and existing use assets.

Useful lives

All property, plant and equipment having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits. The exceptions to this rule include assets held for sale, and land.

Depreciation is generally calculated on a straight line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Typical estimated useful lives for the different asset classes for current and prior years are included in the table below:

Asset	Useful Life
Buildings	33 to 50 years
Lease Improvements	10 years
Furniture	5 to 10 years
Office Equipment	3 to 5 years
Computer Servers	3 years
Software ^(a)	3 to 5 years
Scientific Equipment	7 years
Motor Vehicles	3 to 5 years
Plant and Equipment	5 to 25 years



(a) Software that is integral to the operation of related hardware.

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments should be made where appropriate.

Land, which is considered to have an indefinite life, is not depreciated. Depreciation is not recognised in respect of these assets because their service potential has not, in any material sense, been consumed during the reporting period.

Leasehold improvements are depreciated over the shorter of the lease term and their useful lives.

Impairment

Non-financial assets, including items of property, plant and equipment and intangibles are tested for impairment whenever there is an indication that the asset may be impaired. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

Where an asset measured at cost is written down to its recoverable amount, an impairment loss is recognised through profit or loss.

Where a previously revalued asset is written down to its recoverable amount, the loss is recognised as a revaluation decrement through other comprehensive income.

As the department is a not-for-profit entity, the recoverable amount of regularly revalued specialised assets is anticipated to be materially the same as fair value.

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its recoverable amount. However this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

4.2 Intangible assets

	Computer Software \$000	Total \$000
Year ended 30 June 2022		
1 July 2021		
Gross carrying amount	25,716	25,716
Accumulated amortisation	(23,760)	(23,760)
Accumulated impairment losses	–	–
Carrying amount at start of period	1,956	1,956
Additions	–	–
Classification as held for sale	–	–
Impairment losses	–	–
Amortisation expense	(981)	(981)
Carrying amount at 30 June 2022	975	975

Initial recognition

Intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

Acquisition of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$200,000 or more that comply with the recognition criteria as per AASB 138 *Intangible Assets* (as noted above) are capitalised.

Costs incurred below these thresholds are immediately expensed directly to the Statement of comprehensive income.

An internally generated intangible asset arising from development (or from the development phase of an internal project) is recognised if, and only if, all of the following are demonstrated:

- The technical feasibility of completing the intangible asset so that it will be available for use or sale;
- An intention to complete the intangible asset and use or sell it;



- (c) The ability to use or sell the intangible asset;
- (d) The intangible asset will generate probable future economic benefit;
- (e) The availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset; and
- (f) The ability to measure reliably the expenditure attributable to the intangible asset during its development.

Costs incurred in the research phase of a project are immediately expensed.

Subsequent measurement

The cost model is applied for subsequent measurement of intangible assets, requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

Useful Lives

Amortisation of finite life intangible assets is calculated on a straight line basis at rates that allocate the asset's value over its estimated useful life. All intangible assets controlled by the department have a finite useful life and zero residual value. Estimated useful lives are reviewed annually.

The estimated useful lives for each class of intangible asset are:

Asset	Useful Life
Computer Software ^(a)	3 years
Licences	3 years

(a) Software that is not integral to the operation of any related hardware.

Impairment of intangible assets

Intangible assets with finite useful lives are tested for impairment annually or when an indication of impairment is identified. As at 30 June 2022 there were no indications of impairment to intangible assets.

The policy in connection with testing for impairment is outlined in [note 4.1](#)

Licences

Licences have a finite useful life and are carried at cost less accumulated amortisation and accumulated impairment losses.

Development Costs

Research costs are expensed as incurred. Development costs incurred for an individual project are carried forward when the future economic benefits can be reasonably regarded as assured and the total project costs are likely to exceed \$200,000. Other development costs are expensed as incurred.

Computer Software

Software that is an integral part of the related hardware is recognised as part of the tangible asset. Software that is not an integral part of the related hardware is recognised as an intangible asset. Software costing less than \$5,000 is expensed in the year of acquisition.

4.3 Right-of-use assets

	Vehicles \$000	Residential Housing \$000	Total \$000
Carrying amount at beginning of period	2,888	318	3,206
Additions	299	240	539
Impairment Losses	–	–	–
Impairment Losses Reversed	–	–	–
Depreciation	(1,136)	(238)	(1,374)
Net carrying amount as at the end of the period	2,051	320	2,371

The department has leases for vehicles and residential housing. The lease contracts are typically made for fixed periods of 1–10 years with an option to renew the lease after that date.

The department subleases residential housing to employees at a subsidised rate. The department recognises lease payments from operating leases as income on a straight-line basis over the term of the lease.



The department has also entered into a Memorandum of Understanding Agreement with the Department of Finance for the leasing of office accommodation. These are not recognised under AASB 16 because of substitution rights held by the Department of Finance and are accounted for as an expense as incurred.

Initial recognition

At the commencement date of the lease, the department recognises right-of-use assets and a corresponding lease liability for most leases. The right-of-use assets are measured at cost comprising of:

- ▶ the amount of the initial measurement of lease liability;
- ▶ any lease payments made at or before the commencement date less any lease incentives received;
- ▶ any initial direct costs; and
- ▶ restoration costs, including dismantling and removing the underlying asset.

The corresponding lease liabilities in relation to these right-of-use assets have been disclosed in [note 6.2](#).

The department has elected not to recognise right-of-use assets and lease liabilities for short-term leases (with a lease term of 12 months or less) and low value leases (with an underlying value of \$5,000 or less). Lease payments associated with these leases are expensed over a straight-line basis over the lease term.

Subsequent measurement

The cost model is applied for subsequent measurement of right-of-use assets, requiring the asset to be carried at cost less any accumulated depreciation and accumulated impairment losses and adjusted for any re-measurement of lease liability.

Depreciation and impairment of right-of-use assets

Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the underlying assets.

If ownership of the leased asset transfers to the department at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset.

Right-of-use assets are tested for impairment when an indication of impairment is identified. The policy in connection with testing for impairment is outlined in [note 4.1](#).

5. Other assets and liabilities

This section sets out those assets and liabilities that arose from the department's controlled operations and includes other assets utilised for economic benefits and liabilities incurred during normal operations:

	Notes
Receivables	5.1
Amounts receivable for service	5.2
Other assets	5.3
Payables	5.4
Amounts due to the Treasurer	5.5
Revenue received in advance	5.6
Other liabilities	5.7

5.1 Receivables

	2022 \$000	2021 \$000
Current		
Trade receivables	13,854	13,348
Allowance for impairment of trade receivables	(502)	(1,249)
Accrued interest revenue	892	291
GST receivable	1,365	812
Accrued Revenue	2,240	1,864
Total current	17,849	15,066
Total receivables	17,849	15,066

Trade receivables are initially recognised at their transaction price or, for those receivables that contain a significant financing component, at fair value. The department holds the receivables with the objective to collect the contractual cash flows and therefore subsequently measured at amortised cost using the effective interest method, less an allowance for impairment.



The department recognises a loss allowance for expected credit losses (ECLs) on a receivable not held at fair value through profit or loss. The ECLs are based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at the original effective interest rate. Individual receivables are written off when the Agency has no reasonable expectations of recovering the contractual cash flows.

For trade receivables, the department recognises an allowance for ECLs measured at the lifetime expected credit losses at each reporting date. The department has established a provision matrix that is based on its historical credit loss experience, adjusted for forward-looking factors specific to the debtors and the economic environment. Please refer to [note 2.3](#) for the amount of ECLs expensed in this financial year.

5.2 Amounts receivable for services (Holding Account)

	2022 \$000	2021 \$000
Current	914	914
Non-current	38,283	37,306
Total amount receivable for services at end of period	39,197	38,220

Amounts receivable for services represent the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement or payment of leave liability.

The amounts receivable for services are financial assets at amortised cost, and are not considered impaired (i.e. there is no expected credit loss of the Holding Account).

5.3 Other assets

	2022 \$000	2021 \$000
Current		
Prepayments	3,879	3,319
Total current	3,879	3,319
Total other assets at end of period	3,879	3,319

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

5.4 Payables

	2022 \$000	2021 \$000
Current		
Trade payables	4,213	1,764
Other payables	7,538	3,078
Accrued salaries	3,579	2,873
Accrued expenses	–	45
Total current	15,330	7,760
Non-current		
Trust accounts		
Consumer Credit Act (WA)	133	75
Real Estate and Business Agents Supervisory Board	532	526
Total non-current	665	601
Total payables at end of period	15,995	8,361

Payables are recognised at the amounts payable when the department becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value, as settlement is generally within 20 days.



Accrued salaries represent the amount due to staff but unpaid at the end of the reporting period. Accrued salaries are settled within a fortnight of the reporting period end. The department considers the carrying amount of accrued salaries to be equivalent to its fair value.

TI 323 Timely Payment Of Accounts requires payments for goods, services and construction of less than \$1 million and not subject to an exemption, to be paid within 20 days. Payments over \$1 million are required to be settled within 30 calendar days of the receipt of a correctly rendered invoice, or provision of goods or services.

5.5 Amounts due to the Treasurer

	2022 \$000	2021 \$000
Current		
Petroleum and Geothermal Safety Levy	2,000	2,000
Home Buyers Assistance	3,000	–
Total amount due to the Treasurer at end of period	5,000	2,000

The **amount due to the Treasurer** is in respect of a Treasurer's Advance. This amount is payable within 12 months after the reporting period. Although no interest is charged on the outstanding amount, the carrying amount is equivalent to fair value.

5.6 Revenue received in advance

	2022 \$000	2021 \$000
Current		
Licences and fees ^(a)	24,877	22,446
Total Current	24,877	22,446
Total revenue received in advance at end of period	24,877	22,446

(a) Revenue received in advance - Licences and fees are revenues received for multiple year licences. This balance represents the unearned revenue of the multiple year licence, that will be recognised incrementally over the remaining term of the licence.

5.7 Other liabilities

	2022 \$000	2021 \$000
Current		
Unclaimed monies	1,499	1,248
Total Current	1,499	1,248
Non Current		
Government Office Accommodation ^(a)	5,297	5,452
Total Non Current	5,297	5,452
Total other liabilities at end of period	6,796	6,700

Other financial liabilities are recognised initially at fair value, net of transaction costs incurred, and are subsequently measured at amortised cost.

(a) Balance arising from the straight lining of rental expense on government office accommodation (GOA) arrangements being out of scope for AASB 16.





6. Financing

This section sets out the material balances and disclosures associated with the financing and cashflows of the department.

	Notes
Lease liabilities	6.1
Assets pledged as security	6.2
Finance costs	6.3
Cash and cash equivalents	6.4

6.1 Lease liabilities

	2022 \$000	2021 \$000
Not later than one year	938	1,326
Later than one year and not later than five years	1,611	2,052
Later than five years	10	–
	2,559	3,378
Current	938	1,326
Non-current	1,621	
	2,559	1,326

At the commencement date of the lease, the entity recognises lease liabilities measured at the present value of lease payments to be made over the lease term. The lease payments are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, the department uses the incremental borrowing rate provided by Western Australia Treasury Corporation.

Lease payments included by the department as part of the present value calculation of lease liability include:

- ▶ fixed payments (including in-substance fixed payments), less any lease incentives receivable;

- ▶ variable lease payments that depend on an index or a rate initially measured using the index rate or rate as at the commencement date;
- ▶ amounts expected to be payable by the lessee under residual value guarantees;
- ▶ the exercise price of purchase options (where these are reasonably certain to be realised);
- ▶ payments for penalties for terminating a lease, where the lease term reflects the agency exercising an option to terminate the lease; and
- ▶ periods covered by extension or termination options are only included in the lease term by the department if the lease is reasonably certain to be extended (or not terminated).

The interest on the lease liability is recognised in profit or loss over the lease term so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period. Lease liabilities do not include any future changes in variable lease payments (that depend on an index or rate) until they take effect, in which case the lease liability is reassessed and adjusted against the right-of-use asset.

Periods covered by extension or termination options are only included in the lease term by the department if the lease is reasonably certain to be extended (or not terminated).

This section should be read in conjunction with [note 4.2](#).

Subsequent Measurement

Lease liabilities are measured by increasing the carrying amount to reflect interest on the lease liabilities; reducing the carrying amount to reflect the lease payments made; and remeasuring the carrying amount at amortised cost, subject to adjustments to reflect any reassessment or lease modifications.

This section should be read in conjunction with [note 4.3](#).

The department has not received any COVID-19 rent concessions and therefore has made no assessment of whether a concession is a lease modification. This assessment impacts the measurement of the lease liability and AASB 1060 requires additional consequential disclosures.



	2022 \$000	2021 \$000
Lease expenses recognised in the Statement of comprehensive income		
Lease interest expense	97	105
	97	105

6.2 Assets pledged as security

	2022 \$000	2021 \$000
Assets pledged as security		
The carrying amounts of non-current assets pledged as security are:		
Right-of-use asset - vehicles	2,051	2,888
Balance at end of period	2,051	2,888

The department has secured the right-of-use assets against the related lease liabilities. In the event of default, the rights to the leased assets will revert to the lessor.

6.3 Finance Costs

	2022 \$000	2021 \$000
Finance Costs		
Lease interest expense	97	105
Finance costs expensed	97	105

Finance cost includes the interest component of lease liability repayments, interest component of service concession financial liabilities and the increase in financial liabilities and non-employee provisions due to the unwinding of discounts to reflect the passage of time.

6.4 Cash and cash equivalents

	2022 \$000	2021 \$000
Cash and cash equivalents	8,261	4,852
Restricted cash and cash equivalents	464,908	427,182
Balance at end of period	473,169	432,034

	2022 \$000	2021 \$000
Restricted cash and cash equivalents		
Current		
- Current Special Purpose Funds	460,791	424,212
Non-current		
- Accrued salaries suspense account ^(a)	4,117	2,970

(a) Funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year. This account is classified as non-current for 10 out of 11 years.

For the purpose of the statement of cash flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

The accrued salaries suspense account consists of amounts paid annually, from department appropriations for salaries expense, into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.



7. Financial instruments and contingencies

	Notes
Financial instruments	7.1
Contingent assets and liabilities	7.2

7.1 Financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are:

	2022 \$000	2021 \$000
<u>Financial assets</u>		
Cash and cash equivalents	8,261	4,852
Restricted cash and cash equivalents	464,908	427,182
Financial assets at amortised cost ^(a)	55,681	52,474
Total financial assets	528,850	484,508
<u>Financial liabilities</u>		
Financial liabilities measured at amortised cost ^(b)	22,494	11,609
Total financial liability	22,494	11,609

(a) The amount of financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).

(b) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable).

Measurement

All financial assets and liabilities are carried without subsequent remeasurement.

7.2 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the statement of financial position but are disclosed and, if quantifiable, are measured at the best estimate.

Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

7.2.1 Contingent Litigation Assets and Liabilities

The following contingent assets are excluded from the assets included in the financial statements:

Litigation in progress

The department's legal matters reported as having a contingent liability or benefit at the corresponding time in the previous financial year have been reviewed, and where appropriate, updated or removed from consideration. All legal matters commenced on or after July 1, 2021 have been reviewed, and where appropriate, have been included in the report. A materiality factor of **\$65,000** has been adopted.

The department currently has three legal matters in progress, one recognising a potential benefit, and two recognising a potential liability. The contingent liabilities of the department amount to \$160,000, with the contingent benefit amount estimated at being \$3,000,000.

7.2.2 Contingent Fidelity Guarantee Account (FGA) Claims

A total of 15 claims against the Fidelity Guarantee Accounts with a total value of \$1,223,441 consisting of:

- 11 claims against the Real Estate Agents FGA yet to be decided and with a total value of \$1,215,701.
- 4 claims against the Settlement Agents FGA yet to be decided and with a total value of \$7,740.

These figures do not include legal costs or any interest claims. Reasonable legal costs are claimable. Claims for interest are not allowable, as per proceedings in the Supreme Court after the State Administrative Tribunal decided that interest wasn't allowable.



Contaminated sites

Under the *Contaminated Sites Act 2003*, the department is required to report known and suspected contaminated sites to the Department of Water and Environmental Regulation (DWER). In accordance with the Act, DWER classifies these sites on the basis of the risk to human health, the environment and environmental values. Where sites are classified as contaminated – remediation required or possibly contaminated – investigation required, the department may have a liability in respect of investigation or remediation expenses.

Three sites are still identified as known or “suspected” of being “contaminated”. These three sites are still yet to be classified by the Department of Water and Environmental Regulation. The department is unable to assess the likely outcome of the classification process, and accordingly, it is not practicable to estimate the potential financial effect or to identify the uncertainties relating to the amount or timing of any outflows.

Whilst there is no possibility of reimbursement of any future expenses that may be incurred in the remediation of these sites, the department may apply for funding from the Contaminated Sites Management Account (2015) to undertake further investigative work or to meet remediation costs that may be required.



8. Other disclosures

This section includes additional material disclosures required by accounting standards or other pronouncements, for the understanding of this financial report.

	Notes
Events occurring after the end of the reporting period	8.1
Key management personnel	8.2
Related party transactions	8.3
Related bodies	8.4
Affiliated bodies	8.5
Special purpose accounts	8.6
Remuneration of auditors	8.7
Act of Grace (and ex-gratia) payments	8.8
Supplementary financial information	8.9

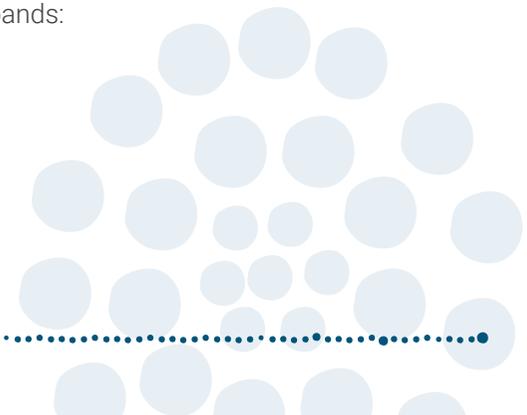
8.1 Events occurring after the end of the reporting period

A Machinery of Government (MoG) merger recognises Energy Policy WA joining the department from July 1 2022.

8.2 Key management personnel

The department has determined key management personnel to include cabinet ministers and senior officers of the department. The department does not incur expenditures to compensate Ministers and those disclosures may be found in the *Annual Report on State Finances*.

The total fees, salaries, superannuation, non-monetary benefits and other benefits for senior officers of the Department for the reporting period are presented within the following bands:





Compensation Band \$	2022	2021
0 to 10,000	1	–
30,001 to 40,000	–	1
60,001 to 70,000	1	1
100,001 to 110,000	–	–
140,001 to 150,000	1	1
150,001 to 160,000	–	–
160,001 to 170,000	1	–
170,001 to 180,000	–	3
180,001 to 190,000	2	5
190,001 to 200,000	7	8
200,001 to 210,000	2	–
210,001 to 220,000	1	1
230,001 to 240,000	1	–
240,001 to 250,000	–	–
250,001 to 260,000	3	3
260,001 to 270,000	1	1
270,001 to 280,000	1	1
340,001 to 350,000	–	–
400,001 to 410,000	–	1
440,001 to 450,000	1	–

	2022 \$000	2021 \$000
Short-term employee benefits	4,616	5,016
Other long-term benefits	108	140
Termination benefits	–	–
Total compensation of senior officers	4,723	5,156

Total compensation includes the superannuation expense incurred by the department in respect of senior officers.

8.3 Related party transactions

The department is a wholly owned public sector entity that is controlled by the State of Western Australia.

Related parties of the department include:

- ▶ all Cabinet ministers and their close family members, and their controlled or jointly controlled entities;
- ▶ all senior officers and their close family members, and their controlled or jointly controlled entities;
- ▶ other agencies and statutory authorities, including related bodies that are included in the whole of government consolidated financial statements (i.e. wholly-owned public sector entities);
- ▶ associates and joint ventures of a wholly-owned public sector entity; and
- ▶ the Government Employees Superannuation Board (GESB).

Material transactions with other related parties

Outside of normal citizen type transactions with the department, there were no other related party transactions that involved key management personnel and/or their close family members and/or their controlled (or jointly controlled) entities.

8.4 Related bodies

The department had no related bodies as defined in the *'Financial Management Act 2006'* and Treasurer's Instruction 951.

8.5 Affiliated bodies

The department has no affiliated bodies.



8.6 Special Purpose Accounts

Controlled Special Purpose Accounts S.16 of <i>Financial Management Act 2006</i>	2022 \$000	2021 \$000
Building Services Account	4,338	6,275
Consumer Credit Act (WA)	5	5
EnergySafety Account	12,504	14,012
Mines Safety Levy	54,907	43,472
Mining Rehabilitation Fund Levy	253,820	219,493
Motor Vehicle Repair (MVR) Industry Compensation Account	173	144
Motor Vehicle Repair (MVR) Industry Education and Research Account	189	157
Petroleum and Geothermal Energy Safety Levy	3,683	4,617
Real Estate - Education and General Purpose Account	3,844	8,612
Real Estate - Fidelity Guarantee Account	45,965	45,988
Real Estate - Home Buyers Assistance Account	3,703	2,836
Real Estate and Business Agents Supervisory Board Trust Account	530	526
Settlement Agents - Education and General Purpose Account	28,525	28,924
Settlement Agents - Fidelity Guarantee Account	47,920	48,381
Royalties for Regions	65	105
State Trading Concerns	620	665
Total controlled special purpose accounts	460,791	424,212

Administered	2022 \$000	2021 \$000
Environmental Called-In Performance Bond Money Fund	5,022	5,116
Special Projects Fund	1,140	979
Total administered special purpose accounts	6,162	6,095

Building Services Account

Holds funds used for the provision of functions and services in accordance with building services acts.

	2022 \$000	2021 \$000
Balance at start of period	6,275	7,575
Add Receipts	27,591	28,012
Less Payments	(29,528)	(29,312)
Balance at end of period	4,338	6,275

Consumer Credit Act (WA)

Holds funds pending distribution in accordance with the *Consumer Credit (WA) Act 1996* or court direction.

	2022 \$000	2021 \$000
Balance at start of period	5	6
Add Receipts	–	–
Less Payments	–	(1)
Balance at end of period	5	5



Energy Safety Account

Holds funds used for the provision of functions and services in accordance with the *Energy Safety Act 2006*.

	2022 \$000	2021 \$000
Balance at start of period	14,012	14,967
Add Receipts	15,711	14,391
Less Payments	(17,219)	(15,346)
Balance at end of period	12,504	14,012

Environmental Called-In Performance Bond Money Fund

The account is to hold called-in performance bond monies received in respect to section 126 of the *Mining Act (1978)*. Funds are to be used to provide for the rehabilitation of mining sites.

	2022 \$000	2021 \$000
Balance at start of period	5,116	5,061
Add Receipts	–	61
Less Payments	(94)	(6)
Balance at end of period	5,022	5,116

Mines Safety Levy

This fund is to hold all levies received from mining companies and is to be applied to the cost of administering the *Mines Safety and Inspection Act 1994*.

	2022 \$000	2021 \$000
Balance at start of period	43,472	27,916
Add Receipts	41,352	41,870
Less Payments	(29,917)	(26,314)
Balance at end of period	54,907	43,472

Mining Rehabilitation Fund Levy

This fund is to hold all levies which are applied to the cost of administering the Mining Rehabilitation Fund Levies for regulatory services under the *Mining Rehabilitation Fund Act 2012*.

	2022 \$000	2021 \$000
Balance at start of period	219,493	185,237
Add Receipts	38,576	36,313
Less Payments	(4,249)	(2,057)
Balance at end of period	253,820	219,493

Motor Vehicle Repair (MVR) Industry Compensation Account

Holds funds used for the Motor Vehicle Repairers Industry in accordance with the *Motor Vehicle Repairers Act 2003*.

	2022 \$000	2021 \$000
Balance at start of period	144	144
Add Receipts	32	–
Less Payments	(3)	–
Balance at end of period	173	144

Motor Vehicle Repair (MVR) Industry Education and Research Account

Holds funds used for the Motor Vehicle Repairers Industry in accordance with the *Motor Vehicle Repairers Act 2003*.

	2022 \$000	2021 \$000
Balance at start of period	157	152
Add Receipts	32	5
Less Payments	–	–
Balance at end of period	189	157



Petroleum and Geothermal Energy Safety Levy

This fund is to hold all levies which are applied to the cost of administering the Petroleum and Geothermal Energy Safety Levies for regulatory services under the *Petroleum and Geothermal Energy Resource Act 1967* (PGERA67) and the *Petroleum Pipelines Act 1969* (PPA69).

	2022 \$000	2021 \$000
Balance at start of period	4,617	4,207
Add Receipts	4,053	4,233
Less Payments	(4,987)	(3,823)
Balance at end of period	3,683	4,617

Real Estate - Education and General Purpose Account

Holds funds used for the operation of the Education and General Purpose Account in accordance with the *Real Estate and Business Agents Act 1978*.

	2022 \$000	2021 \$000
Balance at start of period	8,612	16,083
Add Receipts	5,058	2,111
Less Payments	(9,826)	(9,582)
Balance at end of period	3,844	8,612

Real Estate - Fidelity Guarantee Account

Holds funds used for the operation of the Fidelity Guarantee Account in accordance with the *Real Estate and Business Agents Act 1978*.

	2022 \$000	2021 \$000
Balance at start of period	45,988	46,276
Add Receipts	266	231
Less Payments	(289)	(519)
Balance at end of period	45,965	45,988

Real Estate - Home Buyers Assistance Account

Holds funds used for the operation of the Home Buyers Assistance Account in accordance with the *Real Estate and Business Agents Act 1978*.

	2022 \$000	2021 \$000
Balance at start of period	2,836	8,706
Add Receipts	4,041	164
Less Payments	(3,174)	(6,034)
Balance at end of period	3,703	2,836

Real Estate and Business Agents Supervisory Board Trust Account

Holds funds as a result of legal proceedings and liquidations of agencies in accordance with the Trust Statement.

	2022 \$000	2021 \$000
Balance at start of period	526	529
Add Receipts	4	-
Less Payments	-	(3)
Balance at end of period	530	526

Royalties for Regions

This is a sub-fund within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas.

	2022 \$000	2021 \$000
Balance at start of period	105	99
Add Receipts	103	109
Less Payments	(143)	(103)
Balance at end of period	65	105



Settlement Agents - Education and General Purpose Account

Holds funds used for the operation of the Education and General Purpose Account in accordance with the *Settlement Agents Act 1981*.

	2022 \$000	2021 \$000
Balance at start of period	28,924	29,097
Add Receipts	290	285
Less Payments	(689)	(458)
Balance at end of period	28,525	28,924

Settlement Agents - Fidelity Guarantee Account

Holds funds used for the operation of the Fidelity Guarantee Account in accordance with the *Settlement Agents Act 1981*.

	2022 \$000	2021 \$000
Balance at start of period	48,381	48,169
Add Receipts	220	227
Less Payments	(681)	(15)
Balance at end of period	47,920	48,381

Special Projects Fund

The account was created to hold funds for the purpose of participating in significant projects with other countries, the Commonwealth and the private sector to the mutual benefit of the other participants and the State of Western Australia.

This account includes an agreement between the Commonwealth and the department to carry out inspection services at Christmas Island. With an opening balance of \$215,972, receipts of \$250,318 and payments of \$208,449, the closing balance is \$257,841.

	2022 \$000	2021 \$000
Balance at start of period	979	744
Add Receipts	361	829
Less Payments	(200)	(594)
Balance at end of period	1,140	979

State Trading Concerns

The fund was created under the *State Trading Concerns Act 1916* and controls income received in respect of the provisions of copyright materials and relevant trade mark advertising opportunities or similar arrangements.

	2022 \$000	2021 \$000
Balance at start of period	665	969
Add Receipts	8	3
Less Payments	(53)	(307)
Balance at end of period	620	665

8.7 Remuneration of auditors

Remuneration paid or payable to the Auditor General in respect of the audit for the current financial year is as follows:

	2022 \$000	2021 \$000
Auditing the accounts, financial statements controls, and key performance indicators	288	281



8.8 Act of grace

Act of Grace payments are those payments that are not payable in pursuance of the law or are not payable under a legal liability, approved by the relevant accountable authority.

	2022 \$000	2021 \$000
The Minister	12	25

8.9 Supplementary financial information

(a) Write-offs

During the financial year, \$285,125 (2021: \$160,881) was written off the department's asset register under the authority of:

	2022 \$000	2021 \$000
The Minister	226	-
The Director General	59	161
	<u>285</u>	<u>161</u>

(b) Losses through theft, defaults and other causes

	2022 \$000	2021 \$000
Losses of public moneys and, public and other property through theft or default.	-	-
Amounts recovered.	-	-
	<u>-</u>	<u>-</u>

During the year two Dell laptops were stolen from a DMIRS pool vehicle, parked in a public car park, whilst two staff members were attending Wardens Court. Incident reports were lodged, and the theft reported to WA Police.

9. Explanatory statements

This section explains variations in the financial performance of the department.

	Notes
Explanatory Statement for controlled operations	9.1
Explanatory statement for administered items	<u>9.2</u>

9.1 Explanatory statement (Controlled Operations)

All variances between annual estimates (original budget) and actual results for 2022, and between the actual results for 2022 and 2021 are shown below. Narratives are provided for key major variances which are greater than 10% and 1% of Total Cost of Services for the Statements of Comprehensive Income and Statement of Cash Flows (i.e. 1% of \$302.8m), and are greater than 10% and 1% of Total Assets for the Statement of Financial Position (i.e. 1% of \$673.3m).





9.1.1 Statement of Comprehensive Income Variances

	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Actual 2021 \$000	Variance between estimate and actual \$000	Variance between actual results for 2022 and 2021 \$000
Expenses						
Employee benefits expenses		194,903	183,558	189,405	11,345	(5,847)
Supplies and services	1 A	49,110	71,201	60,619	(22,091)	10,582
Depreciation and amortisation expense		5,581	4,043	4,619	1,538	(576)
Finance costs		215	97	105	118	(8)
Accommodation expenses		20,128	17,113	16,217	3,015	896
Grants and subsidies	2 B	16,636	22,198	18,001	(5,562)	4,197
Other expenses	3	15,536	4,577	5,658	10,959	(1,081)
Total cost of services		302,109	302,787	294,624	(678)	8,163
Income						
<i>Revenue</i>						
User charges and fees		163,296	68,639	154,522	(5,343)	14,117
Sales		855	40	43	815	(3)
Commonwealth Grants received		379	42	–	337	42
Interest revenue		–	1,922	1,150	(1,922)	772
Other income		4,306	4,947	4,404	(641)	543
Total Income		168,836	175,590	160,119	(6,754)	15,471
Gains						
Gain on disposal of non-current assets		–	30	3	(30)	27
Total Gains		–	30	3	(30)	27
Total income other than income from State Government		168,836	175,620	160,122	(6,784)	15,498
NET COST OF SERVICES		(133,273)	(127,167)	(134,502)	6,106	(7,335)



	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Actual 2021 \$000	Variance between estimate and actual \$000	Variance between actual results for 2022 and 2021 \$000
Income from State Government						
Service appropriation		141,940	148,443	160,719	(6,503)	(12,276)
Income from other public sector entities	4	–	4,535	–	(4,535)	4,535
Services received free of charge		2,846	3,585	3,665	(739)	(80)
Other Revenues	5	9,150	100	100	9,050	–
Royalties for Regions Fund		228	186	505	42	(319)
Total income from State Government		154,164	156,849	164,989	(2,685)	(8,140)
SURPLUS/(DEFICIT) FOR THE PERIOD		20,891	29,682	30,487	(8,791)	(805)
OTHER COMPREHENSIVE INCOME						
Items not reclassified subsequently to profit or loss						
Changes in asset revaluation surplus	6 C	–	7,546	944	(7,546)	6,602
Total other comprehensive income		–	7,546	944	(7,546)	6,602
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		20,891.	37,228	31,431	(16,337)	5,797

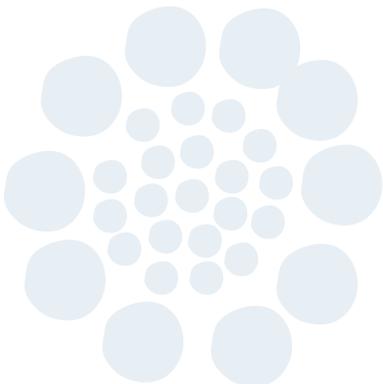


Major estimate and actual (2022) variance narratives

- 1) Supplies and services are over budget by \$22.09m (31.03%) as a result of increased costs for Contractors and Consultants charges due to labour shortages and an increase in labour hire charges as a result of premium amounts paid to hire and retain contractors and an alignment difference between Actuals and Budget.
- 2) Grants and subsidies are over budget by \$5.56m (25.06%) as a result of increased payments made with regards to the Home Buyers Assistance program from increased market conditions.
- 3) Other Expenses is under budget by \$10.96m (239.4%) as a result of Budget alignment, with amounts contained within Supplies and Services. Refer to Point (1) above.
- 4) Income from other public sector agencies is under budget by \$4.5m (100%) as a result of additional funding received after the preparation of the budget and mid-year budget reviews, and reporting difference between budget and actual. Refer to point (5) below.
- 5) Other revenues is under budget by \$9.1m (9,050.0%) as a result of a classification difference between budget and actuals. Actual amounts are reported as Income from other public sector entities. Refer to point (4) above.
- 6) Changes in asset revaluation surplus is over budget by \$7.54m (100%) as a result of significant revaluation upwards of land and buildings held by the Department as a result of current market conditions.

Major actual (2022) and comparative data (2021) variance narratives

- A) Supplies and Services are higher in 2022 than 2021 by \$10.58m (17.46%) as a result of increased Contractors costs as a result of labour shortages within the market. Also refer to Point (1) above.
- B) Grants and subsidies are higher than last year by \$4.19m (23.32%) mainly due to increased Grants provided for the Exploration Incentive Scheme as a part of Government investment initiative.
- C) Changes in Asset revaluation surplus is higher in 2022 compared to 2021 by \$6.6m (87.5%) due to revaluation of land and buildings held by the Department as a result of current market conditions. Refer to Point (6) above.





9.1.2 Statement of financial position variances

	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Actual 2021 \$000	Variance between estimate and actual \$000	Variance between actual results for 2022 and 2021 \$000
ASSETS						
Current Assets						
Cash and cash equivalents		14,926	8,261	4,852	6,665	3,409
Restricted cash and cash equivalents		439,309	460,791	424,212	(21,482)	36,579
Receivables		17,126	17,849	15,066	(723)	2,783
Amount receivable for services		906	914	914	(8)	–
Other current assets		2,929	3,879	3,319	(950)	560
Total Current Assets		475,196	491,694	448,363	(16,498)	43,331
Non current Assets						
Restricted cash and cash equivalents		2,228	4,117	2,970	(1,889)	1,147
Right of use asset		–	2,371	3,206	(2,371)	(835)
Amounts receivable for services		38,291	38,283	37,306	8	977
Property, plant and equipment		130,130	135,844	124,330	(5,714)	11,514
Intangible assets		1,011	975	1,957	36	(982)
Other non-current assets		39	–	–	39	–
Total Non-Current Assets		171,699	181,590	169,769	(9,891)	11,821
TOTAL ASSETS		646,895	673,284	618,132	(26,389)	55,152



	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Actual 2021 \$000	Variance between estimate and actual \$000	Variance between actual results for 2022 and 2021 \$000
LIABILITIES						
Current Liabilities						
Payables	7 D	6,495	15,330	7,760	(8,835)	7,570
Other current liabilities	8	23,973	1,499	1,248	22,474	251
Revenue received in advance	9	–	24,877	22,446	(24,877)	2,431
Amount due to Treasurer		–	5,000	2,000	(5,000)	3 000
Employee provisions		44,188	39,656	41,617	4,532	(1,961)
Lease liabilities		3,244	938	1,326	2,306	(388)
Total Current Liabilities		77,900	87,300	76,397	(9,400)	10,903
Non-Current Liabilities						
Payables		–	665	601	(665)	64
Employee provisions		8,120	6,872	8,475	1,248	(1,603)
Lease liabilities		1,464	1,621	2,052	(157)	(431)
Other non-current liabilities		5,882	5,297	5,452	585	(155)
Total Non-Current Liabilities		15,466	14,455	16,580	1,011	(2,125)
TOTAL LIABILITIES		93,366	101,755	92,977	(8,389)	8,778
NET ASSETS		553,529	571,529	525,155	(18,000)	46,374
EQUITY						
Contributed equity		244,485	248,312	239,166	(3,827)	9,146
Reserves		107,524	112,509	104,963	(4,985)	7,546
Accumulated surplus/(deficit)	E	201,520	210,708	181,026	(9,188)	29,682
TOTAL EQUITY		553,529	571,529	525,155	(18,000)	46,374



Major estimate and actual (2022) variance narratives

- 7) Payables is over budget by \$8.8m (57.6%) as a result of invoices remaining unpaid as at 30 June 2022. Of this balance, three invoices totalling \$5.5m remain unpaid as at 30 June 2022.
- 8) Current Liabilities are under budget by \$22.5m (1,499.3%) due to classification difference between Actuals and Budget of Revenue Received in Advance. Refer to Point 9 below.
- 9) Revenue Received in Advance is over budget by \$24.9m (100%) due to a classification difference between Actuals and Budget of Revenue Received in Advance. Refer to Point 8 above.

Major actual (2022) and comparative data (2021) variance narratives

- D) Payables has increased in 2022 compared to 2021 by \$7.57m (49.4%) as a result of unpaid invoices as at 30 June 2022. Refer to Point (7) above.
- E) Accumulated surplus is higher in 2022 when compared to 2021 by \$29.68m (16.4%) as a result of increased collections of the department revenue.





9.1.3 Statement of cash flows variances

	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Actual 2021 \$000	Variance between estimate and actual \$000	Variance between actual results for 2022 and 2021 \$000
CASH FLOWS FROM STATE GOVERNMENT						
Service appropriation		140,049	151,087	158,521	(11,038)	(7,434)
Capital appropriations	E	6,592	6,592	3,530	–	3,062
Other contributions by owners		–	2,554	–	(2,554)	2,554
Holding account drawdown		914	914	914	–	–
Royalties for Regions Fund		228	186	505	42	(319)
Net cash provided by State Government		147,783	161,333	163,470	(13,550)	(2,137)
CASH FLOWS FROM OPERATING ACTIVITIES						
Payments						
Employee benefits		(195,151)	(185,534)	(186,149)	(9,617)	615
Supplies and services	10	(45,474)	(55,659)	(56,018)	10,185	359
Accommodation		(20,058)	(18,942)	(17,912)	(1,116)	(1,030)
Grants and subsidies	11 G	(16,636)	(22,198)	(18,001)	5,562	(4,197)
Other payments	12	(16,491)	(7,712)	(6,209)	(8,779)	(1,503)
GST payments on purchases	13	(7,507)	(15,237)	(13,119)	7,730	(2,118)
Finance costs		(215)	–	–	(215)	–
Sale of goods and services		1,248	64	67	1,184	(3)
User charges and fees		163,296	160,035	152,059	3,261	7,976
Grants and contributions		379	–	100	379	(100)
GST receipts on sales		7,507	4,959	5,150	2,548	(191)
GST receipts from ATO	14	–	9,725	7,969	(9,725)	1,756
Other receipts	15 H	3,782	14,313	10,664	(10,531)	3,649
Net cash provided by/(used in) operating activities		(125,320)	(116,186)	(121,399)	(9,134)	5,213



	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Actual 2021 \$000	Variance between estimate and actual \$000	Variance between actual results for 2022 and 2021 \$000
CASH FLOWS FROM INVESTING ACTIVITIES						
Payments						
Proceeds from sale of non-current assets		–	2	–	(2)	2
Receipts						
Purchase of non-current physical assets		(7,542)	(2,984)	(2,835)	(4,558)	(149)
Net cash provided by/(used in) investing activities		(7,542)	(2,982)	(2,835)	(4,560)	(147)
CASH FLOWS FROM FINANCING ACTIVITIES						
Payments						
Right of use lease liability payment		(1,567)	(4,030)	(1,438)	2,463	(2,592)
Receipts						
Proceeds from borrowings	1	–	3,000	–	(3,000)	3,000
Net cash provided by/(used in) financing activities		(1,567)	(1,030)	(1,438)	(537)	408
Net increase/(decrease) in cash and cash equivalents		22,162	41,135	37,798	(18,973)	3,337
Cash balances transferred in		–	–	–	–	–
Cash balances transferred out		–	–	–	–	–
Cash and cash equivalents at the beginning of the period		434,301	432,034	394,236	2,267	37,798
Cash and cash equivalents at the end of the period		456,463	473,169	432,034	(16,706)	41,135

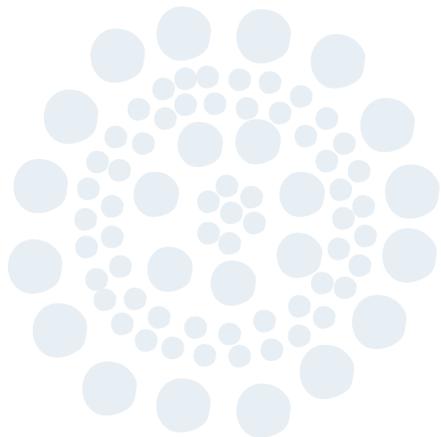


Major estimate and actual (2022) variance narratives

- 10) Supplies and services is over budget by \$10.18m (22.4%) due to increased costs for labour hire and consultant and contractor expense as a result of market conditions and having to pay a premium for services.
- 11) Grants and subsidies payments are over budget by \$5.6m (33.43%) as a result of increased payments made with regards to the Home Buyers Assistance program from increased market conditions. Refer to point (2) above.
- 12) Other payments is under budget by \$8.8m (53.24%) due to a classification difference between actuals and budgets. Budget amounts aligned to Supplies and Services. Refer to points (3) and (4) above.
- 13) GST payments on purchases is over budget \$7.7m (102.97%) due to a classification difference between Budgets and Actuals where GST amounts have been netted for Budget purposes. Refer to Point (14) below.
- 14) GST receipts from ATO is over budget by \$9.7m (100%) as a result of a classification difference between budgets and actuals. Refer point (13) above.
- 15) Other receipts is over budget by \$10.5m (278.45%) due to an increase in Service Delivery Agreement collections as a result of the Department administering the Special Purpose accounts.

Major actual (2022) and comparative data (2021) variance narratives

- F) Capital appropriations has increased by \$3.1m (46.4%) in 2022 when compared to 2021 as a result of additional funding mainly for the Customer Identity Access Management program.
- G) Grants and subsidies are higher in 2022 when compared to 2021 by \$4.19 (23.32%) as a result of increased payments made with regards to the Home Buyers Assistance program from increased market conditions. Refer to points (2) and (11) above.
- H) Other receipts are higher by \$3.6m (25.5%) in 2022 when compared to 2021 as a result of an increase in Service Delivery Agreement collections as a result of the Department administering the Special Purpose accounts. Refer to point (15) above.
- I) Proceeds from borrowings has increased by \$3.0m (100%) in 2022 when compared to 2021 as a result of a payment made from Department of Treasury to enable payment of a backlog of eligible Home Buyers Assistance Account (HBAA) grant applications made by first home buyers and anticipated grant applications to 31 December 2022.





9.2 Explanatory statement for administered items

All variances between annual estimates and actual results for 2022, and between the actual results for 2022 and 2021 are shown below. Narratives are provided for key major variances which vary by more than 10% from their comparative and that the variation is more than 1% of Total Administered Income budgeted for the year (i.e. 1% of \$269.7m).

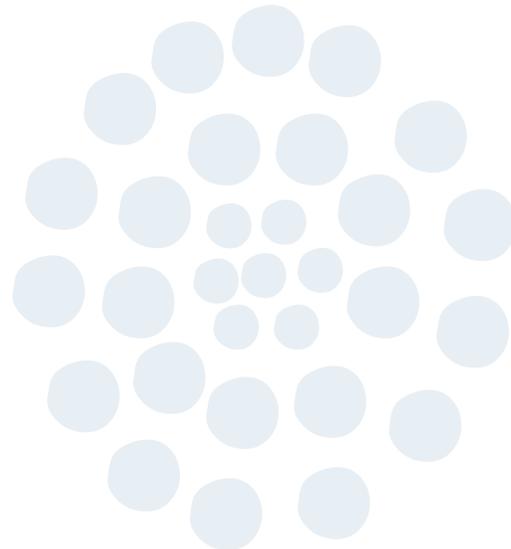
As a result of a Machinery of Government change the Royalty collection and administration function has transferred to the Department of Finance. Please refer to the explanatory notes below.

	Variance Note	Estimate 2022 \$000	Actual 2022 \$000	Actual 2021 \$000	Variance between estimate and actual \$000	Variance between actual results for 2022 and 2021 \$000
INCOME FROM ADMINISTERED ITEMS						
Income						
For transfer:						
Mining Rentals	1 A	115,323	184,777	12,312,935	(69,454)	(12,128,157)
Regulatory fees		254	89	160	165	(71)
Commonwealth Grants		–	236	261	(236)	(25)
Appropriations	2 B	126,662	103,246	134,809	23,416	(31,563)
Other revenue		27,462	27,537	31,077	(75)	(3,540)
Total administered income		269,701	315,885	12,479,242	(46,184)	(12,163,357)
Expenses						
Refunds of previous years' revenue	3 C	1,960	40,335	22,269	(38,375)	18,066
Services and contracts	4 D	125,362	41,972	27,880	83,390	14,092
Receipts paid into Consolidated Account	5 E	116,591	181,266	10,752,882	(64,675)	(10,571,616)
Grants and subsidies	E	29,315	30,013	104,582	(698)	(74,569)
Total administered expenses		273,228	293,586	10,907,613	(20,358)	(10,614,027)



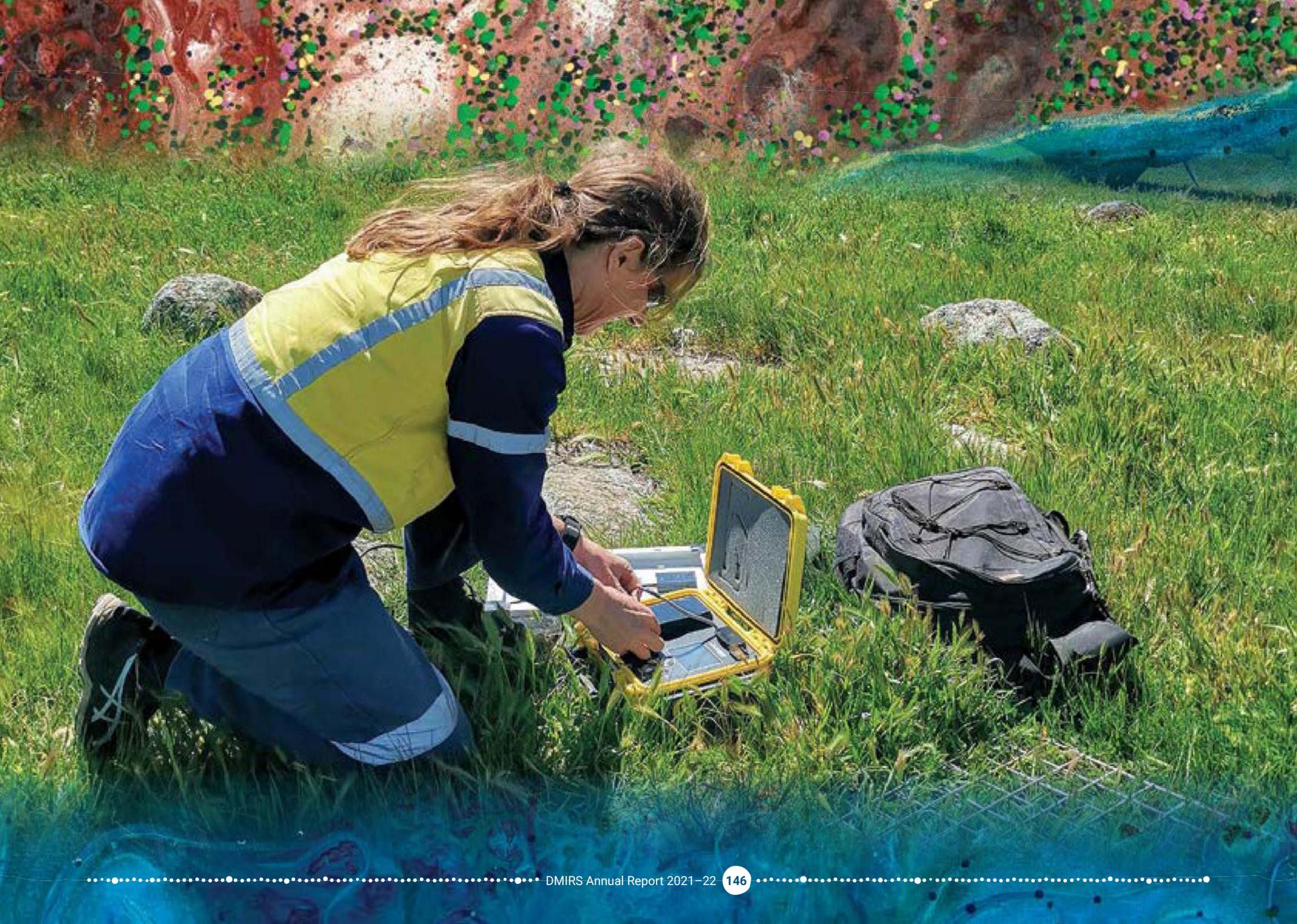
Major estimate and actual (2022) variance narratives

- 1) Mining Tenement Rentals are over budget by \$69.45m(37.6%) due to the area under tenure increasing by 100,000 km², applications increasing by 20% and the rate increasing by 10%. Actuals remain 20% above target even after allowing for the Budget increase as part of Treasury's mid-year review.
- 2) Appropriations are under budget by \$23.4m (22.7%) as a result of decreased price for iron ore from its record high earlier in the year. As a result of this decrease in price, this has seen a reduction in the Iron Ore Financial Assistance paid to suppliers which has seen a reduction in appropriations received.
- 3) Refunds of previous years' revenue is over budget by \$38.4m (95.1%) because of a classification difference between budgets and actuals.
- 4) Services and contracts expense is under budget by \$83.39m (198.68%) as alignment differences between budget and actual as per point (4) above, and reduced payments made for the Iron Ore Financial Assistance program as a result of a reduction in Iron Ore prices, and the subsequent reduced royalty collections.
- 5) Receipts paid into consolidated is over budget by \$64.67m (35.7%) as a result of increased collections paid to Treasury for Mining Tenement Rentals. Refer to Point (1) above.



Major actual (2022) and comparative data (2021) variance narratives

- A) Mining Rentals have decreased by \$12.1b (6,563.7%) in 2022 when compared to 2021 as a result of a Machinery of Government change that has transferred the Royalty collection and administration function to the Department of Finance. For comparability purposes, Royalty collection data for all years is reflected in the Department of Finance Budget Statements.
- B) Appropriations have decreased in 2022 when compared to 2021 by \$31.6m (23.41%) as a result of decreased price for iron ore from its record high in 2021. As a result of this decrease in price, this has seen a reduction in the Iron Ore Financial Assistance paid to suppliers which has seen a reduction in appropriations received.
- C) Refunds of prior years revenue has increased by \$18.1m (81.13%) in 2022 when compared to 2021 as a result of increased Royalty rebates paid to producers from higher iron ore prices in the previous financial year.
- D) Services and contracts is higher in 2022 when compared to 2021 by \$14.09m (50.54%) as a result of increased Service Agreement payments from a recalculation undertaken in FY2022.
- E) Receipts paid into consolidated has reduced by \$10.6b (5,773%) via a Machinery of Government change which transferred the Royalty collection and administration function to the Department of Finance. For comparability purposes, Royalty collection data for all years is reflected in the Department of Finance Budget Statements.
- F) Grants and subsidies expenses has decreased in 2022 by \$74.6m (71.3%) when compared to 2021 as a result of a reduction of amounts provided for the Koolyanobbing Mine Financial Assistance Program. This is as a result of lower royalties payments made, which is because of the lower iron ore prices which is partially offset by lower exchange rates.





Appendix

Appendix

Terminology

Acronym/term	Description
3D	Three dimensional
ABC	Australian Broadcasting Corporation
ACCC	Australian Competition and Consumer Commission
ACL	Australian Consumer Law
ACRP	Agency Capability Review Program
AEDM	Accountable and Ethical Decision Making
AEM	Airborne Electromagnetic
AFL	Australian Football League
AIBS	Australian Institute of Building Surveyors
AMR	Automatic Mutual Recognition
AS/NZS	Australian Standard/ New Zealand Standard
BBQ	Barbecue
CaLD	Culturally and Linguistically Diverse
CALS	Complaints and Licensing System
CEO	Chief Executive Officer
CMS	Complaints Management System
COI	Conflict of Interest
COVID-19	Refers to the COVID-19 pandemic
DAIP	Disability Access and Inclusion Plan
DBCA	Department of Biodiversity, Conservation and Attractions
DFES	Department of Fire and Emergency Services
DGov	Office of Digital Government

Acronym/term	Description
DLGSC	Department of Local Government, Sport and Cultural Industries
DLPH	Department of Lands, Planning and Heritage
DMIRS	Department of Mines, Industry Regulation and Safety
DMS	Document Management System
DoE	Department of Education
DoT	Department of Transport
DPC	Department of Premier and Cabinet
DPIRD	Department of Primary Industries and Regional Development
DWER	Department of Water and Environmental Regulation
EEO	Equal Employment Opportunity
EIS	Exploration Incentive Scheme
FIFO	Fly-in, Fly-out
First Nations Australians	
Aboriginal	Aboriginal, Aboriginal and Torres Strait Islanders and First Nations Australians have been used interchangeably throughout the report
Aboriginal and Torres Strait Islanders	
Islanders	
FTE	Full Time Equivalent (relates to staffing)
GST	Goods and Services Tax
GSWA	Geological Survey Western Australia
HRWL	High-risk Work Licence

Acronym/term	Description
HSC	Health and Safety Committee
HSR	Health and Safety Representative
ICT	Information Communication Technology
ILO	International Labour Organization
IMS	Information Management Services
IR Act	Industrial Relations Act
IRLA	Industrial Relations Legislation Amendment
ISSN	International Standard Serial Number
JTSI	Department of Jobs, Tourism, Science and Innovation
kg	Kilogram
KM	Kilometer
KPI	Key Performance Indicators
LCC27	Leisure Cylinder Connection 27
LPG	Liquefied petroleum gas
LTI/D	Refers to lost time injury or disease
MARS	Mental Awareness, Respect and Safety
MHW	Mentally Healthy Workplaces
MS&I Act	Mines, Safety and Inspection Act
MyPD	My Performance and Development
NAIDOC	National Aborigines and Islanders Day Observance Committee
NCC	National Construction Code
NDIS	National Disability Insurance Scheme
OBM	Outcome Based Management
OSH	Occupational Safety and Health

Acronym/term	Description
PCBU	A person conducting a business or undertaking The meaning of a PCBU is set out in section 5 of the WHS Act. This is a broad concept used to capture all types of modern working arrangements. A PCBU conducts a business or undertaking alone or with others. The business or undertaking can operate for-profit or not-for-profit.
PCH	Perth Children's Hospital
POL	Originally for Prest-O-Lite – gas connection fitting
PSC	Public Sector Commission
PTERS	Potentially Traumatic Event Response Support
PV	Photovoltaics (electricity from the energy of the sun)
QR code	Quick Response code
RAP	Reconciliation Action Plan
RCD	Residual Current Device
SAT	State Administrative Tribunal
TAFE	Technical and Further Education
TRAC	Total Recordkeeping Awareness Course
WA	Western Australia
WAH	Work At Home
WAIR	Western Australian Industrial Relations Commission
WHS	Work Health and Safety
WHSMS	Work Health and Safety Management System
WOW	Working on Wellness



Supporting documentation

Links to publically available information, publications, websites and other supporting documents mentioned in the Annual Report. Please note that this is not an exhaustive list. For more on our publicly available information visit the DMIRS [website](#).

Document / Webpage	Hyperlink
AusPASS link	AusPass homepage
Building Compliance and Audit Strategy	Building and Energy – Building Compliance Audit Strategy 2021–24 Department of Mines, Industry Regulation and Safety (www.dmirswa.gov.au)
Code of practice: aquatic facilities January 2020	Code of practice for the design construction operation management and maintenance of aquatic facilities - January 2020 (www.health.wa.gov.au)
Codes of Practice: Work Health and Safety Commission 2022 updates	Approved codes of practice Department of Mines, Industry Regulation and Safety (www.dmirswa.gov.au)
Court outcomes - Public access to court documentation	eCourtsPortal (www.ecourts.justice.wa.gov.au)
Department of Communities: Housing Authority Review Public Sector Commission June 2020	Department of Communities: Housing Authority Review, EY Report (www.communities.wa.gov.au)
DMIRS licensing performance reports	DMIRS licensing performance Department of Mines, Industry Regulation and Safety (www.dmirswa.gov.au)
Drainage plumbers diagrams	Flow chart for plumbing or drainage performance solutions (www.dmirswa.gov.au)

Document / Webpage	Hyperlink
FuelWatch	FuelWatch (www.fuelwatch.wa.gov.au)
GECKO Award	Golden Gecko Awards previous winners (www.dmp.wa.gov.au)
Gendered violence: Notification of sexual harassment and/or assault to WorkSafe Mines Safety	Notify Sexual Harassment (www.dmp.wa.gov.au)
Good governance for public sector agencies	Good governance for public sector agencies (www.wa.gov.au)
Information Sheets: Gendered violence	Violence and aggression Department of Mines, Industry Regulation and Safety (www.dmirswa.gov.au)
Integrity in financial management: Self-assessment checklist	Integrity in financial management: Self-assessment checklist (www.wa.gov.au)
Safe Work Australia	www.safeworkaustralia.gov.au
Solar energy storage recall	Consumers urged to check solar energy storage batteries due to fire risk ACCC (www.accc.gov.au)
Work Safety Month	Events Department of Mines, Industry Regulation and Safety (www.dmirswa.gov.au)



Act specific reporting

The department is required by some of the Acts that it administers to report details in the annual report concerning the performance of functions under that Act.

Please note, some figures relating to ongoing complaints, investigations or inquiries for the start of the current financial year (2021–22), differ slightly to the ongoing figures for the end of the previous financial year (2020–21) provided within the department's 2020–21 Annual Report. This is due to the data within the Complaints and Licensing System (CALs) and the Compliance Management System (CMS) used by the department being dynamic in nature. As a result, details and classifications of certain types of complaints, investigations or inquiries may change as further information is obtained. These updates and potential reclassification can result in different 'ongoing' figures depending on when the reporting is run from our systems. Investigations may have multiple outcomes which may occur prior to the investigation being completed. As a result, the outcome total may not be consistent with the number of investigations undertaken.

Credit (Administration) Act 1984

Regulation of consumer credit was referred to the Commonwealth pursuant to the *Credit (Commonwealth Powers) Act 2010* (WA). The *Credit (Administration) Act 1984* has not been repealed, but the department no longer carries out any regulatory operations in respect of it.

<i>Debt Collectors Licensing Act 1964</i>		<i>Employment Agents Act 1976</i>		<i>Land Valuers Licensing Act 1978</i>	
a) The number, nature and outcomes of:					
i) Investigations and inquiries undertaken by, or by the direction of, the Commissioner for the purposes of this Act.					
Outstanding as at 1 July 2021	1	Outstanding as at 1 July 2021	2	Outstanding as at 1 July 2021	1
Alleged unlicensed activities	1	Alleged unlicensed activities	1	Valuation practices	1
General compliance issues	0	General compliance issues	1	Licensing issues	0
		Conciliations	0	Issues with fees and charges	0
Commenced 2021–22	2	Commenced 2021–22	8	Commenced 2021–22	5
Alleged unlicensed activities	0	Alleged unlicensed activities	6	Valuation practices	4
General compliance issues	0	General compliance issues	1	Licensing issues	1
Conciliations	0	Conciliations	1	Issues with fees and charges	0
Concluded 2021–22	2	Concluded 2021–22	6	Concluded 2021–22	5
Alleged unlicensed activities	0	Alleged unlicensed activities	4	Valuation practices	5
General compliance issues	0	General compliance issues	1	Licensing issues	0
Conciliations	2	Conciliations	1	Issues with fees and charges	0



<i>Debt Collectors Licensing Act 1964</i>		<i>Employment Agents Act 1976</i>		<i>Land Valuers Licensing Act 1978</i>	
Outcomes	2	Outcomes	6	Outcomes	5
Complaint referred to another body	2	Education, advice or information provided	3	No Offence Detected	2
		Admin Warning Accepted	1	No Commerce Jurisdiction advice given/ Referred to other Agency	1
		No public interest	1	Brief Completed - SAT Proceedings	1
		No offence identified	1	Sufficient evidence - Consumer did not accept resolution	1
ii) matters that have been brought before the State Administrative Tribunal (SAT).					
No matters were brought before the SAT.		No matters were brought before the SAT.		One matter is currently before the SAT and has not been finalised.	
b) the number and nature of matters referred to in paragraph (a) that are outstanding					
There was one matter outstanding as at 1 July 2022, related to alleged unlicensed collection activities.		There were four matters outstanding as at 1 July 2022, with three of those matters relating to alleged unlicensed activities and one relating to an alleged breach of the Australian Consumer Law in relation to the service.		One matter currently subject to ongoing investigation in relation to unlicensed activity.	
c) any trends or special problems that may have emerged					
There were no trends or special problems that emerged this financial year.					
d) forecasts of the workload of the Commissioner in performing functions under this Act in the year after to which this report relates					
There are no changes anticipated.		The workload is expected to remain consistent as more traders continue to move to alternative business models, such as labour hire businesses, that are not captured under the Act.		There are no changes anticipated.	
e) any proposals for improving the performance of the Commissioner's functions under this Act					
There were no recommendations for improving the performance of the Commissioner's functions.		The proposals to amend the <i>Employment Agents Act 1976</i> have been endorsed by the former Minister for Commerce, however this issue is not one of the government's legislative priorities at this time.		There were no recommendations for improving the performance of the Commissioner's functions.	



Real Estate and Business Agents Act 1978

a) The number, nature and outcome of:

- i) Investigations and inquiries undertaken by, or by the direction of, the Commissioner for the purposes of this Act.

Outstanding as at 1 July 2021	209
General compliance	155
Financial compliance	54
Commenced 2021–22	813
General compliance	501
Financial compliance	312
Concluded 2021–22	903
General compliance	576
Financial compliance	327
Investigations Outcomes	903
Education, advice or information given	471
No Offence Detected	172
Admin Warning Accepted	56
Complaint lapsed or withdrawn	40
No Commerce Jurisdiction advice given/Referred to other Agency	39
No Action Taken - Other Reason	25
Referred for Investigation	15
CP Policy Reason	14
Infringement Notice Withdrawn	9
Referred to Other	9
Fidelity Claim Approved	8
Brief Completed - SAT Proceedings	5
Other Outcomes	40

Real Estate and Business Agents Act 1978

- ii) matters that have been brought before the State Administrative Tribunal (SAT).

SAT Outcome **2**

Reprimanded and fined.

Failed to exercise due skill, care, and diligence by failing to pay the Bond Administrator amounts received in respect of three bonds.

The respondent made unauthorised withdrawals from the trust account.

- iii) matters that have been dealt with through the conciliation process.

Outstanding as at 1 July 2021 **4**

Commenced 2021–22 **76**

Landlord enquiry 25

Rental bonds 8

Failure to act in the best interests of the principal 6

Rights/responsibility NEC 4

Tenant enquiry 3

Other Practice Code 30

Concluded 2021–22 **77**

Landlord enquiry 25

Rental bonds 8

Failure to act in the best interests of the principal 6

Contracts non-adherence to terms of contract 4

Property Management 4

Other Practice Code 30

Conciliation outcomes **77**

Real Estate and Business Agents Act 1978

Agreement reached to settle	27
Education, advice or information given	17
Complaint referred to another body	12
Complaint lapsed or withdrawn	5
Sufficient evidence - Consumer did not accept resolution	5
Other Outcomes	11
b) the number and nature of matters referred to in paragraph (a) that are outstanding	
Investigation matters outstanding at 1 July 2022	119
Trust Account – Misappropriation	17
Unlicensed activity – Unlicensed	14
Property Management – Other	11
Obtaining and providing information – Failure to disclose pertinent facts	6
Other Dispute Cause	57
Trust Account – Bank reconciliation completed incorrectly	7
Property Management – Failure to inspect	7
Conciliation Matters outstanding at 1 July 2022	3
Other - Unreasonable delay by a trader	1
Property Management - Other	1
Authority to Act - No written authority	1
c) any trends or special problems that may have emerged	
There were no trends or special problems identified.	
d) forecasts of the workload of the Commissioner in performing functions under this Act in the year after to which this report relates	
There are no changes anticipated.	
e) any proposals for improving the performance of the Commissioner’s functions under this Act	
There were no recommendations for improving the performance of the Commissioner’s functions.	





Motor Vehicle Dealers Act 1973

a) The number, nature and outcomes of:

- i) Investigations and inquiries undertaken by, or by the direction of, the Commissioner for the purposes of this Act.

Outstanding as at 1 July 2021	247
Alleged unlicensed activities	43
General compliance issues	41
Inquiries	163
Commenced 2021–22	1,798
Alleged unlicensed activities	41
General compliance issues	103
Inquiries	1,654
Concluded 2021–22	1,611
Alleged unlicensed activities	58
General compliance issues	104
Inquiries	1,449
Investigation Outcomes	162
Education, advice or information given	46
Corrective Advice Accepted	43
No Offence Detected	20
No Action Taken - Insufficient/Conflicting evidence	13
Admin Warning Accepted	12
No Action Taken - Other Reason	10
Referred for Investigation	6
Prosecution Action Approved	3
No Offence Identified in Complaint	2
Referred to Other	2
No public interest	1
Complaint lapsed or withdrawn	1
Brief Completed - Prosecution Action	1

Motor Vehicle Dealers Act 1973

Agreement reached to settle 1

No attempt to conciliate - referred to Other agency 1

Inquiry Outcomes 1,449

Agreement reached to settle 495

Complaint lapsed or withdrawn 249

Complaint referred to another body 154

Education, advice or information given 140

Conflicting evidence - Both parties did not accept resolution 88

Sufficient evidence - Consumer did not accept resolution 81

Conflicting evidence - Trader did not accept resolution 58

Sufficient evidence - Trader did not accept resolution 49

Conflicting evidence - Consumer did not accept resolution 49

CP policy reason 34

Trader not responding to CP 31

Information provided for record purposes only 15

Unable to locate trader 4

Trader in liquidation 2

- ii) matters that have been brought before the State Administrative Tribunal (SAT).

No matters have been brought before the SAT.

b) the number and nature of matters referred to in paragraph (a) that are outstanding

Investigation matters outstanding as at 1 July 2022 65

General breach of legislation of regulation 40

Unlicensed activity 25

Inquiry matters outstanding as at 1 July 2022 368

Motor Vehicle Dealers Act 1973

Dispute cause unavailable as at 1 July 2022	318
Dispute about the extent of the problem	12
On amount or type of redress	8
Poor communication between trader and consumer	6
Contractual dispute about the meaning of the terms and conditions	5
Trader did not acknowledge that problem exists	4
Unreasonable delay by a trader	4
Dispute - Workmanship and Contractual	4
Unreasonable expectation by consumer	3
Dispute - Workmanship	2
Dispute - Contractual	1
Advertising and marketing - Fees and Charges	1

c) any trends or special problems that may have emerged

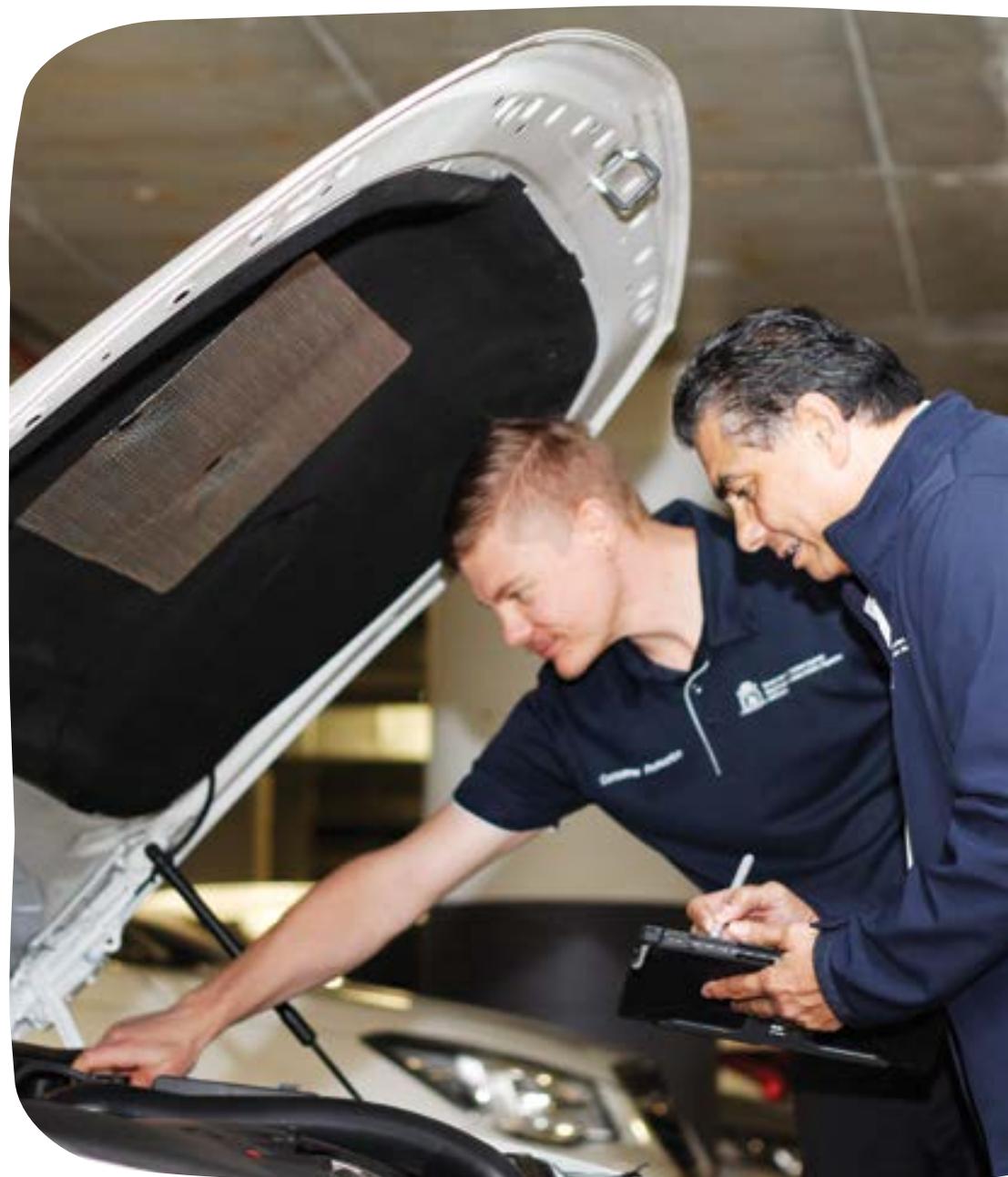
Increased consumer demand for vehicles has resulted in increases in sales of second-hand vehicles, some of which have not been of acceptable quality or have had odometers wound back. Consumer Protection has taken action in these matters.

d) forecasts of the workload of the Commissioner in performing functions under this Act in the year after to which this report relates

The workload should remain consistent for the 2022–23 financial year with the focus continuing on consignment selling, unlicensed motor vehicle dealing, odometer tampering, un-roadworthy vehicles and pre-estimated liquidated damages.

e) any proposals for improving the performance of the Commissioner's functions under this Act

The Department is intending to increase proactive compliance activities over the next 12 months to pre COVID-19 levels.





Settlement Agents Act 1981

a) The number, nature and outcomes of:

i) Investigations and inquiries undertaken by, or by the direction of, the Commissioner for the purposes of this Act.	
Outstanding as at 1 July 2021	13
General compliance	11
Financial compliance	2
Inquiries	0
Commenced 2021–22	103
General compliance	51
Financial compliance	49
Inquiries	6
Concluded 2021–22	109
General compliance	56
Financial compliance	47
Inquiries	6
Outcomes	109
Education, advice or information given	57
No Offence Detected	25
Complaint lapsed or withdrawn	6
Admin Warning Accepted	5
No Action Taken - Other Reason	4
Agreement reached to settle	3
No Commerce Jurisdiction advice given/Referred to other Agency	3
Brief Completed - Prosecution Action	1
Fidelity Claim Approved	1
Licence Surrendered/Lapsed	1

Settlement Agents Act 1981

Matter has had order, judgment or other finding made	1
No Offence Identified in Complaint	1
Referred for Compliance Check	1
ii) matters that have been brought before the State Administrative Tribunal (SAT).	
One matter was brought before the SAT regarding the appointment of a supervisor and the failure of the Director of the company and person in bona fide control to properly supervise.	
b) The number, nature and outcomes of:	
Outstanding at 1 July 2022	10
Trust Account - Misappropriation	4
General breach of legislation or regulation - General breach not specified	2
Authority to Act - Failure to act in accordance with instructions	1
Trust Account - Unauthorised payment of monies	1
Unlicensed activity - Unlicensed	1
Industry Complaint - Competition between agents	1
c) any trends or special problems that may have emerged	
Trust account issues and qualified audits continue to be the dominant issue for settlement agents.	
d) forecasts of the workload of the Commissioner in performing functions under this Act in the year after to which this report relates	
There are no changes anticipated.	
e) any proposals for improving the performance of the Commissioner's functions under this Act	
There were no recommendations for improving the performance of the Commissioner's functions.	



Plumbers Licensing Act 1995

a) The number, nature and outcomes of:

- i) investigations and inquiries undertaken by, or by the direction of, the Plumber's Licensing Board (the Board) for the purposes of this Act.

Outstanding as at 1 July 2021	80
Investigation	80
Commenced 2021–22	245
Investigation	245
Concluded 2021–22	278
Investigation	278
Outcomes	332
Completed – no action required	31
Dealt with by Board – fine penalty	5
Education Letter – education/advice	6
Further Investigation Required	2
Infringement – Issue	34
No further action – insufficient evidence	13
No further action – no offence detected	31
No further action – not in public interest	3
No further action – other	19
No further action – referred to other agency	3
No further action – statute of limitations	1
Not plumbing related	4
Referred to Board – fine penalty	5
Referred to Board – prosecution action	2

Plumbers Licensing Act 1995

Referred to Legal Services – prosecution prospects advice	4
Referred to Legal Services – prosecution action	2
Verbal rectification advice	2
Warning – Verbal	109
Warning – Written	56
ii) matters that have been brought before the State Administrative Tribunal (SAT).	
No matters were brought before the SAT.	76
b) the number and nature of matters referred to in paragraph (a) that are outstanding	
Matters outstanding as at 1 July 2022	47
Investigation	47
c) any trends or special problems that may have emerged	
No trends or special problems have emerged.	
d) forecasts of the workload of the Board in performing functions under this Act in the year after to which this report relates	
The commencement of Automatic Mutual Recognition will require additional resources to manage compliance of interstate plumbers.	
e) any proposals for improving the performance of the Board's functions under this Act	
There are no current proposals for improving the performance of the Board's functions under this Act.	



Retirement Villages Act 1992

a) As soon as practicable after 30 June, but on or before 31 December, in each year, the Commissioner shall prepare and forward to the Minister a report on the operation of this Act during that year.

i) Number		ii) Nature		iii) Outcome	
Outstanding as at 1 July 2021	12	Outstanding as at 1 July 2021	12	Concluded 2021–22	40
Compliance	0	Fees	7	Education, advice or information given	10
Investigation	7	Property Management	3	Agreement reached to settle	9
Conciliation	5	Other	2	Complaint lapsed or withdrawn	6
Commenced 2021–22	32	Concluded 2021–22	40	Sufficient evidence - Consumer did not accept resolution	4
Compliance	5	Fees	11	No Commerce Jurisdiction advice given/Referred to other Agency	3
Investigation	1	Other	10	Referred to Other	2
Conciliation	26	Property Management	10	No Offence Detected	2
		General Breach of Legislation	7	Conflicting evidence - Both parties did not accept resolution	2
Concluded 2021–22	40	Professional Conduct	1	Complaint referred to another body	1
Compliance	4	Advertising and Marketing	1	Sufficient evidence - Trader did not accept resolution	1
Investigation	7				
Conciliation	29				

b) **matters that have been brought before the State Administrative Tribunal (SAT)**

No matters have been brought before the SAT.

c) **any trends or special problems that may have emerged**

In many instances, complaints cannot be substantiated or are contractual.

d) **forecasts of the workload of the Commissioner in performing functions under this Act in the year after to which this report relates**

There are no changes anticipated.

e) **any proposals for improving the performance of the Commissioner's functions under this Act**

The consultation on proposed reforms to the *Retirement Villages Act 1992* has been completed and recommendations for reform are currently under consideration by the Government.



Electricity Act 1945

Gas Standards Act 1972

a) the number, nature and outcomes of:

i) investigations and inquiries undertaken by, or by the direction of, the Director of Energy Safety (the Director) for the purposes of this Act.

Outstanding as at 1 July 2021	2820	Outstanding as at 1 July 2021	99
Compliance Inspections	2031	Audits	5
Investigations	787	Compliance Inspections	42
Audits	2	Investigations	52
Commenced 2021–22	1576	Commenced 2021–22	324
Audits	32	Audits	0
Compliance Inspections	1302	Compliance Inspections	185
Investigations	242	Investigations	139
Concluded 2021–22	2039	Concluded 2021–22	341
Audits (Network Operator)	31	Audits	3
Compliance Inspections	1504	Compliance Inspections	190
Investigations	504	Investigations	148
Outcomes	2142	Outcomes	528
Completed - no action required	724	Appeal - Rejected	1
Corrective Action Request	4	Appeal - Upheld	5
Electrical Licensing Board - Referral	0	Completed - no action required	278
Further Investigation Required	17	Dealt with by prosecution - convicted	2
Incident report/Hazard Alert - Issue	4	Further Investigation Required	9
Inspector's order - Cancel	1	Referred to Legal Services – prosecution action	3
Inspector's Order - Issued	32	Referred to Legal Services – prosecution prospects advice	1
Not Inspected - attended site, not possible	66	Incident Report/Hazard Alert - Issue	1
Not Inspected - site not attended	800	Infringement - Issue	5
Not inspected – no available resource	21	Infringement - Withdraw	1
Prohibition of sale, hire or use	4	Project goal - Delivered	28
Referred to Legal Services – prosecution prospects advice	20	Inspector's Order - Issued	67



<i>Electricity Act 1945</i>		<i>Gas Standards Act 1972</i>	
Referred to Legal Services – prosecution action	17	Not Gas Related	2
Provide Advice (including RCD advice)	314	Not Inspected - attended site, not possible	7
Referred to Network Operator	2	Not Inspected - site not attended	3
Warning - Verbal	4	Not Inspected – no available resource	1
Warning - Written	112	No action taken – no available resource	6
		Provide Advice	20
		Referred to Licensing	43
		Warning - Verbal	6
		Warning - Written	39
ii) matters that have been brought before the State Administrative Tribunal (SAT).			
One matter is currently before the SAT.		No matters were brought before the SAT.	
b) the number and nature of matters referred to in paragraph (a) that are outstanding			
Matters outstanding as at 1 July 2022	2357	Matters outstanding as at 1 July 2022	81
Audits	13	Audits	2
Compliance Inspections	1819	Compliance Inspections	36
Investigations	525	Investigations	43
c) any trends or special problems that may have emerged			
Emerging technologies within the electricity sector, such as solar and battery energy storage systems, have resulted in an increase in demand for compliance activities undertaken by the department.		New technology within the gas sector has resulted in the emergence of hydrogen within the industry which has caused an increased demand for compliance activities undertaken by the department.	
d) forecasts of the workload of the Director’s in performing functions under this Act in the year after to which this report relates			
It is expected that emerging technologies within the energy sector will continue to result in a significant increase in demand for compliance activities undertaken by the department.		It is expected that emerging technologies within the energy sector will continue to result in a significant increase in demand for compliance activities undertaken by the department. The introduction of Automatic Mutual Recognition will require additional resources to ensure ongoing compliance of interstate gas fitters.	
e) any proposals for improving the performance of the Director’s functions under this Act			
There are no proposed changes.		There are no proposed changes at this stage.	

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