

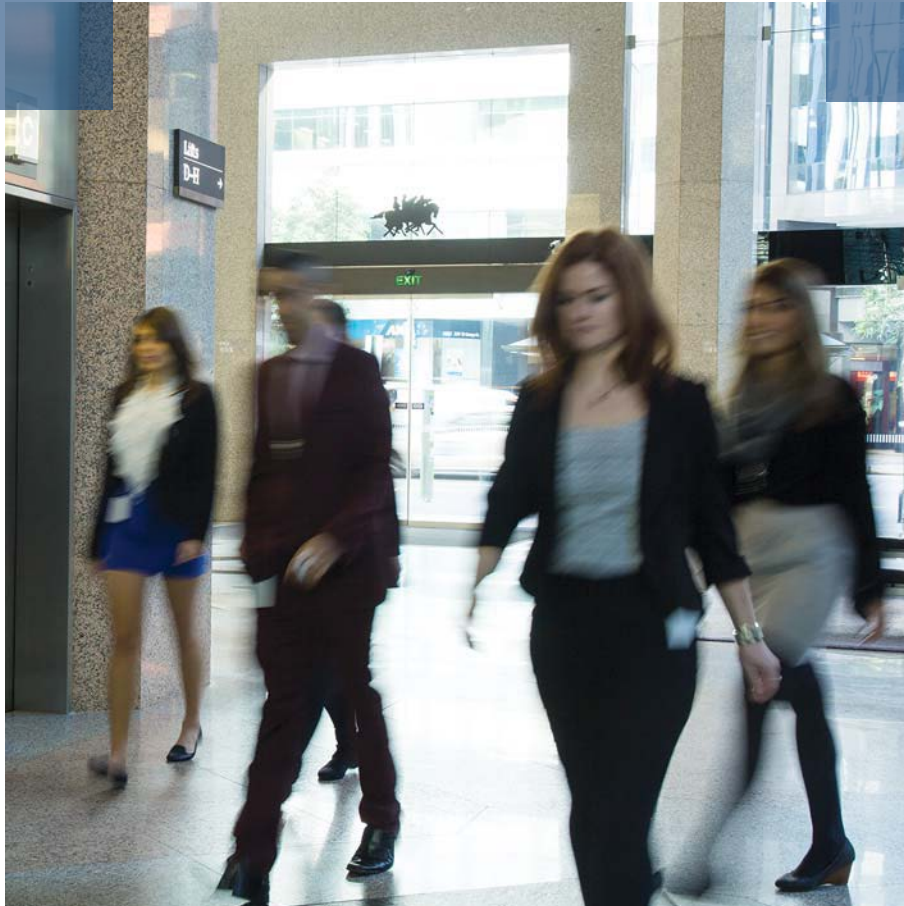


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# Overview

This section provides a review of the year, highlighting broad strategic directions and priorities, key issues and achievements of the Department of Commerce (department). The section also details the department's role, services, authority, Ministerial arrangements, organisational structure, legislation administered and the Outcome Based Management framework.



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## Executive summary

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We strive to portray the department's mission, *to create a contemporary, diversified economy that provides for the growth, safety and protection of the community* in our work at every level.

Our work responsibilities include the delivery of a diverse array of programs and services across Western Australia, all of which are aimed at achieving our goal of contributing to community and business growth, safety and protection.

It has been a year of great achievements again for the department despite the shift in economic conditions we have faced. A selection of noteworthy initiatives that the department undertook during 2013–14, which echo the directions in our [Corporate Plan 2013–2016](#), has been provided below. The five directions in our corporate plan underpin and support us in reaching our vision and mission.

### **Direction 1: Influencing and shaping our commercial environment**

During 2013–14, the department continued to focus on building and maintaining relationships to improve the quality of communication and understand the issues faced by the community and business. Understanding, influencing and responding are key functions in our everyday work.

This year the department established a Building Commission Advisory Committee (Committee) to set a stronger foundation for the collaboration and mutual understanding between the Building Commission Division and

the building, plumbing and painting industries. The Committee has a two-way function: to bring to light the matters raised by building and construction industry groups; and to help the department receive input on key issues. The Committee's discussions focus on industry needs and development, information and education, regulation and Building Commission Division operational issues.

As part of a continuing educational program approach to influence our commercial environment, the WorkSafe Division presented 17 free lunchtime information sessions attended by 1,520 participants. These '4thought Lunchtime Sessions', were held at various locations and covered a range of occupational safety and health topics, giving participants information on workplace safety issues and providing an opportunity to discuss solutions. WorkSafe also conducted 37 information sessions at individual workplaces, attended by 1,157 participants, to support workplace risk management processes; and provided 173 information sessions, attended by 4,209 participants, to safety and health representative training courses, industry associations, schools, TAFEs and other customers. In addition, there were five industry presentations concerning the proposed harmonised work health and safety laws.

On 16 August 2013, the Australian Competition and Consumer Commission announced a voluntary recall by Infinity Cable Co Pty Ltd of three batches of Infinity brand electric cables.

The cables, which had been sold and installed throughout Australia, were shown to be non-compliant with Australian Standards and, due to poor quality insulation, presented the risk of fire or electric shock. The department responded in the absence of a legislative authority, by initiating a formal recall, with the Director of Energy Safety notifying industry on 2 October 2013 by initiating a 'stop sale notice' and providing a formal warning to electrical contractors not to purchase or install the cables.

### **Direction 2: Empowering business and our community**

The department is committed to providing access to knowledge and information so that business and individuals can exercise their rights, meet their obligations and invest in their future.

Through the administration of the Innovation Centre of Western Australia (ICWA), the Industry and Innovation Division delivered high quality advice and assistance that promoted growth and knowledge. The 2013–14 financial year saw significant increases in the numbers of commercialisation advisory sessions and participants in workshops, seminars and networking events, as well as the expansion of its incubator program and the forging of more partnerships with leading innovation service providers.

Over the past 12 months, ICWA has been the source of advice, assistance and support to 797 innovators and entrepreneurs and host

to 326 meetings with key innovation and commercialisation stakeholders. The ICWA Business Incubator, which houses innovative enterprises in a supportive entrepreneurial environment by providing low-cost office space and access to commercialisation and business development services to support the growth of innovative ventures, is at full capacity with nine start-up ventures, excluding the two start-ups that have exited due to successful growth and expansion activities. The HotDesk program, located in the ICWA Business Incubator, supported over 57 start-ups on a short-term basis. In addition ICWA has delivered more than 35 events for the wider community of innovators, entrepreneurs and stakeholders and attracted 2,208 registrations to these events, which were held either at the centre, or hosted by, or in conjunction with, other innovation service providers. The ICWA's weekly newsletter has a readership of more than 2,300 with the average top three reader locations being Australia, the USA and Japan.

Further outstanding ICWA growth was seen in the advisory services delivered by voluntary specialist innovation experts who share their diverse experience and knowledge with innovators and entrepreneurs; and through the Start-up Xchange Series, aimed at tertiary students and delivered in collaboration with The University of Western Australia, Curtin University, Murdoch University and Edith Cowan University. This service has been re-tendered for and awarded to an external service provider recently.



### Direction 3: Developing a world class regulatory environment

During 2013–14 we continued to develop and review laws that support business efficiency without compromising community wellbeing. The department, through the Labour Relations Division, undertook a critical policy setting role in the development and implementation of the [Public Sector Wages Policy Statement 2014](#) (Policy). Two industrial agreements have been registered under the new Policy and a number of key negotiations have been progressed. The effective management of public sector wage expenditure contributes to the Government's capacity to deliver efficient public services to the community.

The protection of vulnerable consumers continued to be a focus for us with the Consumer Protection Division implementing important changes to the [Retirement Villages Act 1992](#) and [associated regulations](#) which came into effect on 1 April 2014. The changes introduced a range of measures to protect current and former residents from incurring excessive fees and charges. The most important changes are: a cap on the time a resident who has permanently vacated a village is required to pay recurrent charges; the capacity for a resident who has permanently vacated a village to have their recurrent charges liability deducted from their refund entitlement; the increased disclosure and cooling off periods when entering into a residence contract; the capacity to make regulations specifying costs that may not be passed on to residents and matters that must or must not be included in a residence contract; the ability for residents to collectively appeal to the State Administrative Tribunal (SAT) about excessive fees or charges; and the power for SAT to appoint a statutory manager if residents' wellbeing or financial security is at risk. The reforms are being supported by an extensive education program for residents and village operators.

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#### Direction 4: Enforcing the law

Romance fraud has been of increasing concern over the last few years, with the department actively monitoring and undertaking proactive and targeted investigation and enforcement in association with the Western Australia Police. During 2013–14, there were 200 consumers who reported falling victim to various romance scams, losing a combined total of over \$10.4 million to romance fraud.



**\$10.4 million**  
lost to romance fraud  
during 2013–14

This year, for the first time the department, in cooperation with international authorities including the Nigerian Economic and Financial Crimes Commission (EFCC) and financial institutions, was able to recover money back for a victim of a romance scam. Project Sunbird is a joint anti-fraud initiative between the Consumer Protection Division and the Western Australia Police Major Fraud Squad focusing on the victims of romance and relationship fraud and

identifying potential victims transferring monies to West African countries and investigating the circumstances. During 2013–14 one victim, 'Jenny', who had lost a six figure sum in an elaborate romance fraud became the first victim able to recover her money through her bank.

Also during the year, departmental officers provided the Western Australia Police Major Fraud Squad with critical information concerning a case aired on 60 Minutes which relayed the tragic death of Ms Jette Jacobs in February 2013 after she travelled to South Africa to meet with the alleged perpetrator of a romance fraud. With this information, the Major Fraud Squad was then able to collaborate with the EFCC in Nigeria, and as a result, a suspect was taken into custody for questioning in relation to Ms Jacobs' death and defrauding her of more than \$90,000.

#### Direction 5: Strengthening organisational capacity

During the year, the department committed to enhancing our online presence with the launch of a new [website](#) in June 2014, that was responsive to our customers' expectations for timely, relevant information and services that are accessible online anywhere. With a new design, structure, features and technical platform, the website provides an improved user experience and delivers to visitors of the site faster and more convenient interactions from our primary communication tool. The Online Services Branch of the Office of the Director General,

in collaboration with the Corporate Services Division, successfully completed and delivered the new website. It is a significant achievement and will enable the department to build on future innovative solutions and improvements to provide more services and transactions online.

#### Looking to the future

One of the biggest challenges that the department encountered during 2013–14 was providing effective change management and support for our people through the reduction of our central business district offices from six to three sites, and the relocation to offices at the Mason Bird building, Cannington; Gordon Stephenson House, Perth; and the WestCentre building, West Perth. The decision to relocate was in part based on the termination of high cost leases in the city. The accommodation relocation project includes: the fitting out of all new sites; managing the relocation of business operations and employees; and also relocating all the information technology supporting the business including the creation of a new server room and disaster recovery site. All of our people are expected to be settled into their new offices by the end of 2014.



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## From the Director General

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The department has worked diligently over the last 12 months towards achieving a fair trading environment that protects consumers and traders; a community where workplaces are operated in a safe and fair manner and where buildings are safe and efficient; and an industry that is competitive in targeted priority and emerging sectors for our state.

Over the last year we have worked on continually improving our services and deepening stakeholder relationships. We recognise the strength that comes from working collaboratively and in partnership with our stakeholders and the community and during 2013–14 we sought innovative solutions and strived to improve our performance.

We have also been persistent in our efforts to be a credible, efficient and effective department. Employees are required to adhere to the [Western Australian Public Sector Code of Ethics](#) and [the department's Code of Conduct](#) which outlines our responsibility to provide appropriate standards of service in our day-to-day conduct at work which meet the expectations and enhance the lives of the community. Currently, 99 per cent of our employees have completed Accountable and Ethical Decision Making training which aims to raise awareness and provide information on issues relating to accountable and ethical decision making and better equip employees to deal with situations and issues that they may encounter.

### A department we should be proud of

I would like to take this opportunity to recognise and thank the executive team and all of our employees who, through their dedication, resourcefulness and hard work, have contributed towards our efforts to realise our vision of creating *a business environment that is productive, innovative, fair and safe*.

At a time of change, our team has been relied on more than ever to be **productive** and efficient in their daily work. Despite the economic challenges the department faced during 2013–14, we had many achievements including: important changes to the [Retirement Villages Act 1992](#) and [associated regulations](#); process

improvement for the resolution of building service complaints; the successful completion of the Gas Rectification Programme well below the set budget; the recovery of \$699,000 in unpaid employee entitlements; the provision of assistance to more than 70 state agencies to achieve the Council of Australian Governments' first milestone for 400MHz land mobile radio replanning; and, through the Work Safety Awards Western Australia, we recognised outstanding occupational safety and health management, solutions and innovation in Western Australian workplaces. In achieving these results, our team worked positively together with unity of purpose.

Western Australia has a rich history of **innovation** and one of the department's goals is to contribute to the state's long-term prosperity by focusing on the translation of innovative ideas into competitive goods and services, and sustainable businesses. The innovation that we foster in companies, universities, researchers, entrepreneurs, innovators, investors, service providers, government and the community is demonstrated internally by our staff who continually learn and improve by questioning, challenging and thinking and sought better outcomes during the year to improve performance. During 2013–14, this innovative thinking led to new internal processes and practices being established to improve productivity and reduce costs, and resulted in higher quality and more timely service delivery to the Western Australian community.

We have not only invested in our future through innovation, but also through supporting diversity and committing to a workplace that is **fair** and equitable. During the year, a focus for us was on the employment of Aboriginal and Torres Strait Islander people. We developed an [Aboriginal Employment Strategy 2013–2015](#) (Strategy) of which we are very proud and worked towards creating real work and career opportunities for Aboriginal and Torres Strait Islanders. In partnership with the Strategy, we developed and launched the [Reconciliation Action Plan 2014–2016](#) and made many strides towards building an inclusive and cohesive environment that values and supports diversity while providing state-wide services accessible to all Western Australians.

An integral part of our vision was our sustained focus on **safety** at work both in the community, the public service and also for our employees. During the year we hosted the Work Safety Awards Western Australia, responded to 110,893 requests for occupational safety and health information, ran 232 information sessions and completed a number of key proactive team projects. We are the lead agency of the Public Sector Safety and Injury Management Initiative which provides a whole-of-government approach to improving public sector workplace safety and injury management, advocating and supporting a workplace free of work-related injuries and diseases. The safety and wellbeing of our

own employees was also improved with the fine tuning of our current safety systems, the development of a reward and recognition campaign for our own safety champions, and the introduction of our own internally circulated Well at Work magazine.

I take pride in commending the department for their integrity and professionalism over the

year and would like to also acknowledge the leadership and support of our Minister, the Hon. Michael Mischin MLC.

It gives me great pleasure to present to you the department's Annual Report for the period 2013–14.



Corporate Executive (L-R) Lex McCulloch, Julie de Jong, Ken Bowron, Brian Bradley, Bob Horstman, Alan Jackson, Anne Driscoll and Peter Gow.



## About the department

The department maintains a vital role in facilitating a business environment that is productive, innovative, fair and safe. It works to create a contemporary, diversified economy that provides for the growth, safety and protection of the Western Australian community.

In 2013–14 the department comprised the following eight divisions:

- Building Commission
- Consumer Protection
- Corporate Services
- EnergySafety
- Industry and Innovation
- Labour Relations
- Office of the Director General
- WorkSafe

### Our vision

A business environment that is productive, innovative, fair and safe.

### Our mission

To create a contemporary, diversified economy that provides for the growth, safety and protection of the community.

### Our values

- Integrity and professionalism
- Making a difference
- Value our people and their contribution
- Innovation



### Enabling legislation

The Department of Commerce is established as a department under section 35 of the [Public Sector Management Act 1994](#).

### Responsible Minister

In 2013–14 the Department of Commerce was responsible to the Hon Michael Mischin MLC, Attorney General; Minister for Commerce.

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## Our services

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The department delivers services through divisions that focus on particular areas of its responsibilities. The key functions of the department's eight divisions are:

### Building Commission

- registers or licenses builders, painters, building surveyors, plumbers and construction contracts adjudicators;
- audits and inspects building services, investigates breaches of legislation and provides a dispute resolution service;
- sets and monitors standards and codes of practice for building and plumbing services;
- develops and provides industry policy and legislation; and
- provides information and advice for industry and consumers.

### Consumer Protection

- provides information and advice to consumers and traders about their rights and responsibilities;
- helps consumers resolve disputes with traders;
- monitors compliance with consumer protection legislation;
- investigates complaints about unfair trading practices;
- prosecutes unscrupulous traders;
- regulates and licenses a range of business activities; and
- develops, reviews and amends legislation that protects consumers.

### Corporate Services

- provides financial and administrative services;
- provides information technology support services;
- delivers human resource management services;
- coordinates risk and business continuity management; and
- delivers corporate information services.

### EnergySafety

- administers electricity and gas technical and safety legislation and provides policy and legislative advice to government;
- enforces safety and technical standards for electricity and gas networks;
- monitors reliability and quality of gas supplies and investigates consumer related complaints;
- sets and enforces safety standards for consumers' electrical and gas installations and appliances;
- licenses electrical contractors, electrical workers and gas fitters and carries out accident investigations; and
- promotes electrical and gas safety in industry and the community.



## Industry and Innovation

- supports industry development through innovation, commercialisation and participation;
- facilitates strategic investment in industrial and innovative capacity;
- facilitates fit for purpose strategic industrial, research and digital infrastructure;
- manages industry and innovation programs and projects; and
- supports the Technology and Industry Advisory Council.

*Industry and Innovation's approach has been to focus on where we can make the greatest difference; it is about the future and being ready to respond to new opportunities and challenges. Through partnerships with our industry and government stakeholders we have been successful in the delivery of our programs and influencing policy - Executive Director, Julie de Jong*

## Labour Relations

- responsible for the coordination, governance and management of public sector labour relations;
- lead agency in the development, implementation and application of public sector wages policy;
- provides policy and legislative advice to government;
- provides labour relations services to and on behalf of government and public sector employers;
- provides information and education services to private sector employees and employers on their employment rights and obligations; and
- investigates complaints from employees about breaches of state awards, agreements and industrial laws.

## Office of the Director General

- provides a strategic focus to assist the Director General and the Corporate Executive lead the department;
- develops and coordinates strategic policy;
- provides corporate development services including policy development, performance evaluation and corporate reporting;
- provides education and communication services including media relations services, campaign and event coordination and print and online information;
- provides internal audit services, undertakes and assists in investigations as required;
- coordinates ministerial services for the department;
- coordinates regional services;
- provides regional infrastructure and customer services; and
- provides administrative support to operational divisions.

## WorkSafe

- administers occupational safety and health legislation and provides policy and legislative advice to government;
- provides education and information to employers and employees to help prevent work-related injury and disease and improve work safety and health performance; and
- enforces occupational safety and health law and assists with the resolution of issues in workplaces.

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## Our Corporate Executive

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**Brian Bradley PSM**  
**Director General**

Brian Bradley has more than 40 years' experience in the Western Australian public sector. He has been involved principally in safety and health since

1983. Brian worked for WorkSafe for more than 20 years and was appointed Commissioner of WorkSafe Western Australia in October 1998. In 2002, Brian was appointed Director General of the Department of Commerce (formerly the Department of Consumer and Employment Protection) after acting in the position since June 2001.

He is the deputy chair of the Western Australian Commission for Occupational Safety and Health, a member of the WorkCover Western Australia Authority Board and the Legal Aid Commission. He was the Western Australian member on the Australian Safety and Compensation Council from 2005 to 2009, and is the current Western Australian member of Safe Work Australia. Brian was awarded the Public Service Medal in 2003 for his contribution to safety and health in Western Australia.



**Anne Driscoll**  
**Executive Director**  
**Consumer Protection**  
**Division, Commissioner**  
**for Consumer Protection**  
**and Prices Commissioner**

Anne Driscoll was appointed Executive

Director of the Consumer Protection Division in August 2008 and holds the statutory positions of Commissioner for Consumer Protection and Prices Commissioner. Since graduating from The University of Western Australia with a Bachelor of Arts majoring in psychology and commerce, Anne has gained experience in numerous public sector roles.

Anne worked for the Commonwealth Government in the employment and training sector for more than 20 years, involved in both direct service delivery and major funding grants. In 1999, Anne joined the Consumer Protection Division's executive management team as Director of Business Services with responsibility for credit providers, mortgage brokers, charities and property agents. Anne also chaired the National Consumer Affairs Regulators Committee at the time the Australian Consumer Law was developed and has served as a member of the Medical Board of Western Australia.



**Peter Gow**  
**Executive Director**  
**Building Commission**  
**Division, Building**  
**Commissioner**

Peter Gow was appointed Executive Director of the Building Commission

Division in July 2009. Peter has degrees in engineering and arts from The University of Western Australia and has post-graduate qualifications in management from Deakin University. He started his career as a structural engineer with the Public Works Department in Western Australia and has extensive experience in building and design, construction and project management.

From project work, Peter specialised in construction and contracts and dispute resolution. In 2003, he was appointed head of the Office of Policy and Planning in the Department of Housing and Works where he was responsible for construction industry and housing policy, corporate development, strategic planning and building codes and regulation. Since July 2009 he has led the Building Commission Division in progressing building regulation reform. Peter has served on the national Built Environment Industry Innovation Council, the board of the Australian Housing and Urban Research Institute and is the Western Australian government representative on the Australian Building Codes Board.

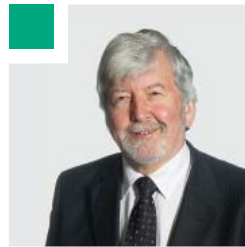


**Ken Bowron**  
**Executive Director**  
**EnergySafety Division,**  
**Director of Energy Safety**

Ken Bowron is the Executive Director of the EnergySafety Division and holds the statutory

position of Director of Energy Safety, which is responsible for all electricity and most gas-related technical and safety regulation in the state. Ken has 39 years' broad experience in the Western Australian energy industry.

His experience includes his tenure in the EnergySafety Division and senior management roles in generation, networks and the supply of energy services to customers in metropolitan, rural and remote areas. He is an electrical engineer with post-graduate business qualifications. He has extensive regulatory, technical and managerial experience, ranging across planning, design, construction, operations and maintenance of power generation and transmission and distribution systems.



**Robert (Bob) Horstman**  
**Executive Director Labour**  
**Relations Division**

Bob Horstman was appointed Executive Director of the Labour

Relations Division in June 2009. He has worked in all three directorates of the division in a variety of roles for 26 years. From 2001 to 2006, Bob was seconded from the department to the Minister's office responsible for state industrial relations as the principal labour relations policy adviser. In this role he was responsible for providing advice on industrial relations, occupational safety and health and workers' compensation issues.

Bob has taught, researched and published in the fields of both industrial relations and human resources management in various tertiary education institutions in Australia and the United Kingdom. Bob holds a master's degree in industrial relations from Warwick University (UK) and has 10 years' experience in various industrial relations roles in private sector organisations in the United Kingdom.



**Lex McCulloch**  
**Executive Director,**  
**WorkSafe Division,**  
**Commissioner of**  
**WorkSafe Western**  
**Australia**

Lex McCulloch was appointed Executive

Director of the WorkSafe Division and Commissioner of WorkSafe Western Australia in February 2011. Lex has a social work degree from Curtin University and has been in the Western Australian public sector since 1978, when he joined the Department of Community Welfare in Moora.

Lex has worked in a variety of locations across the state, including Derby, Kalgoorlie, Port Hedland and Perth. Lex's various roles in different government agencies have provided him with a range of experience, such as leading restructuring processes and delivering on significant projects, all of which have been aimed at improving the wellbeing of people in Western Australia.





**Julie de Jong**  
**Executive Director**  
**Industry and Innovation**  
**Division**

Julie de Jong was appointed Executive Director of the Industry and Innovation Division

in 2011, after being initially appointed as Acting Executive Director in 2009. Before the Department of Commerce was established Julie was Director of the Office of Science, Technology and Innovation Industries directorate in the Department of Industry and Resources. In this role she successfully led the directorate through a period of significant organisational change and developed a strategic focus aligned with government priorities for industry and innovation. Previously, Julie worked in management roles within the Office of Aboriginal Economic Development in a variety of locations around the state. She has a thorough understanding of concerns within regional communities about sustainable economic opportunities and the need to maximise community benefits from economic strengths. Julie holds an arts degree in history and politics from The University of Western Australia.



**Alan Jackson**  
**Executive Director**  
**Corporate Services**  
**Division**

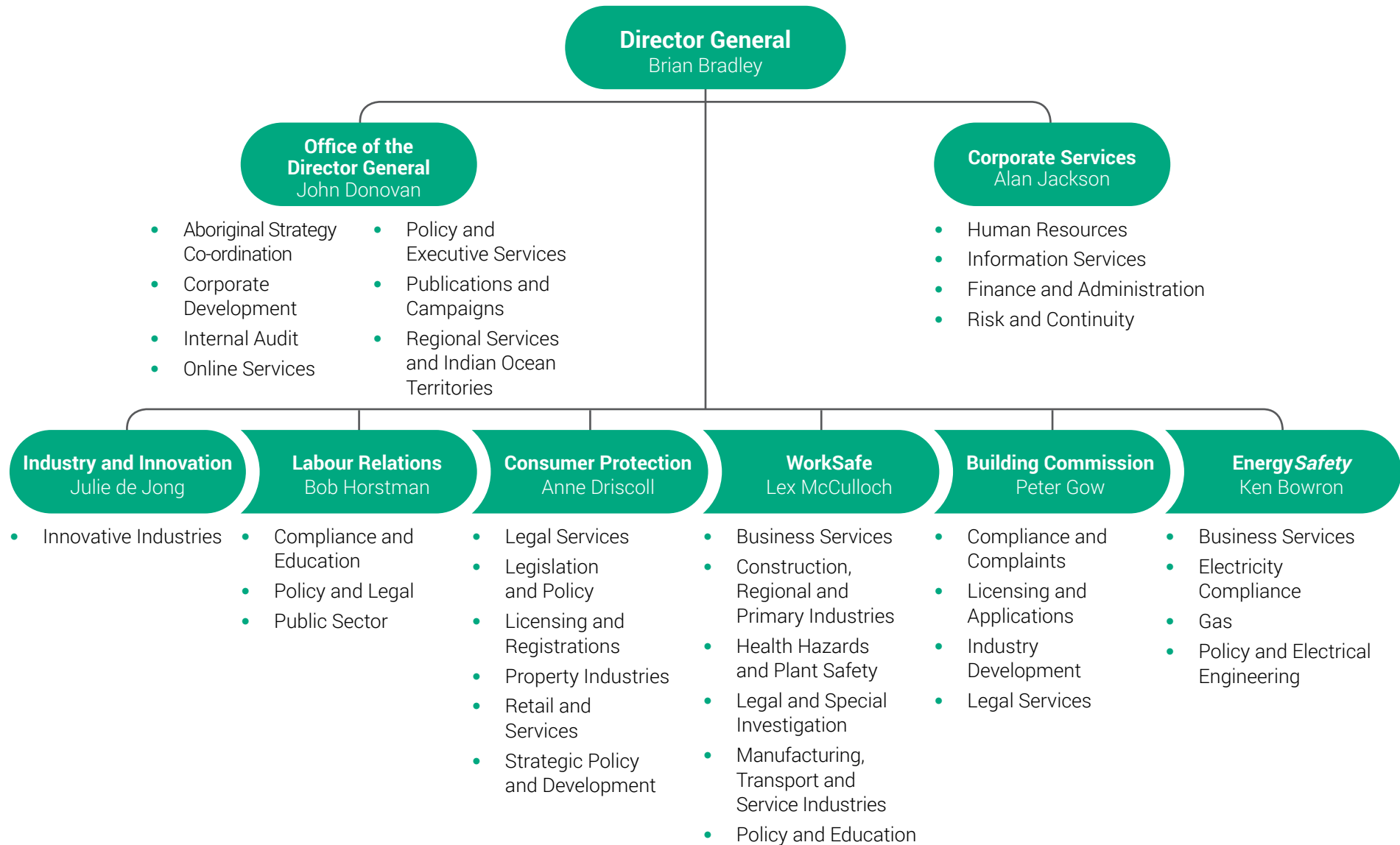
Alan Jackson has been Executive Director of Corporate Services since October 2004.

Previously he had worked in the public, private and tertiary education sectors. Alan's career has included nine years as a former management and organisational development consultant working with large public and private sector organisations throughout Australia. Before joining the department he was Director of Corporate Services at the Department of Treasury and Finance for four years.

Alan completed the Executive Fellows Program of the Australian and New Zealand School of Government and holds Associate Fellow and Certified Professional membership status with the Australian Institute of Management and the Australian Human Resource Institute. He has a master's degree in commerce from Curtin University and has been a part-time lecturer at both Curtin University and Edith Cowan University for a number of years.

# Operational structure

As at 30 June 2014



# Our regional services

**Figure 1**

**Location of regional offices**



The department has offices in Albany, Broome, Bunbury, Geraldton, Kalgoorlie and Karratha, which provide a range of services to regional Western Australians (Figure 1). There are currently 33 regionally-based officers who deliver services for the department's various divisions. Services to regional areas and communities are supplemented by division-specific initiatives to meet identified needs or to support core operational activities. In these cases additional specialist employees operate in the regions. Regional employees travel to Perth for training and development as required.

A service delivery arrangement exists between the department, the Department of Infrastructure and Regional Development and the Department of the Premier and Cabinet to deliver agency services to Christmas Island and Cocos (Keeling) Island. This service to the Indian Ocean Territories is funded by and performed on behalf of the Commonwealth Government under enabling legislation.

**33**

**regionally-based officers**





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## Administered legislation

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As at 30 June 2014, the department administered 79 Acts of Parliament which are listed below. Reviews of legislation, regulations and codes of practice ensure the changing needs and expectations of the community are met, and that the regulatory framework is relevant. A full description of the scope and intent of these Acts is contained on the department's website [www.commerce.wa.gov.au](http://www.commerce.wa.gov.au)

[Architects Act 2004](#)  
[Associations Incorporation Act 1987](#)  
[Auction Sales Act 1973](#)  
[Building Act 2011](#)  
[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](#)  
[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 1900](#)  
[Construction Contracts Act 2004](#)  
[Construction Industry Portable Paid Long Service Leave Act 1985](#)  
[Consumer Affairs Act 1971](#)  
[Co-operatives Act 2009](#)

[Credit \(Administration\) Act 1984](#)  
[Credit \(Commonwealth Powers\) Act 2010](#)  
[Credit \(Commonwealth Powers\) \(Transitional and Consequential Provisions\) Act 2010](#)  
[Credit Act 1984](#)  
[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](#)  
[Door to Door Trading Act 1987](#)  
[Electricity Act 1945](#)  
[Employment Agents Act 1976](#)  
[Employment Dispute Resolution Act 2008](#)  
[Energy Coordination Act 1994 \(Part 2 and 3\)](#)  
[Energy Safety Act 2006](#)  
[Energy Safety Levy Act 2006](#)  
[Fair Trading Act 1987](#)  
[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 2009 \(Part 5, Division 2\)](#)  
[Growers Charge Act 1940](#)  
[Hire Purchase Act 1959](#)  
[Home Building Contracts Act 1991](#)  
[Industrial Relations Act 1979](#)  
[Industry and Technology Development Act 1998](#)  
[Labour Relations Reform Act 2002](#)  
[Land Valuers Licensing Act 1978](#)  
[Law Reform \(Common Employment\) Act 1951](#)  
[Limited Partnership Act 1909](#)  
[Long Service Leave Act 1958](#)

[Metric Conversion Act 1972](#)  
[Minimum Conditions of Employment Act 1993](#)  
[Motor Vehicle Dealers Act 1973](#)  
[Motor Vehicle Repairers Act 2003](#)  
[New Tax System Price Exploitation Code \(Taxing\) Act 1999](#)  
[New Tax System Price Exploitation Code \(Western Australia\) Act 1999](#)  
[Occupational Safety and Health Act 1984](#)  
[Personal Property Securities \(Commonwealth Laws\) Act 2011](#)  
[Petroleum Products Pricing Act 1983](#)  
[Petroleum Retailers Rights and Liabilities Act 1982](#)  
[Plumbers Licensing Act 1995](#)  
[Public and Bank Holidays Act 1972](#)  
[Real Estate and Business Agents Act 1978](#)  
[Residential Parks \(Long-Stay Tenants\) Act 2006](#)  
[Residential Tenancies Act 1987](#)  
[Retail Trading Hours Act 1987](#)  
[Retirement Villages Act 1992](#)  
[Sale of Goods Act 1895](#)  
[Sale of Goods \(Vienna Convention\) Act 1986](#)  
[Settlement Agents Act 1981](#)  
[Street Collections \(Regulation\) Act 1940](#)  
[Sunday Entertainments Act 1979](#)  
[Transfer of Incorporation \(HBF and HIF\) Act 2009](#)  
[Travel Agents Act 1985](#)  
[Western Australian Aged Sailors, Soldiers and Airmen's Relief Fund Act 1932](#)  
[Western Australian Products Symbol Act 1972](#)  
[Workforce Reform Act 2014](#)

# Performance management framework

## Outcome Based Management framework

Western Australia's performance management framework monitors outcomes through the delivery of services. This is referred to as Outcome Based Management (OBM) and helps monitor the department's progress towards achieving specific outcomes. [Treasurer's Instruction 904](#) prescribes the mandatory requirements of OBM for agencies.

## Changes to the Outcome Based Management framework

[Treasurer's Instruction 904](#) requires disclosure of changes in agency-level government-desired outcomes, services and key performance indicators. The transfer of responsibility of science functions from the department to the Premier and the creation of the Office of Science within the Department of the Premier and Cabinet led to a review of the department's OBM

framework. As a consequence, the department's outcome, key effectiveness indicator, service and description and key efficiency indicator were revised to reflect the transfer of the science responsibility. These amendments to the OBM were approved by the Under Treasurer and are applicable for 2013–14.

**Table 1: Relationship to the government's goals: 2013–14 Outcome Based Management framework**

Government's goals	Agency level government desired outcome	Services
<b>Results-Based Service Delivery</b> Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.	<b>Outcome 1</b> A fair trading environment that protects consumers and traders in Western Australia.	<b>Service 1: Consumer Protection</b> The provision of consumer protection advice, information, education and business regulation services to the Western Australian community.
<b>Social and Environmental Responsibility</b> Ensuring that economic activity is managed in a socially and environmentally responsible manner for the long-term benefit of the State.	<b>Outcome 2</b> A community with workplaces operated in a safe and fair manner and where buildings are safe and efficient.	<b>Service 2: Safety and Employment Protection and Construction Standards</b> The provision of advice, information, education and regulation services to the Western Australian community in the areas of: occupational safety and health; energy safety; labour relations; and construction standards.
<b>Financial and Economic Responsibility</b> Responsibly managing the State's finances through the efficient and effective delivery of services, encouraging economic activity and reducing regulatory burdens on the private sector.	<b>Outcome 3</b> Western Australia industry is competitive in targeted priority and emerging sectors.	<b>Service 3: Industry and Technology</b> Contributes to the State's economy by promoting industry and technology. Services include: <ul style="list-style-type: none"> <li>• supporting industry development through research and infrastructure;</li> <li>• promoting Western Australian industry opportunities and capabilities; and</li> <li>• providing policy development advice.</li> </ul>

## Shared responsibilities


The department contributes to the delivery and reporting of a number of whole-of-government and cross-agency initiatives. These initiatives have shared accountability for the successful implementation of whole-of-government reform initiatives. The shared responsibilities with other agencies (in Table 2 below) are reported against the 2013–14 Resource Agreement established between the responsible Minister, Director General and Treasurer. Further information on Resource Agreement reporting is available in the [Agency Performance \(Resource Agreement\)](#) section of this report.

**Table 2: Shared responsibilities with other agencies in 2013–14**

<b>Initiative</b>	Management of Building Services Complaints Process - Disputes referred to State Administrative Tribunal (SAT) under the <a href="#">Building Services (Complaint Resolution and Administration) Act 2011</a> .	
<b>Related outcome</b>	A community with workplaces operated in a safe and fair manner and where buildings are safe and efficient.	
<b>Contributing agencies</b>	<ul style="list-style-type: none"> <li>• Department of Commerce (Building Commission Division)</li> <li>• SAT</li> </ul>	
<b>Report against target</b>	<b>Target:</b>	\$3 million
	<b>Result:</b>	\$2.7 million
<b>Initiative</b>	ThinkSafe Small Business Assistance Program	
<b>Related outcome</b>	A community with workplaces operated in a safe and fair manner and where buildings are safe and efficient.	
<b>Contributing agencies</b>	<ul style="list-style-type: none"> <li>• Department of Commerce (WorkSafe Division)</li> <li>• WorkCover Western Australia Authority</li> </ul>	
<b>Report against target</b>	<b>Target:</b>	To have 700 eligible small businesses access the general business assistance program with the focus on businesses in their first three years of operation.
	<b>Result:</b>	There were 476 small businesses that accessed the ThinkSafe Small Business Assistance Program before funding was fully expended.



<b>Initiative</b>	The Broadband Working Group	
<b>Related outcome</b>	The Broadband Working Group coordinates the state's strategic approach to improving telecommunications and digital infrastructure throughout the state and utilises this for social and economic gains.	
<b>Contributing agencies</b>	<ul style="list-style-type: none"> <li>• Department of Commerce (Industry and Innovation Division)</li> <li>• Department of Finance</li> <li>• Department of Housing</li> <li>• Department of Local Government and Communities</li> <li>• Department of Planning</li> <li>• Department of Regional Development</li> <li>• Department of State Development</li> <li>• Department of the Premier and Cabinet</li> <li>• Department of Transport</li> <li>• Department of Treasury</li> </ul>	
<b>Report against target</b>	<b>Target:</b>	The whole-of-government Broadband Working Group will oversee all interactions between State Government agencies and NBN Co.
	<b>Result:</b>	Endorsement of the State Telecommunications Needs Assessment which resulted in a 2014–15 State Budget of \$45 million for the Regional Telecommunications Program.

<b>Initiative</b>	The four-year Regional Mobile Communications Project	
<b>Related outcome</b>	The Regional Mobile Communications Project (RMCP) will provide increased mobile telephone and broadband coverage in regional Western Australia.	
<b>Contributing agencies</b>	<ul style="list-style-type: none"> <li>• Lead agency - Department of Commerce (Industry and Innovation Division)</li> <li>• Department of Finance</li> <li>• Department of Fire and Emergency Services</li> <li>• Department of Lands</li> <li>• Department of Parks and Wildlife</li> <li>• Department of Regional Development</li> <li>• Department of Treasury</li> <li>• Insurance Commission of Western Australia</li> <li>• Regional Development Council</li> <li>• State Solicitors Office</li> <li>• WA Country Health Service</li> <li>• WA Local Government Association</li> <li>• Western Australia Police</li> <li>• Nine regional development commissions</li> </ul>	
<b>Report against target</b>	<p><b>Target:</b> All remaining sites will be completed by June 2014.</p> <p>As at 30 June 2014, a total of 101 RMCP sites were completed and operational.</p> <p><b>Result:</b> The 70 per cent completion milestone was achieved in May 2014, however the project will not be completed until September 2014 due to land tenure issues.</p>	

<b>Initiative</b>	Harmonisation of Government Use of Radio
<b>Related outcome</b>	State to be allocated 2 x 10 MHz block of spectrum to accommodate radio communication needs for public safety and emergency services.
<b>Contributing agencies</b>	<ul style="list-style-type: none"> <li>• Lead agency - Department of Commerce (Industry and Innovation Division)</li> <li>• Department of Corrective Services</li> <li>• Department of Fire and Emergency Services</li> <li>• Department of Parks and Wildlife</li> <li>• Department of the Premier and Cabinet</li> <li>• St John Ambulance Australia</li> <li>• Surf Life Saving</li> <li>• Water Corporation</li> <li>• Western Australia Police</li> <li>• Western Power</li> <li>• Several local councils</li> </ul>
<b>Report against target</b>	<b>Target:</b> Facilitate compliance by Western Australian Government users with 400MHz Band plan transition.
	<b>Result:</b> The majority of agencies have complied with the Australian Communications and Media Authority's Milestone 1 of narrow-banding or have been approved extensions in timelines to complete this task. A significant number of agencies have already complied with Milestone 2 of transitioning to 10MHz split, which is due by 31 December 2014. All new licences are being placed in the Harmonised Government Spectrum.

Additional information on jointly delivered services with other organisations is provided at [Appendix 1: Agreements](#) to this report.