



Department of
Local Government, Sport
and Cultural Industries



Liquor Commission of Western Australia

2023-24 Annual Report



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Acknowledgement of country and peoples

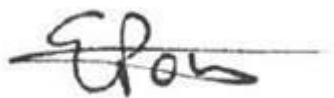
The Liquor Commission acknowledges Aboriginal people throughout Western Australia as the Traditional Owners and Custodians of the lands, waters, and communities in which we operate. We pay our respects to all Aboriginal people and their cultures, and to Elders past and present.

Statement of compliance

Hon. Paul Papalia CSC MLA
Minister for Racing and Gaming

In accordance with section 9K of the *Liquor Control Act 1988*, I am pleased to present, for your information and presentation to Parliament, the Annual Report on the activities of the Liquor Commission of Western Australia for the financial year ended 30 June 2024.

The Annual Report has been prepared in accordance with the provisions of section 9K(2) of the *Liquor Control Act 1988*.

A handwritten signature in black ink, appearing to read 'Paul', with a horizontal line extending to the right.

Chairperson

28 August 2024

Overview of the Liquor Commission

Executive summary

It is with pleasure that I present the Liquor Commission (the Commission) Annual Report for the year ended 30 June 2024.

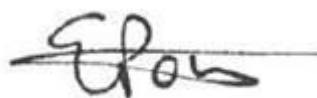
The Commission has experienced significant changes to its membership during the reporting period. Dr Kim Hames and Professor Colleen Hayward resigned in August 2023 and January 2024 respectively. I thank them both for their commitment and their contribution to the operations of the Commission, which was invaluable in the shaping and administration of the liquor licensing regulatory scheme in Western Australia.

It is the experience of the Commission in recent years that barring notices issued by the Commissioner of Police have been appealed more often on the basis of the scope of the barring order and, in particular, the wide range of premises that a respondent may be barred from attending. As barring orders are not intended to have a punitive effect, but a protective one, this has required careful consideration of the facts of each incident, as well as the particular personal circumstances of the respondent being barred, to ensure that the scope and length of barring orders align with objects of the Act.

The volume of material before the Commission and time required to draft judgments continues to increase. This places significant demands on the time of commissioners, many of whom are already employed full-time in other positions and causes delays in the publication of decisions.

I take this opportunity to thank the State Administrative Tribunal for the continued use of their facilities to conduct hearings. Their ability, flexibility, and willingness to cater to our needs is greatly appreciated.

Finally, I wish to thank the staff of the Department of Local Government, Sport, and Cultural Industries for the provision of executive services. Their dedication, professionalism and commitment are vital to the ongoing effective operations of the Commission.



Chairperson

Operational structure

Enabling legislation

The Liquor Commission (the Commission) is established under section 8 of the *Liquor Control Act 1988* (the Act) to provide a flexible system to review the decisions of the Director of Liquor Licensing (the Director), with as little formality and technicality as practicable. The Commission came into effect on 7 May 2007, to replace the Liquor Licensing Court.

The Liquor Commission Rules 2007 regulate the practice and procedure of the Commission and matters that are related and subject to the Liquor Control Regulations 1989, as to the costs and charges payable in relation to proceedings under the Act.

Responsible Minister

As at 30 June 2024, the Minister responsible for the Racing and Gaming Portfolio is the Hon. Paul Papalia CSC MLA, Minister for Police; Corrective Services; Racing and Gaming; Defence Industry; Veterans Issues.

The responsibilities of the Liquor Commission

The Commission's primary function is to adjudicate on matters brought before it through referral by the Director, or by an application for a review of a decision made by the Director. The latter is achieved by way of a re-hearing and therefore makes its own determinations based on the merits of each case. When considering an application for review, the Commission may have regard only to the material that was before the Director when making the decision.

The Commission is responsible for:

- determining liquor licensing matters referred by the Director;
- conducting reviews of decisions made by the Director, or by a single Member of the Commission;
- conducting reviews into decisions based on a question of law;
- determining complaints and disciplinary matters in accordance with section 95 of the Act;
- determining applications for review of a barring notice issued by the Commissioner of Police under section 115AA(2) of the Act;
- determining applications for review of short-term exclusion orders issued by the WA Police under section 152NH of the Act;
- determining applications for review of banned drinker orders issued by the WA Police under section 152YY of the Act;
- awarding costs associated with matters before the Commission;
- reporting annually to the Minister for Racing and Gaming on the activities of the Commission; and
- reporting to the Minister for Racing and Gaming, when requested to do so, on the jurisdiction and functions of the Commission, including the provision of high-level policy advice relevant to liquor control matters.

The Commission may make the following decisions:

- affirm, vary or quash a decision subject to review;
- make a decision in relation to any application or matter that should, in the opinion of the Commission, have been made in the first instance;
- give directions as to any questions of law that have been reviewed;
- give directions to the Director, to which effect shall be given; and
- make any incidental or ancillary order.

Parties to any proceedings before the Commission have the right to appeal any decision to the Supreme Court of Western Australia on a question of law.

Appeals which may be heard by the Liquor Commission

The Commission determines the following matters under the Act:

Section 24

The Director may refer the whole or part of any matter that is to be determined by the Director, or any question of law arising from such a matter, for hearing and determination by the Commission.

Section 25

Application for review of the Director's decision can be lodged when:

- the decision relates to an application for the grant or removal of a licence;
- the decision is to make, vary or revoke a prohibition order under Part 5A or an extended exclusion order under Part 5AA of the Act;
- the decision is to make, vary or revoke a banned drinker order Part 5C; or
- a decision made by the Director in respect of proceedings before the Director.

Section 28(4A)

When there is an appeal against the decision of one Commission member, it is to be heard and determined by the Commission constituted by three other members, including a member who is a lawyer.

Section 95

The Liquor Commission determines complaints and disciplinary matters in accordance with section 95 of the Act. Complaints lodged to the Commission may be made by the Director, the Commissioner of Police or a local government authority.

The Commission will determine the validity of the complaint and impose disciplinary measures if grounds exist for such a course of action.

The following table shows the number of section 95 complaints that were handled by the Commission during 2023-24.

Complaints outstanding as at 1 July 2023	4
Complaints lodged 1 July 2023 – 30 June 2024	1
Complaints withdrawn 1 July 2023 – 30 June 2024	0
Complaints resolved 1 July 2023 – 30 June 2024	2
Total outstanding complaints as at 30 June 2024	3

Section 115(AD)

An application for a review of a barring notice issued by the Commissioner of Police can be heard by the Commission constituted by one member.

Section 152NH

The Commission can hear and determine applications for review of short-term exclusion orders issued by the WA Police Force.

Section 152YY

The Commission can hear and determine applications for review of banned drinker orders issued by the WA Police Force.

Matters outside the jurisdiction of the Liquor Commission

An application for review cannot be lodged against the following decisions of the Director:

- cancellation of a licence under section 93 of the Act, unless the application for the review is made on a question of law;
- an application for or the conduct of business under an extended trading permit (where the period is greater than three weeks and less than five years) or an occasional licence;
- the imposition, variation, or cancellation of a term or condition of an extended trading permit, or an occasional licence;
- the cancellation or suspension of the operation of an extended trading permit or an occasional licence;
- matters relating to the hearing of an objection;
- a finding of fact required to be made in order to dispose of the matter or application; or
- a decision made in the course of, and for the purposes of, the administrative duties of the Director not directly related to the outcome of any application or matter before the licensing authority.

Furthermore, the Commission cannot reconsider any finding of fact by the Director as to:

- the qualifications, reputation or character of a person, or the fitness or propriety of a person in relation to an application or licence;
- the adequacy or suitability of any premises, accommodation or services provided, or proposed to be provided under a licence; or
- in relation to a club licence, or an application for such a licence, or the existence of the club, unless the review is sought by the person who lodged the application in respect of which the decision was made; or by the person about whom the finding was made in relation to the qualifications, reputation or character of a person.

Administrative structure

Section 9B of the Act provides that the Commission consists of a Chairperson and other members as determined by the Minister for Racing and Gaming. At least one member of the Commission is required to be a lawyer as defined in section 3 of the Act. Members of the Commission are appointed for a maximum period of five years and are eligible for reappointment.

The member or members who constitute the panel in relation to an application/appeal shall be selected by the Chairperson, who will consider their knowledge or experience.

Executive support for the Commission is provided by the Department of Local Government, Sport and Cultural Industries.

As of 30 June 2024, the Liquor Commission consisted of nine members.

Ms Emma Power – Chairperson

Ms Power has been working predominately in property, development, corporate and commercial. Prior to studying law, she was a secondary school teacher teaching visual arts. In 2017, she became the principal of the private law practice Power Commercial Law. She is also the legal member of the Local Government Standards Panel.

Mr Nicholas van Hattem – Deputy Chairperson

Mr van Hattem is a barrister with experience in commercial, government and criminal law matters. Prior to joining Francis Burt Chambers, he worked as a solicitor at Freehills, the Aboriginal Legal Service, Rio Tinto and the State Solicitor's Office. In 2020, he served as President of the Law Society of Western Australia.

Mr Paul Shanahan

Mr Shanahan has over 35 years' experience in legal practice, in commercial litigation and dispute resolution. His practice has focused primarily on contract disputes, regulatory issues, administrative law, negligence, product liability, insurance and risk management, and building and construction. Since 2020, he is the General Counsel and Director of Governance at the University of Western Australia.

Ms Elanor Rowe

Ms Rowe has practised as a solicitor in both England and Australia and was admitted as a Lawyer in the Supreme Court of Western Australia in 2010. She currently works in property management and is a member of the Local Government Standards Panel.

Ms Pamela Hass

Ms Hass is an experienced general counsel with a background in higher education, resources and a strong history in Board governance. Ms Hass has practised in Brisbane, Sydney, Canberra and Perth both in private and public practice specialising in house as General Counsel in several large universities. She holds a Bachelor of Laws (Honours) from the University of Queensland, a Master of Laws from the University of Western Australia and a Bachelor of Arts from Deakin University and was originally admitted as a barrister of the Supreme Court of Queensland.

Ms Shelley Davies

Ms Davies is a Legal Practitioner Director at Vitalis Legal. She has practised in both commercial and litigation areas, including appearances before the Supreme Court of Western Australia, the State Administrative Tribunal and the Commission.

Mr Tony Di Francesco

Mr Di Francesco is Special Counsel at Pragma Lawyers and practices in the areas of corporate law, commercial law, property law and commercial litigation. He has been a director of several companies and organisations in the real estate, sport and media industries.

Ms Mary Brown

Ms Brown has in excess of 30 years public sector leadership experience. Her distinguished career spans law enforcement, policy development, and legislative reform. Ms Brown is currently the Executive Director, Professional Standards and Conduct at the Department of Education where she administers misconduct investigations and legal and legislative services.

Mr Jared Brotherston

Mr Brotherston has over 20 years' experience as a director and company secretary and has held executive and senior management positions in postal services, construction and transport and logistics industries. He is currently employed with a major lithium mining company, with responsibility for contracting, procurement and supply chain management.

Performance summary for 2023-24

The following tables provide details of the number, nature and outcome of applications before the Commission as at 30 June 2024. Full determinations are available from the Commission's website: [Liquor Commission](#).

Applications determined in 2023-24				
Case No.	Section of Act	Name	Matter	Outcome
23/2450	115AD and 21	JHB	Application for review of a barring notice.	Barring notice quashed. Police to pay Applicant's legal costs of \$4,000.
22/11235	25	Commissioner of Police	Application for review of the decision of the Director to vary a prohibition order.	Application granted. Original prohibition order varied.
23/3564	115AD	CCH	Application for review of a barring notice.	Barring notice varied.
23/1158	115AD	BNM	Application for review of a barring notice.	Barring notice varied.
23/2184	115AD	ZSC	Application for review of a barring notice.	Application dismissed.
22/11230	25	Chief Health Officer	Application for review of the decision of the Director to conditionally grant a special facility (sports arena) licence for premises known as X-Golf Nedlands without imposing further trading conditions.	Application dismissed. Advertising condition of the licence modified.
22/3849	24	Santosh Foods Pty Ltd	Referral by the Director of an application for the transfer of a liquor licence for premises known as The George.	Application withdrawn.
22/2214	24	JB Foods Pty Ltd	Referral of conditional grant of a liquor store licence for premises known as Karratha Cellars.	Application granted.
23/4189	115AD	DMW	Application for review of a barring notice.	Application dismissed.
23/299	115AD	MJB	Application for review of a barring notice.	Application dismissed.
23/3045	115AD	JTW	Application for review of a barring notice.	Barring notice varied.
23/4903	115AD	TFJ	Application for review of a barring notice.	Barring notice varied.
23/5510	115AD	WJD	Application for review of a barring notice.	Barring notice varied.

Applications determined in 2023-24				
Case No.	Section of Act	Name	Matter	Outcome
22/2640	95	Jashan Pty Ltd (Licensee) and Vinod Parihar (director)	Complaint by the Commissioner of Police alleging there is proper cause for disciplinary action against the licensee and director for breach of the <i>COVID Restrictions Gatherings and Related Measures Directions No 2</i> on 31 December 2021 at a premises known as The George.	Mr Vinod Parihar disqualified for five years from the date of the determination from being a holder of a position of authority in a body corporate that holds a licence, or from being interested in, or in the profits or proceeds of, a business carried on under a licence.
24/248	115AD	AAS	Application for review of a barring notice.	Barring notice varied.
23/5567	115AD	PJW	Application for review of a barring notice.	Barring notice varied.
24/8	115AD	CDM	Application for review of a barring notice.	Application dismissed.
24/821	115AD	JCD	Application for review of a barring notice.	Barring notice quashed.
23/4767	95	Bushtree Holdings Pty Ltd (Licensee), Pierre D'Arcy Pty Ltd (Licensee) and Wesley Jason D'Arcy (director)	Complaint by the Commissioner of Police alleging there is proper cause for disciplinary action against the licensees and director.	Wesley D'Arcy reprimanded and fined \$10,000. Trading conditions imposed on Jarrah and Mister D'Arcy licences. Written reasons to be published in due course.
24/370	115AD	SDM	Application for review of a barring notice.	Application dismissed.
24/1080	115AD	CJCW	Application for review of a barring notice.	Barring notice varied.
23/112	25	Chief Health Officer	Application for review of the decision of the Director to approve applications to vary trading conditions and alteration/redefinition of licensed premises known as Event Cinemas Whitfords without adding additional harm minimisation conditions.	Application allowed. Additional trading conditions imposed on the licence.
24/820	115AD	MJY	Application for review of a barring notice.	Application dismissed.

Applications determined in 2023-24				
Case No.	Section of Act	Name	Matter	Outcome
24/447	115AD	TWM	Application for review of a barring notice.	Barring notice varied.
24/370	115AD	RPB	Application for review of a barring notice.	Barring notice varied.
24/2900	115AD	HSR	Application for review of a barring notice.	Barring notice varied.
24/3065	115AD	JWL	Application for review of a barring notice.	Application dismissed.

There are 11 matters that have been heard but not determined as at 30 June 2024:

Matters heard but not determined as at 30 June 2024				
Case Number	Name	Section of Act	Nature of matter	Status
21/1114	Spinifex Holdings (WA) Pty Ltd	95	Complaint by the Commissioner of Police alleging there is proper cause for disciplinary action.	Decision reserved.
21/1115	Boab Inn Pty Ltd			
21/1116	Emanuel Dillon			
21/1917	Spinifex Holdings (WA) Pty Ltd	147	Application by the Director seeking forfeiture of illegal gains due to breaches of licence conditions.	Decision reserved.
23/2723	Condo Produce Pty Ltd	25	Application for review of the decision of the Director to impose section 64 liquor restrictions on two licensed premises known as Al's Liquor Store and Camel Lane Tavern.	Decision reserved.
24/1055	Perth City Enterprises Pty Ltd	147	Application by the Director seeking forfeiture of illegal gains due to breaches of licence conditions.	Decision reserved.
24/2233	Cabaret Australia Pty Ltd	147	Application by the Director seeking forfeiture of illegal gains due to breaches of licence conditions.	Decision reserved.
24/1296	MAM	25	Application for review of the decision of the Director to make a prohibition order.	Decision reserved.
24/2493	Curtin Student Guild	25	Application for review of the decision of the Director to approve an application for the conditional grant of a liquor store licence for premises known as Exchange Cellars.	Decision reserved.
24/22693	VM	25	Application for review of the decision of the Director to make a prohibition order.	Decision reserved.

Matters heard but not determined as at 30 June 2024				
Case Number	Name	Section of Act	Nature of matter	Status
24/3367	TB	115AD	Application for review of a barring notice.	Matter to be determined on the papers.

Finally, there are 9 matters that are awaiting consideration and will be carried over to the 2024/25 FY:

Matters to be carried over to 2024-25 FY				
Case Number	Name	Section of Act	Nature of application	Status
21/1918	Bradley Dunn	24	Referral by the Director of applications by the Commissioner of Police for revocation of approved managers approval.	Matters to be determined together on the papers. Applications on hold pending the outcome of matters 21/1114, 21/1115, 21/1116 and 21/1917.
21/1919	Emanuel Dillon			
21/1920	Kenneth Dodge			
24/2382	Ameera Pty Ltd	25	Application for review of the decision of the Director to approve an application for the conditional grant of a liquor store licence for premises known as Liquorland Yanchep.	Matter listed for hearing on 7 August 2024.
24/1306	Benjamin Lawver	25	Application for review of the decision of the Director to approve the conditional removal of a liquor store licence for premises known as Liquorland Hamilton Hill.	Matter listed for hearing on 12 August 2024.
24/1931	Bushtree Holdings Pty Ltd	25	Application for review of the decision of the Director to refuse an application to vary trading conditions of for licensed premises known as Jarrah.	Matter listed for hearing on 27 August 2024.
24/4258	RLM	115AD	Application for review of a barring notice.	Application lodged on 19 June 2024. Matter to be determined on the papers.
24/4289	JLH	115AD	Application for review of a barring notice.	Application lodged on 27 June 2024. Matter to be determined on the papers.
22/4269	Liquorland (Australia) Pty Ltd	25	Application for review of the decision of the Director to refuse the grant of a liquor store licence in relation to premises known as Liquorland Southern River East.	Matter to be listed for hearing.

Supreme Court challenges

Liquorland (Australia) Pty Ltd and Director of Liquor Licensing – GDA 4 of 2023

On 19 August 2022, Liquorland (Australia) Pty Ltd lodged an application pursuant to section 25 for the review of a decision of the Director of Liquor Licensing to refuse the conditional grant of a liquor store licence for premises known as Liquorland Southern River East.

The Director determined that the applicant failed to discharge its onus under section 36B(4) in relation to whether existing packaged liquor premises already met the local package liquor requirements.

On 21 June 2023, the Commission determined to refuse the application as the applicant had failed to discharge its onus under section 36B(4), however it found that the applicant had satisfied the public interest test under section 38(2).

On 12 July 2023, Liquorland (Australia) Pty Ltd appealed the decision to the Supreme Court on the following grounds:

1. The Commission erred in law by misconceiving its function under the Act to evaluate the evidence and draw conclusions from the evidence including inferences from facts established by the evidence, and by misconstruing the concept of local packaged liquor requirements in section 36B(4) of the Act, and thereby failed to apply itself to the relevant issues and constructively failed to exercise its jurisdiction, by failing to consider:
 - a) whether the local packaged liquor requirements contended for by the appellant could or should be inferred from the facts established by the evidence;
 - b) whether the planning evidence adduced by the appellant was capable of supporting an inference that local packaged liquor requirements could not reasonably be met; and
 - c) the specific evidence of purchasers of liquor regarding their requirements for liquor from the proposed store.
2. The Commission erred in law in that it misconstrued the concept of local packaged liquor requirements in section 36B(4) of the Act by finding in its reasons that the appellant had not established a 'considerable requirement' for one stop shopping, when it should have considered whether a not insignificant or immaterial number of consumers had the requirements for convenience and one stop shopping contended for.
3. The Commission erred in law by misconstruing the concept of 'locality' in section 36B(4) of the Act and impermissibly circumscribing its evaluation of the evidence relating to 'locality.'
4. The Commission erred in law at paragraphs 104 and 105 of its reasons in that it:
 - a) asserted, in the absence of any supporting evidence, that MGA Town Planners had chosen Balfour Road as a locality boundary so as to exclude any packaged liquor stores from the locality, that Warton Road should be preferred to Balfour Road as a locality boundary, and that Corfield Road should be the boundary to the east;
 - b) failed to state or adequately state its reasons for those findings;
 - c) found that the reasons in the MGA Supplementary Report for Balfour Road to be adopted as a locality boundary were not compelling and thereby adopted the wrong test under the Act, and
 - d) misconceived its function under the Act to evaluate the evidence and draw conclusions from the evidence.

5. The Commission erred in law in that at paragraphs 140 to 150 of its reasons, it misconstrued the concept of local packaged liquor requirements in section 36B(4) of the Act and failed to apply itself to a relevant issue to be decided on the appellant's application and thereby constructively failed to exercise its jurisdiction by determining, in effect, that existing liquor stores in the locality reasonably met any consumer requirement for one stop shopping and convenience in the locality, when the relevant question on the appellant's case was whether any existing liquor stores in the locality reasonably met consumer requirements for one stop shopping and convenience at the location of the proposed new store.

On 24 April 2024, Justice Lemonis determined that Grounds 2 and 4 were made out.

On 26 April 2024, Justice Lemonis allowed the appeal, quashed the decision of the Commission and the matter was remitted back to the Commission for reconsideration. Further Justice Lemonis directed that the Commission permit Liquorland (Australia) Pty Ltd to adduce further evidence in relation to issues relevant to the public interest and section 36B(4), provided any further evidence is not to be adduced for the purposes of raising new issues which could reasonably have been raised when the application was first made.

Significant issues impacting the Liquor Commission

Changes in written law

The Liquor Commission Amendment Rules 2023 amended Schedule 1 of the Liquor Commission Rules 2007 to increase the following application fees, which came into effect on 1 January 2024:

- Application for a review of a decision by the Director - \$443.50.
- Appeal against a decision of the Commission constituted by one member - \$443.50.

The Liquor Commission Amendment Rules (No. 2) 2023 amended the Liquor Commission Rules 2007 to allow the Commission to hear applications for review of a banned drinker order issued by the WA Police Force, which came into effect on 14 December 2023.

The Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2023 amended Schedule 3 of the Liquor Control Regulations 1989 to increase the following application fees, which came into effect on 1 January 2024:

- Application for a review of a barring notice issued by the Police: \$272.50.
- Application for a review of an exclusion order issued by the Police: \$272.50.

The Liquor Control Amendment Regulations (No. 2) 2023 amended Schedule 3 of the Liquor Control Regulations 1989 to introduce a new application fee of \$264.00 for the review of a banned drinker order issued by the WA Police Force, which came into effect on 14 December 2023. The fee was increased to \$272.50 with effect on 1 January 2024.

Trends or special problems that have emerged

It is the experience of the Commission in recent years that barring notices issued by the Commissioner of Police have been appealed more often on the basis of the scope of the barring order and, in particular, the wide range of premises that a respondent may be barred from attending. As barring orders are not intended to have a punitive effect, but a protective one, this has required careful consideration of the facts of each incident, as well as the particular personal circumstances of the respondent being barred, to ensure that the scope and length of barring orders align with objects of the Act.

Proposals for improving the operation of the Commission

The Commission will develop standard completion timeframes for matters to ensure the efficient exercise of the Commission's statutory functions.

Forecasts of the Commission's workload for 2024-25

It is expected that although the Commission's workload will be similar to previous years, the complexity of matters before the Commission will continue to increase.

Other legal and government policy requirements

The Commission meets its requirements through arrangements with the Department of Local Government, Sport and Cultural Industries. The Department's Annual Report contains information on the following requirements:

- Disability access and inclusion plan outcomes.
- Compliance with public sector standards and ethical codes.
- Recordkeeping plans.
- Employment and industrial relations.
- Staff development.
- Workers' compensation.
- Occupational safety, health and injury management.
- WA multicultural policy framework.
- Substantive equality.

Unauthorised use of credit cards

There have been no identified instances of unauthorised use of corporate credit cards.

Act of Grace payments

There was no act of grace payments made during the reporting period.

Advertising

The Commission did not incur any expenditure in 2023-24.

Remuneration of members

Chairperson

The Chairperson is entitled to payment of:

- \$763 per day for hearings or deliberations/meetings of less than four hours; or
- \$1,074 per day for hearings or deliberations/meetings of over four hours.
- Plus \$129 per hour for preparation time. The rate which applies is three hours for up to one day and three hours for each additional day of hearings or deliberations or part thereof.
- Plus \$129 per hour for decision writing time. The rate which applies is five hours for up to one day and three hours for each additional day of hearings or deliberations or part thereof.

Members

The members are entitled to payment of:

- \$505 per day for hearings or deliberations/meetings of less than four hours; or
- \$773 per day for hearings or deliberations/meetings of over four hours.
- Plus \$102 per hour for preparation time. The rate which applies is three hours for up to one day and three hours for each additional day of hearings or deliberations or part thereof.
- Plus \$107 per hour for decision writing time. The rate which applies is five hours for up to one day and three hours for each additional day of hearings or deliberations or part thereof.

During the reporting period, the following remuneration figures applied to Commission members.

Position title	Member name	Type of remuneration	Period of membership		Gross/actual remuneration for 2023-24
Chairperson	Emma Power	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$7,763.00
Deputy Chairperson	Nicholas van Hattem	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$5,720.00
Member	Paul Shanahan	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$4,374.00
Member	Elanor Rowe	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$2,692.00
Member	Pamela Hass	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$7,402.00
Member	Shelley Davies	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$4,374.00
Member	Anthony Di Francesco	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$5,215.00
Member	Mary Brown	Not applicable - Full time public sector employee	1/7/2023	30/6/2024	Nil
Member	Jared Brotherston	Sitting fees plus preparation and decision writing time	1/7/2023	30/6/2024	\$5,046.00
Former Member	Dr Kim Hames	Sitting fees plus preparation and decision writing time	1/7/2023	1/08/2023	\$841.00
Former Member	Alya Barnes	Sitting fees plus preparation and decision writing time	1/7/2023	19/09/2023	\$2,186.00
Former Member	Prof. Colleen Hayward	Sitting fees plus preparation and decision writing time	1/7/2023	30/01/2024	\$1,622.00
Total					\$47,235.00

Contacts

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