

SENATE ECONOMICS REFERENCES COMMITTEE – INQUIRY INTO NON-CONFORMING BUILDING PRODUCTS

REQUEST FOR INFORMATION FROM WESTERN AUSTRALIAN DEPARTMENT OF TREASURY ARISING FROM 9 MARCH 2017 HEARING

The Committee requested that the Department of Treasury provide:

1. In relation to the incident whereby asbestos containing material was discovered within unitised roof panels at the Perth Children's Hospital, details of interactions between Treasury and:
 - (i) WorkSafe;
 - (ii) Yuanda; and
 - (iii) John Holland.
2. Documents that relate to, as a consequence of what occurred, changes in approaches or processes in respect of procurement rules and how risk will be managed in future.

Department of Treasury Response:

- 1.(i) A WorkSafe representative attended the 15 July 2016 meeting of the Perth Children's Hospital Commissioning and Transition Taskforce (PCH Taskforce), chaired by the Department of Health and also attended by the Department of Treasury (Treasury). WorkSafe reported on its inspection of the PCH site and discussed Department of Health (Health) and Treasury obligations in relation to their staff present on the PCH site.

The PCH Taskforce is chaired and administered by Health; if required, minutes of this meeting should be requested from Health.

Treasury has been unable to identify any records of any other interaction with WorkSafe in relation to the incident in question.

- 1.(ii) Treasury did not attend any meetings with Yuanda in relation to the incident in question.
- 1.(iii) Treasury and John Holland discussed the incident and its remediation at weekly Executive Construction Management meetings (attended by senior John Holland and Treasury site personnel) and Project Advisory Group meetings (attended by John Holland and Treasury site executive management and senior site personnel). Relevant extracts of the minutes of these meetings are provided at Attachments 1 and 2.

A John Holland representative attended the 19 July 2016 meeting of the PCH Taskforce and reported in detail on the incident. As for item 1.(i), if required, minutes of this meeting should be requested from Health.

2. Following the incident, Treasury conducted an internal audit of all major building projects managed by its Strategic Projects and Asset Sales division to identify whether any products supplied by Yuanda had been or were intended to be used and if so, whether the risk of non-conforming product was adequately addressed. The resulting audit report is provided at Attachment 3.

Treasury also provided input to a similar audit conducted by the Building Commission of Western Australia and a related investigation by Australian Border Force.

In response to the incident, Treasury also updated the terms of the Managing Contractor Contract for the WA Museum (essentially the same form of contract as the PCH procurement model and under negotiation at the time) to provide the State with the ability to direct that imported plant, equipment or materials certified outside Australia be recertified by an accredited Australian authority, approved by the State. These provisions have been incorporated into Treasury's contract templates for application on future projects. The relevant terms are provided at Attachment 4.

**ATTACHMENT 1 – RELEVANT EXTRACTS OF PCH EXECUTIVE CONSTRUCTION
MANAGEMENT MEETINGS**

Audit of Yuanda Products on SP&AS Projects – July 2016 (Ref: 00357214)

SP&AS Project	Contractor / Project Co	Yuanda Products Supplied (Y/N)	Comment
EGRP	John Holland (Capella)	No	Confirmed in letter from John Holland's [REDACTED] to Capella and SP&AS PD.
Old Treasury Building Precinct Development	Mirvac - DMJC	No	Email from [REDACTED] (Mirvac) to [REDACTED] (Mirvac) and [REDACTED] (Dept of Fiance – BMW), confirming that Yuanda were not engaged to supply any products on either Old Treasury Office Tower or the Annexe building.
	Doric – SAT + PC Library	No	Letter from Doric's [REDACTED] to City of Perth's [REDACTED] advising Yuanda was not engaged on the City of Perth Library and no asbestos products used in the construction of the library or plaza.
	Built NSW – State Buildings/COMO The Treasury	No	Initial email from [REDACTED] AT FJM Property. Awaiting formal response from Built. Formal response received 1 August from Built, via email from [REDACTED] – (Yuanda made or supplied products not used in restoration of Old Treasury Buildings).
	Broad - DMJC Fitout	No	Emailed response received from Broad's [REDACTED] to [REDACTED] BMW.
	Northerly + Broad - [REDACTED]	No	Emailed response from Northerly's [REDACTED] PCF/s [REDACTED] and ADCO's [REDACTED] to [REDACTED] BMW
FSH	Brookfield Multiplex	Yes	Awaiting Report from Contractor. Emailed update received from SP&AS PD. [REDACTED] (BM) emailed 21 July to advise report may take up to two weeks to produce. [REDACTED] on Behalf of BM confirms to best of their knowledge no products on the FSH project contain asbestos. Further the product supplied by Yuanda on PCH (contained asbestos) was not supplied to FSH. [REDACTED] emailed [REDACTED] for direction on how to proceed with OccSafe's approach to them. [REDACTED] provided advice to [REDACTED] to forward onto [REDACTED] (2 Aug 2016) on what Health should request in writing from Occsafe. The response from Occsafe can be put to the Building Commission which is managing the issue.
	OccSafe	N/A	[REDACTED] (OccSafe) supplied product matrix to [REDACTED] (Health) for assessment purposes for sample product testing on FSH site.
Perth Stadium	Brookfield Multiplex (Weststadium)	Yes	Emailed response received from Perth Stadium PD with a list of all materials supplied by Yuanda. Investigation is progressing to determine

			the validity of the Chinese certifications provided and their analytical standard for 'Asbestos Free' in comparison with Australian Standards. Latest update emailed 22 July. Report from BM – Yuanda engaged OccSafe Australia Pty Ltd (independent consultant) to act as asbestos assessor. Samples were taken from Yuanda's Perth storage facility and tested at Envirolab (NATA Accredited). No asbestos fibre detected.
Joondalup HC	John Holland [REDACTED] (Care)	No	Emailled response received from John Holland's [REDACTED] to [REDACTED] at Ramsay Health. In addition an emailed response from ADCO's [REDACTED] to [REDACTED] (to Health's [REDACTED]) confirming Yuanda was NOT engaged to provide services or products on the Renal/Paediatric project at Joondalup.
Midland HC	Brookfield Multiplex	No	Confirmed in letter from BM's [REDACTED] to St John of God Midland HC
Busselton HC	Doric	No	Statement issued by Doric 22 July confirming no Chinese-fabricated materials were used in the construction of Busselton Health Campus. Email from [REDACTED] (Doric) 5 August, to Martin L; Testing by Lancall of panel tile found nil asbestos present.
Albany HC	John Holland	No	Confirmed in letter from John Holland's [REDACTED]
KHC	Brookfield Multiplex	No	SP&AS PD - Construction has not commenced -project still in design stage.
WA Schools PPP	Badge Constructions + Perkins (Edu West)	No	Advised in email from SP&AS PD [REDACTED] there are no products supplied by Yuanda or contain asbestos. (No notice from Contractor)
Acacia Prison Exp.	Doric	No	Advised in email from SP&AS PD [REDACTED] there are no products supplied by Yuanda or contain asbestos. (No notice from Contractor)
Perth Arena	BGC - Construction		
	VenuesWest - Fitout	No	Email from [REDACTED] at VenuesWest to [REDACTED] (BMW) advising Yuanda was not sourced as part of the Fitout.

**ATTACHMENT 2 – RELEVANT EXTRACTS OF PCH PROJECT ADVISORY GROUP
MEETINGS**



Date: 08 August 2016

Meeting Number: 59

Time: 04:00pm – 06:00pm

Venue: PCH, West Block, Level 3, Conference
Room

Project Advisory Group (PAG) Meeting Minutes

Name	Initials	Position	Present	Apologies
Members				
[REDACTED]	BR		✓	
[REDACTED]	CE		✓	
[REDACTED]	DM		✓	
[REDACTED]	FD		✓	
[REDACTED]	FR		✓	
[REDACTED]	JH		✓	
[REDACTED]	LA			✓
[REDACTED]	RM		✓	
Attendees				
[REDACTED]	GC		✓	
[REDACTED]	IW		✓	
[REDACTED]	ST		✓	
[REDACTED]	TB		✓	

Item	Discussion/ Actions Required	Action Member	Due Date
1.0	[REDACTED]	Note	
2.0	[REDACTED]	Note	
3.0	[REDACTED]		
3.1	[REDACTED]	[REDACTED]	[REDACTED]
3.2	[REDACTED]	[REDACTED]	[REDACTED]
3.3	[REDACTED]		
4.0	[REDACTED]		
5.0	[REDACTED]		
5.1	[REDACTED]		
5.1.1	IW provided an update on the rectification of the asbestos roof panels and its timing. The remediation of the issue is to be agreed with the State. The exhaust fan will be repositioned and the asbestos removed, either in-situ or by replacing the panels.		
5.1.2	[REDACTED]		

5.6.3	[REDACTED]		
5.7	OH&S		
5.8	Industrial Relations		
5.9	Safety		
5.9.1	PAG noted 4 – 6 weeks will be required for the final report to be issued around the asbestos roof panels incident.		
5.9.2	[REDACTED]		
5.10	[REDACTED]		
5.11	[REDACTED]		
5.11.1	[REDACTED]		
5.11.2	[REDACTED]		
5.11.3	[REDACTED]		
5.11.4	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]		
5.13	[REDACTED]		
5.14	[REDACTED]		
5.15	[REDACTED]		
5.16	[REDACTED]		
5.17	[REDACTED]		



Date: 12 September 2016

Meeting Number: 60

Time: 04:00pm – 06:00pm

Venue: SCGH, K Block, Level 1, Training
Room

Project Advisory Group (PAG) Meeting Minutes

Name	Initials	Position	Present	Apologies
Members				
[REDACTED]	BR		✓	
[REDACTED]	CE		✓	
[REDACTED]	DM		✓	
[REDACTED]	FD			✓
[REDACTED]	FR		✓	
[REDACTED]	JH		✓	
[REDACTED]	LA		✓	
[REDACTED]	RM			✓
Attendees				
[REDACTED]	GC		✓	
[REDACTED]	IW		✓	
[REDACTED]	ST		✓	
[REDACTED]	TB		✓	

5.11.1	[REDACTED]		
5.11.2	The atrium roof panels remediation is underway however, the works are weather dependent. JHPL advised that it has been identified that not all roof panels contained asbestos. Over 50 roof panels contained plaster board rather than the required fibre board.		
5.11.3	[REDACTED]		
5.11.4	[REDACTED]		
5.11.5	[REDACTED]		
5.12	[REDACTED]		
5.13	[REDACTED]		
5.14	[REDACTED]		
5.15	[REDACTED]		
5.16	[REDACTED]		
5.17	[REDACTED]		
6.0	[REDACTED]		
[REDACTED]	[REDACTED]		



Date: 14 November 2016

Meeting Number: 62

Time: 04:00pm – 06:00pm

Venue: SCGH, K Block, Level 1, Training
Room

Project Advisory Group (PAG) Meeting Minutes

Name	Initials	Position	Present	Apologies
Members				
[REDACTED]	BR		✓	
[REDACTED]	CE			✓
[REDACTED]	DM		✓	
[REDACTED]	FD		✓	
[REDACTED]	FR		✓	
[REDACTED]	JH		✓	
[REDACTED]	LA		✓	
[REDACTED]	RM		✓	
Attendees				
[REDACTED]	GC		✓	
[REDACTED]	IW		✓	
[REDACTED]	ST		✓	
[REDACTED]	TB		✓	

5.11.1	[REDACTED]		
5.11.2	[REDACTED]		
5.11.3	[REDACTED]		
5.11.4	[REDACTED]		
5.11.5	[REDACTED]		
5.11.6	All asbestos affected atrium roof panels have been remediated. The drainage remains to be resolved with ARUP reviewing the proposed solutions for the State.		
5.11.7	[REDACTED]		
5.11.8	[REDACTED]		
5.12	[REDACTED]		
5.13	[REDACTED]		
5.14	[REDACTED]		
5.15	[REDACTED]		
5.16	[REDACTED]		
5.17	[REDACTED]		

**ATTACHMENT 3 – TREASURY INTERNAL AUDIT OF PRODUCTS SUPPLIED BY
YUANDA AUSTRALIA**

Summary		Description	Action Item	Assignee	Original Action Date	Updates
Executive Construction Management Meeting Wk 008 18 August 2016 @ 12.30pm		PRESENT				
		APOLOGIES				
	Agenda					
1						
2						
3						
3.1						
3.2						
3.3						
3.4						
3.5						
4						

Summary		Description	Action Item	Assignee	Original Action Date	Updates
Executive Construction Management Meeting Wk 009 25 August 2016 @ 12.30pm		PRESENT		-	-	
		APOLOGIES				
	Agenda					
1						
2						
3						
3.2						
3.3						
3.4						
3.5						
4						

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Summary	Description	Action Item	Assignee	Original Action Date	Updates
Executive Construction Management Meeting Wk 011 8 September 2016 @ 4.00pm	PRESENT				
	APOLOGIES				
Agenda					
1					
2					
3					
3.2					
3.3					
3.4					
3.5					
4					

Summary	Description	Action Item	Assignee	Original Action Date	Updates
5	[REDACTED]	a. Former Yuanda Works now being performed by JHG;	WF	30/06/2016	WF has data. JDH has asked that P90 weather rate be used to get the rate per day for atrium remediation
6	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Summary	Description	Action Item	Assignee	Original Action Date	Updates
Executive Construction Management Meeting Wk 012 15 September 2016 @ 12.30pm	PRESENT		-	-	
Agenda	APOLOGIES				
1					
2					
3					
3.2					
3.3					
3.5					
4					
5					
	b. Atrium panel replacement		JL		JDH has asked that P90 weather rate be used to get the rate per day for atrium remediation - JDH has requested an update on additional shifts

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Summary	Description	Action Item	Assignee	Original Action Date	Updates
Executive Construction Management Meeting Wk 013 22 September 2016 @ 12.30pm	PRESENT [REDACTED]				
	APOLOGIES [REDACTED]				
Agenda	[REDACTED]				
1	[REDACTED]				
2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3	[REDACTED]				
	[REDACTED]				
3.2	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]
3.3	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	b. Atrium panel replacement		JL		- JDH has asked that P90 weather rate be used to get the rate per day for atrium remediation - JDH has requested an update on additional shifts

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Summary		Description	Action Item	Assignee	Original Action Date	Updates
Executive Construction Management Meeting Wk 014 29 September 2016 @ 12.30pm		PRESENT [REDACTED]				
		APOLOGIES [REDACTED]				
	Agenda	- Previous minutes - New items				
1	[REDACTED]	[REDACTED]				
2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3	[REDACTED]					
3.1	[REDACTED]					
3.2	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]
3.3	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]		[REDACTED]		[REDACTED]
3.5	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
		[REDACTED]	[REDACTED]			[REDACTED]
		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
		[REDACTED]		[REDACTED]		[REDACTED]
5	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		b. Atrium panel replacement		JL		- programme to be recut - JDH has requested an update on additional shifts

Summary	Description	Action Item	Assignee	Original Action Date	Updates
6					
7					
8					
9					
10					

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Summary	Description	Action Item	Assignee	Original Action Date	Updates
5					
	b. Atrium roof panel replacement		DG		- 120 replaced, anticipate complete by 31/10
6					
7					
8					
9					
10					

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ATTACHMENT 4 – TREASURY CONTRACT TERMS FOR RECERTIFICATION OF IMPORTED PRODUCTS

18.8 *Recertification*

- (a) *Without limiting the remainder of this clause 18, the State may, at any time and from time to time prior to the Final Completion Date, Direct that any plant, material or equipment (including Plant, Materials and Equipment) imported into Australia (**Imported Goods**):*
 - (i) *used or supplied during the performance of the Contractor's Activities; or*
 - (ii) *which forms part or which will form part of the Works,*
which has been certified outside of Australia, be recertified by an Australian accredited authority, approved by the State.
- (b) *If the State Directs that Imported Goods be recertified under clause 18.8(a), the Contractor must promptly and in any event, within 5 Business Days, arrange for the recertification in accordance with clause 18.8(a) and provide that recertification to the State within 1 Business Day of receiving the results.*
- (c) *If the recertification provided under clause 18.8(b) shows that there was an error or discrepancy of any kind in the original certification for those Imported Goods the Contractor:*
 - (i) *must bear any costs it incurs in respect of, or any way associated with, that recertification; and*
 - (ii) *if the recertification identifies a Defect in the Imported Goods, the State may give the Contractor a Defect Notice under clause 20.1 in respect of the Defect and the remainder of clause 20 applies.*

If the recertification provided under clause 18.8(b) confirms that the original certification for those Imported Goods was correct, then the State's Direction will be deemed to have been a Variation Order, carried out at the State's cost.



PERTH CHILDREN'S HOSPITAL COMMISSIONING AND TRANSITION TASKFORCE

FINAL MINUTES OF SPECIAL MEETING REGARDING PRESENCE OF ASBESTOS IN BUILDING PANELS

Date: Friday 15 July 2016
Time: 12 Noon – 2.40pm
Location: Office of the Minister for Health, Dumas House

MEMBERS:

[REDACTED] (RB)	A/Director General, DoH - Chair
[REDACTED] (PC)	Director General, Department of Premier and Cabinet (DPC)
[REDACTED] (NE)	Deputy State Solicitor, State Solicitors' Office
[REDACTED] (LG)	Executive Director (ED), Cabinet and Policy Division, DPC
[REDACTED] (ST)	Director, Strategic Policy and Evaluation, DoT – proxy for A Jones

IN ATTENDANCE:

[REDACTED] (AK)	Assistant DG, Purchasing and System Performance, DoH
[REDACTED] (RM)	ED, Strategic Projects and Asset Sales (SP&AS), DoT
[REDACTED] (DM)	Chief of Staff, Office of the Minister for Health
[REDACTED] (FD)	CE, Commissioning PCH Project
[REDACTED] (CW)	Principal Policy Adviser – Health, Office of the Minister for Health
[REDACTED] (TW)	Assistant DG, Public Health; Chief Health Officer, DoH
[REDACTED] (NW)	Media Advisor, Office of the Minister for Health
[REDACTED] (SH) *	Office of the Premier
[REDACTED] (AD) *	Director General, Department of Commerce
[REDACTED] (LM) *	Worksafe Commissioner
[REDACTED] (PG) *	Building Commissioner
[REDACTED] (TS) *	Regional Director WA, Comcare
[REDACTED] (NB)	Secretariat, Manager, P&SP Executive Office, DoH

BY TELECONFERENCE:

[REDACTED] (JT) *	CEO, Comcare
[REDACTED] (JN) *	Comcare
[REDACTED] (LM) *	Comcare
[REDACTED] (JR) *	Australian Government Department of Employment

APOLOGIES:

[REDACTED] (DRW)	Director General, Department of Health (DoH) Executive Director, Strategic Policy and Evaluation, DoT
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*Did not remain for the entire meeting.

Note – these minutes are presented in terms of key issues discussed, rather than a chorological record of discussions.

ISSUE 1 – OVERVIEW OF REGULATOR ROLE AND ACTIVITY

- In opening the meeting, RB sought a chronological account of Comcare's role since asbestos was detected in roofing panels installed in the Perth Children's Hospital.
- JT, JN and TS advised that:
 - Comcare received formal verbal notification of the incident by the Managing Contractor (MC) at 9am, 13 July 2016, and written notification on 14 July 2016.
 - Comcare inspectors first visited the PCH site at 11am 13 July, where they met with representatives of the MC, were advised on and observed the controls put in place.
 - Engagement with the MC has been ongoing since that time.
 - Testing of materials and detection of asbestos took place late in the evening of 13 July.
 - Comcare is assured that the MC is taking appropriate steps to ensure safety at this stage.
 - It is appropriate that work continue at the PCH site.
 - Comcare does not conduct its own testing, but satisfies itself that the testing undertaken by the MC (in this case) is appropriate and reputable.
 - Comcare does not provide certification that it is satisfied in a particular case, rather it takes action when it is not satisfied.
 - Comcare indicates its satisfaction verbally, but may issue interim reports.
 - Comcare would never say that a site was safe, only that the measures taken to ensure safety were appropriate.
- RB sought advice from Comcare as to whether it was satisfied with measures taken to ensure the safety of the MC's workers in the period from the evening of 11 July 2016 until the following evening. TS advised that Comcare had a version of events from the MC and a timeline. However, until it had investigated further, including speaking with the individual/s who reported the incident, it could not confirm what took place.
- Taskforce (TF) members enquired as to whether Comcare could provide some written advice as to its assessment of the situation at PCH. JT advised that the issuing of such advice was not usual practice and that interim reports would only be prepared at the appropriate point in the process and were not made public.
- JT undertook to consider and take advice on what type of written assurance Comcare may be able to provide to TF, noting the significant public interest in this issue.
- In regard to the replacement to the panelling, TS advised that Comcare would need to be satisfied that the health and safety risk management undertaken was appropriate.
- TF was advised that both Comcare, through the *Work Health and Safety Act*, and Worksafe WA, through the *Occupational Safety and Health Act*, have jurisdiction to investigate in respect of this incident/issue.
- LM advised that Worksafe had visited the PCH site and was satisfied with the measures put in place by the MC at this point in time.
- It was agreed that the Child and Adolescent Health Service (CAHS) and Department of Treasury (DoT) would formally write to Worksafe to request its involvement at the PCH site (with respect to staff of CAHS and DoT).
- Taskforce discussed the fact that there was now a cross-jurisdictional response to issues related to Yuanda products, coordinated by Border Force Australia.
- PC indicated that TF was seeking some assurance from Worksafe that:
 - it was safe for work to continue on the PCH site
 - measures in place now and through into the remediation period were appropriate
 - the matter was not closed and that Worksafe's role would be ongoing.
- RB indicated that public comment should be from the regulators and not from the Department of Health.

- PG indicated that the Building Commissioner would use his powers under the *Building Act* to investigate the use of Yuanda products at PCH as well as at Fiona Stanley Hospital and on the Perth Stadium Project.

ISSUE 2 – IMPLICATIONS FOR STAFF

[REDACTED]

ISSUE 3 – ADVICE TO TASKFORCE FROM THE ASSISTANT DIRECTOR GENERAL, PUBLIC HEALTH; CHIEF HEALTH OFFICER

[REDACTED]

ISSUE 4 – IMPLICATIONS FOR THE PCH PROJECT

- [REDACTED]

[REDACTED]

ISSUE 5 – COMMUNICATIONS

- [REDACTED]

KEY ACTIONS

- [REDACTED]
- [REDACTED]
- [REDACTED]

Next Taskforce Meeting: Tuesday 19 July 2016 at 9.30am. Director General's Boardroom, Department of Health.

These minutes represent a true and accurate record of the PCH Taskforce meeting held at Dumas House, 15 July 2016

[REDACTED]

A/Director General, Department of Health
Chair, PCH Commissioning and Transition Taskforce
July 2016

[REDACTED]

Secretariat, PCH Commissioning and Transition Taskforce
July 2016



PERTH CHILDREN'S HOSPITAL COMMISSIONING AND TRANSITION TASKFORCE

FINAL MINUTES

Date: Tuesday 19 July 2016
Time: 9.30am – 1.30pm
Location: Director General's Boardroom, Department of Health

MEMBERS:

██████████ (DRW)	Director General, DoH - Chair
██████████ (PC)	Director General, Department of Premier and Cabinet (DPC)
██████████ (NE)	Deputy State Solicitor, State Solicitors' Office
██████████ (LG)	Executive Director (ED), Cabinet and Policy Division, DPC
██████████ (AJ)	Executive Director, Strategic Policy and Evaluation, DoT

IN ATTENDANCE:

██████████ (RB)	Deputy Director General, DoH
██████████ (AK)	Assistant DG, Purchasing and System Performance, DoH
██████████ (WM)	A/Assistant DG, Health Support Services, DoH
██████████ (RM)	ED, Strategic Projects and Asset Sales (SP&AS), DoT
██████████ (FD)	CE, Child and Adolescent Health Service
██████████ (TW)	ADG Public Health; Chief Health Officer, DoH
██████████ (GC)	ED, Commissioning, PCH Project
██████████ (DM)	Chief of Staff, Office of the Minister for Health
██████████ (CW)	Principal Policy Adviser – Health, Office of the Minister for Health
██████████ (NW)	Media Advisor, Office of the Minister for Health
██████████ (AJo)	Group Director Resources, Purchasing and System Performance
██████████ (WS)	CE, North Metropolitan Health Service (NMHS)
██████████ (JS)	IPMO, PwC
██████████ (TWest)	IPMO, PwC
██████████ (SLW)	Analyst, DoT
██████████ (NB)	Secretariat, Manager, P&SP Executive Office

IN ATTENDANCE PART MEETING ONLY:

██████████ (FR)	General Manager Western Region, John Holland Pty Ltd
██████████ (HR)	State Solicitor's Office
██████████ (MG)	A/Principal Toxicologist, Public Health, DoH
██████████ (JH)	Senior Toxicologist, Public Health, DoH

APOLOGIES:

██████████ (DRW)	Director General, Department of Health (DoH)
██████████ (GI)	A/General Manager ICT, Health Support Services
██████████ (GN)	A/Chief Executive and Government CIO, Office of Government Chief Information Officer

These minutes are presented in terms of the key issues covered by the Taskforce, rather than in terms of the order of agenda items.

ITEM 1 – INTRODUCTION

- DRW opened the meeting at 9.30 and noted apologies.

ITEM 2 - STATUS UPDATE OF PCH ASBESTOS ISSUE

- [REDACTED]
[REDACTED]
 - [REDACTED]
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[REDACTED]

ITEM 3 – REPORT BY THE ADG PUBLIC HEALTH; CHIEF HEALTH OFFICER

- [REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
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- [REDACTED]
[REDACTED]
[REDACTED]

ITEM 4 – DISCUSSION WITH THE GENERAL MANAGER WESTERN REGION, JOHN HOLLAND PTY LTD

(FR attended for this discussion only.)

- DRW outlined the role of TF. NE advised FR that he would be provided with the excerpt of the draft minutes of the discussion for confirmation.
- In response to extensive questions from Taskforce, FR provided the following key information:

*All information in the below was supplied by FR excluding material in (parentheses.)

- The affected area was relatively small and there had been some traffic through the area in the period from the morning of 11 July to the evening of 12 July. MC has an awareness of the personnel who had been in the area. The MC's info was that 40 MC staff and 6 State staff had been through/in the area and there was an understanding of their level of exposure. A total of 70 staff had registered concern. Approximately 12 staff had been associated with or in the proximity of the drilling work.
- While it is unclear, the drilling, angle grinding and banging had perhaps generated "cups-full" of dust; it was unlikely to be more. The sheeting is 12mm thick. Available information was that the workers involved in the penetration on 11 July had been wearing appropriate PPE.
- This incident was the first time that the panels had been penetrated.
- It is a unitised panel inserted into a sub-frame. Panels are fixed with a combination of a self tap screw which does not meet with the contaminated part of the panel; and through use of a structural adhesive material.
- It was unlikely but unconfirmed that the area had been cleaned prior to cleaning by a licensed asbestos remover on 12 July 2016.
- Some sheet material went to general waste and was removed from the site. (JH advised that backtracking work was underway to locate the waste.)
- The Industrial Hygienist (IH) had visited the site and advised on the appropriate exclusion zone and extent of air and physical sampling.
- MC staff were currently working outside the exclusion zone.
- The IH had spoken directly to the affected staff and had presented to the workforce. Feedback/reaction had generally been positive. Feedback was that the MC had responded appropriately, however there was some concern expressed by employee advocates. There had been no downtime other than when MC sent workforce home during testing. Counselling had been made available to staff but to date had been not taken up.
- One subcontractor had sought further information.
- The MC's first steps were taken on the evening of 12 July including removal of workforce, quarantining of the area and sampling. (TF noted that this was approximately 36 hours after the drilling incident.) The 46 staff identified – see above - related to the entire 36-hour period.
- Yuanda claims to have been let down in its supply chain; is not currently involved in the PCH project; and has offered to remediate the panelling.
- Yuanda has supplied façade panelling to PCH comprised of metal and vitreous enamel. The roofing is the only Yuanda product containing a cellulose material. (RM noted that the Building Commission had been on site to inspect façade panelling.)
- Comcare has made three visits to the site and would be continually informed in the management of the incident. Comcare was not expected to provide a certificate of compliance. (RM advised that Border Force was satisfied with the information provided by the MC.)
- All panels will be replaced. The MC is working with another supplier and considering remediation options. Work is underway on a methodology for removal and replacement. It would be a complex installation – not currently scheduled - but likely to take a number of weeks.

- At this stage no delay to Practical Completion had been scheduled.
- The MC did not have information as to the most recent media reports regarding site safety.
- The MC's communications plan was focussed on staff and project workforce, including providing documentation on testing and providing information on ongoing activities. (RM advised that the MC assists the State with media queries and must consult the State on any media comment.)
- A stakeholder meeting had been held on 18 July, which had included the CFMEU. Agreement had been reached to engage Coffey to undertake further testing, in part to provide further assurance to the CFMEU.
- Multiple unions had raised right of entry with the MC but had not been allowed into the affected area. Unions had been provided access to workforce and to the IH's documentation. Given indications of satisfaction from the regulatory authorities, the MC's approach was not to provide access to the affected area. (The MC was requested the TF to reconsider this approach.)
- (In response to questions from TW), FR advised that the IH was appropriately resourced to carry out the required activities and assurance.
- Comcare had come to the site gates on 13 July but had elected not to enter the site after being advised of the measures in place and expressing satisfaction with such.
- The MC became aware of concerns with the material approximately 24 hours after the drilling and took action immediately.
- (In response to questions from NE regarding how the MC would assure the State that the site was safe for PC and operation as a children's hospital), FR advised that PC tests are well-prescribed; actions undertaken to identify any contamination indicated that the building was safe. Panel remediation would be low risk. (RM advised that demonstration of safe occupancy was a requirement of PC.)
- (DRW advised FR that the State, through SP&AS would seek further information from the MC [see special actions list].)

ITEM 5 – LEGAL ADVICE ON THE ROLE OF THE REGULATORS

- [REDACTED]
- [REDACTED]

ITEM 6 – FURTHER CONSIDERATION OF THE ASBESTOS ISSUE AND NEXT STEPS

- [REDACTED]
- [REDACTED]
- [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

ITEM 7 – COMMUNICATIONS

- [REDACTED]
- [REDACTED]

ITEM 8 – CONSTRUCTION PROGRAM DASHBOARD

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

ITEM 9 - MINUTES OF PREVIOUS MEETINGS

- [REDACTED]
- [REDACTED]

KEY ACTIONS

- [REDACTED]

CLOSE AND DETAILS OF NEXT MEETING

Due to time constraints, TF deferred further business and the meeting closed at 1.30pm.

Taskforce agreed to conduct a further meeting in respect of the asbestos issue on the morning of 21 July 2016.

Next Regular Taskforce Meeting: Tuesday 26 July 2016, Director General's Boardroom, Department of Health, 9.00am – 11.30am

These minutes represent a true and accurate record of the PCH Taskforce meeting held at the Department of Health, 19 July 2016

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Director General, Department of Health
Chair, PCH Commissioning and Transition Taskforce
August 2016

██████████

Secretariat, PCH Commissioning and Transition Taskforce
August 2016