

4 October 2018

Rachel Nicol
Coroners Court of Victoria
Coroner's Registrar
65 Kavanagh Street
Southbank VIC 3006

By email
cpuresponses@coronerscourt.vic.gov.au

Dear Ms Nicol

Finding into death with inquest – Sonia Sofianopoulos
Coroners Court Reference: COR 2017 3566
Our ref:PJM:CLI022-00003

We confirm we act for Climate Technologies Pty Ltd and refer to your letter addressed to our client dated 21 August 2018.

The following response is provided in accordance with section 72(3) of the *Coroners Act* (2008) (Vic) (the **Act**).

The response is provided in response to Recommendation Three, contained within the findings of Coroner Jacqui Hawkins delivered on 22 August 2018 (**Findings**), which relevantly stated, at page 46 of the Findings:

RECOMMENDATION THREE:

I recommend that Timothy O'Leary, the Chief Executive Officer of Climate Technologies Pty Ltd, as the manufacturer of the Vulcan/Pyrox Heritage OFG Heater, publish an article in *The Age* and the *Herald Sun* warning the public, especially those that have this type of heater installed in their homes, about the necessity of regular servicing and maintenance. This is to ensure that it operates in a safe and efficient manner and does not expose residents to carbon monoxide poisoning under the conditions that have been identified in this Inquest.

We confirm that the Coroner's recommendation has been implemented by Climate Technologies Pty Ltd.

On 2 October 2018 Timothy O'leary, CEO of Climate Technologies Pty Ltd, caused to be published in *The Age* and the *Herald Sun* newspapers a Consumer Safety Notification addressing the matters referred to in Recommendation Three.

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PJM\CYV\66199392\1

Copies of the publications are **enclosed**.

Yours faithfully



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Encls.

Reef millions a bid to balance books: PM

Nicole Hasham

Prime Minister Scott Morrison says a desire to balance the federal budget drove a surprise decision to bestow \$444 million in Great Barrier Reef funding to a private foundation, as emails emerge showing that department officials expressed relief they were not involved in the controversial grant.

Mr Morrison's concession was leapt on by Labor, which said it shows the former treasurer is a poor economic manager and fiddled with the national accounts at the expense of the environment.

The government has been under fire since April when it announced the grant of almost half a billion dollars to the Great Barrier Reef Foundation – a small, private char-

ity with strong corporate links.

The government's own science agencies were not consulted on the development of the policy, nor were they given the chance to apply for the funds, which were granted without a tender process. The money was subtracted from the national ledger and transferred to the bank accounts of the foundation before the end of last financial year, just weeks after the announcement.

In an interview with News Corp published yesterday, Mr Morrison – who was treasurer at the time – said he took responsibility for the decision, saying it aided the future of the reef and allowed “our return to a balanced budget at the earliest opportunity”.

Mr Morrison later said he and Finance Minister Mathias Cormann determined the 2017-18 budget posi-



Scott Morrison is under pressure over the Great Barrier Reef grant.

tion had improved “and that gave us the opportunity to actually make the biggest investment in the future of the reef in one go”.

Labor frontbencher Anthony Albanese yesterday said Mr Morris-

on's remarks suggested the grant was bad policy for both the environment and the economy.

Meanwhile, private emails emerged showing officials at the Department of Industry, Innovation and Science were deeply suspicious of the decision. The emails were revealed in documents tabled in the Senate. The Australian Institute of Marine Science and CSIRO come under the auspices of the department, which at the time was in the portfolio of Michaelia Cash.

In one email sent on August 1, Clare McLaughlin, general manager of the science agencies governance branch, is informed by a colleague that Environment Department secretary Finn Pratt was not present at a meeting when then prime minister Malcolm Turnbull offered the grant to the foundation. “Good news for

him, I guess,” Ms McLaughlin responded. In another email, a department program manager Noel Taloni says “thankfully not” when asked if his department is managing the grant, to which another colleague, Veronica Chan, responds “Phew”.

A spokeswoman for Senator Cash said comments made by department officials “are a matter for those individuals ... it is incorrect to suggest that Minister Cash had any concerns about meeting with AIMS and the Great Barrier Reef Foundation, which went ahead as planned”.

The department has been contacted for comment.

The grant decision is being examined by a Senate inquiry and the Australian National Audit Office. Labor has pledged to take back any unspent funds if it wins the next election.

States seeking GST guarantee from Morrison

Eryk Bagshaw

Treasurer Josh Frydenberg has accused the states of playing politics with the GST, as Victoria and NSW call on the Morrison government to ensure “no state will be worse off” under its \$7.2 billion package.

Modelling from the Victorian

Treasury paints a doomsday scenario of revenues collapsing by \$500 million if iron ore prices fall in Western Australia, while a reduction in stamp duty in Victoria and NSW from a property downturn could also leave both worse off by 2026-27.

The hypothetical scenario will be used by Victorian Treasurer Tim

Pallas to demand Prime Minister Scott Morrison legislate that no state will be worse off under the changes, which will see a floor of 75¢ per person per dollar of GST and a six-year formula transition period put into law.

NSW Treasurer Dominic Perrottet has called for the states and territories to agree to the reforms

through the Council of Australian Governments, rather than the Coalition going over their heads and legislating changes unilaterally with federal Labor's support.

Signalling he is ready to take the fight to his state counterparts when they meet at the Council of Federal Financial Relations in Melbourne tomorrow, Mr Perrottet said his gov-

ernment believes “that it's not fair that NSW continues to subsidise inefficient states as well as states like Western Australia who do not plan for future downturns to their economies”.

Mr Pallas said the Prime Minister claimed that no states will be worse off “but they've provided no mechanism to ensure this is the case”.

CONSUMER SAFETY NOTIFICATION

Do you have a Vulcan Heritage or a Pyrox Heritage gas heater?

People with Vulcan Heritage or Pyrox Heritage gas heaters in their homes should have them checked by a qualified gasfitter immediately.

Laboratory tests have shown that in certain installation environments where there is poor ventilation and bathroom exhaust fans or kitchen rangehoods are used at the same time as the heater, there is potential for carbon monoxide poisoning to occur.

It is important that Vulcan Heritage or Pyrox Heritage gas heaters are regularly serviced and maintained, including servicing at least every two years by a registered gasfitter. Recent testing of these heaters and their installation environments by Climate Technologies has demonstrated the importance of having the heaters checked and serviced by a qualified gasfitter. This is to ensure the heaters continue to operate in a safe and efficient manner.

What do I do?

If you have one of these heaters and it has not been regularly serviced or maintained, including a safety check in the past 2 years, **do not use it until it can be tested by a qualified gasfitter**. In the meantime, please use alternative sources of heating. **DO NOT** bring outdoor gas appliances inside such as a patio heater. This is dangerous and can also lead to carbon monoxide poisoning.

For people living in DHHS housing:

DHHS has a program to test all Vulcan Heritage heaters or Pyrox Heritage heaters in their properties. Phone DHHS on **1800 148 426** for more information.

For people living in private homes:

The manufacturer Climate Technologies will arrange for a test by a qualified gasfitter and provide a rebate of \$150 towards the cost of the test.

If the heater needs to be decommissioned, Climate Technologies will assist with the replacement cost.

Phone Climate Technologies on **(03) 8795 2462** for more information or to arrange a test.

Need to know more?

For further information please contact Climate Technologies on **(03) 8795 2462** or email service@climtech.com.au

Further information can also be obtained by contacting Energy Safe Victoria on **1800 800 158** or at www.esv.vic.gov.au



Mass burial begins

Toll expected to rise

INDONESIAN volunteers began burying bodies in a mass grave with space for more than a thousand people yesterday.

They were victims of last week's quake and tsunami that devastated Sulawesi and left authorities struggling to deal with the scale of the disaster.

The capital Jakarta had been keen to show it could deal with a catastrophe that has killed at least 832 people, according to the official toll.

But four days later some remote areas are still out of contact.

Medicines are running out as rescuers struggle with a shortage of heavy equipment as they try to reach desperate victims calling out from the ruins of collapsed buildings.

President Joko Widodo has opened the door to the dozens of international aid agencies and NGOs that are lined up to provide lifesaving assistance.

But officials fear the toll will rise steeply in the coming days and are preparing for the worst, declaring a 14-day state of emergency.

At Poboya — in the hills above the devastated seaside city of Palu — volunteers began to fill a vast grave with a capacity of 1300 victims.

Authorities are desperate to stave off any disease outbreak caused by decomposing bodies.

Three trucks arrived stacked with corpses wrapped in orange, yellow and black bags. One by one they were dragged into the grave as exca-



vators poured soil on top.

In Balaroa, a Palu suburb once home to a housing complex, a wasteland of flattened trees, shards of concrete, twisted metal roofing, door frames and mangled furniture stretched into the distance.

Dazed groups of people ambled over the wreckage, among them three men looking for their younger brother.

Rescuers are racing against the clock with a lack of equipment to save those still trapped in the rubble, with up to 60

people feared to be under one Palu hotel alone.

Two survivors had been plucked from the 80-room Hotel Roa-Roa.

Desperate survivors turned to looting shops for basics such as food, water and fuel as police looked on, unwilling or unable to intervene.

"There has been no aid, we need to eat. We don't have any other choice, we must get food," one Palu man said as he filled a basket with goods.

AFP



A boat and collapsed buildings litter a Palu street, while a survivor salvages items from the debris.

\$100m for home support

ROB HARRIS

AN extra \$100 million to help senior Australians live independently in their homes will be injected into the government-funded system over the next two years.

The boost to the Commonwealth Home Support Program will include extra services for household jobs such as cleaning and laundry, help with bathing, meals or small jobs such as changing light bulbs or tap washers.

Additional funding of \$50 million will be offered each year to a targeted group of providers to meet the ever-growing waiting list for aged care, with the first payments to providers in January 2019.

PEDESTRIAN DIES IN KEW

AN elderly woman using a walking frame to get to a hairdressing appointment died after being hit by a truck in Kew yesterday.

The 69-year-old Hawthorn woman was hit at the corner of Denmark St and Studley Park Rd in Kew soon after 4.30pm. It is believed she used the pedestrian crossing but did not make it across before the lights changed.

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