



Department of Energy, Mines,
Industry Regulation and Safety



Work Health and Safety Commission **Annual report 2023-24**



Acknowledgement of Country

The Work Health and Safety Commission respectfully acknowledges Aboriginal peoples as being the Traditional Custodians of Western Australia.

We acknowledge the enduring connection Aboriginal people continue to share with the land, sea, and sky through both their ancestral ties and custodianship to Country.

We pay our respect to Elders both past and present, and acknowledge the value brought through the collective contribution of Aboriginal and Torres Strait Islander peoples across Western Australia.

Statement of compliance



Hon Simone McGurk MLA

Minister for Industrial Relations

In accordance with Schedule 1 clause 20 of the *Work Health and Safety Act 2020* (WHS Act), I submit for your information and presentation to Parliament, the Annual Report of the Work Health and Safety Commission for the financial year ending 30 June 2024.

This report includes the operations of the Mining and Petroleum Advisory Committee for the financial year ending 30 June 2024, in accordance with Schedule 1 clause 25 of the WHS Act.

A handwritten signature in blue ink, reading "Patricia Todd".

Dr Patricia Todd

Chairperson

Work Health and Safety Commission

30 October 2024



Table of contents

- Report from the Chair** 2
- Section one: About the Commission** 5
 - Enabling legislation 5
 - Responsible minister 5
 - Vision 5
 - Functions of the Commission 6
 - Composition of the Commission 7
- Section two: Governance** 9
 - Governance framework 9
 - Compliance with public sector standards and ethical codes 9
 - Conflicts of interest 9
 - Public interest disclosure 9
 - Expenditure 9
- Section three: Report on 2023–24** 11
 - Work health and safety laws 11
 - Events and promotions 12
- Section four: Advisory committees to the Commission** 15
 - Construction Industry Safety Advisory Committee (CISAC) 15
 - Legislative Advisory Committee (LAC) 17
 - Agricultural Safety Advisory Committee (ASAC) 18
 - Affected Families and Workers Advisory Committee (AFWAC) 19
- Section five: Mining and Petroleum Advisory Committee (MAPAC)** 21
 - Note from the MAPAC Chair 21

Report from the Chair



“ I am pleased to present the 2023–24 Work Health and Safety Commission Annual Report. ”

The 2023–24 year was noteworthy for the array of work health and safety subjects on the Work Health and Safety Commission (the Commission) agenda.

The development or review of any code of practice (code) is always very time-consuming and this past year saw us spending time on a number of codes relating to psychosocial hazards, as well as the operation of tower cranes, health and safety systems in the Western Australian (WA) public sector and managing electrical risks in the workplace.

In addition, there was ongoing consideration given to safety in agriculture, welding fumes, diesel particulate matter (DPM), changes to silica regulation, the training of health and safety representatives (HSRs), audiometric testing, the safety of young people in the workplace, autonomous machinery, heat stress, and the Affected Families and Workers Advisory Committee.

There continues to be a substantial focus on psychosocial risks in the workplace. There is a growing suite of regulatory material devoted to this, emanating from varying regulatory bodies. In addition to the three WA codes released in 2022 titled *Workplace behaviour*, *Psychosocial hazards in the workplace*, and *Violence and aggression at work*, Safe Work Australia (SWA) released model codes *Sexual and gender-based*

harassment; as well as *Psychosocial hazards in the workplace*. The Commission is juggling the rationalisation of these codes to ensure optimal regulatory pieces in WA.

Following on from the *Enough is Enough* report, the Commission and the Mining and Petroleum Advisory Committee (MAPAC) have completed the draft mining specific code titled *Psychosocial hazards at work for fly-in fly-out (FIFO) workers* in the resources and construction sectors, which is currently out for public comment. The accompanying code, relating to accommodation, is in the drafting stage.

While much of the media focus on psychosocial hazards has been on the WA mining industry, the Commission appreciates this is an area of concern across all industries and envisages that training and research in the mining sector can be utilised in workplaces across other sectors.

The Commission's awareness of WA's commitment to harmonise work health and safety regulation nationally is evident in our consideration of most topics. One example of this occurred in relation to tower cranes when SWA released the model *Tower cranes: Code of practice*. The Commission, in collaboration with the Construction Industry Safety Advisory Committee, made amendments relating to WA conditions.

The Commission is pleased that the extensive review of the draft *Work Health and safety management systems for the Western Australian public sector: Code of practice* is drawing to a close. Unsurprisingly, substantial new content on psychosocial hazards has been included in the redrafted code. It is intended that this will guide relevant parties in addressing the growing psychosocial risks for public sector workers, whether it be risks posed by interaction with clients and the public, exposure to traumatic events or problems associated with poor work design which may result in excessive workload.

The Commission continues to invest in ensuring there are well trained HSRs in WA workplaces. It was very encouraging to see the large upswing in numbers of HSRs trained in the 2022–23 year compared to each of the previous four years.

We commenced a program auditing the registered training organisations (RTOs) approved to deliver HSR training and were gratified by the very positive reports by the auditor. The auditing has given us a more detailed picture of the HSR training and will continue to provide valuable feedback into the foreseeable future. We thank the trainers and managers in these RTOs for their collaboration and regular communication with us.

During the year the Commission appreciated receiving regular updates from the Department of Energy, Mines, Industrial Relations and Safety - WorkSafe Group's (WorkSafe) Agricultural Safety Implementation Work Group. It was noted that additional inspectors were appointed, and different elements of communication were being progressed, including the production of a user-friendly booklet, *First steps to farm safety*.

Changes by SWA to Workplace Exposure Standards (WES), resulted in Commission consideration regarding implementation and, in some instances, the appropriateness of the new level. Early in 2024, the WES for welding fumes was reduced from an 8-hour time-weighted average of 5mg/m³ to 1mg/m³ with the decision taking effect immediately following the WHS Ministers' approval. Concern was expressed by Commission members about the communication of this change to industry, subsequent guidance and enforcement.

More extensive changes to the WES list – renamed Workplace Exposure Limits (WEL) – were announced by SWA and agreed to by WHS Ministers, for a transitional implementation to occur by 30 November 2026. At this stage, the Commission focused on the decision to

establish a WES for DPM of 0.01mg/m³. Given that DPM was not on the WES list previously, this decision has generated much ongoing discussion within both the MAPAC and the Commission. Complicating the situation in WA is the current regulation of DPM in the mining sector which sets a WES of 0.1mg/m³ (regulation 656B of the Work Health and Safety (Mines) Regulations 2022).

I wish to thank all Commission members for their contributions during the year as membership of the Commission demands significant commitment and engagement. One of the most important features of the Commission is its tripartite composition. The tripartite nature of the Commission provides a vital avenue for input from employer and union nominated bodies, senior public servants as well as subject matter experts.

My sincere gratitude to the members of the committees which provide advice to the Commission, these are the:

- Legislative Advisory Committee
- Construction Industry Safety Advisory Committee
- MAPAC
- Agricultural Safety Advisory Committee
- Affected Families and Workers Advisory Committee.

My appreciation also goes to the many Department of Energy, Mines, Industry Regulation and Safety employees whose work supports the Commission with advice, drafting of regulations, codes of practice and a variety of information materials.

Finally, the Commission has been fortunate to work with two Ministers over the past year who are committed to improving work health and safety outcomes in WA, initially being the Hon. Bill Johnston MLA, and from December 2023, the Hon. Simone McGurk MLA.



Dr Patricia Todd

Chairperson

Work Health and Safety Commission

30 October 2024.

“Fostering continuous improvement in work health and safety for the benefit of all in Western Australia”



*Work Health and Safety Commission members:
Seated left to right: Tracey Bence, Sally North, Patricia Todd, Chair; Naomi McCrae and Jennifer Low.
Standing left to right: Tony Robertson, Lin Fritschi, Owen Whittle, Michelle Gadellaa, Glenn McLaren,
Agnes McKay, Matthew Gorvorko and Helen Brown.*

Section one: About the Commission



Enabling legislation

Schedule 1, clause 10 of the WHS Act provides for the establishment of the Commission.



Responsible minister

The Hon. Simone McGurk MLA, Minister for Industrial Relations is the responsible Minister for administration of the WHS Act.



Vision

Continual improvement in work health and safety for the benefit of all in WA.

As a tripartite and expert group, the Commission demonstrates strong engagement with industry and contributes to an environment where the WHS Act and its regulations support health and safety in WA workplaces now and in the future.



Functions of the Commission

In accordance with Schedule 1, clause 18 of the WHS Act, the Commission's functions are:

- inquiring into, and reporting to, the Minister upon any matters referred to it by the Minister
- making recommendations to the Minister with respect to the WHS Act, and any law or provision thereof relating to work health and safety that is administered by the Minister
- making recommendations to the Minister with respect to subsidiary legislation, guidelines and codes of practice proposed to be made under or for the purposes of the WHS Act or any laws or provisions thereof, that are administered by the Minister
- examining, reviewing and making recommendations to the Minister in relation to existing and proposed registration or licensing schemes relating to work health and safety
- advising and cooperating with government departments, public authorities, unions, employer organisations and other interested parties in relation to work health and safety
- formulating or recommending standards, specifications or other forms of guidance, to assist persons conducting businesses or undertakings (PCBUs), and their workers, to maintain appropriate standards of health and safety
- promoting education and training in work health and safety as widely as possible
- in cooperation with educational authorities or bodies, devising and approving courses in relation to work health and safety
- having regard to any criteria laid down by SWA, advising persons on training in work health and safety, and formulating and accrediting training courses in work health and safety
- recommending to the Minister the establishment of public inquiries into any matters relating to work health and safety
- collecting, publishing and disseminating information on work health and safety
- formulating reporting procedures and monitoring arrangements for the identification of workplace hazards and incidents in which injury or death is likely to occur at a workplace
- commissioning and sponsoring research into work health and safety.



Composition of the Commission

In accordance with Schedule 1, clause 10 of the WHS Act, the Commission consists of:

- an independent chairperson, nominated by the Minister and appointed by the Governor
- the WorkSafe Commissioner
- two persons employed in the Public Service under the *Public Sector Management Act 1994*, Part 3, nominated by the Minister, with at least one of whom having knowledge of, and experience in, the WA mining industry
- nine persons appointed by the Governor, as follows:
 - two members nominated by the Chamber of Commerce and Industry of Western Australia Ltd (CCIWA)
 - three members nominated by UnionsWA, at least one of whom must have knowledge of, and experience in the WA mining industry
 - three members nominated by the Minister, having knowledge of, or experience in work health and safety matters
 - one member nominated by the Chamber of Minerals and Energy of Western Australia Incorporated (CMEWA).

Members

- **Chairperson:** Dr Patricia Todd
- **WorkSafe Commissioner:** Ms Sally North; previously Mr Darren Kavanagh until September 2023
- **Officer of the Public Service:** Mr Tony Robertson; previously Ms Christina Folley until November 2023; Dr Martin Ralph until December 2023
- **Members nominated by the CCIWA**
 - Ms Agnes McKay
 - Ms Jennifer Low
- **Members nominated by the CMEWA**
 - Ms Laila Nowell until December 2024
 - Ms Michelle Gadellaa
- **Members nominated by UnionsWA**
 - Mr Owen Whittle
 - Mr Glenn McLaren
 - Ms Naomi McCrae
- **Members with knowledge of, or experience in work health and safety, as nominated by the Minister**
 - Dr Matthew Davies until April 2024
 - Dr Matthew Govorko
 - Ms Tracey Bence
 - Dr Jacqueline (Lin) Fritschi.

Special acknowledgement to guest, Mr Chris White, Chief Executive Officer, WorkCover WA.

Policy advisory support and executive services to the Commission were provided by the Department of Energy, Mines, Industry Regulation and Safety, WorkSafe Group, Regulatory Support Division, Senior Policy Officer: Ms Helen Brown.

Complying with public sector standards and ethical codes



Kalgoorlie is in the Goldfields region of Western Australia

Section two: Governance

Governance framework

The Commission's *Terms of Reference* and *Code of Conduct* provide the governance framework for the operation of the Commission and its advisory committees. Underpinned by the WHS Act, the framework delivers the ways of working by covering the Commission's:

- values
- accountability
- role and operation
- administration
- record keeping
- use of confidential information
- security of information
- compliance with freedom of information legislation
- coordination with the Department of Energy, Mines, Industry Regulation and Safety's WorkSafe Group.

Compliance with public sector standards and ethical codes

Under section 9 of the *Public Sector Management Act 1994*, the Commission is obliged to comply with any public sector standards, codes of ethics and code of conduct applicable to the Commission and its members. These standards and codes equally apply to members of the advisory committees established under the Commission's auspices and members of the MAPAC.

Conflicts of interest

Commission members must openly declare any matters of interest that may create a conflict, or a perceived conflict, at the beginning of each meeting.

Declared conflicts of interest are managed and, in some circumstances, the relevant Commission member may be asked to restrict or remove themselves from discussions and decisions relating to the relevant matter. Conflict of interest declarations are managed in accordance with the principles set out in the Public Sector Commission's [Integrity framework](#).

Public interest disclosure

The Commission maintains a Public Interest Disclosure Register, in accordance with the *Public Interest Disclosure Act 2003*. No matters were raised in this reporting period.

Expenditure

In accordance with section 175ZE of the *Electoral Act 1907*, the Commission is required to report annually on any expenditure for advertising, market research, polling, direct mail or media advertising incurred by, or on behalf of, the Commission. No advertising or sponsorship expenditure was made during this reporting period.

The Commission is funded through the WorkSafe Group of the Department of Energy, Mines, Industry Regulation and Safety. Amounts paid as sitting fees to Commission members and other expenses incurred during this reporting period are reported within the [Department of Energy, Mines, Industry Regulation and Safety's Annual Report 2023–24](#).

BB *Playing a central role in keeping the WHS laws relevant, practicable and effective by providing opportunities to discuss aspects of the regulatory framework* GG



Matagarup Bridge was lit up for Safe Work Month 2023.

Section three: Report on 2023–24

Work health and safety laws

The WHS Act and supporting regulations came into full effect on 31 March 2022, aligning WA WHS laws with most other Australian states and territories and reflecting community expectations to keep workplaces safe. Regulations supporting the WHS Act are:

- Work Health and Safety (General) Regulations 2022
- Work Health and Safety (Mines) Regulations 2022
- Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 (WHS PAGEO Regulations).

The WHS Act and accompanying regulations are based on the national *Model Work Health and Safety Act* and *Model Work Health and Safety Regulations*, which were adjusted to better suit the WA work environment.

In the reporting period, significant collaborative effort by the Commission, government, unions, and industry positively contributed to embedding the new legislation through providing advice; delivering information, educational events and training; drafting new and updated guidance material; and communicating the WHS laws.

The Commission and its advisory committees play a central role in keeping the WHS laws relevant, practicable and effective by providing opportunities to discuss aspects of the regulatory framework.

WHS regulations amendments

On 27 June 2024, the WA WHS regulations came into effect to prohibit the use, supply and manufacture of engineered stone. These amendments aim to protect workers from contracting silicosis and other debilitating lung diseases caused by breathing in respirable crystalline silica (RCS). RCS is a very fine dust generated during the manufacture or installation of engineered stone, which is commonly used to make kitchen or bathroom benchtops. All Australian WHS jurisdictions commenced similar regulations on or before 1 July 2024.

Minor and technical amendments were made to correct small errors and omissions within certain provisions on 10 August 2023. These included minor adjustments to high risk work licences for demolition, scaffolds, plant design verification and amendments to the transitional arrangements for slewing and non-slewing cranes.

Codes of practice

The Commission's body of work to develop codes during the reporting period have resulted in several codes being redrafted, amalgamated, broadly consulted upon and released for public comment. All [approved codes](#) are published.



Events and promotions

Safe Work Month

National Safe Work Month is held annually in October. To coincide with the national event, WorkSafe hosts several educational and promotional events including presentations, forums, webinars and awards to focus all WA workplaces on work health and safety matters.

Each year, Safe Work Month adopts its own theme to reflect specific health and safety issues. In 2023, the theme was *'Our way forward: prioritising healthy and safe workplaces'*.

Safe Work Month achieved 2,639 participant registrations in WA for the 2023 activities which included three hybrid forums, combining in-person and online attendance options, focusing on the following topics:



- Breathe easy: Occupational health and hygiene forum
- Psychosocial hazards
- Sowing the safety seeds: Agricultural safety forum

Each event included a morning tea, named a 'SafeTea', for the participants. Workplaces were encouraged to host a 'SafeTea' during work time as a casual way to discuss work health and safety topics relevant to their workplace.

To mark Safe Work Month, some Perth bridges and landmarks were lit up in red, yellow and teal, and combinations thereof, at the beginning and end of October.



Work Health and Safety Excellence Awards

The Work Health and Safety Excellence Awards recognise outstanding solutions and innovations to specific work health and safety problems.

The 2023 awards were held at Optus Stadium, with 65 submissions received, resulting in 25 finalists across five award categories. The [Work Health and Safety Awards finalist booklet](#) lists the finalists.

The finalists were considered by four independent judges from the Commission and MAPAC, being Matthew Davies (Curtin University), Owen Whittle (UnionsWA), Laila Nowell (CME) and Chris Nelson (Transport Workers Union WA), along with former WorkSafe Commissioner Darren Kavanagh.



2023 category winners



Work health and safety invention of the year

- Wallis Drilling Pty Ltd – Aircore automated rod handling system



Best solution to a work health and safety risk

- 199 employees or less
 - Epigroup – Alter Ergo
- 200 employees or more
 - City of Canning – LBin tail lift platform at the Resource and Recovery Waste Transfer System



Best intervention to address a psychosocial hazard in the workplace

- Town of Port Hedland – Reducing the impact of anti-social behaviours and psychosocial related hazards to staff and the public.



Leadership excellence award

- 199 employees or less
 - Macco Feeds – Implementing work health and safety
- 200 employees or more
 - Good Sammy Enterprises – Safety management



Health and safety representative of the year

- Rob Curtis – St John WA



Work health and safety invention of the year:
Wallis Drilling Pty Ltd



Health and safety representative of the year: Rob Curtis



Best solution to a work health and safety risk
(199 employees or less): Epigroup



Best solution to a work health and safety risk
(200 employees or more): City of Canning



Leadership excellence award (199 employees or less):
Macco Feeds



Leadership excellence award (200 employees or more):
Good Sammy Enterprises

Commission approved training courses for health and safety representatives (HSRs)

Under Schedule 1, clause 18(1)(h) of the WHS Act, work health and safety courses attended by HSRs must be first approved by the Commission.

During this reporting period, the Commission endorsed three RTOs to deliver the HSR five-day course, three RTOs to deliver the HSR refresher training and 40 nominated trainers. The WorkSafe website lists the [HSR training information and approved RTOs](#).

The Commission publishes the [Operating as an approved provider of health and safety representative \(HSR\) training in Western Australia: Guide](#).

Identifying the major health and safety issues in all industries



Beautiful colours and textures of a sandstone wall, Broome, Western Australia

Section four: Advisory committees to the Commission

Under Schedule 1, clause 19(1) of the WHS Act, the Commission may appoint advisory committees made up of employer and worker representatives and people with specialist knowledge or experience in work health and safety, to assist in the performance of its functions and duties.

Advisory committees consider matters referred to them by the Commission and make recommendations on aspects of work health and safety specific to their area of expertise. Each committee and working group are chaired by a member of the Commission.

Construction Industry Safety Advisory Committee (CISAC)

CISAC met twelve times during the reporting period.

Key objectives

- Identify the major health and safety issues in the construction industry and develop a work health and safety profile of the construction industry.
- Identify determinants of good health and safety performance in the construction industry.
- Identify appropriate short and long-term goals for safety in the construction industry.
- Provide advice to the Commission with respect to the development of codes of practice and guidance materials appropriate to the construction industry.
- Carry out other specific tasks as directed by the Commission.

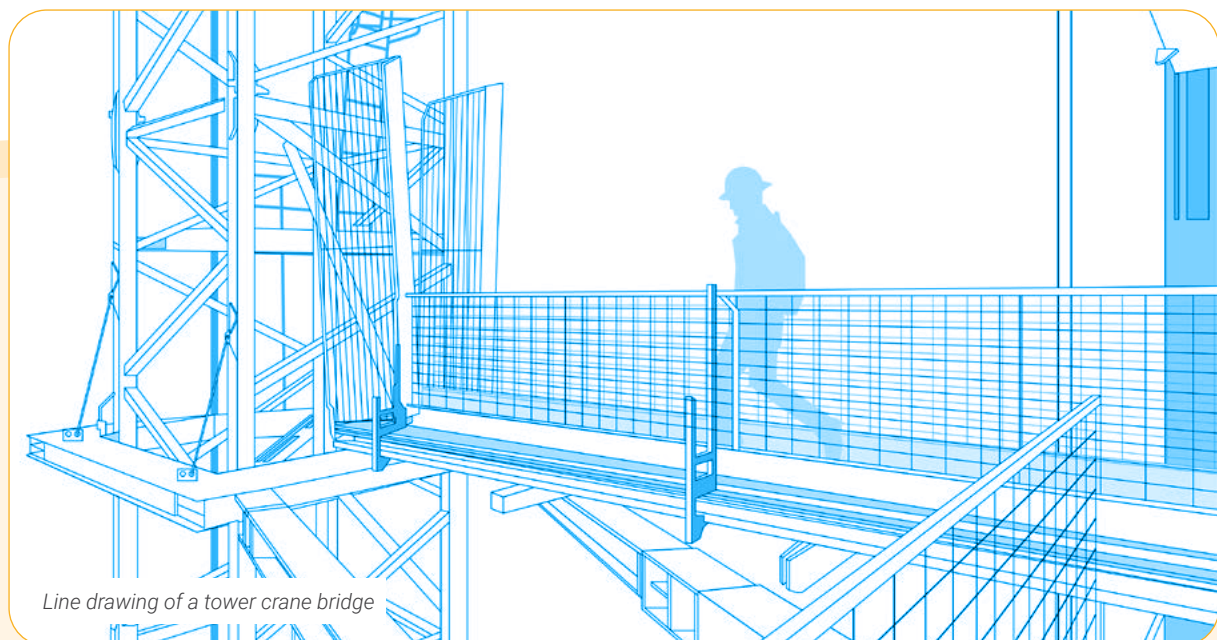
Members

- Chairperson: Ms Sally North, WorkSafe Commissioner; previously Mr Darren Kavanagh, until September 2023
- Mr Brett Mainwaring, Master Builders Association of Western Australia (MBAWA)
- Mr Kim Drew, CCIWA
- Ms Libby Pracilio, Housing Industry Association (HIA)
- Mr Bob Benkesser, Construction Forestry Maritime Mining and Energy Union WA (CFMEU)
- Mr Steve McCartney, Australian Manufacturing Workers' Union Western Australia (AMWU), proxy Mr Glenn McLaren
- Mr Jaime Rebelo, WorkSafe
- Mr Tony Poulton, WorkSafe

Key achievements and matters considered by CISAC in 2023–24



- Members provided advice to their respective constituencies concerning amendments to the Work Health and Safety (General) Regulations 2022 to expressly prohibit the uncontrolled processing of engineered stone products.
- At the request of the Commission conducted a review of the national Code of Practice for precast, tilt-up and concrete elements in building construction, the SWA Code of Practice: Tower Cranes, as well as SWA guidance material relevant to the construction industry.
- Considered and discussed psychosocial hazards in the construction industry arising from a presentation by WorkSafe scientific officers.
- In response to a Ministerial direction, entered into discussions with the HIA with the objective of amending the Code of practice: Managing the risk of falls in housing construction, and producing additional guidance materials to assist with industry regulatory compliance.
- Considered the impacts on industry of the WHS Act's transitional arrangements, in particular the high risk work licence requirements.
- Invited industry views on the ramifications of WorkCover's implementation proposals for new regulations concerning noise induced hearing loss and the interaction with WHS regulations, after a presentation by a WorkSafe scientific officer.
- Invited members to submit views on the SWA discussion paper, Improving crane licensing under the model work health and safety laws, which is currently released for public comment.
- Entered discussions with the HIA with the objective of producing additional guidance materials to assist with industry regulatory compliance.
- Clarified the regulatory requirements concerning the fencing of construction sites with industry.
- Communicated with industry stakeholders regarding the Australian Work Health and Safety Strategy 2023–2033 and encouraged active involvement in achieving the strategy's objectives.
- Raised discussion about the sector's safety performance through the provision of relevant and regular statistical reports on the occurrence of fatalities and serious injuries.



Line drawing of a tower crane bridge

Legislative Advisory Committee (LAC)

LAC met five times during the reporting period.

Key objectives

- Ensuring a relevant legislative framework.
- Advising state and federal governments on work health and safety issues by contributing to the development of national standards and codes of practice.
- Promoting and delivering effective advice in maintaining health and safety in the workplace, while promoting effective tripartite collaboration and decision making.
- Providing and developing information and guidance on work health and safety matters that is relevant, credible and accessible.
- Engaging and consulting broadly on work health and safety issues.
- Carrying out other specific tasks as directed by the Commission.

Members

- Chairperson: Ms Sally North, WorkSafe Commissioner; and previously, Mr Darren Kavanagh, until September 2023
- Ms Michelle Gadellaa, CMEWA
- Ms Agnes McKay, CMEWA
- Ms Laila Nowell, CMEWA, until September 2023
- Ms Jennifer Low, CCIWA until August 2023
- Mr Owen Whittle, UnionsWA
- Mr Tony Robertson, WorkSafe Mines Safety
- Dr Martin Ralph, WorkSafe Mines Safety until May 2024
- Ms Christina Folley, WorkSafe Mines Safety until November 2023

Key achievements and matters considered by LAC in 2023–24

- ★ Considered numerous codes of practice, guidance and reports providing review and suggestions, for example the review of the draft *Work health and safety and injury management systems for the Western Australian public sector: Code of practice* and the model *Tower Cranes: Code of practice* following extensive national industry consultation.
- Advised on updates of the Commission's issues register to ensure accurate and relevant information for industry feedback.
- Examined and considered SWA's consultation on options to improve work health and safety incident notification including the regulation, investigation and provision of information and education.
- Discussed the *Alcohol and other drugs in the workplace: Guide* and recommended the scope be broadened to include a greater range of substances and the management of associated risks.
- Reviewed the *Workplace behaviour: Code of practice* and considered the removal of sexual and gender-based harassment content in the context of WA's adoption of the SWA model *Sexual and gender-based harassment: Code of practice*.
- Identified issues in the SWA *Guide for managing the risks of working in heat* that did not address unique WA risk factors and discussed available options to accommodate the extreme weather conditions experienced in WA.

Terms of reference and governance changes

A revised version of the LAC terms of reference (ToR) was presented to the Commission and endorsed at the 7 February 2024 meeting. Revisions included:

- sections 2 and 7 amended to address internal document inconsistency related to the appointment of the LAC Chair
- amendments across the ToR to reflect the renaming of the Department of Mines, Energy, Industry Regulation and Safety.

Agricultural Safety Advisory Committee (ASAC)

ASAC met four times during the reporting period.

Key objectives

- Identify the major health and safety issues in the agricultural industry and develop a work health and safety profile of the agricultural industry.
- Identify determinants of good health and safety performance in the agricultural industry.
- Develop appropriate short and long-term health and safety goals for the agricultural industry.
- Provide advice to the Commission with respect to the development of codes of practice and guidance materials appropriate to the agricultural industry.
- Carry out other specific tasks as directed by the Commission.

Members

- Chairperson: Ms Sally North, WorkSafe Commissioner; previously Mr Darren Kavanagh, until September 2023
- Ms Julie Hathway, Country Women's Association WA
- Mr Peter Nunn, CCIWA
- Mr Darren Spencer, WA Shearing Industry Association
- Mr Antony Pearson, UnionsWA
- Mr Sheldon Mumby, Pastoralists and Graziers Association of WA
- Mr Trevor Whittington, representing Western Australian Farmers Federation
- Ms Holly Freeman, Safe Farms WA
- Ms Marie Donato, Motor Trade Association of Western Australia
- Mr Marcus Cattani, Edith Cowan University
- Mr Nigel Martin, WorkSafe
- Ms Julii Gaunt, WorkSafe
- Mr Stephen Brown, vegetablesWA until February 2023

- Mr John Henchy, Farm Machinery and Industry Association WA, until September 2023
- Ms Nicola Kelliher, Country Women's Association WA until July 2023

Key achievements and matters considered by ASAC in 2023–24

- Engaged in discussions with the former Minister for Agriculture, the Hon. Bill Johnston MLA, when he attended an ASAC meeting to express his concern over the high number of fatalities in the agricultural industry and receive the views of members in response to the recommendations of the Inquiry into the *Agricultural Industry in Western Australia* (Inquiry).
- Members received reports from WorkSafe's Safety Implementation Work Group, established to implement the Inquiry recommendations, and provided their input and advice, including the conduct of a community safety trial.
- Involved the industry in discussion of the industry's safety performance through the provision of regular statistical reports on the occurrence of fatalities and serious injuries.
- Provided a forum for WorkSafe and the industry members to discuss safety issues being experienced by agricultural industry participants.
- Arising from the guest attendance of a WorkSafe inspector, who had provided advice on a project to inspect agricultural machinery and manuals, members exchanged views on issues relevant to the project.

Affected Families and Workers Advisory Committee (AFWAC)

AFWAC met once during the reporting period.

AFWAC was established in response to the recommendations from the *They never came home, the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia: Inquiry* conducted by the Senate Education and Employment References Committee (2018).

Key objectives

AFWAC provides a forum for families affected by fatalities, and persons affected by serious injuries in the workplace. They provide advice to relevant government agencies about liaison and support services provided to inform and support them following a workplace incident.

Members

Current AFWAC members are affected family members of workplace fatalities and representatives from WorkSafe. The scope of AFWAC membership extends to seriously injured workers, although there were no active committee members within this category during the year.

A review of AFWAC has been undertaken with consideration being given to best redefine its role and objectives.

Key achievements and matters considered by AFWAC in 2023–24

- Some AFWAC members reviewed the production of a multimedia product which captures the lived experience of a bereaved family and others on how they navigated the loss of a loved one following a work-related fatality. The product aims to prompt discussion and spread awareness to the community about the broad psychosocial impacts associated with an industrial death.



Processing Plant in Ravensthorpe, Western Australia

Section five: Mining and Petroleum Advisory Committee (MAPAC)

The MAPAC met five times during the reporting period.

Note from the MAPAC Chair

The principal function of the MAPAC is to provide advice to the Minister and the Commission in relation to work health and safety in the mining and petroleum industry. As with the Commission, the MAPAC is a tripartite body with membership comprised of nominees from employer and union groups, the public sector and subject matter experts.

An important role of the MAPAC is to advise on the development of codes of practice and guidance materials for the mining and petroleum sectors.

During this year there was ongoing consideration given to the drafting of the *Psychosocial hazards at work for fly-in fly-out (FIFO) workers in the resources and construction sectors: Code of practice*. This work was done by reviewing the *Mentally healthy workplaces for fly-in fly-out (FIFO) workers in the resources and construction sectors: Code of practice*. The changes in the draft are substantial, with consideration to the new regulatory framework in place and the recent broadening of identified psychosocial hazards in workplaces. The scope for this code was debated at length and ultimately has been released for public comment. The accommodation code, currently being drafted, reviewed and redrafted, is expected to be broader in its scope.

The MAPAC considered other issues including the implementation of the WHS Mines Statutory Position certification process and exam enrolments; the definition of construction work under the WHS laws in relation to the mining and exploration sector; the mines safety and inspection levy; research on suicides in the mining industry; and contractor safety management.

The Commission appreciated receiving updates from WorkSafe Mines Safety on various projects, roadshows, investigations and priorities; their report outlining the many activities undertaken by WorkSafe Mines Safety to address psychosocial hazards over the past two decades reminded us that this was not a new area of workplace safety concern despite more recent publicity.

Finally, WorkSafe Petroleum Safety provided the Commission with an absorbing presentation on the ammonium nitrate emulsion tanker trailer explosion which occurred in October 2022 en route to a mine site. Important recommendations to improve the safe transport of such products has emanated from this incident and investigation.

I wish to thank all MAPAC members for their contributions during the 2023–24 year and the WorkSafe employees whose work supports the MAPAC.



Dr Patricia Todd

Chairperson

Work Health and Safety Commission

30 October 2024

Enabling legislation

MAPAC was established under Schedule 1, Division 4, clause 23 of the WHS Act.

Purpose

The purpose of MAPAC is to assist the Minister and the Commission in relation to work health and safety matters in the mining and petroleum industry. This includes WHS laws previously contained within the *Mines Safety and Inspection Act 1994*, *Petroleum and Geothermal Energy Resources Act 1967*, *Petroleum (Submerged Lands) Act 1982* and the *Petroleum Pipelines Act 1969* that have been transferred to the WHS Act and regulations.

Key objectives of MAPAC

- Positively contribute to identifying mining and petroleum health and safety priorities and establish targets agreed at the WA and national level.
- Promote access and share knowledge and information with mining and petroleum industry participants, PCBUs, workers and the broader WA community.
- Support the legislative framework and provide advice on legislation matters so the framework remains relevant to the changing world of work.
- Identify and respond to emerging issues that impact on WHS in the mining and petroleum industry.
- Advise on the adoption of codes of practice referred to in section 274 of the WHS Act, and other guidelines, education, training, policies or documents relating to the mining and petroleum industry.

Members

MAPAC consists of 14 members and an Independent Chairperson appointed by the Minister for Industrial Relations. The composition of MAPAC is tripartite with nominations from the prescribed bodies representing PCBUs and workers, independent experts in mining and petroleum, and government representatives.

The members during the 2023–24 reporting period were:

- Dr Patricia Todd, Independent Chairperson
- Ms Sally North, WorkSafe Commissioner; previously Mr Darren Kavanagh, WorkSafe Commissioner until September 2023
- Dr Michael Hamblin, Australian Energy Producers
- Ms Rachel Jones CMEWA
- Ms Laila Nowell, CMEWA, until November 2023
- Ms Samantha Panickar, Association of Mining and Exploration Companies, until January 2024
- Mr Glenn McLaren, UnionsWA
- Mr Gregory Busson, UnionsWA
- Ms Jennifer Craig, UnionsWA
- Mr Chris Nelson, UnionsWA
- Ms Ivy Chen, Independent
- Ms Sabina Shugg, Independent
- Mr Iain Dainty, WorkSafe Petroleum Safety, acting Chief Inspector Petroleum Safety
- Mr Tony Robertson, WorkSafe Mines Safety, acting Chief Inspector of Mines; previously
- Ms Christina Folley, WorkSafe Mines Safety until November 2023

Key achievements and matters considered by the MAPAC in 2022–23



- Provided advice on psychosocial hazards guidance material covering suicide and suicidal behaviours; trauma informed practices; and the *Psychosocial hazards at work for fly-in fly-out (FIFO) workers in the resources and construction sectors: Code of practice*.
- Continues to monitor the resource sector's response to sexual and gender-based harassment including receiving regular updates on:
 - the Mental Awareness, Respect, Safety (MARS) Program Landmark Study: Insights from the worker survey and interviews which establishes a baseline of current practices and experiences
 - work undertaken by WorkSafe Mines Safety, in conjunction with Dr Dean Laplonge, as part of a series of workshops to assess industry's management of gendered violence over the past decade
 - the Department of Communities' Respect in Mining initiative that seeks to build work relationships characterised by non-violence, equality, mutual respect, and trust.
- Through its network, engaged with PCBU's to prepare for the end of the transitional provisions to prohibit tobacco smoking in underground mines.
- Supported recommendations to extend the transition period for statutory positions holders certified under the Mine Safety and Inspection Act 1994 to transition to requirements of the WHS Act to 30 March 2026; and include surveyors as a certified position required to attain work health and safety risk management units.



Participants in the How Tough Are We Workshop facilitated by Dr Dean Laplonge, 15 May 2023



Mason Bird Building
Level 1, 303 Sevenoaks Street
CANNINGTON WA 6107
Whadjuk Noongar Country

Telephone: 08 6251 2200 or 1300 307 877
Email: WHScommittees@demirs.wa.gov.au
Web: www.demirs.wa.gov.au