Acknowledgement of Country

We acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of this land on which we deliver our services to the communities throughout Western Australia. We acknowledge their enduring connection to the lands, waterways and communities and pay respects to Elders and leaders past, present and emerging.
Statement of compliance

Hon. Bill Johnston MLA
Minister for Industrial Relations

Dear Minister,

In accordance with section 16 of the Occupational Safety and Health Act 1984, I submit for your information and presentation to Parliament, the Annual Report of the Commission for Occupational Safety and Health for the 12 months ending 30 June 2020.

Darren Kavanagh
Acting Chair
Commission for Occupational Safety and Health

Section 16 of the Occupational Safety and Health Act 1984 requires the Commission for Occupational Safety and Health to prepare a report for the Minister for Mines and Petroleum; Industrial Relations on its activities during the financial year.
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Report from the Chair

I am pleased to present the 2019–2020 Annual Report for the Commission for Occupational Safety and Health (Commission).

The Coronavirus (COVID-19) pandemic had a significant impact on the Commission in 2019-2020. The Commission considered how it could best help the community to understand and address the impacts of COVID-19 on workplace safety and health in Western Australia. Commission members worked in conjunction with national policy body Safe Work Australia to develop COVID-19 guidance materials for Western Australian workers and ensure a consistent approach across Australia. During higher pandemic restrictions, meetings were held online and non-priority subcommittee meetings were cancelled. COVID-19-related issues are discussed at every meeting.

2019-2020 has been a challenging year and the Commission is focused on its number one priority; improving the health and safety of Western Australian workers. The 2019–2022 Commission Strategic Plan commenced, including strategies and deliverables for achieving four key objectives. More information about the Strategic Plan is provided in Section 3 of this Annual Report.

A significant focus for the Commission in 2019-2020 was the challenge of reducing the number of work-related deaths in Western Australia. Currently, on average, one Western Australian loses their life at work every 21 days.

An increasing number of workers die from exposure to hazardous chemicals, silica and asbestos across Australia each year. Regulators, employers, workers and unions must find innovative ways to address this.

Workers who lose their lives on the job are more than statistics, they are real people with loved ones who miss them and continue to feel their loss. It is impossible to overstate the significant impact that workplace fatalities and serious injuries have on workers and their loved ones. The first steps have been taken to create a Family Support Group for friends and relatives of people who have lost their lives at work. Subject to agreement from the families involved, the group will become an advisory committee to the Commission. The Affected Workers and Families Advisory Committee will be established in 2020-2021 and reported on in the next Commission Annual Report.

Two Commission subsidiary committees, the Legislative Advisory Committee (LAC) and the Construction Industry Safety Advisory Committee (CISAC) continued work to review and update State occupational safety and health (OSH) codes of practice determined as high priority the previous year. On the advice of LAC, the Commission decided to split the Violence, aggression and bullying at work – code of practice into two. A draft code of practice on violence and aggression at work was released for public comment on 26 June 2020 and a separate Code of practice on bullying and harassment is being developed for future consultation. CISAC reviewed and updated the Prevention of falls from height at workplaces – code of practice. Work continued on the Occupational diving – code of practice and a first draft was released for four months of public consultation on 27 March 2020. The Commission will consider the feedback received through this process, before the final version of the Code is released.

I would like to acknowledge the commitment and effort of all Commission members throughout the year, particularly three experienced members who left the Commission during this reporting period.
Ms Stephanie Mayman was a founding member of the Commission in 1985, continuing in that role for almost 20 years. Upon becoming Chair in 2017, Stephanie reinvigorated the Commission and leveraged the expertise of members to improve OSH outcomes in Western Australia. Her legacy includes substantial contributions to the development of modernised work health and safety (WHS) laws for Western Australia.

Dr Barry Chesson was also a founding member of the Commission in 1985, contributing his expert OSH knowledge until 1997 and then again from 2009 to 2019. Barry chaired working groups that developed legislative instruments, codes of practice and guidance material for hazardous chemicals, hearing conservation and manual handling. He also worked on the creation of codes of practice and guidance material relating to Legionella, heat, entertainment and asbestos.

UnionsWA representative Ms Joy Barrett was first appointed to the Commission in February 1998. Joy served on advisory committees, including the Risk Advisory Committee, which assessed and identified OSH risks and emerging issues for consideration by the Commission. Joy focused on the management and removal of asbestos, training of safety and health representatives and many other important OSH issues.

I was appointed as WorkSafe Western Australia Commissioner (Commissioner) in December 2018. As Commissioner, I am committed to establishing and maintaining the independence of the role and ensuring that all actions are conducted ethically, efficiently and effectively. The Commissioner is an ex officio member of the tripartite Commission, which I had previously been a member of for some years from 2004. I was appointed Deputy Chair of the Commission in 2019 and acting Chair from June 2020.

Harmonised WHS laws for Western Australia continued to progress during 2019-2020. The Commission assisted in promoting the public comment period for the proposed WHS Regulations through their stakeholder networks and individual members made submissions. Consultation ended on 26 November 2019 and the next day, the Work Health and Safety Bill 2019 (Bill) covering general industry, mining and petroleum and geothermal energy, was introduced into the Western Australian Parliament. On 20 February 2020, the Bill passed the Legislative Assembly of State Parliament and was introduced to the Legislative Council. The Commission celebrates Parliament’s support for the Bill and Western Australia can look forward to implementation of the new WHS legislation.

Darren Kavanagh
Acting Chair
Commission for Occupational Safety and Health

Hon Bill Johnston and Commission members presented a momento to Stephanie Mayman
Section one: About the Commission

Responsible Minister

The responsible Minister for the administration of the OSH Act is the Hon Bill Johnston MLA, Minister for Mines and Petroleum; Energy; Industrial Relations.

Section 16 of the OSH Act requires the Commission, on or before 31 October each year, to submit to the Minister a report of its operations and the operation of the OSH Act and any prescribed law during the year ending 30 June.

Enabling legislation

The Commission was established in April 1985 (as the Occupational Health, Safety and Welfare Commission) under section 6 of the OSH Act.

Commission vision

The Commission's vision is to foster continuous improvement in work health and safety.

As a tripartite and expert group, the Commission demonstrates strong leadership and engagement with the community and contributes to an environment where the OSH Act and its regulations support safety and health in Western Australian workplaces now and in the future.

Functions of the Commission

The Commission is funded through the Safety Regulation Group of the Department of Mines, Industry Regulation and Safety (DMIRS).

The Commission’s functions include:

- inquiring into and reporting to the Minister upon any matters referred to it by the Minister;
- advising and cooperating with Government departments, public authorities, unions, employer organisations and other interested parties;
- developing and reviewing OSH legislation and associated standards and making recommendations to the Minister;
- publishing information on OSH;
- promoting education and training in occupational safety and health; and
- formulating reporting procedures and monitoring arrangements for the identification of workplace hazards.
In accordance with section 6 of the OSH Act, the Commission consists of:

(a) an independent Chairperson, nominated by the Minister and appointed by the Governor;
(b) the WorkSafe Western Australia Commissioner;
(c) two officers of the Public Service nominated by the Minister, one of whom must be an officer from the department responsible for the administration of the Mines Safety and Inspection Act 1994 (MSI Act); and
(d) nine persons appointed by the Governor, as follows:
   • two members nominated by the Chamber of Commerce and Industry of WA (CCIWA);
   • one member nominated by the Chamber of Minerals and Energy of Western Australia (CMEWA);
   • three members nominated by UnionsWA, one of whom must have knowledge of and experience in the mining industry in Western Australia; and
   • three members nominated by the Minister, having knowledge of, or experience in OSH.

The following Commission members held office during 2019-2020:

- independent Chairperson: Ms Stephanie Mayman (until 6 June 2020);
- WorkSafe Western Australia Commissioner: Mr Darren Kavanagh;
- officer of the Public Service: Mr Andrew Chaplyn, Director Mines Safety, DMIRS;
- members nominated by the CCIWA: Ms Andrea Roelofs and Mr Paul Moss (appointed 29 October 2019);
- member nominated by the CMEWA: Ms Adrienne LaBombard (until 9 June 2020);
- members nominated by UnionsWA: Ms Joy Barrett (until 29 May 2020), Mr Owen Whittle and Mr Glenn McLaren; and
- members with knowledge of, or experience in OSH, nominated by the Minister: Dr Barry Chesson (until 3 October 2019), Dr Matthew Davies, Dr Lin Fritschi and Dr Julia Norris (appointed 29 October 2019).

In March 2019, the Minister appointed the WorkSafe Western Australia Commissioner as Deputy Chair of the Commission, in accordance with Section 6A of the OSH Act.

The Commission Executive Officer is Ms Anika Moore, Acting Senior Policy Officer, DMIRS.
Commission's Governance Framework

The Commission’s Handbook and Code of Conduct, which was endorsed at the 1 May 2019 Commission meeting, sets out the Commission’s governance principles, including its:

• values;
• accountability;
• role and operation;
• administration;
• record keeping; and
• coordination with DMIRS.

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 code of conduct applicable to the public sector body or employee concerned.

Conflicts of interest

Commission members are required to 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.

Recordkeeping

The Commission’s recordkeeping and use of information policy is contained within its Handbook and Code of Conduct. The handbook includes information on the documentation of decisions, use of confidential information, security of information and compliance with freedom of information legislation.

Public Interest Disclosure

The Commission maintains a Public Interest Disclosure Register. No matters were raised in 2019-2020 under the Public Interest Disclosure Act 2003.

Advertising and sponsorship

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 that was incurred by or on behalf of the Commission. Any such information is included in the DMIRS Annual Report for 2019-2020.
Modernising work health and safety laws in Western Australia

2019-2020 saw significant progress towards modernising Western Australia’s Work Health and Safety (WHS) laws. Based on the national model WHS Act and informed by the State Ministerial Advisory Panel process, the Western Australian WHS legislation will improve consistency of occupational safety and health laws across Australia.

On 24 August 2019, the Minister announced the start of a three-month public consultation period for the proposed WHS Regulations, to support the proposed WHS Act for Western Australia. This gave all Western Australians the opportunity to comment on the national model WHS Regulations and provide suggestions as to how they should be adapted for introduction in this State.

The request for public comments centred on the three distinct sets of new regulations developed to cover general workplaces, mining operations, and petroleum and geothermal energy operations throughout Western Australia. A comprehensive consultative package included provisions for dangerous goods and major hazards facilities and proposed transition principles for moving workplaces from the existing legislative framework to the new legislation. There was also an opportunity to comment on the final report from a review of the national model WHS laws initiated by Safe Work Australia in 2018.

The public consultation period ended on 26 November 2019 and all of the submissions received through that process are informing the development of the WHS Regulations for Western Australia.

The WHS Bill 2019, covering general industry, mining and petroleum and geothermal energy, was introduced to the Western Australian Parliament on 27 November 2019. On 20 February 2020, the WHS Bill passed through the Legislative Assembly of State Parliament and was introduced to the Legislative Council. As of 30 June 2020, the WHS Bill was continuing to be debated in the Legislative Council.

National Safe Work Month 2019

In 2019-2020 DMIRS, with the support of the Commission, continued its annual month-long focus on workplace safety and health – National Safe Work Month 2019. This initiative is a national event, supported by Safe Work Australia and is also conducted in other jurisdictions. The month featured a number of activities, including a series of targeted workshops. The highlight was the presentation of the 2019 Work Health and Safety Excellence Awards.

Workshops were held between 7 and 29 October 2019, at a variety of metropolitan locations. There were 520 registered attendees, across 12 information sessions over the course of the month. Attendees were a mix of elected safety and health representatives, general management and safety and health professionals.

The key objective of the sessions was to provide information and skills to participants. The workshops also provided the Western Australian OSH community with networking opportunities. Sessions featured a range of speakers with a wealth of knowledge and expertise in OSH. The program featured a mixture of presentations, workshops and activities. Events included topics such as crystalline silica and silicosis, plant in the workplace, armed holdups and violence in the retail sector, embracing work-life balance and two forums for safety and health representatives.
Two Commission members contributed as judges for the 2019 Work Health and Safety Excellence Awards. The winners of all categories were announced at the awards presentation, held on 2 October 2019 at Optus Stadium.

The awards recognise outstanding OSH management, solutions and innovation in Western Australian workplaces, to reduce the risk of work-related injury and disease.

Mainline Demolition was the winner for Best Solution to a Work Health and Safety Risk, 199 employees or less category

Quattro Project Engineering was the winner for Work health and safety invention of the year, 199 employees or less category

Commission accredited training courses for safety and health representatives

Under section 14(1)(h) of the OSH Act, the Commission may accredit training courses in OSH.

Details of the accreditation process for providers of training courses for safety and health representatives are provided in the Guidelines and criteria for accreditation of training courses for safety and health representatives, which are available on the DMIRS website.

In 2019-2020, the Commission accredited 10 registered training organisations (RTOs) to conduct safety and health representative training courses. During this period, DMIRS granted a twelve month interim accreditation to one RTO. As of 30 June 2020, 25 RTOs were accredited to deliver the training course in Western Australia. An annual report of participation in training courses for safety and health representatives will be published on the DMIRS website towards the end of 2020.

The RTOs providing Commission accredited training courses for safety and health representatives are listed on the DMIRS website.
Publications

TheCommission published the following documents in 2019-2020:

- Guidelines and criteria for accreditation of training courses for safety and health representatives
- Commission for Occupational Safety and Health - Strategic Plan 2019-2022
- Guidance note – Safe stone product fabrication and installation
- Code of practice – Fatigue management for commercial vehicle drivers
- Commission for Occupational Safety and Health - Annual Report 2018-2019
- Accredited training course for safety and health representatives - Annual Report 2018-19
- Snapshot 2018-19 Accredited training course for safety and health representatives

Changes to legislation

The Commission approved the following amendments to the Occupational Safety and Health Regulations 1996 in 2019-2020:

- On 11 May 2019, Regulation 3.131 was amended as follows:
  
  **Regulation 3.131(3) Commercial vehicle driver, duties of and in relation to:**

  The time period requirement for a certificate from a medical practitioner confirming fitness prior to driving a commercial vehicle was changed from "3 years" to "5 years".

  Paragraph (a) was deleted and replaced with "the document Assessing Fitness to Drive 2016 published jointly by Austroads Ltd and the National Transport Commission, as revised in 2017; or"

- On 18 June 2019, Regulation 3.130 was amended as follows:

  **Regulation 3.130 Terms used:**

  In the definition of commercial vehicle paragraph (a) was deleted and replaced with "a passenger transport vehicle as defined in the Transport (Road Passenger Services) Act 2018 section 4(1); or"

  ...
## Strategic Plan 2019-2022

**Our vision is for continual improvement in work health and safety for the benefit of all Western Australians**

**Our purpose is to drive improvement and awareness, as the peak consultative forum for work health and safety in Western Australia**

### Regulatory framework

**Ensure a relevant framework of work health and safety laws**

- **S1** Pursue legislative compliance as the minimum acceptable standard for all workplaces
- **S2** Support Government reform of work health and safety legislation in WA
- **S3** Review existing codes of practice and guidelines to determine relevance and update to meet the work health and safety framework
- **S4** Provide input on the ongoing harmonisation agenda
- **S5** Incorporate aspects of good practice from international, national and state jurisdictions into the WA framework
- **S6** Identify technical and industry training requirements resulting from regulatory changes

### Communication, cooperation and coordination

**Improve engagement with all Western Australians**

- **S1** Promote contemporary research, expertise and knowledge to support health and safety outcomes
- **S2** Participate in and promote events to improve consultation, cooperation and positive health and safety outcomes
- **S3** Promote community understanding of work health and safety
- **S4** To collaborate and promote the sharing of knowledge, resources, research and expertise to deliver improved and more timely health and safety outcomes
- **S5** Invite community feedback on health and safety matters being considered by the Commission
- **S6** Communicate enhanced technical and industry training requirements under new work health and safety laws

### Hazards and risks

**Promote the effective management of workplace hazards and risks**

- **S1** Identify new and emerging hazards and risks arising from the changing nature of work
- **S2** Monitor and evaluate the physical, chemical and biological agents that cause occupational disease using evidence-based research
- **S3** Influence and promote the elimination of hazards and risks through good design

### Reinvigorate health and safety culture and understanding

**Improve the knowledge and understanding of work health and safety**

- **S1** Encourage consultation and cooperation, to empower people at all levels to contribute to positive health and safety outcomes
- **S2** Engage with the education and training sector to raise health and safety standards
- **S3** Identify and promote positive health and safety leadership
- **S4** Identify ways to strengthen licensing schemes to better ensure safety outcomes
- **S5** Support the development of technical and industry training, to improve knowledge and understanding of work health and safety

### Enabling function

**Leading through innovative thinking and action**

- **S1** Leverage key stakeholders and experts
- **S2** Ensure strategies are fit for purpose
- **S3** Secure and manage adequate resources
Focus area 1: Regulatory framework

Strategies

• Pursue legislative compliance as the minimum acceptable standard for all workplaces
• Support Government reform of work health and safety legislation in WA
• Review codes of practice, guidelines and regulatory frameworks, to determine relevance and update to meet the work health and safety framework
• Provide input on the ongoing harmonisation agenda
• Incorporate aspects of good practice for international, national and state jurisdictions into the WA framework
• Identify technical and industry training requirements resulting from regulatory changes

Focus area 2: Communication, cooperation and coordination

Strategies

• Promote contemporary research, expertise and knowledge to support health and safety outcomes
• Participate in and promote events to improve consultation, cooperation and positive health and safety outcomes
• Promote community understanding of work health and safety
• To collaborate and promote the sharing of knowledge, resources, research and expertise, to deliver improved and more timely health and safety outcomes
• Obtain community feedback on health and safety matters being considered by the Commission
• Communicate enhanced technical and industry training requirements under new work health and safety laws

Focus area 3: Hazards and risks

Strategies

• Identify new and emerging hazards and risks from the changing nature of work
• Monitor and evaluate the physical, chemical and biological agents that cause occupational disease based on evidence-based research
• Influence and promote the elimination of hazards and risks through application of good design

Focus area 4: Reinvigorate health and safety culture and understanding

Strategies

• Encourage consultation and cooperation to empower people at all levels to positive health and safety outcomes
• Engage with the education and training sector to raise health and safety standards
• Identify and promote positive health and safety leadership
• Identify ways to strengthen licensing schemes to better ensure safety outcomes
• Support continual improvement of technical and industry training, to improve knowledge and understanding of work health and safety
Section four: Advisory committees to the Commission

Under section 15 of the OSH Act, the Commission may appoint advisory committees made up of employer and employee representatives and people with specialist knowledge or experience in OSH, 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 OSH specific to their area of expertise. Each committee and working group is chaired by a member of the Commission.

Construction Industry Safety Advisory Committee (CISAC)

The key objectives of CISAC are to identify:

- the major health and safety issues in the construction industry and develop an OSH profile of the construction industry;
- determinants of good safety and health performance in the construction industry; and
- appropriate short and long term OSH goals for the construction industry.

Members of CISAC in 2019-2020

- Mr Darren Kavanagh, Chair, WorkSafe Western Australia Commissioner
- Mr Kim Richardson (until 15 October 2019), Ms Michelle DeGalt-Rohlf, Master Builders Association WA
- Mr Kim Drew, CCIWA
- Ms Rachelle Gill (until 17 September 2019), Ms Kiran Kaur, Housing Industry Association WA
- Mr Bob Benkesser, Construction, Forestry, Mining and Energy Union WA
- Mr Steve McCartney, Australian Manufacturing Workers’ Union WA, proxy
- Mr Glenn McLaren
- Mr Owen Whittle, UnionsWA
- Mr Chris Kirwin, DMIRS

Key achievements and matters considered by CISAC in 2019-2020

- Review of Code of Practice: Prevention of Falls at Workplaces and Code of Practice: Excavation.
- Consideration of good practice and non-compliance, in relation to silica dust and hazards generally, at construction workplaces.
- Member commitment to communicate with industry about the implementation of practices and strategies set-out in the Mentally healthy workplaces for fly-in fly-out (FIFO) workers in the resources and construction sectors.
- Assessment of need for further guidance materials for concrete placing units.
- Provided a forum for discussion of construction industry practices relating to the impact of COVID-19 and assessment of available public information.
- Review of construction induction training processes and provision of advice to the Commission.
- Considered current procedures for obtaining asbestos removal and demolition licences.
- Provided advice to DMIRS of stakeholder concerns regarding the Construction Induction Training system.
Legislation Advisory Committee (LAC)

The key objectives of the LAC are to assist the Commission in:

- ensuring a relevant and effective legislative framework by contributing to a review of monitoring and recommending changes to existing regulations;
- influencing state and federal governments on OSH issues by contributing to the development of national standards and codes of practice;
- promoting and delivering effective OSH programs, and in maintaining and promoting effective tripartite relationships and workplace safety and health decision making; and
- providing information and guidance on safety and health that is relevant, credible and accessible.

Members of LAC in 2019-2020

- Ms Stephanie Mayman (until 6 June 2020), Mr Darren Kavanagh, Chair
- Ms Elysha Millard, Chamber of Minerals and Energy WA
- Mr Paul Moss, Chamber of Commerce and Industry WA
- Mr Owen Whittle, UnionsWA
- Dr Ivor Roberts, DMIRS
- Mr Anil Atri, DMIRS

Key achievements and matters considered by LAC in 2019-2020

The main focus of LAC during the 2019-20 year was to, at the request of the Commission, review the following codes of practice and make recommendations in the context of Western Australia implementing a version of the model WHS legislation:

- Violence, aggression and bullying at work
- Occupational health and safety in the Western Australian public sector
- Working hours
- First aid facilities and services
- Fatigue management for commercial vehicle drivers

Another major item of business addressed by LAC was the delivery of online safety and health representative training, in relation to COVID-19 restrictions.
Section five: Working groups 2019-2020

**Structure of the Commission and its advisory committees and working groups**

- **Minister for Industrial Relations; Mines and Petroleum**
  - Commission for Occupational Safety and Health
  - Mining Industry Advisory Committee
  - Legislative Advisory Committee
  - Agricultural Working Group
  - Construction Industry Safety Advisory Committee
  - Diving Working Group

- **Statutory Committee** established under the *Occupational Safety and Health Act 1984*. MIAC advises the Minister on matters concerning the *Mines Safety and Inspection Act 1994*.

- **Advisory Committees** are established by the Commission, or when requested by the Minister, to assist in the performance of the Commission’s functions and duties.

- **Working Groups** are established by the Commission, or when requested by the Minister, to complete certain defined tasks and provide a report.
To pursue the objectives of its Strategic Plan, and to comply with the directives of the Minister, the Commission formed or maintained the following working groups during 2019-2020 and achieved the following outcomes:

**Diving Working Group (DWG)**

**Key objectives of the DWG**

The DWG was established by the Commission in May 2018, to develop a code of practice for all aspects of occupational diving in Western Australia. The role of the DWG, as approved by the Commission, is to:

- draft a code of practice for occupational diving for Western Australia;
- establish in the code of practice - risk management principles which apply to all aspects of occupational diving regardless of industry;
- detail specific diving industries in the code of practice; recreational; fishing; pearling; and any other area of diving considered relevant;
- consider and report on the need for supplementary education and guidance materials relating to occupational diving;
- consult with occupational diving industries, unions, relevant persons and experts on the structure and detail necessary to comprise a Western Australian Code of Practice for Occupational Diving;
- regularly report on developments to the Commission; and
- make a recommendation to the Minister regarding a code of practice for occupational diving for Western Australia.

**Members of DWG (as of November 2019)**

- Mr Darren Kavanagh, WorkSafe Western Australia Commissioner (Chair)
- Mr Jack McCabe, Unions WA
- Mr Owen Whittle, Unions WA
- Mr Aaron Irving, Chamber of Commerce and Industry WA
- Mr Peter Rickerby, Chamber of Commerce and Industry WA
- Mr David Passmore, DIVESAFE Board and Australian Navy
- Mr Warren Starr, University of WA
- Mr Anthony Hart, Department of Primary Industries and Regional Development

**Key achievements and matters considered by DWG in 2019-2020**

- The DWG did not meet during the 2019-2020 reporting period.
- On 27 March 2020, the Commission released the draft *Code of practice: Occupational diving* for public consultation on the DMIRS website and to approximately 14,000 WorkSafe newsletter subscribers, for a five-month public consultation period, closing on 28 August 2020.

**Agricultural Working Group**

**Key objectives of the AWG**

To develop an industry funded agricultural campaign to inform the agriculture sector about safety, employer/employee obligations and risk reduction as requested by the Minister for Mines and Petroleum; Energy; Industrial Relations.

**Members of AWG in 2019-2020**

- Mr Darren Kavanagh, WorkSafe Western Australia Commissioner (Chair)
- Mr Brett Cooper, DMIRS
- Ms Nicola Kelliher, Country Women's Association of WA
- Mr Trevor Naughton, Chamber of Commerce and Industry WA
- Mr Peter Nunn, Chamber of Commerce and Industry WA
- Mr Darren Spencer, WA Shearing Industry Association
- Mr Owen Whittle, UnionsWA
- Mr Antony Pearson, UnionsWA
- Mr Doug Hall, Pastoralists & Graziers Association of WA
- Mr Trevor Whittington representing WAFarmers.

**Key achievements and matters considered by AWG in 2019-2020**

- Met seven times during the reporting period. Meetings were disrupted in 2020, due to the COVID-19 Pandemic.
- Completed an agricultural safety awareness campaign, consisting of drawing and photography competitions for school students.
- Commenced a social media safety campaign on agricultural safety.
MIAC was established in April 2005 under section 14A of the OSH Act. It is a statutory body advising the mining industry on matters relating to OSH.

During the 2019–2020 reporting period, MIAC met on six occasions.

**Key objectives**

The key objectives of MIAC are to:

- make recommendations to the Minister for Mines and Petroleum regarding the formulation, amendment, or repeal of laws relating to OSH for which that Minister is responsible;
- advise and make recommendations to the Minister and the Commission on OSH matters concerning the mining industry;
- prepare or recommend the adoption of codes of practice, guidance material, standards and specifications;
- provide advice on education and training matters in the mining industry; and
- liaise with the Commission to coordinate activities and to maintain parallel standards.

**Membership**

Membership of MIAC is determined by the Minister responsible for the administration of the OSH Act and the Mines Safety and Inspection Act 1994 (MSI Act).

MIAC consists of 12 members; two from Government, three industry representatives, three worker representatives and four independent expert members.

MIAC members during the 2019-2020 reporting period are listed below:

1. Mr Andrew Chaplyn – Government member (Chairperson)
2. Ms Christina Folley – Government Member
3. Mr Peter Burton – Industry representative
4. Ms Adrienne LaBombard – Industry representative
5. Mr Robert Watson – Industry representative
6. Mr Gregory Busson – Worker representative
7. Ms Pearl Lim – Worker representative
8. Mr Glenn McLaren – Worker representative
9. Ms Helen Anderson – Expert Member
10. Dr Gary Bryant – Expert Member
11. Ms Meagan Smart – Expert Member
12. Mr Gregory Stagbouer – Expert Member

**Key achievements and matters considered by MIAC in 2019-2020**

- Reviewed Diesel Particulate Matter (DPM) research findings and results of a literature review on research into diesel exhaust emissions and DPM.
- Based on advice from the nDPM Working Group, MIAC recommended to the Minister that he use powers under the Mines Safety and Inspection Regulations 1995 to determine a 100 µg/m³ exposure standard for DPM, to be applied for an 8-hour working day in Western Australian mining operations.
- Advised the Minister in relation to halving the workplace exposure standards for respirable crystalline silica to 0.05 milligrams per cubic meter (mg/m³) and respirable coal dust to 1.5 mg/m³.
- Approved work undertaken by the Mental Health Strategies Working Group (MHSWG) on the final instalment of webpages to support mentally healthy workplaces.
- Approved the progression and finalisation of recommendations from the 2015 Education and Health Standing Committee Report – The impact of FIFO Work Practices on Mental Health by the MHSWG.
- Prioritised codes of practice for development in line with the new WHS legislation and the process for developing codes of practice.
- Endorsed the Ground control for Western Australian mining operations: Code of Practice and Guideline.
• Provided feedback on the draft Western Australian Framework for the prevention and management of work-related musculoskeletal disorders.
• Considered the Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019 report and how its recommendations apply to the Western Australian mining industry.
• Reviewed and provided feedback to planned and prioritised projects initiated by both DMIRS and this committee.
• Considered fatalities, significant incident reports, mines safety bulletins and mines safety statistics at each meeting.

MIAC Working Groups

Mental Health Strategies Working Group

The Mental Health Strategies Working Group (MHSWG) was formed following MIAC’s 14 April 2016 meeting to assist in identifying a framework to support good practice for positive mental health and wellbeing in the resources sector.

The key objectives of the MHSWG were to:
• consider the relevant recommendations in the Standing Committee’s report on The impact of FIFO work practices on mental Health;
• report regularly to the MIAC on its progress and timelines; and
• provide a final report and recommendations to MIAC on or before 30 July 2020.

Members of MHSWG in 2019-2020
1. Ms Christina Folley – Government Member (Chair)
2. Ms Amy Douglas-Martens – Government Member
3. Mr Rodney Powell – Government Member
4. Ms Elysha Millard – Industry Member
5. Mr Rob Watson – Industry Member
6. Mr Bob Benkesser – Worker representative
7. Mr Glenn McLaren – Worker representative

Key achievements and matters considered by MHSWG in 2019-2020

The MHSWG did not meet during the reporting period, but actioned the following matters out-of-session:
• Contributed to the promotion of the Mentally healthy workplaces for fly-in fly-out (FIFO) workers in the resources and construction sectors – code of practice (the FIFO Code).
• Contributed to the development of the DMIRS Mentally Healthy Workplaces Online Hub.
• Contributed to the development of the DMIRS Mentally healthy workplaces audit tool and associated technical guide.
Nano Diesel Particulate Matter Working Group (nDPMWG)

Diesel engine exhaust is a known hazard for mining operations, especially in underground mines, where widespread use of diesel vehicles and equipment means control at source, and providing appropriate ventilation is critical to ensure worker health and safety. Recent research has suggested that the extremely fine components of diesel engine exhaust, called nano Diesel Particulate Matter (nDPM) may be responsible for negative health impacts, especially lung cancer, in exposed workers.

In 2016, MIAC commissioned research projects into the physical-chemical properties of nDPM in an underground mine and the potential health effects on workers from exposure. DMIRS and the Mineral Research Institute of Western Australia co-funded the first research project.

DMIRS also funded a second research project, looking into the possible health impacts of diesel engine exhaust exposures.

The nDPMWG, a sub-committee of MIAC, provided oversight to the research projects being managed by DMIRS.

The key objectives of the nDPMWG were to:

- provide oversight to the research projects on nDPM;
- report regularly to the MIAC on progress and timelines; and
- provide a final report and recommendations to MIAC on conclusion of research projects.

The nDPMWG comprised tripartite representatives, supported by a number of mining, health and allied technical specialists. At the final meeting of the working group in June 2019, there were 16 attendees. These members were:

1. Mr Andrew Chaplyn (Chair) – Government Member
2. Mr Martin Ralph – Government Member
3. Ms Lindy Nield – Government Member
4. Mr Junior Oding – Government Member
5. Dr Silvia Black – Government Member
6. Dr Charmaine de Witt – Sponsor
7. Ms Nicole Roocke – Sponsor
8. Dr Peter Franklin – Expert Member
9. Emeritus Professor Odwyn Jones – Expert Member
10. A/Professor Ben Mullins – Expert Member
11. Professor Bill Musk – Expert Member
12. A/Professor Alison Reid – Expert Member
13. Mr Guang Xu – Expert Member
14. Mr Patrick Bourke – Industry Member
15. Mr Wayne Brittan – Industry Member
16. Mr Owen Whittle – Worker representative

Key achievements and matters considered by nDPMWG in 2019-2020

- A public forum, hosted by DMIRS and the nDPMWG on 29 July 2019, presented the findings of the two research projects.
- The nDPMWG, through MIAC, recommended to the Minister that a time weighted average workplace exposure standard for diesel particulate matter of 100 micrograms per cubic metre of air (µg/m³) be adopted for an 8-hour working day in Western Australian mining operations.
COSH
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