

Meeting No.	29	Time:	9.00am
Venue	Koorling Dandjoo Conference Room, 1 Adelaide Terrace, East Perth		

Work Health and Safety Commission Minutes – 5 March 2025

Attendees

Dr Lin Fritschi	Deputy Chairperson, expert member
Ms Sally North	Ex-officio member – WorkSafe Commissioner (via Microsoft TEAMS)
Mr Tony Robertson	Public service representative with knowledge of, and experience in, mining – A/Director WorkSafe Mines Safety
Mr Glenn McLaren	Member – nominated by Unions WA
Ms Naomi McCrae	Member – nominated by Unions WA
Ms Michelle Gadellaa	Member – nominated by the Chamber of Minerals and Energy Western Australia (CME)
Mrs Agnes McKay	Member – Chamber of Commerce and Industry WA (CCIWA) (via Microsoft TEAMS)
Ms Tracey Bence	Expert member (via Microsoft TEAMS briefly at end of meeting)
Dr Matthew Govorko	Expert member
Ms Helen Brown	Executive Officer – Senior Policy Officer, WorkSafe

Guests

Mr Chris White	Regular guest – Chief Executive Officer, WorkCover WA
Ms Bec Naylor	Regular guest - General Manager Information and Stakeholder Engagement, WorkSafe
Ms Rikki Hendon	Guest – Unions WA (filling current vacancy)
Cory Harding	Guest – CCIWA (filling current vacancy)

Apology

Dr Patricia Todd	Chairperson
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1 WELCOME, APOLOGIES, AGENDA

1.1 Opening and welcome

Deputy Chairperson, Dr Fritschi, opened the meeting and passed on the apologies of the Chairperson, Dr Todd, and noted the members joining the meeting online.

1.2 Apologies

Apology: Dr Trish Todd

1.3 Confirmation of agenda

The agenda was confirmed as the business of the meeting.

1.4 Declarations of Conflicts of Interest

Nil

2 PREVIOUS MEETING/S

2.1 Confirm minutes of previous meeting

The Minutes of the Work Health and Safety Commission (WHSC) meeting of 5 February 2025 were **ENDORSED** as a true and correct record subject to minor amendments requested by various members.

2.2 Review action list from previous meeting

Action items were discussed by exception, as follows:

- F (*Request to WorkSafe for break-down of data on the basis of industries in the Fatalities Update Report for the month ending December 2024, in relation to fatalities for > 65 year old workers*) - The Deputy Chairperson noted in the information provided that the > 65 year old worker cohort has the highest rate of fatalities in the industry categories of agriculture-forestry-fishing, transport-postal-warehousing and construction, and this should inform decision-making.
- C (*The Executive Officer will enquire about the progress of gazettal of the 'Tower cranes' and 'Electrical' Codes of Practice*) - The Executive Officer clarified that, although the gazettal of the Codes of Practice was initiated in 2024, the Codes of Practice did not reach the Minister's office until January 2025, and will not be gazetted until after the Government's caretaker period.
- I (*The potential clash between WHSC and Safe Work Australia (SWA) meetings will be investigated, given that it affects the WorkSafe Commissioner*) – There was discussion about WHSC and SWA meetings occurring on consecutive days at times, resulting in the WorkSafe Commissioner's travel to the SWA meetings impinging on her capacity to attend WHSC meetings. Given the elimination of alternative dates presented for the September 2025 WHSC meeting when this clash occurs, no decision was made on changing the meeting schedule.
- LAC-A [*Legislative Advisory Committee (LAC) to review listed Safe Work Australia publications*] - The WorkSafe Commissioner reported LAC has reviewed some listed items and will continue the review at the next meeting.

The WHSC **NOTED** the updated Action List.

ACTION 1 – The Executive Officer will update the Action List items relevant to the Legislative Advisory Committee that relate to review of specific SWA publications.

2.3 Codes of Practice - Update

The WHSC **NOTED** a table of updates on codes of practice and other guidance that have been the subject of a decision by the WHSC. Key discussion items:

- Code of Practice: *Psychosocial hazards at work for fly-in fly-out (FIFO) work arrangements* – A CCIWA representative queried the timeframe for completing this code.

Bec Naylor reported that the next phase will be review of feedback by an inspector and the Deputy WorkSafe Commissioner, and the outcome may be presented to the May 2025 WHSC meeting. A Unions WA representative expressed concern about the length of time taken to complete this code, given that the former Minister for Industrial Relations requested the code two years ago. The WHSC agreed this may be progressed out-of-session if necessary.
- *Guidance for alcohol and other drugs in the workplace* – A CCIWA representative commented that many stakeholders in industry are eager to receive this guidance and queried the note that WorkSafe doctors have differing views on some of the content. The WorkSafe Commissioner reported that the WorkSafe drafters are incorporating the technical advice of the doctors but will retain the structural recommendations of the Legislative Advisory Committee.
- Code of Practice: *Fatigue management for commercial vehicle drivers* - Bec Naylor noted that this Code of Practice will be incorporated into a Code of Practice: *Managing fatigue risks at work* based on Safe Work Australia's model code. However, some separate guidance on fatigue management for commercial vehicle drivers will be released.
- Code of Practice: *Work health and safety management systems in the Western Australian public sector* ('Public Sector Code') - A Unions WA representative queried whether feedback provided by the State Solicitor's Office on the Public Sector Code can be shared.

ACTION 2 – An enquiry will be made as to whether the feedback provided by the State Solicitor's Office on the Public Sector Code can be shared and, if so, for the feedback to be provided to the WHSC. If the feedback cannot be provided, the WHSC seeks the reasoning for this.

3 AGENDA ITEMS FOR NOTING (Discussed by exception)

3.1 Health and Safety Representative (HSR) Training - Approvals

The WHSC **ENDORSED** the following approval relating to the training of HSRs:

- Additional trainer – Craig Adair (Trainwest).

The WHSC also **NOTED** the approval of renewal of authority to deliver HSR training for six training providers.

A Unions WA representative queried approval by the Chairperson of renewal of authority for a particular training provider to deliver refresher training to HSRs, given the WHSC's policy of not allowing trainers who are employees of an organisation to deliver training to fellow employees due to a potential conflict of interest. The Executive Officer explained that the training provider already had approval to deliver the five-day course and that the Chairperson had contacted the training provider in relation to this application.

ACTION 3 – Further information will be provided to the WHSC regarding the authority of the training provider in question to deliver HSR training, given that their trainers are employees training fellow employees and the potential conflict of interest.

3.2 Construction Industry Safety Advisory Committee (CISAC) - Report

The WHSC **NOTED** the report of the 12 February 2025 CISAC meeting. Key points:

- completion of assessment of feedback regarding amendments to the Code of Practice: *Managing the risk of falls in housing construction*; and
- WorkSafe's six-month Site Security Project in relation to regulation 298 (security of workplace) of the Work Health and Safety (General) Regulations 2022.

The WHSC **ENDORSED** the appointment of Mr Peter Joshua (CFMEU) to CISAC to replace long-serving member Mr Bob Benkesser who has resigned.

3.3 Mining and Petroleum Advisory Committee (MAPAC) - Report

The WHSC **NOTED** the report of the 19 February 2025 MAPAC meeting.

The key focus of the MAPAC meeting was to provide feedback on the draft Code of Practice: *Road and traffic management at Western Australian*.

A Unions WA representative questioned whether there is an update on the matter of licensing the use of earthmoving equipment as a crane. The WorkSafe Commissioner responded that there is no update on information previously provided.

Tony Robertson reported that, in relation to statutory positions, there is an abundance of seats in locations throughout WA for statutory position holders to undertake the WHS legislation examination as part of the process of retaining or gaining a statutory position. A Unions WA raised the matter of statutory position holders being concerned about their perceived liability under the Work Health and Safety (Mines) Regulations 2022. Tony Robertson responded that the duties of statutory position holders already existed under the previous legislation, and that information will be provided to industry to clarify the matter after the Government's caretaker period.

3.4 Agricultural Safety Advisory Committee (ASAC) - Report

The WHSC **NOTED** the report of the 14 February 2025 ASAC meeting. Key points:

- a presentation by Western Power and Horizon Power representatives concerning power service providers entering farms, and an agreement to put their advice on WorkSafe's agricultural website page;
- WorkSafe developed a publication providing the progress of implementation of the first stage of the Agricultural Inquiry's recommendations;
- WorkSafe's Agricultural Machinery Project, during which 20 agricultural machinery suppliers received proactive visits aimed at educating stakeholders about hazards and control measures in relation to agricultural machinery; and
- advice from the Department of Transport about driverless vehicles.

The WorkSafe Commissioner reported that the next phase for Agricultural Inquiry is to seek information from peak bodies in the agricultural sector on what they have done or are planning to do in response to the Agricultural Inquiry, and how WorkSafe can assist.

The WorkSafe Commissioner confirmed the Agricultural Machinery Project covered second-hand machinery. Inspectors recently attended a large second-hand machinery auction to observe what was offered and identify any safety issues.

3.5 Affected Families and Workers Advisory Committee (AFWAC) Report

The WorkSafe Commissioner provided an update on AFWAC. There is now a [webpage on the WorkSafe website](#) for anyone interested in joining. WorkSafe is considering ways to reach those who may be interested in becoming a member of AFWAC.

The WHSC **NOTED** the update on AFWAC.

3.6 Legislative Advisory Committee (LAC) - Report

Nil

3.7 WorkSafe events and promotions update

Bec Naylor provided a verbal update, highlighting current activities of the WorkSafe Information and Stakeholder Engagement Branch, including:

- website migration due to the Department of Mines and Petroleum website being archived on 31 March 2025;
- developing additional videos for HSRs;
- work on guidance for the mining industry regarding line of fire and aerosols;
- planning interactive quizzes and exam preparation for Mines Statutory Positions; and
- planning for events including another event for HSRs and reinvigorating Senior Site Executive forums.

The WHSC **NOTED** the WorkSafe events and promotions update.

3.8 Regulatory Activity Report - Quarterly

Nil

3.9 Exemptions

Nil

3.10 Correspondence

The WHSC **NOTED** the following correspondence:

- 3.10A – Letter – WHSC to Training Accreditation Council (TAC) – Re review of White Card system and audit of training providers.
- 3.10B – Email - Response from TAC to WHSC re review of White Card system and audit of training providers.
- 3.10C – Email – TAC invitation to Chairperson to discuss training delivery and TAC Regulatory Strategy 2025-2027.

The Deputy Chairperson stated that, in relation to the correspondence above, a meeting between representatives of the WHSC and TAC has been arranged and the Chairperson is happy to talk to those who wish to attend or would like to discuss the meeting. Representatives from Unions WA and CME expressed interest in attending.

Unions WA representatives:

- requested that there be a presentation to the WHSC on the findings of the TAC audit of White Card training, followed by an invitation to a TAC representative to address the WHSC on broader issues relating to regulation of training;
- noted that the issues with White Card training reflect broader issues regarding regulation of training by TAC; and
- expressed the view that TAC audit reports should contain more details such as the type of non-compliance identified and how the non-compliance was rectified.

ACTION 4 – Schedule a future agenda item on the outcome of the audit of White Card training and broader issues with regulation of training by TAC.

4 ITEMS FOR DISCUSSION

4.1 WorkCover WA report (standing item)

The WHSC **NOTED** the verbal report delivered by the Chief Executive Officer of WorkCover WA, with the key points being:

- delays in settlements have been successfully addressed with the application of additional resources; and
- consultation regarding implementation of forms and procedures associated with the *Workers Compensation and Injury Management Act 2023* has just been completed.

4.2 Fatality Update Report (standing item)

The WHSC **NOTED** the Fatality Update Report to the month ending January 2025.

4.3 Code of Practice: *Road and traffic management at Western Australian mines*

The WHSC was presented with the new draft Code of Practice: *Road and traffic management at Western Australian mines* ('the Code'). Incidents involving vehicles are a key hazard in the mining industry. Feedback from MAPAC had been considered and incorporated where appropriate.

A Unions WA representative applauded the hard work of the WorkSafe Mines Safety Directorate in developing the Code, and commenting that the Code is detailed, comprehensive and "fills a lot of gaps".

A suggestion that the title of the Code does not reflect its broad scope was not supported, with the view that the title covers the key content of the Code.

The WHSC **ENDORSED** release of the Code for a three-month consultation period following the end of the Government caretaker period.

4.4 Process for assessing applications for renewal to deliver Refresher training

The WHSC was presented with the draft process for assessing applications for renewal of authority to deliver Refresher training to HSRs. The Refresher course was introduced with the new WHS legislation on 31 March 2022, meaning that the three-year terms of authority for many training providers are due for renewal in 2025.

The WHSC **ENDORSED** the following guidelines for assessing applications for renewal to deliver refresher training:

- If the training provider has not conducted any training in the previous two years then refusal should be considered.
- Applications need only be referred to the WHSC if the Chairperson is considering refusing the application.

4.5 Update on issues paper – Workplace Exposure Standard (WES) for diesel particulate matter (DPM)

Dr Matthew Govorko gave an update on the progress of the development of an issues paper regarding the WES for DPM that will be authored by Dr Govorko, Dr Fritschi and Tracey Bence for presentation to the WHSC. The issues paper will mainly cover: (i) the health effects (cancer and non-cancer) of DPM; (ii) international occupational exposure limits and what peak bodies are recommending; and (iii) an overview of the technical nature of the sampling. It is expected that the issues paper will be presented to the May 2025 WHSC meeting.

The WHSC **NOTED** the update on the issues paper regarding the WES for DPM.

4.6 Draft recommendations for format and style of Codes of Practice

The WHSC was presented with a draft list of recommendations for WorkSafe relating to the format and style of codes of practice. The recommendations were based on the work of two WorkSafe interns from the McCusker Foundation who investigated the effectiveness and presentation of Codes Practice, the findings of which were presented to the February 2025 WHSC meeting.

A Unions WA representative commented that she was expecting that the recommendations would follow presentation to the WHSC of the revised Code of Practice: *Person overboard* which will showcase the recommendations in practice (this Code is likely to be presented to the April 2025 WHSC meeting).

It was noted that, while SWA is investigating alternative formats (e.g. interactive), there is a statutory requirement in Western Australia for Codes of Practice to be gazetted and therefore to be in a written form.

The WHSC **ENDORSED** the recommendations for the format and style of Codes of Practice. However, as it was the view of the WHSC that the recommendations were very general, they will be revisited after the WHSC has considered the revised Code of Practice: *Person overboard*.

4.7 Update – Awareness and enforcement activities re Workplace Exposure Standard (WES) for welding fumes

In response to a request for an update on WorkSafe awareness and enforcement activities regarding the WES for welding fumes, a report was presented to the WHSC. It provided an update on the progress of the planned campaigns by the WorkSafe Industrial and Regional Directorate and the WorkSafe Mines Safety Directorate that were presented to the September 2024 WHSC meeting.

Tony Robertson gave an update on the WorkSafe Mines Safety Directorate's silica and welding fume campaign which will run for up to 1.5 years.

The WorkSafe Commissioner reported that the WorkSafe Industrial and Regional Directorate project has involved preliminary visits to date and will hopefully be broadened to include more inspectors. A Unions WA representative referred to the 11 inspections and 17 Improvement Notices issued and asked whether there was a common theme. The WorkSafe Commissioner will provide information to the next meeting on this matter.

The WHSC **NOTED** the update on awareness and enforcement activities relating to the WES for welding fumes.

ACTION 5 – Information will be provided to the next WHSC meeting on any common themes in the Improvement Notices issued relating to exposure to welding fumes.

4.8 Psychosocial resources – MARS Program

In response to a request, the WHSC was presented with a list of MARS (Mental Awareness, Respect and Safety) Program and associated initiatives that provide support to employers and workers to manage psychosocial hazards in the mining industry. While these initiatives were developed primarily for the mining industry, they adaptable for general industries.

Bec Naylor advised that these resources are promoted in Mines Safety newsletters (which have about 10,000 subscribers), in the MARS newsletter and via social media.

A Unions WA representative urged caution when accessing online information about psychosocial hazards as some of it is expensive, inappropriate and wrong. The WorkSafe Commissioner acknowledged this and added that the new Deputy WorkSafe

Commissioner will be a member of the MARS Program Governance Board; and the [Sexual Harassment Evaluation Tool](#) and [Lead Change Respect](#) initiatives included in the agenda paper are not only applicable to mining but can also be applied to general industries.

Tony Robertson suggested that it may be helpful to have the General Manager of the MARS Program deliver a presentation to the WHSC on current MARS Program activities.

ACTION 6 – The General Manager of the MARS Program will be invited to present to the WHSC on current activities of the MARS Program.

4.9 Diving – Frequently Asked Questions and Information Sheet

The WHSC **NOTED** WorkSafe's draft Frequently Asked Questions and Checklist for commercial diving. While the WHSC is not normally involved in the development of such material, it was involved in early work on development of a Code of Practice for commercial diving which ultimately did not proceed.

4.10 Safe Work Australia update

Nil

5 OTHER BUSINESS

5.1 Members to advise

Nil

6 NEXT MEETING

6.1 Next WHSC meeting – 2 April 2025

CLOSE - The meeting closed at approximately 10.15am.