

DEPARTMENT OF
THE ATTORNEY-GENERAL AND JUSTICE

Work Health and Safety Advisory Council

Annual Report
2021-2022

NTWork**Safe**



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Function of the Work Health and Safety Advisory Council

The Work Health and Safety Advisory Council (the Council) is established under the *Work Health and Safety (National Uniform Legislation) Act 2011* (the Act) to carry out the following functions in accordance with schedule 2(3) of the Act:

- Keep under review the operation of the Act.
- Make recommendations to the Minister on possible changes to the administration of the Act or standards of work health and safety in the Northern Territory.
- At the Ministers request, investigate and report on matters relating to work health and safety.
- Perform any other advisory functions relating to work health and safety as the Minister directs.

Meetings of the Work Health and Safety Advisory Council

In accordance with schedule 2(9) of the Act, the Council must meet when directed by the Minister to do so, and at any other time the Chair considers appropriate.

Membership of the Work Health and Safety Advisory Council

In accordance with schedule 2(4) of the Act, the Council membership consists of:

- The Work Health Authority.
- Not more than 10 other persons appointed by the Minister, which includes:
 - Persons with a wide range of experience extending as far as possible across all major industry sectors in the Territory, and
 - As far as is practicable, consists of equal numbers of representatives of organisations representing employees.

Former Work Health and Safety Advisory Council Members

During this financial year the tenure of the presiding Council consisting of the following membership ended:

- Ms Andrea Moriarty – Chair;
- Ms Marita Wilson – Deputy Chair;
- Ms Sandra Alp;
- Mr Mark Davies;
- Ms Erina Early;
- Mr Adam Giuliani;
- Mr Christopher O'Brien;
- Mr Lloyd Pumpa;
- Mr Saad Ullah Jan; and
- Mr Paul Conners.

Current Work Health and Safety Advisory Council Members

On 10 August 2022, a new Council consisting of the following membership was appointed by the Minister:

Peggy Cheong – NT WorkSafe - Work Health Authority

Ms Cheong was appointed as the Work Health Authority on 18 June 2022. Ms Cheong is also the Executive Director of NT WorkSafe, the Electricity Safety Regulator, the Chief Inspector under the *Radioactive Ores and Concentrates (Packaging and Transport) Act 1980*, the Northern Territory member of Safe Work Australia, and the Heads of Workplace Safety Authorities.

Mr Richard Finch – Chair

Mr Finch is an Operations Health, Safety and Environmental Manager with Inpex Australia Pty Ltd. Mr Finch has been working in leadership roles as a HSE professional across various industries including: Defence, Mining, Offshore and Onshore Oil and Gas in various states of Australia for over 20 years.

Mr Mark Davies – Deputy Chair

Mr Davies is the Director for EHS Essential Services. Mr Davies has over 32 years' experience in the work health and safety section. Mr Davies qualifications include a Master of Occupational Health Safety and Environment Management and a Graduate Certificate in Spatial Science.

Mr Saad Ullah Jan

Mr Jan is a Work Health and Safety professional with years of experience in the manufacturing industry and local government, including remote locations within the Northern Territory. Mr Jan is currently employed as a Work Health and Safety Officer with the Central Land Council. He is a certified maintenance and reliability professional and has experience and knowledge on plant and hazardous chemicals.

Mr Lloyd Pumpa

Mr Pumpa is the NT Organiser for the Australian Manufacturing Worker Union. Previous to that, Mr Pumpa was employed as Boiler Maker and Health and Safety Representative at Inpex Australia Pty Ltd.

Mr Lucas Hemsley

Mr Hemsley is a Northern Territory Public Sector Field Organiser for the Community and Public Sector Union. He has a certificate IV in Work Health and Safety and he demonstrates knowledge and qualifications of Work Health and Safety and experience in industry such as, not for profit organisations, private security, and Hospitality and civil construction including high risk work.

Ms Sandra Alp

Ms Alp is employed as a Work Health and Safety Consultant with Department of Health. Ms Alp has over 17 years' experience in Work Health and Safety which included work in a regulatory role, the WHSE Manager in the commercial construction industry and Work Health and Safety consultancy roles. Prior to this Ms Alp was a Registered Nurse at the Royal Darwin Hospital. Ms Alp has served on a number of committees over the years including the Australian Institute of Health and Safety and the Rail Safety Committee.

Mr Paul McHugh

Mr McHugh is the Manager for Health, Safety and environment for Core Lithium. He has significant experience in Work Health and Safety management in the Northern Territory Mining Industry. He has worked as an associate in the Environmental Management, Permitting, and Compliance team with SLR Consulting and as a Mining Officer in the Department of Resources.

Mr Adam Giuliani

Mr Giuliani is currently employed with Unions NT as the Project Officer for Work Health and Safety. Mr Giuliani served in the Australian Defence Force for 20 years', completing tours in East Timor and Iraq. Following voluntary discharge Mr Giuliani was employed in the Mining, Construction, and LNG Construction industries.

Mr Jeffrey Weldon

Mr Weldon is the Chair of the NT Branch, Australian Institute of Health and Safety (AIHS). Mr Weldon has over 40 years' experience working as a chartered and certified safety professional. Mr Weldon has lived and worked all over the world implementing Integrated Management Systems with a diverse portfolio of customers including, Chevron, Bechtel, Motorola, Foster Wheeler, Sinopec, the United States Department of Energy and Defence, Exxon, Lucent, Shell, Santos, and Merck.

Mr Phillip Tonks

Mr Tonks is a Work Health and Safety Manager with the Paspaley Pearling Group. He has over 30 years' of experience in various WHS roles with a wide range of industry sectors including, telecommunications, dredging, and construction.

Mr Tonks also works for two certification bodies DNV GL, and Certex International.

Activities of the Advisory Council for 2021-2022

The Council met on three occasions during 2021-2022:

- 30 August 2021;
- 2 December 2021; and
- 9 May 2022.

Key issues and items the Council addressed or considered included:

- Best Practice Review of Work Health and Safety in the Northern Territory;
- Updates on NT WorkSafe Prosecutions;
- White Cards;
- Health and Safety Representatives; and
- Psychosocial Hazards.

Committees

Under section 10 of the Act the Council may establish committees to assist it to carry out its functions.

During 2020-2021, The Council established an Injured Workers and Family Forum as per Recommendation 4 of the Best Practice Review of Work Health and Safety in the Northern Territory:

Injured Workers and Family Forum

The Committee considered the following recommendation from the 'Best Practice Review of Workplace Health and Safety in the Northern Territory':

Recommendation 4: That an Injured Workers and Family Forum be established, actively supported, and consulted by both NT WorkSafe and the Work Health and Safety Advisory Council.

Recommendation 5: That NT WorkSafe develop a more effective system to ensure that the families and victims of fatalities are supported, modelled on best practice used by police services.

Findings and recommendations were sent to the Minister by the Chairs of both councils for the Ministers consideration.

Planned Activities of the Advisory Council for 2022-2023

Proposed work to be undertaken by the Council in 2022-2023 include:

- Continue to consider and identify if there are any activities that the Council can undertake relating to the recommendations from the Best Practice Review of Work Health and Safety in the Northern Territory referred to the Council;
- The Work Health and Safety Advisory Council monitor trends in relation to prosecutions in relation to the number of proceedings, success rate and penalties awarded;
- Review the 34 recommendations of the Model Work Health and Safety Laws Final Report and identify if there are any actions that the Council should consider; and
- Consider if a review of the Industrial Manslaughter legislation in the Northern Territory is to be conducted.