

Minutes

Construction Industry Sector Standing Committee

ISSC secretariat | Email: oirboardsandcommittees@oir.qld.gov.au

Date	10 July 2024	
Time	10am – 12:00pm (AEST)	
Venue	Meeting Room 2, Level 3, 1 William Street, Brisbane	
Members		
Mr Kurt Pauls		Chair
Mr Chris Lynch		Worker Member / Electrical Trades Union
Ms Jacqueline Collie		Worker Member / Construction, Forestry, Mining and Energy Union
Mr Craig Dearling		Employer Member / Master Builders Queensland
Mr Kelvin Cuskelly		Employer Member / Housing Industry Association
Ms Amanda Nicolo		Employer Member / Built Qld
Vacant		Employer Member
Mr Ryan Alexiou		Expert Member / Olympus Insights
Guests		
Ms Paris Hooper		Standing Guest / Director, Industrial WHS and Electrical Safety Policy
Mr Robert McDonald		Standing Guest / Regional Director Compliance and Field Services
Mr Sebastian Bielen (MS Teams)		OIR Director, Data and Evaluation
Mr Jamie McQueen (MS Teams)		Australian Workers' Union
Mr Daniel Lacey		Australian Manufacturing Workers' Union
Mr Paris Andriske		Plumbing and Pipe Trades Employees Union
Mr Jimmy Andersen		Hutchinson Builders
Apologies		
Nil		
Secretariat		
Ms Jyotsna Walia		Senior Advisor / Workplace Health and Safety Queensland
Mr Mark Walker		Director / Workplace Health and Safety Queensland

1. Welcome and Statutory Matters

The Chair, Mr Kurt Pauls, opened the meeting at 10.00 am and welcomed members and guests to the meeting.

24.07.1.1 Acknowledgement of Country

The Chair acknowledged the traditional custodians of the land where the meeting was taking place, the Turrbal and Yuggera people, and paid his respects to the elders past, present and emerging.

24.07.1.2 Apologies

The Chair advised no apologies received for the meeting.

The Chair asked for introductions from all around the table.

The Chair welcomed Mr Robert McDonald, newly appointed Regional Director, Brisbane Central Region, to the meeting as a standing guest. Mr McDonald commenced in the role from 1 July.

24.07.1.3 Conflicts of Interest Declaration

The Chair asked if there were any conflicts of interests to declare in relation to the agenda and papers provided for the meeting.

No conflicts of interest were declared by members at the commencement of the meeting.

Outcome/s:

That the Committee:

- **Noted** that no conflicts of interest were declared at the commencement of the meeting.

24.07.1.4 Adoption of Agenda

The Chair asked if there were any additions to the agenda. No additional items were requested.

Outcome/s:

That the Committee:

- **Accepted** the agenda for the meeting.

2. Minutes and Actions Arising

24.07.2.1 Minutes

The Chair advised the minutes of the previous meeting held on 17 April 2024 were for discussion. The minutes had been distributed to members to review and suggest amendments.

An update to the due date for providing questions for the DDG session were reflected in the meeting minutes. No other changes to draft requested.

Outcome/s:

That the Committee:

- **Verified** the minutes as an accurate record of the Construction ISSC meeting held on 17 April 2024.

24.07.2.2 Action Register

The Chair invited Secretariat to discuss the status of action items from previous meeting. The members reviewed and confirmed the following:

Action Item	Action	Responsibility	Due Date/Status
24.04.4.1	The Secretariat to add an 'In Camera' clause to the Terms of Reference.	Secretariat	Completed. Close.
24.04.4.2 - 1	Q&A Session with DDG OIR Mr Peter McKay – Issues with Inspectors <i>Questions to be provided by committee members through chair in advance for DDG OIR.</i>	DDG OIR Chair	Completed. Close
24.04.4.2 - 2	Presentation on 'Managing the risk of psychosocial hazards at work Code of Practice 2022' for the committee	Secretariat	Open. Item deferred to the October meeting.
24.04.4.2 - 3	Provide and updated on the licencing issues including the High-Risk Safety Licence	Paris Hooper	Completed. Close
24.04.4.2 - 4	Status update on following codes of practice: 1) Tilt-up and pre-cast construction code of practice 2003 2) Welding processes code of practice 2021	Paris Hooper	Completed. Close
24.04.4.2 - 5	Share new studies/data in regard to Managing respirable crystalline silica dust exposure in construction and manufacturing of construction elements Code of Practice 2022 generally and Appendix 4 of the code specifically.	Chair	Completed. Close

24.07.2.3 Circular Resolution

The Chair invited Secretariat to discuss the circular resolution matter sent to the committee members. An out of session paper on review of the steel construction code of practice 2004 was distributed to members on 11 June for noting by 26 June.

The Chair queried whether there is going to be a steering group established to review the steel construction code of practice as it has some high-risk elements including the use of cranes. Ms Hooper confirmed recent updates to crane code of practices would not be duplicated in the steel construction code (only referenced) so these issues would not need to be reconsidered by a steering group. Ms Hooper confirmed the proposed approach is a public consultation process and that any feedback from committee members can be referred to her directly.

3. Strategic/Presentation Matters

24.07.3.1 Power BI Dashboard Demo

**This matter was deferred to after item 4.3.*

4. Matters for Discussion/Decision

24.07.4.3 Silica reports on Appendix 4 of the COP

Item 4.3 was brought forward, before Strategic/Presentation and Discussion/Decision matters

Mr Craig Dearling led the discussion on the silica item and queried whether the silica in construction code of practice is being reviewed in light of concerns with Appendix 4 raised by some committee members at the previous meeting. He noted the report from Property Risk Australia, shared with the committee by the Chair, which contains concerns on data in the appendix 4 of the code including inconsistency in flow charts and the industry's reliance on appendix 4 for implementation of the code. The Committee noted the Safe Work Australia's (SWA) three-year transitional review of the code and that appendix 4 may be updated as a result. Members expressed concerns about exposure to workers in three-year duration till next SWA code review.

The Committee discussed recommending that the Work Health and Safety Board (the board) advise the Minister that a review of the silica in construction code of practice is a priority, noting that the SWA's review is in three years.

Regarding engineered stone specifically, on 1 July 2024, the engineered stone ban came into effect in Queensland but there was no communication on update of the regulation. Only on follow up with the Office of Industrial Relations (OIR), a committee member was informed that the regulations were approved on 28 June.

Ms Hooper informed the members that OIR has in place a documented consultation framework and distribution list, which includes all WHS Board and ISSC members.

Outcome/s:

That the Committee:

- **Recommend** that the Work Health and Safety Board advise the Minister of the priority to review the silica in construction code of practice, noting that the SWA's review is in three years.
- **Recommend** that the Work Health and Safety Board recommend to the Minister to streamline communication to industry stakeholders about legislative or any regulatory changes, an example is regulatory updates for engineered stone.

Action/s:

Action Item No:	Responsible Person/Owner	Action Item Details	Due Date
24.07.4.3 - 1	Paris Hooper	Circulate a copy of the engineered stone regulations, through secretariat, to the members.	9/10/2024

3. Strategic/Presentation Matters

24.07.3.1 Power BI Dashboard Demo

Mr Sebastian Bielen joined the meeting at 10.13am

Mr Mark Walker discussed the committee reporting and the intention of the dashboard is to transition from paper-based reports. Mr Walker noted OIR’s plans to arrange for an analysis report on dashboard data to support the committee.

Mr Bielen demonstrated the dashboard functionality to members and available filters across fatality, hospitalisation, all dangerous events reported (excluding hospitalisation) and the notices. The dashboard has data from all industries for comparison, as was requested by this committee. The drill-down of data is available for a particular year [past 5 years], quarter, hazard category, and other demographics. The current dashboard, based on the CSIR system, has fatality data with 3-6 months and other data with 3 months out of date due to investigation finalisation and data upload timelines. OIR is transitioning to a new RAPID system which has real-time update potential, except for fatality data. It was noted that the dashboard contains data, as provided to Seb’s team.

Owing to current dashboard license conditions, only the OIR internal email addresses can be provided access. IT team is working on arranging access for the committee members. The tentative timeline for the new system is January 2025.

The chair’s queried the consistency of the SWA and OIR data on fatalities referencing to pg. no 199 of the meeting pack.

Action/s:

Action Item No:	Responsible Person/Owner	Action Item Details	Due Date
24.07.3.1 - 1	Sebastian Bielen	Provide clarification on consistency of the SWA and OIR data on fatalities referencing to pg no 199 of the meeting pack	9/10/2024

4. Matters for Discussion/Decision

24.07.4.1 Heat Stress Information Scans

The Chair introduced the Heat Stress item noting that the item was discussed at the May meeting of the Work Health and Safety Board and all ISSCs have been asked to provide feedback. The Chair and the members discussed the death of Mr Daniel Sa’u, which is currently under investigation by the Coroner’s Office, and other claimed deaths and hospitalisations due to heat stress in construction and manufacturing industries.

Climate change, multiple facets to understand, monitor and manage the heat stress would make the code very prescriptive. The Chair recommended the use of a cut-off temperature for the heat stress code.

The committee members recommended that the proposed research, as discussed in the paper, be done consecutively to the development of the code and also use the historical data and research available. To ensure worker safety, the committee considered the code needs to be in place before next summer.

Outcome/s:

That the Committee:

- **Recommend** that the Work Health and Safety Board advise the Minister that the development of heat stress code of practice be prioritised.

24.07.4.2 Work Health and Safety (Amenities for Construction Work) Amendment Regulation 2024

Mr Dearling discussed the Work Health and Safety (Amenities for Construction Work) Amendment Regulation 2024 noting the uncertainty on public consultation for feedback and further updates on the regulation. The members noted that a draft regulation was sent to key registered union and industry groups only and was not made available for broader public consultation. The feedback was provided, by employer and workers groups, on the draft for intent clarity and strengthening of the regulation. The consultation is proceeding, currently with the drafter, and according to some committee members an updated draft is soon to be provided to all stakeholders for further consultation.

24.07.4.4 WHS Act changes affecting the HSRs

Mr Dearling discussed the WHS Act changes affecting the HSRs querying the changes coming into effect on different commencement dates, could lead to challenges in compliance, implementation and education to inspectors, HSR's and sub-contractors. Mr Dearling requested further information from the department about how to implement these changes, including how a PCBU is to notify workers of their right to elect HSR's.

A committee member noted that the [WorkSafe website](#) provides a good summary of changes in effect now, as well as changes proposed to commence on 29 July 2024.

24.07.4.5 Construction ISSC Forward Plan

Mr Walker discussed the draft construction ISSC Forward Plan advising the WHS Board had its planning day on July 9 and worked on process, long term agenda and work for the committees. The Forward plan being an opportunity to focus on critical issues in the industry along with ad-hoc matters. The Chair noted that tracking and status of matter to and from the Board would be beneficial for the committee.

5. Matters for Noting (discussion by exception only)

Mr Walker advised that the noting papers for information only and no feedback is sought from the committee. Any questions or request for more information can be arranged in next committee meeting.

24.07.5.1 Update - Licencing issues including the High-Risk Safety Licence

The committee members discussed that the Minister had made commitments to them that a mobile plant licensing framework would be reinstated. The committee expressed concerns that, as per the noting paper, the department was only currently 'exploring feasibility' of a licensing framework when this had been committed to by the Minister to them as early as 2022. The Committee seeks that the WHS Board escalate this matter to the Minister to understand the timeframes associated with implementing this new framework.

Action Item No:	Responsible Person/Owner	Action Item Details	Due Date
24.07.5.1 - 1	Secretariat	Clarification on the timeframes for a new mobile plant licensing framework.	9/10/2024

24.07.5.2 Status update codes of practice – Tilt Up, Pre-cast and Welding

As the Welding Processes Code of Practice 2021 is a national model code, Ms Hooper advised that any feedback on this code can be forward to her, to be progressed to Safe Work Australia for consideration.

24.07.5.6 OIR data reports

The Chair discussed a data discrepancy between the Office of Industrial Relations and Safe Work Australia fatality numbers on the data reports.

The committee members were concerned about the downward trend in notices despite growth in construction industry.

Action Item No:	Responsible Person/Owner	Action Item Details	Due Date
24.07.5.6 - 1	Sebastian Bielen/Robert McDonald	Clarification on data reports for: 1) inclusion of ESO notices 2) overturned enforcement notices if part of data sets 3) analysis from downward decline in notice data	9/10/2024

Agenda items 5.3, 5.4 and 5.5, 5.7 and 5.8 were noted and no questions raised by the members.

6. Standing Items

24.07.6.1 In-Camera Session

Paris Hooper, Rob McDonald, Mark Walker and Jyotsna Walia left the meeting at 11.57am.

Mark Walker and Jyotsna rejoined the meeting at 12.05pm.

The Chair advised the secretariat that there was an action item from the In-Camera session, to invite the Executive Director, Compliance and Field Services, to the next meeting.

Committee members will be asked to provide discussion points to OIR prior to the next committee meeting.

Action Item No:	Responsible Person/Owner	Action Item Details	Due Date
24.07.6.1 - 1	Secretariat	Invite Ms Sarina Wise ED, CFS to the committee's October meeting. <i>Questions to be provided by committee members through chair in advance.</i>	9/10/2024 14/09/2024

7. Other Business

The Chair advised there are no other business for this meeting.

8. Meeting Finalisation

24.07.8.1 Review Meeting Actions Taken

The Secretariat provided an overview of the actions and committee resolution, and the Members confirmed the actions from the meeting.

Action Item No:	Responsible Person/Owner	Action Item Details	Due Date
24.07.3.1 - 1	Sebastian Bielen	Clarification on consistency of the SWA and OIR data on fatalities referencing to pg no 199 of the meeting pack.	9/10/2024
24.07.4.3 - 1	Paris Hooper	Circulate a copy of the engineered stone regulations, through secretariat, to the members.	9/10/2024
24.07.5.1 - 1	Secretariat	Clarification on the timeframes for a new mobile plant licensing framework.	9/10/2024
24.07.5.6 - 1	Sebastian Bielen/ Robert McDonald	Clarification on data reports for: 1) inclusion of ESO notices 2) overturned enforcement notices if part of data sets 3) analysis from downward decline in notice data	9/10/2024
24.07.6.1 - 1	Secretariat	Invite Ms Sarina Wise ED, CFS to the committee's October meeting. <i>Questions to be provided by committee members through chair in advance.</i>	9/10/2024 14/09/2024

24.07.8.2 Next Meeting

The Chair confirmed next meeting for Wednesday 9 October at 10.00 am at 1 William St.

24.07.8.2 Meeting Close

The Chair thanked the members and the guests for their attendance and participation in the meeting. The chair noted this is Mr Walker's last meeting as he is going back to his substantive position in OIR.

The Chair closed the meeting at 12.10pm.

*Minutes of the **Construction Industry Sector Standing Committee** meeting dated **10 July 2024** certified correct.*

Signed..... **Dated**

Kurt Pauls

Construction Industry Sector Standing Committee