



*Our
performance*



Makuru

Winter July 2021



Launched the Building Compliance Audit Strategy 2021-24 that focuses efforts on residential and commercial building industry practices.



Djilba

First spring
August – September

Participated in the Dowerin Field Days to promote scams awareness to attendees.

The *Ticket Scalping Act 2021* received Royal Assent.



Exhibitor at the Outdoor Spa Expo engage with pool builders, traders and consumers with an interest in owning pools and spas.



The Minister for Mines and Petroleum officially opened the Joe Lord Core Library expansion.

Organised the annual Safety and Health Representative Forum, with presentations on the new WHS laws.



The Minister for Commerce endorsed the Integrated Debt Management and Short Term Loan Strategy.

The inaugural quarterly departmental licensing performance report was published to promote transparency with industry on occupational licensing.



Kambarang

Second spring
October – November

Electricity, gas and water are not usually a good mix but an exception was the Electrical Gas and Plumbing Inspectors Conference where over 200 inspectors attended.

Exhibited at the Perth 4WD and Adventure Show to promote and discuss matters relating to motor vehicle repairer/dealer licensing, complains processes and consumer rights.



Birak
First summer
December – January



Held the second Streamline WA Common Understanding workshop.



Gazetted changes to the Electricity (Network Safety) Amendment Regulations 2021.

Organised the Building Surveyors Information Day which had over 100 attendees and had presentations from the AIBS, DFES and DPLH.



Amendments to the Residential Parks (Long stay tenants) Act 2006 came into effect.



Exhibited at the Perth Wedding Show to promote consumer rights awareness.




Bunaru
Second summer
February – March

Hosted a Ministerial roundtable with Small Business Development Corporation to understand the impact of COVID-19 on the commercial tenancy sector.


Djeran
Autumn
April – May



Launched the Consumer Justice Strategy 2021–25 which outlines legislative reforms, policy development and strategic priorities.


108 staff joined the #BreaktheBias Webinar with guest speakers to celebrate International Women's Day.

Released a draft Funeral Pricing Code, which will require funeral directors to provide upfront and transparent prices for all funeral goods and services, for public and industry consultation.

Published updated educational information related to residential and commercial tenancy with the State's COVID-19 Response measures ending.

Released the decision paper regarding consignment selling under the Motor Vehicle Dealers Act 1973.



Prepared for the State's Budget Hearings promoting economic development in the resources, commerce and industry sectors, at the same time supporting workplace safety and worker remuneration.


Makuru
Winter
June

W.S. LONNIE AWARDS
RECOGNISING EXCELLENCE AND ACCOUNTABILITY IN ANNUAL REPORTING IN WESTERN AUSTRALIA
Scooped two W.S Lonnie Awards; Bronze Award (Agency with more than 1,000 FTE) and for the second year in a row, the PSC Award for Good Governance Reporting.


Announced new pay rates effective from 1 July 2022 and promoted changed and new entitlements as well as new employment records requirements.

Performance snapshot

Our financial summary

\$302,787,000

Total cost of services⁽¹⁾
Target \$302,109,000⁽²⁾
▲ Variation \$678,000^(1a)

\$127,167,000

Net cost of Service⁽¹⁾
Target \$133,273,00⁽²⁾
▼ Variation \$(6,106,000)^(1b)

\$571,529,000

Total equity⁽¹⁾
Target \$553,529,000⁽²⁾
▲ Variation \$18,000,000^(1c)

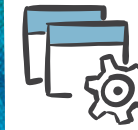
\$8,261,000

Working cash limits⁽¹⁾
Target \$14,780,000⁽²⁾
▼ Variation \$6,443,000

- (1) Explanation of the variation between Actual and Target (refer also to [note 9.1](#) in the financial statements):
- The actual expenditure is within 99.8 per cent of the financial year target.
 - Spending increased by \$8.2 million. Income increased by \$15.5 million (mainly due to increase in revenue from the Mines Safety Levy and the Mining Rehabilitation Fund (MRF), leading to a more favourable net cost of service for government.
 - Increase in equity driven by continued year on year surpluses mainly driven by the MRF special purpose account whose contributions exceeded amounts expensed, and a larger than expected asset revaluation increment for land and buildings.
- (2) Information on the target is based on estimates published in the 2021–22 budget statements.
Note: Approved salary expense level - Actual \$166,457,000, Target \$169,800,000 Variation ▼(\$3,343,000).

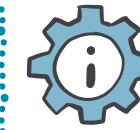


Our business



Over
3,500

applications for mining exploration and prospecting Programme of Work.



26

information sessions held on the new work health and safety laws.



Increased by
10%

petroleum and mineral tenement applications, objections and other dealings.



4,134

building, painting, building surveying, plumbing, electrical and gas inspections conducted.



98%

met reporting obligations for the Mining Rehabilitation Fund.



3,701

items of plant and design registration applications processed.



\$771,310

recovered in unpaid wages and other entitlements on behalf of workers.



454,390

occupational licences, permits, certificates, and registrations administered.



219,911

calls managed by our frontline customer services teams.

Key achievements

Throughout 2021–22, the department progressed key government initiatives and delivered on business as usual activities, while looking at how we can be more innovative, streamline, and forward thinking in the future. The department's Corporate Executive was asked what was the key achievement of their Group or the achievements they are most proud of.



Delivery of WHS regulations in an extraordinarily short timeframe for the task.

Ian Munns

Read more on pages 26–27



The resilience and outcome focus staff have shown during pressure moments influenced by COVID-19.

Richard Sellers

Read more on page 60



Commencement of the Geoscience Data Transformation Strategy.

Jeff Haworth

Read more on page 36



Release of our Action Plan for the implementation of the Security of Payment laws, and the passing of the ticket scalping laws.

Kristin Berger

Read more on page 46



Delivered on the strategic plan and strategic risk profiles.

Julie de Jong

Read more on page 78



Strengthening our governance and integrity frameworks.

Marka Haasnoot

Read more on pages 72–75

The department seeks to build on our Strategic Intent by maximising our impact as regulator, service provider and policy maker. Further in this section of the annual report is some of our key activities and highlights achieved during the year.



Work Health and Safety laws

During the year, the department worked to provide a comprehensive suite of new laws, codes of practice, guidance and awareness material to support the new Work Health and Safety (WHS) laws.

The new WHS laws bring together new national harmonised workplace safety and health laws to Western Australia (WA). As opposed to other jurisdictions that have different acts covering general, mining and petroleum industries, WA has only one Work Health and Safety Act covering workplace health and safety for all industries. In November 2020, the WHS Bill was passed and received assent, with the new WHS laws commencing on 31 March 2022.

Drafting and implementing the Work Health and Safety laws

Implementing the new WHS laws was a major undertaking by the department that required significant coordination and collaboration. Due to the urgency of the new laws, the writing of the associated regulations by the Parliamentary Counsel's Office took place at the same time as the department was developing the processes and procedures required to implement the new laws.

To ensure an approach that was structured and accountable, the proposed implementation was divided into six major tasks, with a working group assigned to each. The working groups were formed in early 2021 and included prosecution and enforcement; regulation and compliance processes; licensing (authorisations); online business systems; communications; and training.

Each working group typically met weekly, was chaired by a director or senior manager and had a dedicated full-time executive officer. The role of each working group was to consult, plan and contribute to the change management strategy required for their particular task.

The working groups were coordinated by an Executive Director and reported monthly to a Steering and Governance Group, ensuring transparency and accountability for reaching important milestones, and the overall management of project risks.

Internal communications were critical to the WHS Implementation Project so successes and achievements could be recognised and acknowledged, and to share information on new policies, procedures, processes, internal training and external communications.

Raising awareness on the new WHS laws

Raising awareness of the new laws, and their impact on responsibilities and obligations, was considered paramount in successfully transitioning WA workplaces to the new laws. To achieve this, the department developed an integrated public awareness campaign. Specific messaging aimed at First Nations Australians, as well as culturally and linguistically diverse audiences were included in the campaign. A key factor in the success of the campaign was ensuring there was consistent messaging across all platforms. Two campaign phases were developed to target specific audience categories. Phase 1 targeted duty holders. Phase 2 commenced prior to the implementation of the legislation and was designed to reach a much wider audience.

The \$650,000 awareness campaign used social media channels, print media, indoor and outdoor digital signage, radio advertising, on-demand video advertising (e.g. YouTube) and digital search engine management. The campaign finishes in August 2022.





Refresh workplace codes of practice and guidance

During the year, the department assisted the Commission for Occupational Safety and Health to review codes of practice and guidance related to psychosocial hazards in the workplace. As part of the review, the Violence, Aggression and Bullying at Work code of practice was appraised. The review included expert and public consultation and resulted in the previous code of practice being revoked and replaced with three new codes of practice - Psychosocial hazards in the workplace; Violence and aggression at work; and Workplace behaviour. The codes cover a wide range of psychological hazards and inappropriate workplace behaviours.

The new codes of practice were approved under the *Occupational Safety and Health Act 1984* in February 2022, and then subsequently updated and released under the *Work Health and Safety Act 2020* in April 2022.

In addition to the above review, and as part of the department's ongoing response to the Respect@Work: Sexual Harassment National Enquiry Report, further targeted guidance material was developed. These materials were produced to assist the person conducting a business or undertaking (PCBU) in understanding their WHS duties to control workers' exposure to psychosocial hazards, such as gendered violence. Two extensive information sheets were published in June 2022 titled Gendered violence: Sexual harassment and Gendered violence: Sexual assault. Furthermore, the department also released an information sheet specifically designed to assist mine site operators titled Gendered violence: Notification of sexual harassment and/or assault to WorkSafe Mines Safety. This publication clarifies a PCBU's reporting obligations for these types of incidents.



“The new laws reflect the social obligations and responsibilities the community expects from companies and their senior management. The reforms that come with the new laws will most certainly further enhance workplace safety in Western Australia.

Hon Bill Johnston MLA
Minister for Industrial Relations





Mental Awareness, Respect and Safety Program



The department is the lead agency on the Mental Awareness, Respect and Safety (MARS) Program. The \$8.4 million program was established in December 2021 to address significant concerns about the culture and work environments in the mining industry that are exposing workers to psychosocial hazards in a workplace setting, and in particular sexual harassment and assault on mine sites.

The MARS Program complements other work the State Government is undertaking to eliminate sexual violence by implementing the Respect@Work report recommendations and developing the Sexual Violence Prevention and Response Strategy. It will be delivered in collaboration with mining industry stakeholders over the next four years.

The first phase of the MARS Program is underway with the following activities:

- ▶ The establishment of a cross-agency project team.
- ▶ Creation of MARS Program webpage on wa.gov.au containing information on the program and the support available for mental health, and sexual harassment and assault matters.
- ▶ Commencement of a landmark study to understand the extent of health and safety issues in the mining sector and help develop mental health and workplace culture initiatives to improve safety outcomes.
- ▶ Appointment of an independent expert to review and recommend improvements on the department's regulatory response to incidents of sexual harassment and assault.
- ▶ Launch of flagship initiatives to improve mental health and respect in the mining sector (Thrive at Work in Mining Masterclass Series, This Mining Life and Respect in Mining).
- ▶ Support provided through the Mentally Healthy Workplaces Grant Program to two initiatives targeting mining workplaces.

Mentally Healthy Workplaces Grant Program

In 2022, the department established the Mentally Healthy Workplaces (MHW) Grant Program, which provides funding for initiatives that:

1. Prevent mental injury and mental health conditions at work by managing work-related psychosocial hazards and their associated risks; and
2. Promote positive practices at work that support worker mental health and wellbeing.

The MHW Grant Program is part of the McGowan Government election commitment announced on 11 March 2021.

Half of the funding over four years was allocated to Mates in Construction and Steering Healthy Minds to deliver peer support mental health programs for the construction and transport industries. The remaining \$500,000 per annum funding was allocated to other initiatives following an expression of interest process.

Guidelines for the distribution of funds were formulated in consultation with the Mental Health Commission, and in consideration of other similar successful Australian grants programs e.g. WorkSafe Victoria's WorkWell Program, and the Better Practice Principles from the Western Australian Auditor General's Report 12: 2020–21: Grants Administration.

On 22 June 2022, Minister for Industrial Relations Bill Johnston announced the successful applicants for the Mentally Healthy Workplaces Grant Program. The successful grantees who will share around \$500,000 in funding per year are:

- ▶ The WA Centre for Rural Health
- ▶ Juniper and People Diagnostix
- ▶ South West Aboriginal Medical Service
- ▶ Pivot Support Services

Regulator

The following are key indicators of our success as a regulator:



- ▶ Regulated entities know and comply with the rules
- ▶ Individuals and businesses have the confidence to operate in WA
- ▶ Better regulatory outcomes at a lower cost to the community
- ▶ Public confidence is high in our area of responsibility

Second Perth Mining Warden appointed

Increased mining activity has brought with it an increasing number of applications and objections. In late 2021 the department identified that the number of pending applications had grown by approximately 11 per cent when compared to the same time in 2020. At the same time there was a 51 per cent increase in objections over the same period.

The department considers the efficient and timely processing of mineral titles as a vital feature of the State's resource industry, and this year secured additional funding for a second Perth Mining Warden and supporting staff. The first priority is to reduce the number of active matters before the Warden's Court. This will assist in ensuring the resources industry functions efficiently and sustainably and continues to attract private investment in resources exploration and development in Western Australia.



Imaging the State's geology

The WA-Array project is in its first year and will accelerate the acquisition of passive seismic data across Western Australia to identify areas of higher prospectivity under deep cover, which will assist in evaluating future competing land uses and maximise Western Australia's opportunities in the State's transition to net zero emissions. The program is a major logistical undertaking, representing one of the largest of its type completed anywhere in the world.

The project is funded by the State Government over a period of 10 years and will be run by the Geological Survey of Western Australia. The project will involve the deployment of an array of 165 seismometers arranged in a grid pattern spaced at 40km intervals, with the entire State mapped over 10 years by relocating the instruments annually between nine regional areas. Each station requires deployment, servicing, retrieval and rehabilitation. About 52 per cent of the stations will require transport via helicopter, with the remaining accessible by road. As data is generated, it will be subject to a rigorous quality assessment process and review by seismologists before being made freely available to explorers, researchers and the community through the national [AusPASS](#) portal. Derivative spatial and 3D products will be available through DMIRS online geoscience data platforms.

The roll out of the program will prioritise regions according to areas of greatest expected resource development potential, with data being progressively released.



30 years of Golden Gecko Awards

Celebrating its 30th year, the prestigious Golden Gecko Award for Environmental Excellence has recognised more than 60 projects for demonstrating innovation, outstanding performance and positive environmental outcomes for Western Australia. Award winning projects have raised best practice standards and demonstrated continual adoption of innovative techniques and skills across the sector.

Applicants continue to develop innovative and remarkable solutions to address modern challenges and regulatory requirements. The 2021 Awards for Excellence saw a focus on reducing reliance on fossil fuel. Gold Fields Australia and EDL received the Golden Gecko Award for Environmental Excellence for their Agnew Hybrid Renewable project, while Premier Coal was awarded a Certificate of Merit for Lake Kepwari.

2021 Resources Sector Award - Community Partnerships

The Community Partnership Award helps build the reputation of Western Australian resources and extractive industry organisations that are working closely with communities or community groups to understand local concerns and issues, deliver positive outcomes, and leave a positive legacy that extends well beyond gaining a social licence to operate.



We congratulate the Dandjoo Darbalung Program for receiving the Community Partnership Award for supporting and inspiring students from First Nations Australians communities to undertake university education. Dandjoo Darbalung means 'mixing together' in Nyungar, the way fresh water and the saltwater mixes in the Swan estuary.

Supported by St Catherine's College, IGO Ltd, AngloGold Ashanti, Sandfire Resources and Barmenco, the program provides holistic support to Aboriginal students with their tertiary studies, while encouraging and nurturing their cultural identity. It is the largest Aboriginal residential program in Australia.





Raising awareness about consumer and industry safety

During the year, the department engaged in a number of awareness and informative campaigns related to industry and consumer safety. Some of the regular topics that the department promotes include Scams Awareness Week and Asbestos Awareness Month, in addition to a variety of expos, presentations and industry forums.

Protecting vulnerable consumers

The department supports consumers from vulnerable community groups.

- ▶ We designed a consultation survey to specifically seek feedback from First Nations Australians on the proposed reforms to improve funeral price transparency.
- ▶ To promote awareness, a scams information poster aimed at First Nations Australians was published in local languages of Kimberley Kriol, Yinjibarndi and English.
- ▶ Other promotion posters developed related to consumer protection services and were created in Wangkatja and Ngaanyatjarra languages for the people of Ngaanyatjarra Lands.

Button battery campaign

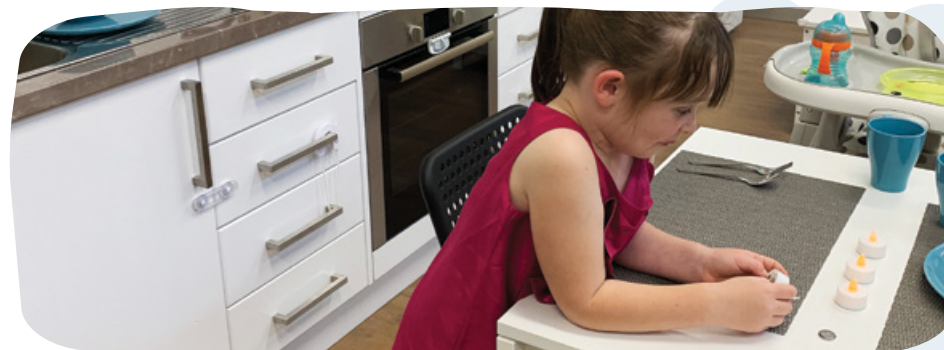
In a world first, Australia has implemented mandatory safety and information standards for button batteries, which came into effect on 22 June 2022. Following the announcement in December 2021, the department collaborated with the Perth Children's Hospital (PCH) and Kidsafe WA to develop a campaign to raise awareness of the dangers of button batteries and inform retailers of the changes. The campaign included a short educational video, electronic mail out to retailers and school Parents and Citizens Committees, as well as refreshed website content, radio interviews, and articles in local community newspapers. The department extended the campaign to include leaflet distributions via PCH and Sir Charles Gairdner Hospital, paid advertising with Buggybuddys and a presence at the Hello Baby Fair to increase reach within the target audience.

Toppling furniture

As a result of the tragic death of a child in Byford in December 2021, the department ran a campaign about toppling furniture. Despite laws coming into effect in December 2019 allowing renters to fix furniture to walls (with landlord permission) to prevent death or injury to children from toppling furniture, social media commentary about the Byford death indicated some people were not aware of these changes. The campaign included updated web and video content promoted via social media posts, digital polls, radio segments, a media release, newspaper column, a post on the Commissioner's blog, and industry and stakeholder emails. Electronic direct mail-outs were also issued to landlord, real estate agent and tenancy bulletin subscribers.

Managing hazards in roof spaces of domestic dwellings

There are inherent risks of electric shocks occurring in roof spaces of domestic dwellings. All workers performing work in domestic dwellings are required to turn off all sources of electricity at the main switchboard before entering the roof space. In 2022, a public awareness campaign was run to inform people about the electrical dangers that can exist in roof spaces and urge consumers to switch the main power off before any person enters the roof space. The campaign included the distribution of a sticker for home owners to affix to roof access covers, serving as a reminder to anybody entering the roof space of a property.





Industry education and training

The department regularly participates in the delivery of industry focused training, working collaboratively with Registered Training Organisations and Industry Associations. Topics include the National Construction Code 2019 Amendment, Building Amendment Regulations 2021 for bush fire, Energy efficiency provision for housing, Performance Solution process and the role of local government in the *Building Act 2011*.

Resources sector education

The department regularly provides training and education sessions on resource related matters.

During the year, industry briefings were held on the Mining Amendment Bill 2021, and Mining Amendment Bill 2022.

Industrial relations and safety in the workplace education

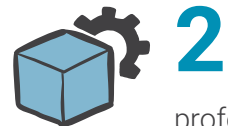
The department regularly provides training and awareness sessions related to safety and matters on industrial relations with businesses and workers. Often, inspectors will provide ad hoc awareness advice as part of an official site inspection.



presentations to plumbers.



Hosted one of the Common Understanding inter-agency session (Streamline WA).



professional development sessions to swimming pool safety inspectors and building surveyors.



4 regional briefing sessions to electrical workers.



2 interviews with media outlets on abandoned mine features.



26 information sessions on implementation of WHS.



20 on demand videos developed on safety.



16 presentations to electricians.



21 presentations to electrical apprentices.



7 metropolitan briefing sessions to electrical workers.



1 briefing session on onshore decommissioning.



8 live webinars for Safe Work Month.



3,996 registrations for Safe Work Month.



Safety around gas and gas products

New LPG gas connectors increasing consumer safety

LPG appliances have been the biggest contributors of gas related incidents involving backyard BBQ fires. Many of the incidents resulted from gas leakage due to a weakness in the Type 21 'POL' cylinder valve, present in 3kg and 9kg gas cylinders. The department supported extensive research to find a solution to the problem and as a result, amendments to the Australian Standard AS/NZS 5601 Gas Installations introduced a thermal cut out device that requires a positive connection before gas can flow out of a cylinder. The new LCC27 connection is now mandatory on all new LPG appliances including BBQs, from 1 April 2022.



Using gas appliances safely, and in the great outdoors

Over recent years there have been several fatalities across Australia associated with carbon monoxide poisoning. These have occurred in indoor and outdoor settings, with the main contributing factors being faulty or inadequately serviced open flued heaters or the incorrect use of gas appliances.

Open flued and flue-less gas space heaters pose a safety risk if there is inadequate ventilation. With houses becoming more energy efficient and air tight, and powerful exhaust fans being installed, the risk of carbon monoxide being drawn back into homes rather than escaping via the flue has increased considerably. The "Tick Tick Tick" campaign raised awareness of these factors and that regular servicing is essential to support the safe functioning of heaters and all gas appliances.



The use of outdoor portable gas appliances in tents, caravans and recreational vehicles creates its own hazard as they are not designed for use in enclosed (non-ventilated) areas. To raise awareness on safe use of outdoor gas appliances the department created the "Great Outdoors, Lethal Indoors" campaign to run over the spring and summer months.

Looking forward, new gas technologies and standards

The department is responsible for ensuring gas safety legislation and standards are agile, responsive to an emerging sector and meet the expectations of the Western Australian community.

Inspection policy statement and plan guidelines for gas suppliers

After extensive consultation with industry the department published the Inspection Policy Statement and Plan Guidelines for gas suppliers and distributors in Western Australia in October 2021. The guidelines set out the minimum technical, investigative, reporting, administrative, and other requirements that gas suppliers need to implement as part of their obligations under the *Gas Standards Act 1972*. The guidance documents were developed by identifying and prescribing a consistent and effective system of inspection for domestic, commercial and industrial consumers of gas and is vital for maintaining a high standard of safety for gas distribution and supply across the State.

Adoption of hydrogen appliance standards

The department is committed to ensuring the safety standards associated with new and emerging technologies is maintained. In the case of hydrogen fuel cells, new Australian Standard benchmarks were published on 29 March 2022 under the *Gas Standards Act 1972*. The growth in stand-alone power systems and the drive towards hydrogen adoption will continue to be a significant issue for the department to manage and respond to in coming years in respect of the safety legislative framework and technical standards.



Building and construction industry challenges

The building and construction sector, which has played a significant role in keeping the Western Australian economy strong through the pandemic, is experiencing major impacts from global supply chain disruptions. In many cases, global shortages have led to increased costs and delays to projects in Western Australia (WA), impacting a range of developments, from residential to major infrastructure. Many of these price increases could not have been anticipated and resulted in building projects taking longer and costing more for WA builders and tradespeople to complete. Many builders opted to pass on some or all of these price increases and as a consequence the highest number of complaints were lodged with Building and Energy since the service began. This was partly due to a sharp rise in the number of contractual disputes which increased from 114 in 2020–21 to 231 in 2021–22. To assist consumers and industry to navigate these unprecedented challenges, the department published a guide on price increases to home building work contracts and launched a campaign in response to building a home in challenging times.

Looking forward, modernising building laws

During the year, the department continued its work with industry and consumers on reviewing and modernising the State's building regulatory framework to implement the recommendations from the Building Confidence – Improving the Effectiveness of Compliance and Enforcement Systems for the Building and Construction Industry across Australia report (Building Confidence Report) and improve compliance and enforcement of building standards in WA. This included finalising the proposal on a new registration scheme for building engineers, issuing the Code of Practice for building surveyors and completing a significant economic impact analysis of a large number of reforms to be presented for Government consideration in the second half of 2022. The department also conducted further consultation with the Master Builders Association and the Housing Industry Association throughout 2021–22 on proposals to modify applicable building standards.

The Building Confidence Report identified that in order to improve compliance with building standards, regulators must have a strategy for proactively auditing the design, certification and construction of buildings. In July 2021, we developed and published our four-year Building Compliance Audit Strategy 2021–24 and our Audit Priorities Statement 2021–22. Both documents clearly set out the approach we will take to our inspections of registered builders, building surveyors and owner-builders to monitor compliance and respond to emerging issues and risks in the residential and commercial building industry.



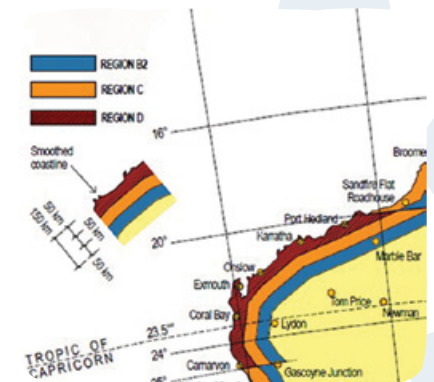
For the upcoming year, we will continue to work on implementing the recommendations from the Building Confidence Report.

Kristin Berger

Ensuring building standards are adequate for Western Australia

Building laws in WA adopt the National Construction Code (NCC) and technical standards. The proposed new NCC 2022 mandate a new Australian Standard AS/NZS 1170.2:2021 (2021 edition) Structural design actions, Part 2: Wind actions. The new standard would allow lower design wind speeds to be used when designing new buildings in certain parts of Australia.

Informed by an expert report, which was commissioned from James Cook University Cyclone Testing Station, the department ensured that a state-variation is included in NCC 2022. The variation maintains the 2011 edition standards on design wind speeds for the mid northwest coastal region (region D). It also requires buildings in the Kalbarri and Geraldton regions, must be designed to cater for increased internal pressures.





Fast tracking mining approvals

The Fast tracking mining approvals strategy is an election commitment of the McGowan Government. The strategy's two main streams will transform the regulation of resources projects under the *Mining Act 1978* by reducing assessment timeframes through additional resourcing and people/cultural enhancements, supported by a four-year digital transformation project.

Stream 1: Reduction in approvals timeframes

The department achieved 73 per cent of positions filled as part of the phased recruitment plan for this stream. The current skills shortage and competitive employment market have influenced the outcome and it was not possible to achieve the target of 100 per cent.

Digital enhancements were also completed, which support approval timeframes and other features such as error reductions in the Programmes of Work lodgement system, Online Approvals Tracking for proponents and Wardens Court Integration.



Stream 2: Digital transformation (completion due mid-2025)

The department's digital program, Resources Online, will significantly expand, modernise and enhance the digital capability of mining and petroleum lodgements to the department via its Environmental Assessment and Regulatory System, and will ultimately fast track the associated assessments and approvals. Key lodgements (for assessment) within this program encompass Programmes of Work, Mining Proposals, Mine Closure Plans, Environment Plans, and Oil Spill Contingency Plans. Enhancements also incorporate the Mining Amendment Bill 2021 outcomes that are anticipated to pass through Parliament by the end of 2022.

The digital transformation stream has inter-dependences with other government-wide projects such as the Digital Environment Assessments program and Cloud Transition. Subsequently, the project team engages regularly with other agencies to understand dependencies and ensure consistency of requirements into the transition strategy.

In early 2022–23 the department will focus on finalising the platform solution options analysis and procurement strategy, undertaking the Spatial Services design and commencing the analysis to develop the implementation strategy, and completing the requirement analysis including the user journey, function and non-function requirements, data, and integration requirements.

We are responding to a changing resources sector with agile approaches in the way we do business.



Service provider

The following are key indicators of our success as a service provider:



- ▶ We know and monitor our costs and keep them moderate
- ▶ Customers have fewer touchpoints when doing business with us
- ▶ Customers and staff find it easier to do business
- ▶ Customers are satisfied with their treatment

Exploration Incentive Scheme

The State Government increased the annual budget of the the Exploration Incentive Scheme (EIS) to \$12.5 million. In line with the additional funds, the Co-funded Exploration Drilling Program was increased from \$5 million to \$6 million per year. Following a review of direct drilling costs compared to expenses, an increase to the capped values for different categories was introduced for the first time since the scheme started in 2009. With the steady increase in companies opting for diamond drilling, a single deep hole application was increased to \$220,000 (from \$200,000) and now includes two deep diamond holes. The Energy Analysis Program of co-funding will see the first release of open file data from the co-funded projects in September 2022.

In collaboration with Geoscience Australia, funding of Airborne Electromagnetic (AEM) data acquisition across the southern half of Western Australia has resulted in approximately 98 per cent of the State now covered on a 20km line spacing. Multiple resource companies have already reviewed the released data and have announced the identification of EM basement anomalies warranting exploration with their tenements for battery minerals such as nickel.

Understanding the lithospheric structure through seismic activity in three regions of Western Australia has been supported by the EIS. Collaborating with the Department of Fire and Emergency Services and the Australian National University, monitoring of seismic activity in the southwest will help exploration for critical minerals and the State’s emergency planning in a seismically active region of Australia. In partnership with Geoscience Australia, twenty long-term seismic stations have been deployed around the greater Kalgoorlie region and in the northwest near Broome.

Geoscience Data Transformation Program



The Geoscience Data Transformation Strategy intends to digitally transform the entirety of the billions of dollars’ worth of government and industry geoscience information into “intelligent FAIR data” and unlock its hidden mineral and energy resource potential.

A five year program of work identified as the Geoscience Data Transformation Program has been established to deliver the Strategy through a series of activity streams that commenced on 1 October 2021 with a budget of \$10.6 million. Program governance has been established and the current focus is to finalise the program foundational elements such as resourcing, internal and external stakeholder engagement planning and activity stream scoping. The Data Optimisation and Data Storage activity streams are scheduled to move into Execute Phase during the first quarter of the 2022–23 financial year.



The five year Geoscience Data Transformation Strategy will revolutionise the way we provide information to the world.

Jeff Haworth



Expedited process reform – *Native Title Act 1993*

Prior to 2022, State policy on the inclusion of the expedited procedure statement in notices issued under Section 29 of the *Native Title Act 1993 (Commonwealth)* applied a 'blanket approach' to particular kinds of tenements, namely prospecting licences, exploration licences and retention leases (exploratory titles). The expedited procedure is a process for future acts that the department considers will have minimal impact on native title. This approach was more than 20 years old, and was no longer consistent with whole of government objectives outlined in the Aboriginal Empowerment Strategy.

After extensive consultation with stakeholders, a new State policy for the expedited procedure process was endorsed by Government and implemented on 1 June 2022, providing great discretion. The new process involves the introduction of an early risk assessment, triage and case management approach. The purpose of the new process is to encourage early agreement making between parties and reduce delays to the grant of exploratory titles.

The rocks beneath – a geologist perspective

The Rocks Beneath Our Feet is a series of podcasts consisting of 20 individual episodes. In this series, five geologists talk about their years devoted to working for the Geological Survey of Western Australia. From understanding early life, to the tectonic processes that shaped our planet, and making the maps that unearth our understanding of Western Australia's geology, they reveal their shared passion for discovering the stories in the rocks beneath our feet. The series was run from November 2021 through to the end of February 2022. So far, it has attracted over 3000 listens, with the two most downloaded episodes covering the organisation's transformation of geological mapping into the digital era and, the challenge of explaining how mining works and why it is so important. The series can be accessed through all podcast outlets including Spotify.

New FuelWatch website making it easy to find cheap fuel sites in Western Australia

In October 2021, the department rolled out a revamped FuelWatch website featuring enhanced search and interactive mapping features which make it quick and easy for Western Australian motorists to find the cheapest fuel sites in their area. Record fuel prices saw the use of the FuelWatch website reach record highs. In March 2022, the website had more than two million visits.

The mobile-friendly website www.fuelwatch.wa.gov.au now has an interactive map that displays the brands and prices of all sites within an area defined by the user on a dynamic map, so motorists can more readily determine both price and distance. A list of available sites from the lowest to the highest prices is displayed next to the map. After 2.30pm each day, the page will show the fuel price for that day and the day after which, under FuelWatch rules, are locked in for a 24 hour period.





Policy maker

The following are key indicators of our success as a policy maker:

- ▶ Business community and industry behaviour supports policy intent
- ▶ Disruptors are identified early enough for pre-emptive policy action
- ▶ Intelligence is regularly shared and used for public benefit
- ▶ New ideas on how to address regulatory challenges are on the policy agenda

Implementation of industrial relations reforms

The *Industrial Relations Legislation Amendment Act 2021* (IRLA Act) was passed by Parliament and received Royal Assent in December 2021. The IRLA Act implements key reforms recommended by two independent reviews; the 2018 Ministerial Review of the State Industrial Relations System and the 2019 Inquiry into Wage Theft in Western Australia (WA), and delivers on the McGowan Government election commitments to strengthen protections for workers in the State's industrial relations system.

The provisions of the IRLA Act establishing a new Easter Sunday public holiday in WA commenced on 12 February 2022. The remainder of the IRLA Act commenced on 20 June 2022, along with supporting regulations.

Among other things, the IRLA Act:

- ▶ Ensures all WA employees are covered by minimum wages and other employment protections, including employees engaged in domestic service in a private home.
- ▶ Enables workers to seek a stop bullying or sexual harassment order from the Western Australian Industrial Relations Commission (the WAIR Commission).
- ▶ Enables the WAIR Commission to make equal remuneration orders.
- ▶ Introduces a new minimum entitlement to five days' unpaid family and domestic violence leave for employees.
- ▶ Significantly increases penalties for non-compliance with State industrial laws and instruments.
- ▶ Facilitates the transfer of WA local government employers and employees from the national industrial relations system to the State system.

Government of Western Australia
Department of Mines, Industry Regulation and Safety
Private Sector Labour Relations

Report Wage Theft
Information on reporting wage theft is available in six languages.

wageline
1300 655 266

“ Safety relates to worker safety both physically (including mental health), and from the perspective of remuneration/entitlements (wage theft).

Ian Munns

Extensive information on the new employment laws was published on the department's website to raise awareness for employers, employees and stakeholders about the new obligations and entitlements being implemented by the IRLA Act. Website announcements, newsletters, emails to stakeholders, social media posts and a social media advertising campaign were also used to communicate the changes.



Regulatory Reform

It was a busy year for the department implementing various regulatory reforms, improving supporting processes and raising awareness to impacted parties and stakeholders. In particular, drafting the Work Health and Safety regulations was the biggest single drafting exercise that had ever been undertaken by the Parliamentary Counsel's Office in collaboration with the department.

Legislative developments and amendments

A number of amendments to existing Regulations and Acts and the development of new Regulations were made during the 2021–22 financial year including:

- ▶ Amendments to the Electricity (Network Safety) Regulations 2015 to address uncertainty relating to the scope of network operator obligations, and expansion of scope to capture new supply arrangements, such as standalone power systems that are being rolled out by electricity network operators.
- ▶ Improvements to the *Residential Parks (Long-stay Tenants) Act 2006* to increase the security of long-stay tenancy agreements with the provision of clearer rules, clarification on obligations and introducing standard forms agreements for new arrangements.
- ▶ Amendments due to the *Work Health and Safety Act 2020* replacing the work health and safety elements of the *Mines Safety and Inspection Act 1994*, *Petroleum and Geothermal Energy Resources Act 1967*, *Petroleum (Submerged Lands) Act 1982* and *Petroleum Pipelines Act 1969*.
- ▶ New regulations that came into operation from 31 March 2022 to support the *Work Health and Safety Act 2020*; - 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.
- ▶ Development of the Building and Construction Industry (Security of Payment) Regulations 2022. This regulation comes into operation from 1 August 2022.

- ▶ Review of the *Association Incorporations Act 2015*.
- ▶ Amendments to the Building Regulations 2021 requiring the building industry to implement and comply with revised bushfire construction requirements.
- ▶ Updating the minimum conditions of employment to include unpaid family and domestic violence leave as part of the Industrial Relations Amendment Bill 2021.
- ▶ Gazetting of the Commerce Regulations Amendment (Motor Vehicle Dealers and Repairers) Regulations 2021 to reduce the number of different classes of licences for repair work (29 to 23) and motor vehicle dealers (6 to 4).
- ▶ Consequential amendments to various occupational licensing legislation was progressed to support the implementation of Automatic Mutual Recognition.



Shared responsibilities with other agencies

The department contributed to the delivery of several whole-of-government and cross-agency initiatives, each of which had shared accountabilities for their successful implementation. The following initiatives were reported against the 2021–22 Resource Agreement.

Initiative	Working together with
<p>Transfer of Functions (royalty collection and administration)</p> <p>Outcome: Collection of Royalties for the State of WA</p> <p><i>DMIRS Groups: Corporate Services and Resources and Environmental Regulation</i></p>	<p>Department of Finance (Revenue WA)</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Transitional arrangement in place. ▶ Progress made on system migration setup. ▶ Transfer of function is expected to occur by 30 June 2023 after amendments are made to existing legislation to transfer responsibility, and the complete migration of computer systems to support the activity.
<p>Bush-fire policy reform</p> <p>Outcome: Implement reforms for bush-fire policy</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Departments of; Planning, Lands and Heritage (DPLH); Fire and Emergency Services (DFES)</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Assisted with new bushfire mapping and guidelines for assessing bushfire accreditation providers through inter-departmental working groups.
<p>Ticket scalping regulation</p> <p>Outcome: Support consumers in being aware of risks of ticket scalping activities</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>VenuesWest</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Royal Assent on 9 September 2021 for the <i>Ticket Scalping Act 2021</i>. ▶ Implemented community education strategies at VenuesWest managed venues.
<p>Fatigue and Isolated Drivers in the Commercial Vehicle Sector</p> <p>Outcome: A workplace operated in a safe and healthy manner</p> <p><i>DMIRS Group: Safety Regulation</i></p>	<p>WA Police Force and Main Roads WA</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ 207 stops. ▶ 15 audits.

Initiative	Working together with
<p>Puppy farming</p> <p>Outcome: Support the government in the implementation of puppy farming legislation</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Department of Local Government, Sport and Cultural Industries (DLGSC)</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Compiled and supplied a comprehensive database of pet breeders in WA to support the DLGSC. ▶ Educated traders about the upcoming new laws and consumers about their rights. ▶ Referrals to the DLGSC website.
<p>Provide advice on impact of COVID-19 on Commercial Tenancies</p> <p>Outcome: Assist commercial tenants and their landlords in relation to the impact of any COVID-19 lockdowns on their tenancies</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Small Business Development Corporation</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Provided ongoing advice to government throughout the various COVID-19 restriction periods. ▶ Hosted a Ministerial roundtable in February 2022 to understand the impact of COVID-19 on the commercial tenancy sector. ▶ Education information updated in March 2022.
<p>Tenancy issues for Aboriginal consumers</p> <p>Outcome: Assist non-government support agencies to inform Aboriginal consumers of their tenancy rights and obligations</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>Legal Aid Commission</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Joint launch of the 'My Place' Blurred Borders Tenancy Resource Kit in October 2021. ▶ This specially-designed educational toolkit will assist with improving the understanding of renting rights in vulnerable communities.
<p>State-wide cladding audit</p> <p>Outcome: Assist relevant Western Australian public sector agencies to scope audits of their respective public buildings for identification of combustible cladding</p> <p><i>DMIRS Group: Industry Regulation and Consumer Protection</i></p>	<p>State Government departments and public universities</p> <p>Results:</p> <ul style="list-style-type: none"> ▶ Continued assistance to public sector agencies with remediation efforts. ▶ 27 identified sites requiring remedial works (8 completed).

Initiative	Working together with
<p>Streamline WA</p> <p>Outcome: Encourage investment in Western Australia by creating better ways of applying regulation</p> <p><i>DMIRS Groups: Strategic Business Innovation and Resources and Environmental Regulation</i></p>	<p>Departments of; Planning, Lands and Heritage (DPLH); Water and Environmental Regulation (DWER); Biodiversity, Conservation and Attractions (DBCA); Treasury (DT)</p>

The Streamline WA Steering Committee worked closely with regulatory and economic development government agencies through the Council of Regulators to provide a peak collaborative forum for modernising and streamlining regulation, regulatory practices and timeframes.

Results:

- ▶ Our Director General Richard Sellers, co chaired the Streamline WA Steering Committee and the Council of Regulators in 2021–22.
- ▶ Moved to fill 60 frontline approvals and reform officer positions following the government’s announcement in July 2021 to invest \$120 million across key regulatory agencies to streamline Western Australia’s approvals systems.
- ▶ Worked with other agencies to progress the ‘performance measurement’ project developing a holistic transparent reporting regime across government.
- ▶ Participated in the second Common Understanding workshop in December 2021, with DWER and other agencies, to strengthen cross sector collaboration on assessments and approvals.

Under the broad banner of Streamline WA, the department also:

- ▶ Progressed several legislative amendments to simplify decision-making and improve efficiency across its mining, petroleum and motor vehicle repairers and dealers portfolios.
- ▶ Initiated the Fast Tracking Mining Approvals Strategy election commitment, an initiative to transform the regulation of resources projects by the department by reducing assessment timeframes.



Initiative	Working together with
<p>COVID-19 response and recovery</p> <p>Outcome: Preparing for Western Australia's economic and social recovery</p> <p><i>DMIRS Groups: Resources and Environmental Regulation and Industry Regulation and Consumer Protection</i></p>	<p>Departments of; Premier and Cabinet (DPC); Finance (DoF); Treasury (DT); State Emergency Coordination Group; Public Sector Leadership Council</p>
<p>Results:</p> <ul style="list-style-type: none"> ▶ 1,841 applications for Residential Rent Relief Grants received with a total of \$2,424,572.61 in assistance being disbursed to 1,463 tenancies. These grants ceased on 21 December 2021 with the winding back of the State's COVID-19 response. ▶ The Joe Lord Core Library (Kalgoorlie) expansion successfully completed, delivered on time and on budget. ▶ Installation of the CAMECA-1300 HR ion microprobe in the John de Laeter Centre at Curtin University. As at the 30 June 2022 the ion microprobe was undergoing testing and calibration post-install. ▶ An additional 32,761 line kilometres of Airborne Electromagnetics (AEM) data across the Goldfields, Esperance and far east Yilgarn was acquired. ▶ Rounds 22 and 23 EIS co-funded drilling had more successful applicants due to one-off additional funding of \$2.5 million. 	

Tow truck operators regulation

Responsibility of the Tow Truck Operators Regulation cross-agency initiative was formally transferred to the Department of Transport for further development and progression of regulatory options as a result of a Consumer Protection report into regulatory options.



Working together across the Western Australian public service

Throughout the year, the department continued to work collaboratively on cross-agency projects to deliver better outcomes to the community, industry and resources sector of Western Australia by sharing knowledge and expertise.

Keeping people and property safe

We work with the ACCC on voluntary and mandatory recalls including the LG solar energy storage battery (part of solar PV installations) recall.

Interagency Graduate Program

We are working with JTSI to provide opportunities for new graduates as they enter the public service.

Energy Transformation Strategy

We are part of the Lithium-ion Battery Working Group, as part of this group we are involved with the Synergy Kwinana Big Battery Project.

Renewable Hydrogen Strategy

We work with DoT to develop policy on hydrogen fuel cells use in vehicles and machinery
We provide regulatory advice and review gas network submissions with JTSI.

Short term rental accommodation

We are working with DPLH and DLGSC to develop proposals on a short-term rental registration scheme.

Aboriginal Empowerment Strategy

We implemented a new expedited procedure process that allows greater discretion and encourages early agreement making between traditional landowners and other interested parties that can also reduce delays to granting of exploratory titles.

COVID-19 Response

We worked with the department of Health and other agencies by sending staff to support COVID-19 response efforts and the contact tracing team.

Keeping schools safe

We provided advice on electrical safety around DoE aquatic facilities and Residual-current device (RCD) protection for switchboard circuits in schools.

Digital Strategy

We worked with DGov to implement My Account, a single sign-on for WA government services and rolled in the departments' FuelWatch and Geophysical Survey Index to be accessible through Service WA.



Additional government initiatives and commitments

The department works collaboratively with industry, consumers and other stakeholders to deliver on key government initiatives as well as election commitments from the McGowan Government.

Promoting fair and transparent arrangements for tenants

Changes to improve the security of long-stay tenancy agreements and promote fair and transparent arrangements between park operators and tenants came into effect on 31 January 2022. Long-stay tenancies can involve living in a caravan, mobile home or park home located within a caravan park or lifestyle village.

The changes to the *Residential Parks (Long-stay Tenants) Act 2006* (the Act) cover on-site home agreements - where the tenant rents a site and a dwelling in a residential park, and site-only agreements - where the tenant rents the site from the park operator and owns their own dwelling which is placed on the site. These changes included the following:

1. Limiting the termination of new fixed-term agreements on the sale of a park or if the owner's financier takes possession of the park.
2. No longer allowing 'without grounds' terminations of site-only long-stay agreements, instead setting out specific grounds that will provide greater certainty in relation to termination rights.
3. Improved disclosure requirements on contractual issues such as exit fees.
4. Clearer rules for park operators, home owners and prospective tenants in relation to the sale of homes.
5. Clarification of the park operator's obligation to enforce park rules in a fair, reasonable and equitable manner.
6. Standard lease clauses will apply to all agreements and will no longer be able to be varied.
7. Introduction of standard form agreements for new arrangements.

In implementing changes to the Act, Bonds Administration streamlined processes for all residential tenancy bond transactions, using QR code technology to make lodging bonds easier and the creation of new forms.





Security of payment regulations

The Government's signature *Building and Construction Industry (Security of Payment) Act 2021* (the Act) was passed by Parliament in June 2021. The Act delivers on the election commitment to improve payment protections for contractors in the Western Australian (WA) building and construction industry. In September 2021, the department released an Action Plan for implementing the landmark Security of Payment protections for the building and construction sector. The Action Plan for Reform: Better Payment Protections for Contractors in the WA Building and Construction Industry outlines a clear roadmap for how the reforms will be implemented in stages over the next few years. The department undertook extensive public consultation on draft supporting regulations which were released in November 2021, including two public feedback sessions in December 2021, industry group briefings and took consideration of a large number of public and special interest submissions. The supporting regulations were published in the Government Gazette on 17 June 2022 to commence operation with the Act on 1 August 2022.

Raising awareness

To support industry in getting ready for the new laws, the department produced and delivered a range of information materials and training, including:

- ▶ Two sets of three-day adjudicator/review adjudicator training courses.
- ▶ A large number of animated videos, factsheets and a 90 minute seminar available on the department's website.
- ▶ Development of sixteen recommended forms and user guides for various processes required under the laws.

Education and awareness campaigns will continue to be delivered over the next two years to further support the Act's implementation.

Ticket scalping legislation

The *Ticket Scalping Act 2021* came into effect on 10 September 2021. As a result, ticket scalping is now illegal in Western Australia.

Ticket scalpers have been known to systematically buy large numbers of sporting and entertainment event tickets with the sole aim of reselling them. The use of 'bot' software (computer programs that allow people to quickly buy tickets in large quantities) has proliferated the occurrences and assisted with rapid placement on resale websites at inflated prices.

Anti-scalping laws apply to tickets to WA events that are first sold on or after 10 September 2021, the use of 'bot' software to obtain them is now illegal and all tickets have a resale restriction. A resale restriction is a term or condition on a ticket that limits the circumstances in which the ticket may be resold. These laws provide fairer access to events in WA by prohibiting anyone from reselling a ticket to a WA event for more than the original price plus 10 per cent. Advertisements for resale tickets must specify the original cost of the ticket, compliant resale price, and must also include any bay, row or seat number that applies to the ticket.

The staging of the Australian Football League (AFL) Grand Final for the first time in Perth, on 25 September 2021, presented an excellent platform to promote the new ticket scalping laws that generated significant local and national media coverage. The department ran a campaign to promote the new laws including new web and video content promoted via social media posts, digital polls, radio segments, a newspaper column, post on the Commissioner's blog and stakeholder email. A downloadable campaign poster was created and distributed via VenuesWest to target attendees at the AFL Grand Final. Staff attended the event to talk to people about the new laws and assist anyone who had been scalped or scammed. A further mini-campaign was run by the department in March 2022 to coincide with the issue of the Ticket Scalping Regulations 2022.

Audited Key Performance Indicators

Certification of key performance indicators

I hereby certify that the key performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Department of Mines, Industry Regulation and Safety, and fairly represent the performance of the department for the financial year ended 30 June 2022.



Richard Sellers
Accountable Authority
7 September 2022





Outcome Based Management

DMIRS' purpose is "Supporting a safe, fair and responsible future for the Western Australian community, industry and resources sector". This is also our single desired Outcome for our Outcome Based Management (OBM) structure, providing a shared focus for the department. Adopting a customer-centric approach, our functions are delivered via three Key Services and aligned to our operational structure.

This outward-facing service model focused to our single Outcome assists us to provide meaningful and easy to understand performance information to our stakeholders, be they individuals, industry bodies, companies, unions, community groups, Parliament, or government agencies.

Key Effectiveness Indicators measure the extent to which our department achieves its Outcome. To ensure the effectiveness of our core business is measured against our single Outcome each of our three Key Effectiveness Indicators are aligned with one of our three Key Services.

Key Efficiency Indicators relate the level of resource input required to deliver our Services. They demonstrate how efficiently we are conducting our activities and can be represented as an average cost per service or through a measure of timeliness. Our three Key Services are each measured by at least one Key Efficiency Indicator.

These performance measures allow us to quantify achievement made during 2021–22 towards stated Government Goals and our desired outcome, measure our performance against targets set in our Resource Agreement and as published in the 2021–22 State Budget.

The DMIRS OBM structure was implemented in the 2018–19 State Budget, within a year from the department's inception. The structure was last revised from the 2020–21 reporting period to align Key Services to our organisational structure and ministerial portfolios.



Safety and Labour Relations Advice and Regulation Service

Provides regulatory and policy oversight of work health and safety in the resource and general industries sectors, the licensing regime, and safety legislation for dangerous goods, including regulation of the State's major hazard facilities and petroleum operations. Playing a significant role in building and strengthening WA's economy by ensuring and protecting the rights of all employees to work in a safe and healthy working environment.



Industry Advice and Regulation Service

Incorporating both Building and Energy and Consumer Protection Divisions, administers legislation covering WA's industry, community and consumers through its programs for compliance, conciliation, dispute resolution and enforcement. Contributing to safer, more responsible actions by traders and industries, and a better informed, risk-aware community.



Resources Advice and Regulation Service

Regulates one of WA's largest industry sectors, and plays a critical role in building WA's economy while ensuring the State's resources are developed in a sustainable and responsible manner through information provision and appropriate compliance processes. In addition to its regulatory role, the Service delivers geoscience functions to the State.




Safety and Labour Relations Advice and Regulation



18

Number of work-related traumatic injury fatalities.

Rolling five year average **16**

▲ Did not meet target
Target (0)



\$5,171

Average cost per transaction to deliver safety and labour relations regulation services.

▼ 17% Exceeded target
Target \$6,210



32%

Percentage of high-risk work licence applications determined within agreed timeframes.

▼ 68% Did not meet target
Target 100%



Industry Advice and Regulation



73%

Stakeholder satisfaction with the department as an effective industry regulator.

▶ Met target
Target 75%



\$221

Average cost per transaction to deliver industry advice and regulation services.

▲ 16% Did not meet target
Target \$190



Resources Advice and Regulation



74%

Stakeholder satisfaction with the department as an effective resource sector regulator.

▶ Met target
Target 75%



\$4,117

Average cost of resource regulation per live title.

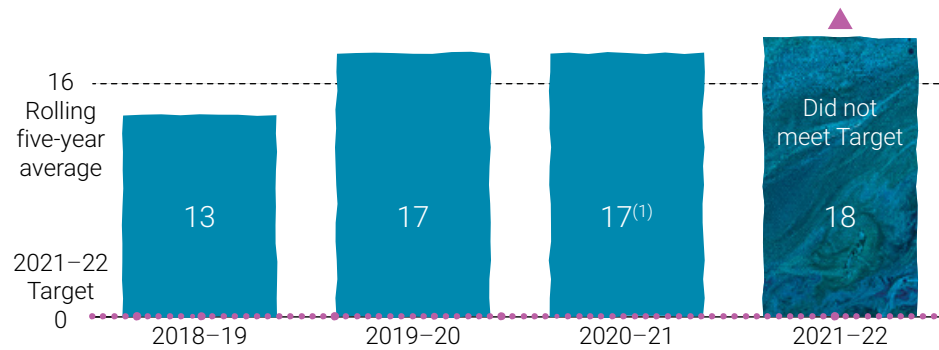
▼ 13% Exceeded target
Target \$4,731

Key Performance Indicators 2021-22



Effectiveness

Number of work-related traumatic injury fatalities



(1) The number of previously reported traumatic injury fatalities for 2020-21 (15) has been adjusted to 17 in 2021-22.

While reported work-related traumatic injury fatality numbers are relatively low, any work-related death is considered unacceptable, so the target for this indicator is always zero (0). The nature, frequency, location and circumstances surrounding fatalities influence our regulatory efforts. This indicator reports fatalities within DMIRS jurisdiction. A rolling average (mean, rounded to nearest whole number) of the previous five years is also reported to provide context.

Investigation into these incidents may extend over years and the work-related status may vary.

Comment on results

During 2021-22 there were 18 confirmed work-related traumatic injury fatalities, including one in the Resource Industries sector, and 17 in the WorkSafe General Industries sector. The rolling five-year average is 16.

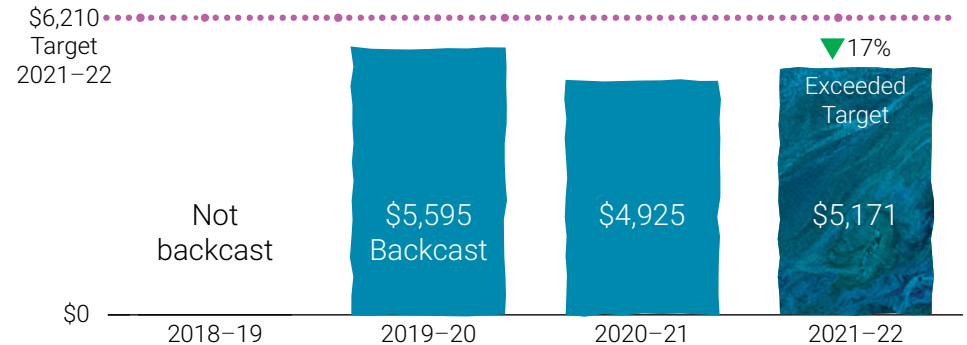
Work-related traumatic injury fatalities are reported by DMIRS in the State of the Work Environment Report however that report also includes fatalities within WA but outside DMIRS jurisdiction.



Efficiency – Safety and Labour Relations

Advice and Regulation Service

Average cost per transaction to deliver safety and labour relations regulation services



This indicator demonstrates the cost efficient and responsible delivery of safety and labour relations regulatory services by representing the total cost of the service in relation to unique regulatory ‘transactions’. Regulatory transactions are “an action by the department (proactive or reactive) that protects the community by intervening decisively to avert and minimise harm, commensurate with the circumstances” i.e. investigations and inspections. Each finalised regulatory transaction is counted once.

This indicator is calculated by dividing the total cost of the service by the number of regulatory transactions. The indicator was introduced in 2020-21, results were back-cast to 2019-20.

New Work Health and Safety (WHS) laws commenced on 31 March 2022.

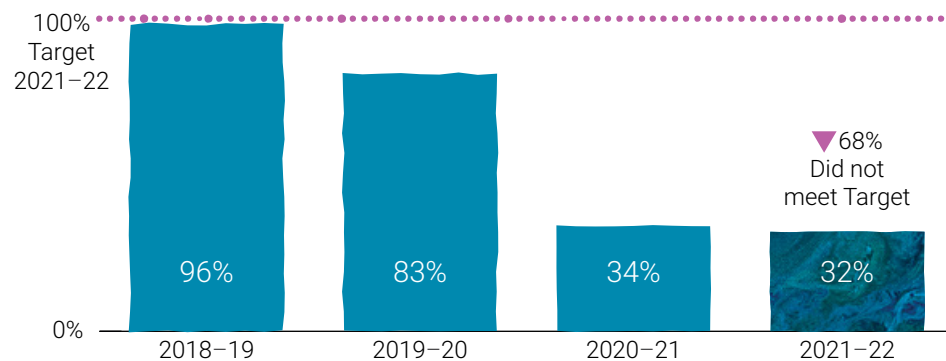
Comment on results

The average cost per regulatory transaction for 2021-22 is \$5,171, which is 17 per cent less than the budget estimates target (\$6,210). This result is due to an increase in both the number of transactions reported being significantly higher than Budget and additional allocation of funds approved post Budget.



- ▶ The budgeted number of regulatory transactions had been reduced to allow for new WHS legislation implementation related tasks, however the overall impact during the year was less than anticipated.
- ▶ Increased transactions resulting from a steep rise in resource industry COVID-19 incident notifications since February 2022.
- ▶ The number of transactions increased since the commencement of WHS laws due to additional notifiable matters.
- ▶ Allocation of additional funding was approved by the Expenditure Review Committee to meet Work Health and Safety (WHS) initiatives and implement the Mental Awareness, Respect and Safety Program.

Percentage of high-risk work licence applications determined within agreed timeframes



This measure is intended to demonstrate our capacity to efficiently administer and enforce safety regulation through the timely assessment of high-risk work licence (HRWL) applications.

The indicator is calculated as a proportion of the total number of HRWL applications finalised within 14 calendar days for each new, modified, and renewed licence during the same reporting period. Days taken is calculated as the elapsed days between the date received by DMIRS to the date the application was finalised. New, modified, and renewed HRWL applications have been considered to be equivalent in workload

but the volume within these categories varies. The weighted average by category is calculated and added together to determine the overall weighted average.

Comment on results

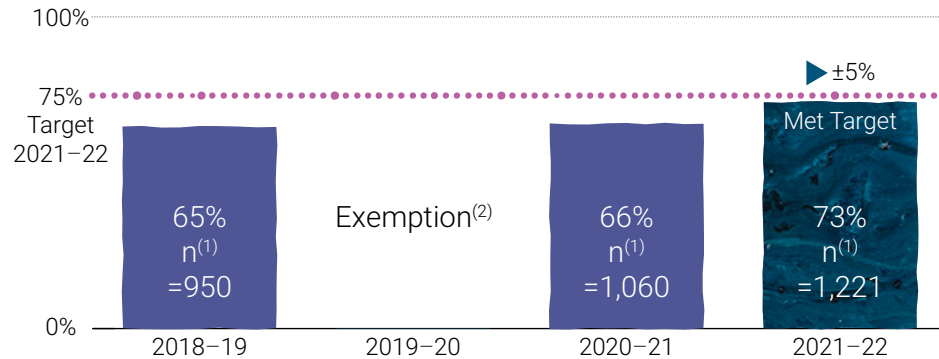
32 per cent of HRWL applications were determined within 14 calendar days, a 68 per cent variance from target. Licence application processing times were adversely impacted due to incomplete applications being submitted, transfer of staff to other activities to support integration of the new WHS laws with the existing licensing framework and COVID-19 affecting staff availability, and additional workload to finalise COVID-19 Economic and Health Relief Package refund from 2020-21:

- ▶ A key driver of determination timeliness was whether all required legislated information was included with the initial application.
- ▶ New WHS laws required changes to licences, including introducing new categories and making changes to names, durations and requirements.
- ▶ A larger than usual number (4,200) of applications were in progress at the start of 2021-22.
- ▶ The number of determined HRWL applications has again increased from last year to 70,513.



Effectiveness

Stakeholder satisfaction with the department as an effective industry regulator



(1) n is the sample size

(2) An exemption for reporting results in 2019-20 was granted by the Under Treasurer

To determine our influence in delivering effective regulation to support sustainable industry development this indicator measures the overall effectiveness of DMIRS as a regulator by quantifying stakeholder satisfaction with our regulatory role. As part of a stakeholder satisfaction survey, respondents rated their satisfaction against the benchmarking question “Overall, how satisfied are you with the performance of DMIRS as an effective industry regulator?” on a scale of 0-10. Satisfaction is the per cent of respondents who gave a rating between six and ten.

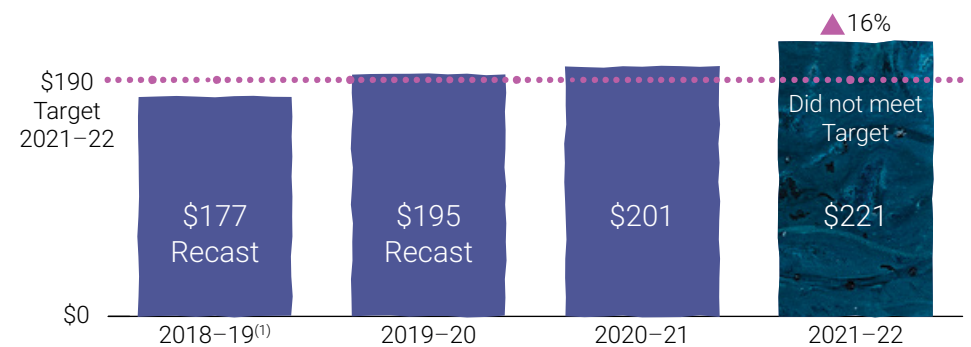
Comment on results

Close to three in four (73 per cent) of 2021-22 respondents expressed satisfaction with the effectiveness of DMIRS as an industry regulator, within ±5 per cent of the target. Improvement in satisfaction with DMIRS as an industry regulator was observed in 2021-22 (7 per cent).



Efficiency – Industry Advice and Regulation Service

Average cost per transaction to deliver industry advice and regulation services



This indicator measures the cost efficient and responsible delivery of industry advice and regulation services by representing the cost of the service in relation to unique service ‘transactions’. A ‘transaction’ is defined as an action by DMIRS to provide a service or regulatory action to an external stakeholder, initiated by either party. Each transaction is only counted once – for example, a finalised application is counted as one transaction, associated ‘transactions’, such as a related fee payment, are not counted separately. The indicator is calculated by dividing the total cost of the Industry Advice and Regulation service by the number of transactions. Previous results were re-cast in 2020-21.

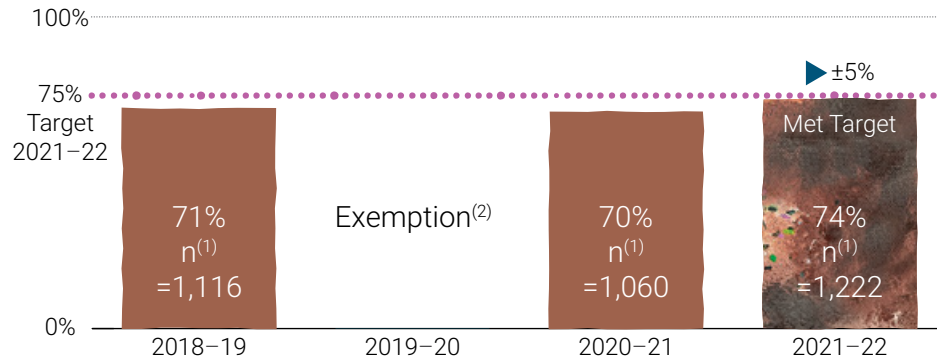
Comment on results

The average cost per transaction for 2021-22 is \$221, which is 16 per cent greater than the Target (\$190). The Cost of the Industry Advice and Regulation Service was within 5 per cent of the estimate, so variance of this result is driven by a lower overall number of regulatory transactions than estimated (in total 13 per cent less than Target).



Effectiveness

Stakeholder satisfaction with the department as an effective resource sector regulator



(1) n is the sample size

(2) An exemption for reporting results in 2019-20 was granted by the Under Treasurer

To determine our influence in delivering effective regulation to support sustainable resource sector development, this indicator measures the overall effectiveness of DMIRS as a regulator by quantifying stakeholder satisfaction with our regulatory role. As part of a stakeholder satisfaction survey, respondents rated their satisfaction against the benchmarking question “Overall, how satisfied are you with the performance of DMIRS as an effective resource sector regulator?” on a scale of 0-10. Satisfaction is the per cent of respondents rating between six and ten.

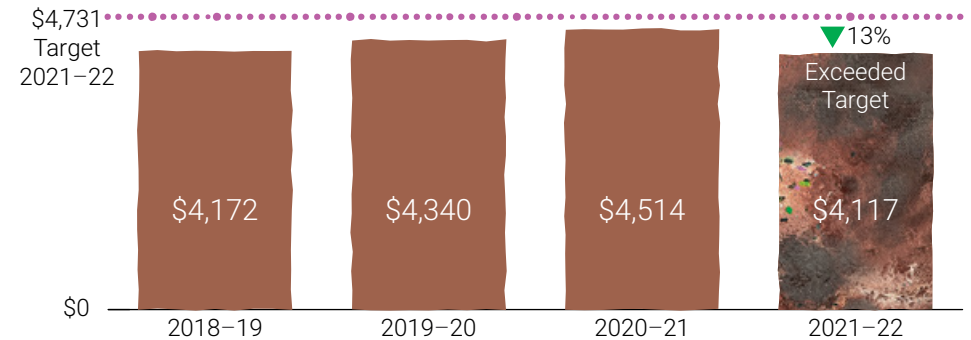
Comment on results

Almost three in four (74 per cent) of 2021-22 respondents expressed satisfaction with the effectiveness of DMIRS as a resource sector regulator, within ±5 per cent of the target. Overall, satisfaction with DMIRS as a resource sector regulator has remained largely consistent with 2020-21.



Efficiency – Resources Advice and Regulation Service

Average cost of resource regulation per live title



Resource development and exploration occurs in the context of the resource management ‘life cycle’. All activities within the ‘lifecycle’ are associated with a ‘live title’ (minerals and petroleum). Live titles give the right to explore for, recover and develop Western Australia’s natural resources. This indicator measures the cost efficient and responsible delivery of resource regulation services by representing the cost of the service in relation to the number of live resource titles approved or renewed during the current year, or are subject to ongoing regulation by the department. The indicator is calculated by dividing the total cost of the service by the number of live titles.

Comment on results

The average cost per live title for 2021-22 is \$4,117, which is 13 per cent less than the target (\$4,731).

- ▶ The number of live titles in force has again increased, to a new record of 25,080 in 2021-22. This is largely attributable to a significant increase in exploration applications, which rose from 7,119 applications in 2020-21 to 8,172 applications in 2021-22.
- ▶ Heightened exploration activity has targeted gold, iron ore, copper, as well as critical and battery minerals including nickel-cobalt, lithium, and rare earth elements. This focus has been supported by high prices for those commodities.

Looking forward, what we are hoping to achieve next year

We asked our Executive what they would like their groups to achieve in the next 12 months.



...consolidation of the Safety Regulation Group functions while implementing two major reforms around the WHS laws and the Industrial Relations reforms.

Ian Munns



...embed our new safety regime. Work with industry, the community and other agencies to advance renewable industries and be a valued and respected regulator by the community.

Richard Sellers



...build a resilient resources regulator and meeting commitments in an expanding and diverse resources sector.

Jeff Haworth



...continue work on the government's legislative reform agenda and focus on our staff and continuing to support their physical and mental wellbeing after a challenging few years and planning for the future with filling key positions and succession planning.

Kristin Berger



...continue to be motivated by reform and change and have the courage to challenge and maintain strong values with a consistent professional approach.

Julie de Jong



...continue with the consolidation of our corporate systems, like the department's records management information system, to achieve efficiency in how we do our work.

Marka Haasnoot