



WorkCover

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Date: 9 April 2013  
Our Ref: WC00638/13  
Your Ref: LAC12/457

Mr Jonathan O'Dea MP  
Chair  
Legislative Assembly  
Public Accounts Committee  
Parliament House  
6 Macquarie Street  
SYDNEY NSW 2000

Dear Chair

I refer to your correspondence seeking WorkCover's response to additional questions, relevant to the Auditor-General's report on the Transport of Dangerous Goods and WorkCover's November 2012 response.

Please find attached WorkCover's response to the additional questions.

Should you require any further information, please contact Mr Robert Stobo, Team Manager, Hazardous Chemicals Services Team, on 4321 5611.

Yours sincerely

A handwritten signature in black ink that reads 'Julie Newman'.

Julie Newman PSM  
Chief Executive Officer  
**Safety, Return to Work and Support**

## Questions on Notice – Performance Audit Follow-Ups

### Transport of Dangerous Goods WorkCover

#### 1. How does WorkCover co-ordinate and communicate the compliance program process across their regions and relevant agencies?

Answer:

WorkCover and the Environment Protection Authority (EPA) have distinct responsibilities in relation to dangerous goods.

WorkCover is responsible for the premises based activities as they relate to the transport of dangerous goods. These activities include the loading and unloading of dangerous goods, packaging approvals, labelling and classification.

The EPA administers the *Dangerous Goods (Road and Rail Transport) Act 2008*, which adopts uniform national requirements for the transport of dangerous goods, including the requirements of the *Australian Dangerous Goods Code for the Transport of Dangerous Goods (ADG Code)*.

WorkCover and the EPA are both represented on the following interagency working groups:

- Hazardous Materials Chemicals and Radiation (HMCR)
- Dangerous Goods Working Group (DGWG)
- HazMat Incident Review Group (HIRG)

These working groups include representation from other agencies such as the Independent Transport and Safety Regulator (ITTSR), NSW Health, Fire and Rescue NSW, NSW Police and Roads and Maritime NSW. Through these forums, WorkCover informs these agencies of individual and joint program activities in this area.

WorkCover reports internally across the organisation on its programs. Since 2011, these programs have included joint activities between WorkCover and the EPA under the High Consequence Low Frequency Risk-Based Compliance Program (HCLF).

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**2. You have stated that you consider it is the responsibility of hazardous Materials, Chemicals and Radiation (HMCR) to identify areas of high risk and ensure that risk assessments are consistently used. The Auditor-General recommended that this was a matter for the EPA in consultation with you. What are WorkCover's ongoing responsibilities in relation to:**

- providing input and information to inform the risk assessments?**
- reviewing updating and reporting on the risk assessments?**
- using the risk assessments to guide their regulatory work?**

**Answer:**

In addition to the HMCR, DGWG and the HIRG, WorkCover holds regular meetings at both manager and coordinator level to share program resources for the coordination of joint activities with the EPA, relevant to each agency's responsibilities. These meetings are supported by regular interactions between operational management of both organisations to monitor and report on the facilitation of the agencies' joint responsibilities mentioned in the Auditor General's report.

**3. What involvement does WorkCover have in maintaining awareness about the safe transport of dangerous goods?**

**Answer:**

As detailed in the ADG Code, WorkCover is responsible for the premises based activities as they relate to the transport of dangerous goods. These activities include the loading and unloading of dangerous goods, packaging approvals, labelling and classification.

Through the HCLF risk-based compliance program, WorkCover has engaged with the petro-chemical industry in relation to premises based activities, including loading and unloading of petroleum into and out of bulk fuel tankers.

Through the HCLF program, WorkCover has also engaged with the Liquefied Petroleum Gas (LPG) industry, to verify compliance with requirements for the transfer of LPG on site.

These activities began early in 2012 and are expected to continue into 2014. They involve the provision of information in the form of safety alerts and bulletins aimed at raising industry awareness of safe practices in accordance with the ADG Code.

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