

SUBMISSION

Consultation Regulation Impact Statement:

Managing the risks of respirable crystalline silica at work

Instructions

To complete this online submission:

- Download and save this submission document to your computer.
- Use the saved version to enter your responses under each question below. These questions are from the [Consultation Regulation Impact Statement on managing the risks of respirable crystalline silica at work](#).
- Once you have completed your submission, save it and upload it using the upload your submission link on the [Engage submission form](#).

Submissions will be accepted until **11.59 pm on 15 August 2022**.

Additional documentation

Up to three additional documents can also be uploaded when you submit your response. Relevant documents to upload could include cover letters or reports with data and evidence supporting your views.

Help

If you are experiencing difficulties making your submission online, please contact us at occhygiene@swa.gov.au.

Respondents may choose how their submission is published on the Safe Work Australia website by choosing from the following options:

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Please note the following are unlikely to be published:

- submissions containing defamatory material, and
- submissions containing views or information identifying parties involved in hearings or inquests which are currently in progress.

Your details

(Please leave blank if you wish to remain anonymous)

1. Name or organisation

Smartstone Australia Pty Ltd, Bruce Rayment – CEO HVG group of companies

2. Email used to log into Engage

[REDACTED]

Questionnaire

(Consultation RIS questions)

Statement of the problem (Chapter 2)

2.1 Do you agree with the identified problem? Has the entirety of the problem been identified? Please provide evidence to support your position.

Yes.

2.2 Do you have further information, analysis or data that will help measure the impact of the problem identified?

No.

Why is Government action needed? (Chapter 3)

3.1 Do you agree with the case for government intervention? Please provide evidence to support your position.

Yes, we agree with the case for government intervention. The number of cases, along with the opposition from various stakeholders to leading engineered stone suppliers (AESAG) implementing a licencing scheme in the last few years, make government intervention the best way forward.

3.2 Do you agree with the objectives of government intervention? Please provide evidence to support your position.

Yes, totally.

What policy options are being considered? (Chapter 4)

4.1 Do these options address the problem? Please provide evidence to support your position.

Yes, we believe option 4 does. National licensing including the mandatory reporting of health monitoring and mandatory reporting of air monitoring.

4.2 Are there any other non-regulatory or regulatory options you think should be considered to address the problem? rr

No.

What is the likely impact of each option? (Chapter 6)

6.1 Is the cost modelling methodology appropriate to estimate the costs to industry and governments (Appendix D)? Please provide evidence to support your position.

The only item we are in a position to comment on is the cost of Engineered Stone suppliers retaining records for a period of 5 years. Any reputable supplier will already have proper and appropriate systems in place that track sales. We do not believe that there is any increased cost in this for suppliers. We also believe that modelling the number of suppliers at 50 is more than the actual number. The industry is dominated (>85% of sales by volume) by less than 10 large suppliers.

6.2 Are the estimates of the number of businesses covered by each of the regulatory and non-regulatory options accurate? Please provide evidence to support your position.

We are not in a position to comment on this.

6.3 Are there other factors that should be considered in the assessment of the effectiveness of each option (Section 6.5)? Please provide evidence to support your position.

Not that we are aware of.

6.4 Are the cost and other estimates (including worker wage assumptions) listed in Appendix D accurate and appropriate? If not, please provide additional data to support a more accurate estimate of costs.

We are not in a position to comment on this.

6.5 Do you have further information regarding the costs to the public health system for silicosis and silica related diseases?

No.

Discussion of options (Chapter 7)

7.1 Which option or combination of the options presented is most likely to address the identified problem? Please provide evidence to support your position.

We believe Option 4 is most likely to address the identified problem. Enforcing a minimum standard on each PCBU including closer oversight, along with mandatory reporting of health and air monitoring will significantly, if not totally reduce workplace exposures from PCBUs who are either unable, or unwilling, to conduct their enterprise to a proper minimum standard.

Whilst the industry has improved markedly in recent years, we are sure that further improvement can still be made. A national licensing scheme will ensure that new entrants to the market cannot do so without being licensed as they will be unable to obtain supply of slabs to fabricate.

Mandatory reporting of health and air monitoring will ensure that a close watch is kept on workers in the industry, and workplaces, ensuring that all PCBUs are operating in a safe way.

7.2 Are there any significant barriers to implementation of the options presented? What are those barriers? Is there a cost associated with them? How could they be overcome?

The only barriers we see are ensuring that government puts enough resources being a licensing scheme to ensure it can operate effectively. The resources also need to be continued for the long term future to ensure a safe and sustainable industry.

Other comment

Do you have anything further you would like to add as part of this process?

No.