

Draft Work Health and Safety (Mines) Regulation

Public comment template

Please send submissions by email to consult.minesafety@trade.nsw.gov.au

Submissions must be received by **27 June 2014**.

Confidentiality: Any information that you do not wish to be made available to the public should be clearly marked 'IN CONFIDENCE'. Submissions are subject to all relevant laws such as the Government Information (Public Access) Act 2009 and the Privacy and Personal Information Protection Act 1998. NSW Trade & Investment may provide extracts of submissions to other stakeholders for comment during the review of public submissions.

Please indicate here by a tick if this submission or any parts of it are provided in confidence.

Whole submission

Address and contact details

Part (please specify) "

Name: Brian Ebery

Organisation (if applicable): Wakool Shire Council

Part 1 - Comments in response to discussion paper

Page or Section No.	Discussion point and your comment

Part 2 - Comments in relation to draft regulation

Clause number	Title of clause and your comment or suggestion
General	<p>Wakool Shire covers an area of 7549 square kilometres and maintains 1668 km of road and 76 bridges. Wakool Shire has long held the view that the winning of roadmaking material in this area should not come under the umbrella of the Mines act and regulation.</p> <p>There is little difference between the operation of a gravel pit and Councils routine road construction activities which fall under the normal Work Health and Safety provisions. The areas of construction activity are similar, ie removal of 350mm depth of limestone from a cropping paddock and placement of that same 350mm depth material on the road surface. The overburden, usually about 300mm to 600mm is spread back over the extraction area and the farmer continues to crop his paddock. Limestone deposits in this area are generally scattered and comprise between 300mm to 600mm depth of deposit covered by</p>



overburden or topsoil of between zero to 600mm cover. Wakool activity varies considerably and over the past 5 years, Council has extracted annually between 22000m³ to 60,000m³ in its roadmaking activity from 4 to 8 different sources dependant on location within the Shire. If Council was not able to source this material or it becomes unviable then its roadmaking costs and associated burden on ratepayers would increase substantially as the only other sources of material would need to come from commercial quarries outside the Shire.

There are a number of mining hazards and associated control measures that simply do not apply or exist in a simple small gravel pit operation and that to apply or consider them places an unfair burden on Council operations. The WH and Safety act and regulations cover all of the activities associated with small pit operations.