

13 April 2023

Mr Samantha Brook
Parliamentary Research Officer
Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation
Parliament House
North Terrace
ADELAIDE SA 5000

Email: OccHealthCommittee@parliament.sa.gov.au

Dear Ms Brook

Work Health and Safety (Crystalline Silica Dust) Amendment Bill 2022

Thank you for the opportunity to comment upon the Workplace Health and Safety (Crystalline Silica Dust) Amendment Bill 2022 which seeks to amend South Australia's Work Health and Safety Act 2012 to place a ban on a person conducting a business or undertaking exposing a worker to Crystalline Silica Dust. We note that the Bill has been forwarded to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation, having been first introduced to the Legislative Council on June 15, 2022.

Cement Concrete & Aggregates Australia (CCAA) is the peak industry body for cement manufacturers, concrete suppliers and extractive operators throughout Australia. Collectively known as the heavy construction materials industry, CCAA members operate cement manufacturing and distribution facilities, concrete batching plants, hard rock quarries and sand and gravel extraction operations throughout the nation to meet Australia's building and construction needs. These businesses are made up of the majority of material producers and suppliers ranging from large global companies to SMEs and family operated businesses.

Heavy construction materials are vital to delivering the infrastructure required to support Australia's built economy which underpins the development of our nation's physical infrastructure, generating approximately \$15 Billion in annual revenue and employing 30,000 Australians directly and a further 80,000 indirectly.

In South Australia, our members are essential to delivering the Government's infrastructure program and have been critical to the construction led economic recovery post COVID-19. It is therefore disappointing to learn that the proposed draft Bill to implement a ban on work exposing a person to crystalline silica dust fails to understand the enormity and complexity of the products we use in everyday life which contain crystalline silica.

CCAA strongly supports the protection of workers from any substance which may be harmful if exposure is too high. However, SafeWork Australia recognises that many hundreds of substances are

used in the proper functioning of society and that a simple ban is not practical. For this reason, SafeWork Australia have identified and used Workplace Exposure Standards (WES) to safeguard workers. The present WES for RCS was recently amended and implemented across all state and territory jurisdictions at an 8-hour, Time Weighted Average (TWA) of 0.05mg/m³.

In our industry, the raw materials used in construction, specifically stone, aggregates and sand to make concrete, roads, bridges and buildings, contain varying levels of crystalline silica. To be clear, a complete ban on workers working with materials that contain crystalline silica dust (as per the proposed draft amendment) either as part of their existing makeup or when crushed or cut, will lead to the shutdown of all quarries and concrete supply, the closure of our sector and construction activities across South Australia.

Our industry takes its responsibilities seriously and undertakes a range of measures to ensure that workers are NOT exposed to dangerous levels of RCS. Practices adopted across our sector to limit exposure to airborne contaminants such as wet methods to suppress dusts, local exhaust ventilation, positive pressure cabins and worker segregation from high-risk areas have been in place for many years, are considered highly effective and are strongly supported by the Australian Institute of Occupational Hygienists (AIOH).

These practices have successfully worked to minimise RCS exposure across our sector and instances of silicosis are rare and have largely been driven by workers exposed to dust levels many times above the current and previous WES level of 0.05mg/m³.

For more details on our position, please see the attached submissions to Safe Work Australia – ***Managing the Risks of Respirable Crystalline Silica at Work*** and the ***Prohibition on Engineered Stone*** consultation which has recently concluded. Both of these submissions provide further background about the role of our sector and the challenges with adapting to new legislation that has significant and unintended consequences for the nature and future of our industry.

Thank you once again for the opportunity to comment upon the Workplace Health and Safety (Crystalline Silica Dust) Amendment Bill 2022. We hope that your Committee will seriously consider the effects and consequences of the proposed draft legislation on our sector.

CCAA would welcome the opportunity to discuss this further with your Committee and accordingly, I can be contacted at jason.kuchel@ccaa.com.au or on mobile 0448 848 848.

Yours sincerely,



JASON KUCHEL
State Director – New South Wales and South Australia