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4 November 2011

Ref: H11/02693

The Executive Officer
Economic Development and Infrastructure Committee
Parliament House
Spring Street
East Melbourne, Vic, 3002

Economic Development and Infrastructure Committee

Submission No. *CME-59*

Dear Committee

Inquiry into greenfields mineral exploration and project development in Victoria

I refer to your letter of 23 June 2011 from Mr Neale Burgess MP inviting a submission from WorkSafe Victoria on the inquiry into greenfields mineral exploration and project development in Victoria.

WorkSafe can make comment on item b) in the terms of reference: "the regulatory environment".

As you may be aware, health and safety regulation of mineral exploration was transferred to WorkSafe along with mines and quarries from the Department of Primary Industries in 2008. Under these arrangements, exploration involving any underground work, or drilling from the surface for coal-bed methane falls under the Victorian *Occupational Health and Safety Act 2004* and the Mines part of the *Occupational Health and Safety Regulations 2007*.

In April 2009 COAG endorsed the *National Mine Safety Framework (NMSF) Implementation Report*, recommending a 'consistent' national legislative framework for the mining industry. Model Mines Regulations have been developed by Safe Work Australia (SWA), the Commonwealth statutory agency with responsibility for improving work health and safety and workers' compensation arrangements across Australia. Victoria is represented by both the Department of Primary Industries and WorkSafe Victoria on the NMSF Steering Group, and by WorkSafe Victoria on Safe Work Australia-convened forums.

The model Mines Regulations are being considered as part of SWA's work to harmonise OHS laws across Australia. On 28 September the Assistant Treasurer, the Hon Gordon Rich-Phillips announced that the Victorian Government has started work on a supplementary independent assessment of the impact of the proposed harmonised laws on Victorian business.

In this context Victoria will not be in a position to make a decision on the national model OHS laws until the Victorian government has completed its own supplementary impact assessment, which is expected to take several months.

Should you wish to discuss this further, please contact Linda Timothy, Director, Legislation, Policy and Information Services on 9641 1373.

Yours sincerely

Greg Tweedly
Chief Executive
Victorian WorkCover Authority