

13 May 2026

Anthea Sijan
Senior Policy and Legislation Advisor
WorkSafe Victoria

Via email: legislation@worksafe.vic.gov.au

Dear Anthea

OHS REGULATIONS 2nd DISCUSSION PAPER 29 April 2026

Thank you for the opportunity to comment on the OHS Regulations 2nd Discussion Paper. The following comments are made without prejudice.

Page number	Discussion Paper	CMPA Comments
2	Identification of risk associated with mining hazards	There needs to be clear guidance given by WorkSafe for all mining hazards.
2	Review of safety management system (SMS)	There needs to be clear guidance as to what constitutes reasonable grounds for a review of the SMS requested by a Health and Safety Representative.
4	Emergency plan	The emergency services do not necessarily have the skills set to review the emergency plan.

Conclusion

The CMPA does not support the incorporation of quarrying into Part 5.3 as suggested in the OHS Regulations 1st Discussion Paper due to having a much lower and different risk profile to mining and onshore petroleum sites. It is noted that no justification (such as a risk assessment underpinned by credible statistical evidence) has been given for the proposed inclusion of quarries into Part 5.3 in the Discussion Papers.

I would be pleased to discuss these matters with you. Please contact me on 0434 692 618 or via email at elizabeth.gibson@cmpa.com.au.

Yours sincerely



Dr Elizabeth Gibson
General Manager

About CMPA

CMPA is the peak representative body for the Victorian extractive resources industry. It represents a broad spectrum of those involved in construction material processing including construction and demolition waste recycling businesses and has a membership base consisting of over 220 quarries across the industry. Together, these members employ approximately 2000 Victorians which underpins the construction industry of almost 240,000 employees (<https://liveinmelbourne.vic.gov.au/connect/victorian-industries/transport-defence-and-construction>).

CMPA members are typically small to medium sized family, and private businesses, local government, utility providers and national companies. Many are regionally based employers and service local construction, infrastructure, and road maintenance needs. The extractives sector is a key pillar within the construction industry underpinning the growth and economic development of Victoria through supply of the construction materials.

In 2024/25, the sector supplied approximately 58 million tonnes of construction materials and 7 million tonnes of recycled construction and demolition waste (25% of total freight movement in Victoria) to the market, at a value of approximately \$1.4 billion directly supporting Victoria's \$80 billion Big Build (<https://bigbuild.vic.gov.au/about>) and the estimated 1.6 million new homes required by 2050 (<https://earthresources.vic.gov.au/geology-exploration/industry-investment/joint-ministerial-statement-on-extractive-resources>). Small to medium quarries account for approximately half of this production and is submitted to be a vital industry supporting the ongoing economic prosperity of Victorians.

The CMPA supports the principle of responsible, balanced legislation that is in the best interests of the State of Victoria and Australia.

From: OHSRegulations (WorkSafe) <OHSRegulations@worksafe.vic.gov.au>
Sent: Friday, 13 February 2026 2:21 PM
To: Elizabeth Gibson <Elizabeth.Gibson@cmpavic.asn.au>
Subject: RE: [External] Mines, Quarries & Petroleum Discussion paper and survey

Hi Elizabeth,

Thank you for your email. As requested, we have included below some additional information on the 4 fatalities in the quarrying industry. We can't provide details of the workplace where the fatality occurred, but have provided the date, suburb, cause of injury and description. Please note that the fatalities referenced here (and in the discussion paper) are fatalities in the quarrying industry and may or may not be directly related to quarrying / quarry operations.

Date	Suburb	Cause of injury	Description
13 May 2025	Mitiamo	Moving object	Crushed by rear wheel of truck as it rolled back
22 March 2025	Montrose	Fall from height	Fell into silo
15 June 2022	Marysville	Vehicle incident	Came off road and rolled vehicle into tree
13 January 2022	Karramomus	Vehicle incident	Ran off the road and hit a tree, vehicle caught fire

In addition, thank you for your submission to the discussion paper that has been received this morning.

Let us know if you have any further questions or feedback.

Kind regards,
Cam

Cam Spolding
 (He/Him)
 Senior Stakeholder
 Engagement and
 Communications
 Advisor

External
 Affairs
 WorkSafe
 Victoria

ohsregulations@worksafe.vic.gov.au

1 Malop
 Street
 Geelong



**Reducing
 workplace
 harm.**

**Improving
 outcomes for
 injured workers.**



I support
WorkPride

WorkSafe acknowledges Aboriginal Traditional Owners of Country throughout Victoria and pays respect to their cultures and Elders past, present and emerging.
 WorkSafe is a diverse and inclusive workplace.
 Please consider the environment before printing this email.



From: Elizabeth Gibson
Sent: Wednesday, 4 March 2026 10:33 AM
To: 'anthea_sijan@worksafe.vic.gov.au' <anthea_sijan@worksafe.vic.gov.au>; 'cameron_spolding@worksafe.vic.gov.au' <cameron_spolding@worksafe.vic.gov.au>; 'Mark Glenister (WorkSafe)' <mark_glenister@worksafe.vic.gov.au>
Subject: RE: Alleged 4 fatalities at quarry sites

Hi All

Good morning and I hope you are well. With respect to the 4 fatalities mentioned in the OHS Regulations Discussion Paper: three appear to be transport related (covered by NHVR); not quarrying.

- [Man Killed In Workplace Accident Involving Machinery In Rural Northern Victoria | Carter Capner Law](#)
- <https://www.nationaltribune.com.au/police-are-responding-to-fatal-crash-in-buxton/>
- [Truck driver killed in crash | WorkSafe Victoria](#)

The fourth fatality was at an asphalt plant.

Kind Regards,



Dr Elizabeth Gibson
General Manager
elizabeth.gibson@cmpavic.asn.au
03 5781 0655
0434 692 618
2/15 Anvil Avenue, Kilmore, Vic 3764



Confidentiality

This message is intended only for the use of the individual or entity named above and may contain information that is confidential and privileged. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and destroy the original message.

From: Elizabeth Gibson

Sent: Tuesday, 14 April 2026 1:25 PM

To: 'anthea_sijan@worksafe.vic.gov.au' <anthea_sijan@worksafe.vic.gov.au>; 'cameron_spolding@worksafe.vic.gov.au' <cameron_spolding@worksafe.vic.gov.au>; 'Mark Glenister (WorkSafe)' <mark_glenister@worksafe.vic.gov.au>

Subject: RE: 4 fatalities allegedly at quarry sites

Hi Anthea

Good afternoon and I hope you are well. I am just following up on the email below regarding the 4 fatalities allegedly at quarry sites as to whether you have taken this inaccuracy into account in the preparation on the Regulations and the accompanying Regulatory Impact Statement. Many thanks.

Kind Regards,



Dr Elizabeth Gibson
General Manager

elizabeth.gibson@cmpavic.asn.au

03 5781 0655

0434 692 618

2/15 Anvil Avenue, Kilmore, Vic 3764



Confidentiality

This message is intended only for the use of the individual or entity named above and may contain information that is confidential and privileged. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and destroy the original message.

From: Anthea Sijan (WorkSafe) <Anthea_Sijan@worksafe.vic.gov.au>
Sent: Tuesday, 14 April 2026 1:49 PM
To: Elizabeth Gibson <Elizabeth.Gibson@cmpavic.asn.au>
Cc: Cameron Spolding (WorkSafe) <Cameron_Spolding@worksafe.vic.gov.au>; Mark Glenister (WorkSafe) <mark_glenister@worksafe.vic.gov.au>
Subject: RE: [External] 4 fatalities allegedly at quarry sites

Hi Elizabeth,

I hope you're going well also and thank you for following up on this. Apologies for not getting back to you sooner.

The fatalities mentioned in our discussion paper were tagged to the quarrying sector because the primary workplace is a quarry. However, I understand your feedback that the nature of the work associated with 3 of the fatalities relates to transport of extracted materials, rather than exploration/extraction/processing. Going forward, we can specify the nature of the work where we make reference to these fatalities.

We are continuing policy work on this issue and the other issues we are considering as part of the review of Part 5.3. We are taking all stakeholder feedback into consideration and will be engaging further with the SRG in the coming months.

Kind Regards,
 Anthea

Anthea Sijan
 (she/her)
 Senior Policy and
 Legislation Advisor

Legislation, Policy &
 Information Services
 WorkSafe Victoria

Anthea_Sijan@worksafe.vic.gov.au
 Telephone 03 4243 7685

1 Malop Street
 Geelong
 3220



**Reducing
 workplace
 harm.**

**Improving
 outcomes for
 injured workers.**



I support
WorkPride

WorkSafe acknowledges Aboriginal Traditional Owners of Country throughout Victoria and pays respect to their cultures and Elders past, present and emerging.

WorkSafe is a diverse and inclusive workplace.

Please consider the environment before printing this email.

