



Victoria Government Gazette

No. S 71 Monday 24 July 1995
By Authority: Victorian Government Printer

SPECIAL

Subordinate Legislation Act 1994 MINERAL RESOURCES (HEALTH AND SAFETY IN LARGE OPEN-CUT MINES) REGULATIONS 1995

Notice of Preparation of Regulatory Impact Statement

Notice is given under section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Mineral Resources (Health and Safety in Large Open-Cut Mines) Regulations 1995.

The objective of the proposed Regulations is to secure, as far as is reasonably practicable, the health and safety of all persons in, on or about the open-cut mines operating within Victoria to which these Regulations apply.

It is the intention of the Government that the three open-cut brown coal Mines in the Latrobe Valley (Morwell, Yallourn and Loy Yang) come under the operation of the **Mineral Resources Development Act 1990** ("MRD Act"). As licensees under the MRD Act, the Mines will be exempt from the operation of the **Occupational Health and Safety Act 1985** and its subordinate legislation.

A new set of regulations has been prepared to apply to work carried out on or above these mines. The existing Mineral Resources (Health and Safety) Regulations 1991 will not apply.

Performance-based regulations were selected as the preferred method of regulation due to the substantial safety management systems existing in all three Mines. The proposed regulations provide objective standards which emphasise the most significant aspects of health and safety in the industry.

The proposed Regulations will provide Licensees with greater flexibility in the implementation of health and safety programs and thereby allow cost-efficient compliance

measures to be adopted. Through worker involvement, enforceability of standards and incentive for innovation, the proposed regulations encourage improvements in health and safety standards and lower risks to workers and the environment.

The costs and benefits of the proposed Regulations are outlined in the RIS. The RIS concludes that the benefit/cost analysis clearly demonstrates the net benefits associated with this proposal and that the proposed regulations offer the best solution.

Alternatives to the proposed Regulations which were examined in the RIS were a new set of prescriptive regulations specifically for the La Trobe Valley Mines and self-regulation. The alternative of prescriptive regulations was rejected due to its inflexibility, failure to encourage improvements in health and safety and significant net cost. Self-regulation was rejected because of the possibility that the level of Health and Safety Standards would not be maintained and because of the net costs it imposes on the community.

Public comments are invited on the RIS and accompanying Regulations. Copies may be obtained by contacting: Wayne Thompson, Resource Operations Branch, telephone: (03) 9412 7896.

All submissions must be in writing and must be received at the following address: Ken Gardner, General Manager, Resource Operations, Department of Agriculture, Energy and Minerals, PO Box 2145 MDC, Fitzroy, Victoria 3065 by no later than 4.00 p.m. on 22 August 1995.

All submissions will be treated as public documents.

MICHAEL J. TAYLOR
Secretary to Department of Agriculture, Energy
and Minerals

Gazette Services

The *Victoria Government Gazette* (VGG) is published by THE LAW PRINTER (PPSV) for the State of Victoria and is produced in three editions.

VGG General is published each Thursday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts accepted. Private notices are also published.

VGG Special is published any day when required for urgent or special Government notices. VGG Special is made available automatically to subscribers of VGG General.

VGG Periodical is published on Monday when required and includes specialised information eg. Medical, Dental, Pharmacist's Registers, etc.

Subscriptions

VGG is available by three subscription services:

General and Special—\$165.00 each year

General, Special and Periodical—\$220.00 each year

Periodical—\$110.00 each year

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds for cancellations will not be given.

All payments should be made payable to THE LAW PRINTER.

Subscription inquiries (03) 242 4606

Fax (03) 242 4699

A Printing and Publishing Services Victoria Publication

Published by Law Press

Printed by The Law Printer

a business unit of

Printing and Publishing Services Victoria (PPSV)

Melbourne Victoria Australia

© State of Victoria 1995

ISSN 0819—548X

This publication is copyright. No parts may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all inquiries to the Government Printer for the State of Victoria

PO Box 292 South Melbourne 3205 Victoria Australia

Victorian Government Printer

Wholesale Sales

Law Press

PO Box 292 South Melbourne 3205

Telephone inquiries (03) 242 4600

Fax (03) 242 4699

Subscriptions

Law Press

PO Box 292 South Melbourne 3205

Telephone inquiries (03) 242 4606

Fax (03) 242 4699

Retail Sales

Information Victoria Bookshop

318 Little Bourke Street Melbourne 3000

Telephone inquiries (03) 651 4100

Price Code A