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21 January 2020

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### **Application for authorisation - Australian Engineered Stone Advisory Group (AESAG)**

The Housing Industry Association (HIA) refers to the application by the AESAG which seeks authorisation from the ACCC for 10 years on behalf of itself, future members and other suppliers of engineered stone to:

- adopt industry accreditation standards for fabricators and stonemasons (Fabricators) working with engineered stone (Accreditation Standard);
- require Fabricators to whom AESAG members supply engineered stone, to comply with health and safety practices under the “model” work health and safety (WHS) laws when working with the engineered stone in order to achieve accreditation; and
- consider whether to refuse to supply engineered stone where Fabricators do not meet the Accreditation Standards (Proposed Conduct).

HIA writes in response to the authorisation application and the Proposed Conduct.

HIA is Australia’s only national industry association representing the interests of the residential building industry. HIA represents a membership of 60,000 across Australia. HIA members are involved in land development, detached home building, home renovations, low & medium-density housing, high-rise apartment buildings and building product manufacturing. HIA members operating across all types of residential building work will potentially be affected by the authorisation application and the Proposed Conduct.

HIA is concerned that the authorisation application and Proposed Conduct would restrict trade in a way that would create an unacceptable distortion in, not only the market for the supply of engineered stone, but also the residential building industry. The residential building industry is one of Australia’s most dynamic, innovative and efficient service industries and is a key driver of the Australian economy.

HIA recognises that there is significant industry concern regarding the recent spike in the diagnosis of silicosis in workers exposed to respirable crystalline silica (RCS) in the engineered stone benchtop industry. It is understood that prolonged breathing in of RCS at concentrations in excess of the current Workplace Exposure Standard (WES) value of 0.1 mg/m<sup>3</sup> presents a significant risk of

contracting silicosis and that more can be done to protect workers in this industry against the impairment of their health.

HIA also notes that SafeWork Australia has recently revised the WES for RCS to lower the threshold from 0.1mg/m<sup>3</sup> to 0.05mg/m<sup>3</sup>. This will likely see most states and territories develop new requirements that will prescribe safe working practices that must be followed when working with engineered stone products and other products containing RCS. Queensland has already published a new Code of Practice and Victoria is currently in the process of developing a new Compliance Code for engineered stone.

The Accreditation Standard would appear to prescribe a set of requirements that may go over and above that which is already legally required. This is of concern to a number of industry practitioners that HIA has been in contact with. The Proposed Conduct may also require that industry participants complete additional assessments which could add substantial costs and in many cases would be a duplication of activities already undertaken.

To increase awareness of the need for safe practices when dealing with products containing RCS HIA has prepared information for HIA members on how to prevent exposure of workers to RCS. HIA has also run a series of interactive information sessions nationally to inform and educate the industry on the risks of exposure to silica and how to respond. We will continue to educate members on these risks and remind all members about the need to work safely with these building materials.

HIA does not oppose moves by industry participants to respond to the risks associated with contracting RCS related diseases and the efforts by AESAG to better educate those in the engineered stone industry is important. There is also merit in seeking the accreditation of Fabricators to ensure they understand the risks associated with RCS and to protect engineered stone manufacturers from any potential latent liability that may arise. In addition, looking for ways to mitigate against future liabilities should also be recognised as a prudent business consideration.

HIA is, however, concerned that the authorisation application and the Proposed Conduct will impose compliance criteria in addition to, and in some cases in excess of, state/territory work, health and safety requirements and may impose barriers to entry for other third party Occupational Hygienists.

Please contact Melissa Adler on [REDACTED] or [REDACTED] if you would like to discuss these matters further.

Yours sincerely

HOUSING INDUSTRY ASSOCIATION LIMITED



Graham Wolfe  
Managing Director