NSW Government and Duty of Care

By Elizabeth O'Brien, aka Grandma Lead, The LEAD Group Inc – some thoughts to get you alert to the multiple times Duty of Care appears in this issue of LEAD Action News, along with ways you can take belated action for International Lead Poisoning Prevention Week of Action (ILLPWA) 2026!

During my witness statement on 15th October 2026 to the NSW Independent Planning Commission's (IPCs) Panel who are deciding whether to approve a new lead mine proposal, the final question I put to the Panel arose completely spontaneously. Q: "Wouldn't you have a duty of care to refuse this mine, because of the predictable liability for the NSW Government in perpetuity?"



Here's a March 1998 Q&A from The LEAD Group's enquiries database to demonstrate a rather lax NSW governmental concept of Duty of Care.

Q: What does the NSW Mining Act say about lead? A: The Act basically says the answer to elevated blood lead levels in miners is hygiene. Managers have a duty of care but no blood lead testing is required.

Wow! Way to go to ensure lead poisoning of miners is either never confirmed or is blamed on the individual worker!!

The NSW Government has the perfect opportunity for turning over a new leaf with regards to lead duty of care when the NSW IPC Panel will decide on 9th December 2026 about the Bowdens Silver lead mine. When the proposal is rejected – send a letter of congratulations and gratitude to the 2026 IPC Panel that decided. The LEAD Group's four Submissions to the Panel have all been summarized (and illustrated) in this issue of LEAD Action News.

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