

17 February 2020

Phil Burn
Director Planning Systems
Department of Environment, Land, Water and Planning
8 Nicholson Street
East Melbourne,
Victoria 3002

Via email: planning.systems@delwp.vic.gov.au

Dear Mr Burn

PROPOSED DRAFT BUFFER AREA OVERLAY – PLANNING FOR AMENITY, HEALTH AND SEPARATION DISTANCES

The Construction Material Processors Association (CMPA) is dedicated to the representation and service of its Members in the Victorian Earth Resources industry. The CMPA represents a broad spectrum of businesses that extract and process hard rock, gravel, sand, clay, lime, and soil. CMPA members also operate recycling businesses.

CMPA members are typically small to medium sized family and private businesses, local government and utilities. 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 2017/18, the sector supplied 58 million tonnes of construction materials to the market, at a value of approximately \$948 million. Small to medium quarries account for approximately half of this production.

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

Thank you for the opportunity to comment on the draft Buffer Area Overlay.

The following questions are addressed in the following table:

Question posed by DELWP	CMPA comments
<i>Are there other relevant regulations and standards that land uses should be compliant with to use the proposed overlay?</i>	Section 173 agreements should be included.
<i>'Impacts on safety or human health' is a broad term. How would you interpret these impacts? Should the proposed overlay also cover significant amenity impacts? If so, how would you define significant amenity impacts?</i>	Significant amenity impacts would include nuisance dust, noise.
<i>Do you agree that the proposed overlay should only be applied where current zoning within an identified buffer could allow incompatible uses to establish (either with or without a permit)? Should the proposed BAO apply in other instances, and if so, for what reason?</i>	A quarry should have the opportunity for an overlay to protect from encroachment in the future. A quarry should have the right to seek their own overlay regardless of the land zoning around them.
<i>After reading through the criteria, is it clear when the proposed overlay should be used?</i>	Yes, it is consistent with the planning scheme.

In summary, considering the above comments, CMPA is supportive of the Proposed Buffer Area Overlay.

I would be happy to discuss our submission further at your invitation.

Yours sincerely



Dr Elizabeth Gibson

General Manager