

10 March 2020

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Via email: engagement@epa.vic.gov.au; jean.bailey@epa.vic.gov.au

Dear Ms Bailey

MINING AND QUARRYING – GUIDE TO PREVENTING HARM TO PEOPLE AND THE ENVIRONMENT

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 2018/19, the sector supplied 63 million tonnes of construction materials to the market, at a value of approximately \$1.1 billion. 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 Mining and Quarrying – Guide to Preventing Harm to People and the Environment (the Guide).

Comments

- **Quarrying should be in a separate guide to mining:** The Environment Protection Amendment Act 2018 (p.450-1) requires mining work plan or work plan variation proposals to be referred to the EPA. This is not a requirement for the extractive industry (which has a much lower and different risk profile). This leads to a confusing p.15 which is meant to clarify EPA's role in mining and quarrying.
- **Purpose:** The document would benefit from a "purpose" statement at the beginning of the Guide.
- **How to use the Guide:** The Guide would benefit from a "how to use the Guide" section.
- **Another Guideline:** There is duplication between the Guide and Earth Resources Regulation's (ERR) Guideline for work plans/work plan variations. How much input did ERR have into the Guide?
- **Duty to manage contamination p.13:** "The duty applies regardless of who caused the land to be contaminated or when contamination took place". Does this mean that residents' houses unknowingly built on landfill have to manage the contamination?
- **Environmental Reference Standards (ERS):** The Guide refers to the Protocol for Environmental Management Mining and Extractive Industries" and not ERSs.

In summary, the draft Guide is supported providing the above comments are incorporated.

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

Yours sincerely



Dr Elizabeth Gibson

General Manager