

13 May 2016

Protecting Victoria's Environment - Biodiversity 2036
Department of Environment, Land, Water and Planning
Victoria

Dear Sir/Madam

CMPA Submission to “Protecting Victoria’s Environment – Biodiversity 2036”

Overview

The Construction Materials Processors Association (CMPA) is dedicated to the representation, advocacy 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, soil, and gypsum. CMPA members also operate recycling businesses. CMPA members are typically small to medium sized family businesses, local government and utilities. Many are regionally based employers (90%) and support the Victorian economy through providing for local construction, major infrastructure and road maintenance needs.

The Extractive industry underpins growth and development in Victoria through supply of the construction materials described above. 47 million tonnes in 2012/13 was produced (~10 tonnes/person/annum in Victoria) to a value of approximately \$737 million. CMPA members account for approximately half of this production, and more than half of this industry sector's employment. Also of import is the need to have supply of construction materials located in close proximity to their utilization to save on transport costs and reduce the carbon footprint.

The CMPA supports responsible, balanced legislation and community engagement that is in the best interests of the State and acknowledges Victoria's Aboriginal communities and cultural heritage.

Thank you for the opportunity to comment on the draft “Protecting Victoria’s Environment - Biodiversity 2036” (Plan). The following points are made by CMPA:

Minister’s Foreword:

Protecting the biodiversity within Victoria is a necessary and worthwhile endeavour, however, no mention is made of the necessity of having a balance between economic, environmental and social factors.

Other comments

p.6 “... successive generations of Victorians have exploited the natural environment in pursuit of economic development.” The use of the term exploited is somewhat inflammatory and does not recognise that in order to have a successful society, including the world's most liveable city and the ability to afford to protect biodiversity, economic development is absolutely necessary. There is absence in the Plan of protection that already exist within Victoria such as planning overlays, native vegetation permitted clearing regulation and the EPA Act.

p.10 "... shifting investment from environmentally damaging industries towards less resource intensive sectors of the economy is likely to result in economic benefit, and greater prosperity and wellbeing for Victorians." To what "environmentally damaging" industries are being referred to, for example:

- the housing industry;
- the extractive industry where sand and stone are extracted close to building activity to reduce the carbon footprint;
- the agricultural industry which feeds Victorians;
- the forestry industry;
- the fishing industry;
- the energy generation industry including wind and solar;
- the water industry etc.

Shifting "environmentally damaging" industry elsewhere is not economically viable nor socially responsible.

p. 10 "The Future Economy Group" report quotes figures which the Plan has relied on "... by 2028 healthier natural capital could provide between \$15 billion and \$36 billion in economic benefits for Victoria" and "...without deliberate action could result in an economic loss of between \$17 billion and \$78 billion". However, there is a disclaimer in this report which should be cited when quoting such figures "and the specific figures cited are indicative of the scale only and unlikely to precisely project the future."

p.13 "... areas of native vegetation to shrink by approximately 4000 habitat hectares (in Victoria)." Again, there is an issue with the data in that this figure is only qualitative with this figure equating to 0.018% of the total area of Victoria. Additionally, in the Review of native vegetation permitted clearing regulations 2016, 209 HA were removed and offset at 1:10 which equates to 2090 HA gained. In addition, responsible authorities accounted for 1,171 permits at say on average 0.2 HA cleared which equates to 234 HA lost. There appears to be a net gain of 1647 HA which indicates that current legislation is working.

Proposed priorities

| Number | Proposed priority | CMPA comments |
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| Goal 1: To encourage more Victorians to value nature | | |
| 1 | Encourage all Victorians to connect with nature on a daily basis. | No costings given or taking into account the environmental impact of additional visitors to parks. |
| 2 | Raise the awareness of all Victorians about our State's natural environment and its cultural and economic significance. | No costings given |
| 3 | Encourage all Victorians to take positive personal action to protect and preserve our natural environment. | No costings given |
| 4 | Be the first in the state in Australia to adopt the UN System of Environmental-Economic Accounts as a way to embed environmental considerations into whole-of-government decision making. | No costings given for this undertaking |
| 5 | Develop Environmental-Economic Accounting tools that help industries move | No costings given for the development of these tools nor the economic impact on small to medium |

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| | towards environmentally pro-active business opportunities and manage risks associated with the loss of natural capital. | sized businesses (already struggling under legislative burden) taken into account. Additionally, the extractive industry already is environmentally proactive as required by legislation with environmental management plans including rehabilitation, native vegetation offsets, and pest and weed management. |
| 6 | Support communities to plan for future climate change scenarios that impact our natural assets. | There are existing government, private and volunteer programs. |
| 7 | Drive the expansion of green infrastructure and the use of native species, to help create liveable and climate-adapted communities that include opportunities to connect with nature. | The extractive industry already uses native species in revegetation works. |
| 8 | Showcase Victoria's environmental assets as world-class nature-based and cultural tourism attractions. | The Victorian economy cannot be based solely on tourism. |
| Goal 2: To Ensure that Victoria's natural environment is healthy. | | |
| 9 | Establish a sustainable funding model that leverages and aligns all sources of investment to improve Victoria's natural environment, and including the use of innovative mechanisms such as crowd funding to supplement other funding sources. | Is this going to be a new tax on industry? |
| 10 | Publish a Regional Biodiversity Investment Prospectus and establish a business community roundtable to effectively communicate key areas in which communities and investors can act to improve biodiversity on public and private land. | The extractive industry is proactive in protecting the environment in comparison to other industries that are not as heavily regulated. |
| 11 | Develop a holistic biodiversity conservation credit market to leverage future interactions with markets for water and carbon and other public benefits that could be traded between producers and beneficiaries. | How does this differ from the current native vegetation offset program? |
| 12 | Investigate options for significantly increasing incentives for private land owners to permanently protect important habitat on their land. | A value should be placed on the resource (sand and stone) prior to "locking" up the land in perpetuity. |
| 13 | Establish a whole-of-government approach to ensure effective and timely response to tackle the most pressing biodiversity threats on public and private land. | A value should be placed on the resource (sand and stone). The "most pressing biodiversity threats" must be based on quantitative data. |
| 14 | Deliver excellence in national park and conservation reserve management, and ensure that the system is sufficiently adequate and comprehensive to provide its core function as the backbone of nature | What is the definition of excellence? |

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| | conservation in a changing environment. | |
| 15 | Significantly increase the extent of private land under voluntary permanent protection and managed under conservation stewardship arrangements and improve the management of protected land now and in the future, to strategically complement the protected area system. | How does this differ from programs already in place such as “Land for Wildlife” and Section 173 under the Planning and Environment Act? The proposed re-introduction of “avoid” in the Native Vegetation Clearing Regulations has not yet been ratified. |
| 16 | Ensure that all activities that impact on biodiversity are consistently and transparently reported at statewide level. For those activities that are outside the regulatory system, counter-balance these impacts through investment, management or other means. | “All activities that impact on biodiversity” needs to be defined. Is this just for industry or does this include all residents within Victoria? There will be a cost for industry associated with the additional monitoring, reporting and the recording. |
| 17 | Significantly increase our collection of targeted data for evidence based and adaptive decision making and information products that underpin reporting. | Firstly, there needs to be coherent, quantitative reporting of the current data. Additional reporting requirements should not be extended to the extractive industry. |
| 18 | Deliver the most cost-effective biodiversity outcomes by developing world best practice decision support tools to identify areas and activities that will inform state and regional planning and local community decision making. | Why develop world best practice decision support tools? Are suitable tools not already available? |
| 19 | Deliver an effective, best-practice regulatory and legislative framework to protect our habitats for future generations and support the achievement of <i>Protecting Victoria’s Environment –Biodiversity 2036</i> . | What will this look like? There is already sufficient legislation for the extractive industry. The proposed reduction of unnecessary regulation is supported providing there is the ability for industry input. Biodiversity is already considered early on in the decision making process for the extractive industry through the referral authority process for work plans under the MRSD Act |
| 20 | Reform Victoria’s conservation planning and investment framework to better focus on biodiversity conservation priorities, promote regional partnerships, and report consistently. | Firstly, the current conservation planning and investment framework needs to be evaluated before reform is considered. |
| Goal 1 and Goal 2 | | |
| 21 | Apply the principles of <i>Protecting Victoria’s Environment – Biodiversity 2036</i> , and embed early consideration of biodiversity and climate change impacts, in planning and decision making processes across government. | Reference is made to the precautionary principle, however, the absence of data would in part be due to the apparent inability of DELWP to present a coherent report on biodiversity in Victoria. |
| 22 | Embed <i>Protecting Victoria’s Environment – Biodiversity 2036</i> into legislation, regularly review the effectiveness of the plan, and report on progress towards targets and goals in collaboration with the Commissioner for Environmental Sustainability every 5 years. | If the Plan was to be embedded into legislation, it is anticipated that there would be no duplication with current legislation and that industry would be consulted. A regulatory impact statement must also be produced. |

General comments

There are a myriad of regulations currently protecting biodiversity together with numerous environmental programs that already exist which the Plan failed to deal with in a coherent manner. It was also apparent that the Plan did not outline the current status of biodiversity in Victoria and what little reference there was to data was not based on quantitative data. Whilst the need to protect biodiversity in Victoria is thoroughly understood by the extractive industry, the CMPA is very concerned with the Plan in that it appears to be a wish list, often duplicative, with little thought given to its practicability and having a balance between economic, environmental and social factors.

Please do not hesitate to contact me if you require any further information.

Yours sincerely

A handwritten signature in black ink that reads "EM Gibson". The letters are cursive and somewhat stylized.

Dr Elizabeth Gibson
General Manager