

2nd February 2010

Statutory Planning Systems Reform
Department of Planning & Community Development
Via email to: planning.systems@dpcd.vic.gov.au

State Planning Policy Framework review

Thank you for the opportunity for the Construction Material Processors Association (CMPA) to provide comment on the draft State Planning Policy Framework review.

The CMPA represents a broad spectrum of independent operators involved in construction material processing businesses engaged in the extracting, processing or otherwise working in hard rock, gravel, sand, masonry, clay, lime, soil, or recycling across Victoria.

Our comments are as follows:

The proposed structure of Objectives, Strategies and Policy Guidelines is relatively clear and easy to understand.

16 Resource Management

Given that there are different definitions for “minerals” and “stone” in the *Mineral Resources (Sustainable Development) Act 1990*, suggest the first paragraph be changed to:

“Planning is to assist in the conservation and wise use of natural resources including energy, water, land, **stone** and minerals to support both environmental quality and sustainable development.”

16.04 Stone Resources

Objective

The CMPA welcomes the planning objective of identifying and protecting stone resources. This stewardship of the stone resource implies Government should implement this policy in identifying strategic stone resources through targeted geological mapping and drilling initiatives and to ensure high level planning protection of identified, strategic stone resources. Such strategic resources would include those that are adjacent to major transport routes, close to market and with minimal limiting issues such as native vegetation and cultural heritage.

One mechanism to achieve this is to further refine Extractive Industry Interest Areas with better defined, defensible stone resources that have a greater level of planning protection than currently exists. This would also assist in the regional identification of future supply scenarios so that areas where supply short falls and high prices will occur can be identified early. If this early identification does not occur, then due to the long lead time in establishing new quarries, high product prices may occur in the market place for many years. Such market failure requires government intervention and consideration of the value of the stone resource applied in the planning approval process.

One council with a local perspective and interests should not have the responsibility for making a decision on a potentially regional or statewide significant resource. Stewardship ensures that the economic objectives of the State as a whole are achieved which may over ride the requirements of a local council.

Strategies - Buffers

Many of the proposed strategies deal with buffers. The maintenance of buffers is an ongoing issue for the industry. Quarry's, especially around the outer fringe of Melbourne, are increasingly threatened with encroachment from ever expanding residential subdivisions. The rights of the existing extractive industry need to be recognised by the local planning authorities with inappropriate land use adjacent to existing quarries limited. There are many examples of specific industries working cooperatively within an extractive industry buffer area. Buffers do not have to be sterilised, unused land.

To ensure this happens, it is suggested that the second dot point under "Buffers for existing extractive industry" be reworded to:

- The required buffers be maintained if a change of land use in the vicinity of the extractive industry is proposed and that sensitive land uses are not permitted within the defined buffer without the consent of the extractive industry proponent.

Under buffers for new extractive industry, the second dot point refers to *Extractive Industries Development Regulations 1996*. It is noted the regulations for the extractive industry have just been updated into the *Mineral Resources (Sustainable Development)(Extractive Industries) Regulations 2010*

Policy Guidelines

It is suggested that the 2003 Extractive Industry Interest Area report outlines the concept of Extractive Industry Interest Areas in more detail than the 1996 report. It is suggested the following wording should be used:

Planning should have regard to:

- *Extractive Industry Interest Area, Melbourne Supply Area – Extractive Industry Interest Area Review, Geological Survey of Victoria, Technical Record 2003/2* (Department of Primary Industries, 2003) for stone resources in the Melbourne Supply Area and for the remainder of Victoria. Extractive Industry Interest Areas have also been defined for the
 - Ballarat (*Geological Survey of Victoria, Technical Record 1997/3*),
 - Bendigo (*Geological Survey of Victoria, Technical Record 1998/6*),
 - Geelong (*Geological Survey of Victoria, Technical Record 1999/2*), and
 - Latrobe Valley Supply Areas (*Geological Survey of Victoria, Technical Record 1999/4*).

Note that not all areas of Victoria have Extractive Industry Interest Areas defined in them and that strategic resources may well occur outside of these areas.

If there is further information the CMPA can assist you with, please do not hesitate to contact me.

Yours sincerely



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