

7 December 2006

Chief Executive Officer  
Victorian Environmental Assessment Council  
Level 1, 8 Nicholson St  
**EAST MELBOURNE VIC 3002**

**RE: VEAC RED GUM FORESTS INVESTIGATION**

Dear Sir/Madam

On behalf of the CMPA, I would like to thank you for the invitation to provide a submission to the River Red Gum Forests Investigation.

The CMPA, and our members, recognise the importance of managing and protecting the river red gum forests, and its importance in maintaining catchment health, and protecting flora and fauna habitats. In turn, it asks the community to recognise the value of the industry through the revenue the State gains from the industry, its role as an employer and provision of low cost resource for use in the maintenance of the forest access ways and wider community development.

Clearly the sustainable development and use of extractive industry products (that are constrained in location and size by their geology) is of importance to all those within the study area, and as the population grows, the needs for a continual and assured supply of reasonably priced extractive industry products will contribute to the economic development of Victoria. The supply of future resources should not be burdened upon or limited to private lands.

Accordingly, our members would like the following to occur:

- A separate study to identify Extractive Industry Interest Areas within the VEAC study area, both existing and anticipated and allow for reasonable growth. These nominated areas should then be protected to allow for future development
- Identification of the earth resources as a generally low impact, commercial use of public land with a small environmental footprint, and protection of the right of businesses to access these resources for the benefit of the local community
- Recognition of the potential for buffer zones which contain Work Authorities to be of a high ecological value and allowance for these to extend into all types of park

The following submission presents the CMPA's arguments and explanations for these three points. It would be greatly appreciated if, at the conclusion of this phase of the study, the CMPA could meet with you to gain an understanding and appreciation of VEAC's opinion of these points.

If you would like to discuss any issue raised on the following pages, please do not hesitate in contacting either myself or any of our staff at the details above.

Yours sincerely



pp. Grant Phillips  
CMPA Chairperson

cc. Ms Jennifer Wolcott, Department of Primary Industries

**SUBMISSION TO THE  
VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL**

**CONCERNING THE DISCUSSION PAPER  
FOR THE  
RIVER RED GUM FORESTS INVESTIGATION**

**BY THE  
CONSTRUCTION MATERIAL PROCESSORS ASSOCIATION**

DECEMBER 2006

## **Introduction**

The CMPA, and our members, recognise the importance of managing and protecting the river red gum forests, and its importance in maintaining catchment health, and protecting flora and fauna habitats. In turn, it asks the community to recognise the value of the industry through its role as an employer and provision of low cost resource for use in the maintenance of the forest access ways and wider community development.

Clearly the development and use of extractive industry products (that are constrained in location and size by their geology) is of importance to all those within the study area, and as the population grows, the needs for a continual and assured supply of reasonably priced extractive industry products will contribute to the economic development of Victoria. The supply of future resources should not be burdened upon or limited to private lands.

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This submission is provided to the Victorian Environment Assessment Council in response to its Discussion Paper for the River Red Gum Forests Investigation and the matters relating to that paper as seen by the Construction Material Processors Association (CMPA) and more particularly its members potentially affected by this investigation.

## **Green Extractive Industry**

The discussion paper spends considerable time discussing the administrative framework in place to ensure the agreed social, economic and environmental outcomes are achieved.

It is necessary to recognise the extractive industry as a valuable and generally low impact, commercial use of public land with a small environmental footprint, and protect the right of businesses to access these resources for the benefit of the local community.

This will ensure the community can continue to benefit from this industry.

## Recommendation

- Identification of the earth resources as a generally low impact, commercial use of public land with a small environmental footprint, and protection of the right of businesses to access these resources for the benefit of the local community

## Value to the Community

The extractive industries are exceptionally valuable to the local community and should be highlighted as such. For instance, the discussion paper does not:

- Highlight the value of transportation
- Discuss or evaluate the benefits of rates, licence fees or royalties the State receives from those operations on public land

Discussion concerning the value of transportation needs to be further expanded and clarified. For instance, the commercial benefit to local transport providers is not discussed in that their grain vehicles can be used to transport extractive products during the off-season.

Similarly, there is discussion concerning the transport component of the price of materials. It is necessary to clarify that this transport component is not included within the dollar value provided by the DPI and is additional to that amount.

A value to the community that has not been discussed in this section is that of government fees and charges. Those sites located on public land pay:

- Rates;
- An annual licence fee; and
- A royalty of \$0.87 per tonne extracted (for all stone other than dimension stone and marble, which are charged at a higher rate)<sup>1</sup>.

To tabulate these figures:

| Impact    | Value          |
|-----------|----------------|
| Transport | \$2.06 million |
| Royalty   | \$1.1 million  |

### Recommendation

- That the discussion regarding the transport component of material highlights the fact that this is in addition to the figures supplied by the DPI
- That the value of government charges are investigated and identified within the discussion paper as of value to the community

## Extractive Industry Interest Areas

The CMPA recognises the need to protect some areas of public land within the study area through the utilisation of National Park classification systems, however it is important that the State's extractive resources are similarly identified and protected for the benefit of future generations.

A separate study is required to identify Extractive Industry Interest Areas within the VEAC study area, both existing and anticipated and allow for reasonable growth. These nominated areas should then be protected if possible to allow for future development and taken into consideration when setting public land classifications.

Such studies have been conducted in the past and we refer you to the studies completed by the DPI for the Melbourne supply area.

### Recommendation

- A separate study to identify Extractive Industry Interest Areas within the VEAC study area, both existing and anticipated and allow for reasonable growth. These nominated areas should then be protected to allow for future development

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<sup>1</sup> 2005, DPI, [www.dpi.vic.gov.au](http://www.dpi.vic.gov.au)

## **Buffer Zones**

Buffer zones constraining Work Authorities or those that exist around many park types have not been identified within the discussion paper. It is essential that this is corrected as both have a large impact upon the operation of current and existing Work Authorities.

### *As a Work Authority constraint*

In this situation, a buffer zones is an area set aside around the full perimeter of the Work Authority within which extractive operations cannot occur. These areas are typically vegetated with species from the local area. They may change position as the extraction area moves or expands, however remain present throughout the life of the resource.

The CMPA recommends that these areas be allowed to include areas of public land of all classifications. This makes a considerable difference to the Work Authority as it means it can more fully utilise the resource and benefits the state by shifting responsibility for maintaining that parcel of land.

### *Around National Parks*

Based on our experience with other submissions undertaken by VEAC, we expect land use classifications to change, and this may include special use areas such as National Parks.

With this implied special land use of the proposed expansion of National Parks, difficulties pertaining to the opening of new extractive industry operations on freehold land abutting these areas are inevitable. Buffer distances from freehold land abutting the proposed special land uses will need to be identified within the final report.

As National Parks by definition would be a sensitive area, Clause 17.09 Extractive Industry of the State Planning Framework of all Planning Schemes in Victoria will need to be addressed. There are also particular provisions relating to Extractive Industry (Clause 52.09) and uses with Adverse Amenity Potential (Clause 52.10) in Planning Schemes across Victoria.

This issue does not pertain to the extractive industry alone and could sterilise considerable private landmass from future developments due to the setbacks, as there is no formal planning direction similar to a Ministerial Direction from National Parks.

The CMPA is also concerned that operators existing within areas nominated as National Parks in the report will face the difficulties referenced in that they will not be able to expand their operations due to the sensitive land use issue and, over time, will be forced out of business.

It would be preferable if any areas earmarked to become National Park or any other park type is designed so that it can absorb any buffer requirements.

## Recommendation

- That buffer zones are raised in the discussion paper as a topic under 'Mining Methods and administrative framework'
- That legislation allows the buffer zones of the extractive industry to extend over all types of public lands (subject to consent)
- That the final report clearly addresses the issue of buffer zones around special use areas such as national parks

## **Concluding Comments**

The earth resources are a valuable resource to the state of Victoria and to the study area as noted within the discussion paper. At the same time, it is important that places of ecological, environmental and social significance are protected for future generations.

As noted in the above discussion, the CMPA would like VEAC to consider the following in their study:

- That the discussion regarding the transport component of material highlights the fact that this is in addition to the figures supplied by the DPI
- That the value of licence fees and royalties collected are identified within the discussion paper as of value to the community
- The discussion concerning rehabilitation is clarified
- That buffer zones are raised in the discussion paper as a topic under 'Mining methods and administrative framework'
- That an Extractive Industry Interest Area study is undertaken within the VEAC study area
- That legislation recognises the extractive industry as a valuable, low impact, commercial use of public land and protects access accordingly
- That buffer zones are raised in the discussion paper as a topic under 'Mining Methods and administrative framework'
- That legislation allows the buffer zones of the extractive industry to extend over all types of public lands (subject to consent)
- That the final report clearly addresses the issue of buffer zones around special use areas such as national parks