

17/02/2014

Water Law Review  
Office of Living Victoria  
PO Box 500  
East Melbourne  
VIC 3002

Dear Sir/Madam,

**RE: Water Bill Exposure Draft submission**

The Construction Material Processors Association (CMPA) welcomes the opportunity to provide input into the Water Bill Exposure Draft.

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, 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 and service local construction, infrastructure and road maintenance needs. The extractive industry underpins growth and development in Victoria through supply of the construction materials described above (58 million tons in 2011/12, approximately \$830 million). CMPA members account for approximately half of this production. CMPA supports responsible legislation.

**Comments on the Water Exposure Bill Draft – An Explanatory Guide**

**Introduction**

p.4 Many of the changes to be made in the Water Bill Exposure Draft are said to expect to reduce administrative burden on water corporations and catchment management authorities. There appears to be little focus on reducing red tape and administrative burdens for all water users.

**Living Victoria**

P.5 “...to include the promotion of whole of water cycle management”. Consideration has not been given to the issue that the cost of measurement of the water cycle for the extractive industry (if this is the proposal) may be greater than the cost of the water.

**Taking and using water**

p.17 Managing water impacts of new forestry plantations. This could be read as a new impost on the extractive industries when rehabilitating sites with the requirement for a take and use licence for tree plantations that exceed 20 Hectares or 10 per cent of all land when the definition of a tree plantation includes environmental plantings.

**Licensing of activities on or next to a waterway**

p.27 The definition of a waterway could be viewed as being too broad (for example, a slight indentation in the ground that is not filled with water or man-made drains) or there is currently an error in the way it is interpreted by catchment management authorities and Melbourne Water. For works adjacent to waterways for activities such

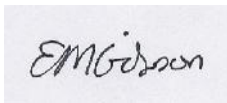
as removing sand, gravel, rocks and trees etc. a license will be required that will replace permits issued under by-laws. The Explanatory Guide states that this will not adversely affect land holders, however, on transitioning to the new license no statement has been made that new conditions will not be imposed. In fact a response received by CMPA from the Water Law Review Project Team states “The current project for remaking the Waterways Protection By-law has identified that it is timely to review existing conditions. Under the new activities licence regime we would look to ensure that conditions are up to date and consistent as far as possible across the State as part of implementation of the new Water Act”. Additionally, how is the Water Bill Exposure Draft implementation going to ensure that conditions imposed are relevant, consistent and do not overlap?

**General comment**

An impact analysis would have given a better indication of the costs of the proposed changes to users.

Thank you again for the opportunity to comment. Please do not hesitate to contact me if you wish to discuss these points further.

Yours faithfully

A rectangular box containing a handwritten signature in black ink that reads "EM Gibson".

Dr Elizabeth Gibson  
General Manager