

Tony Marks
Director Outer Melbourne
VPA
Melbourne
VIC 3000

via: <https://engage.vic.gov.au/beveridgenorthwest>

Dear Mr Marks

CMPA SUBMISSION TO THE DRAFT BEVERIDGE NORTHWEST PRECINCT STRUCTURE PLAN NOVEMBER 2021

Introduction

The Construction Material Processors Association (CMPA) is dedicated to the representation and service of its Members in the Victorian Extractive 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 2020/21, the sector supplied approximately 68.5 million tonnes (see Figure 1) of construction materials to the market, at a value of approximately \$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 and Australia.

Purposes of CMPA:

The purposes of the Association are to:

(i) conduct its affairs with honesty and integrity;

(ii) demonstrate its commitment to the:

- viability of the Industry;
- protection of the environment;
- community in which it exists;

(iii) vigorously pursue with government and others issues of widespread concern to members;

- (iv) demonstrate leadership and a sense of direction for the Industry;
- (v) act as a resource and provide support to its members through the delivery of cost savings and assistance in complying with legal obligations;
- (vi) foster unity and cooperation between members and others;
- (vii) promote continuous improvement through education, training and other activities.

As per purpose (vii) through the development of Guidelines, Checklists and Reference Manuals such as:

Guidelines	Checklists	Reference Manuals	Community publications
Noise Management	Excavator	Work Safely	Quarries Build Communities https://cmpavic.asn.au/community/
Dust Management	Front End Loader	Conduct Laboratory-based tests	
Blast Management	Mobile Plant	Conduct Screening	
Bushfire Response	On Road Tip Truck	Service & Maintain Crushers	
Slimes Management	Watercart	Conduct Crushing	
Traffic Management	Haul Truck	Collect Routine Site Samples	
Working Safely with Geotechnical Risk in Quarries		Combined Crushing & Screening	

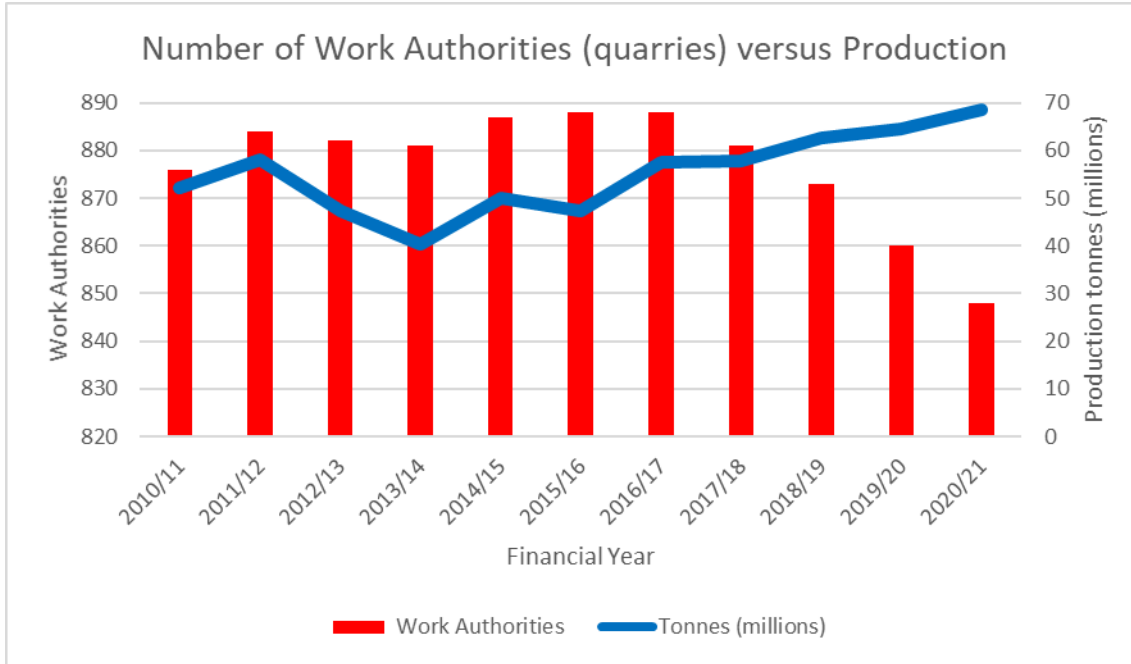
The Guidelines are made available **free to the community** on <https://cmpavic.asn.au/publications/support-sheets/>

A long introduction but necessary to highlight the seriousness with which the extractive industry undertakes its responsibilities including to maintain community confidence and a social licence to operate.

North Central Quarry, Conundrum Holdings

The lengthy and costly application for Conundrum Holdings’ North Central Quarry has been monitored along with many other lengthy and costly applications by CMPA Members that for greenfield sites are very few and mostly small in size, as shown in Figure 1 where there is increase in demand for construction materials. Conversely the number of current work authorities is declining. This is compounded in Figure 2. by the decline in approved work authorities.

Figure 1 Number of current Work Authorities versus construction material production

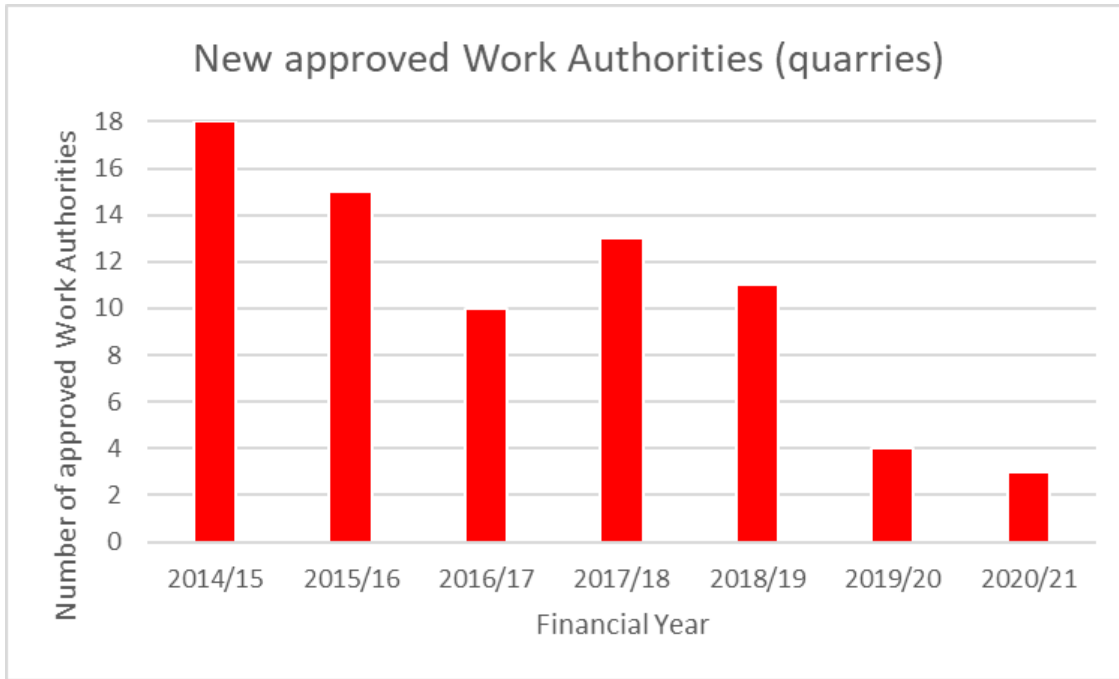


Note:

- Accounting for a decrease of approximately 20% in quarries reporting production for 2020/21 the approximate production is 68.5 million tonnes (based on the inclusion of 97 quarries reporting production of 0.05 million tonnes in 2020/21) an increase of 6% on 2019/20 despite little immigration and COVID-19. Earth Resources Regulation Annual Statistical Report FY 2020/21, <https://earthresources.vic.gov.au/>.
- Not included in Figure 1 is the tonnages for the production of recycled construction and demolition waste which is approximately 6.5 million tonnes in Victoria for 2019/20, <https://www.sustainability.vic.gov.au/research-data-and-insights/waste-data/annual-waste-data-reports>.

In Figure 2 below the decline in approval of Work Authorities with the financial year is demonstrated.

Figure 2 Number of newly approved Work Authorities by financial year



Additionally, the current number of Work Authorities in the Shire of Mitchell is expected to decrease, an example of which is given in Appendix A, an article to be published in the CMPA’s magazine Sand and Stone Issue 120.

Comments on the Draft Beveridge NorthWest Precinct Structure Plan (PSP)

Page Number	Draft Precinct Structure Plan	CMPA Comments
p.5 4 th dot point	Acknowledges the precinct may develop in conjunction with a time-restricted quarry at WA 1473	It is good to see the inclusion of WA 1473 in the PSP, however, the use of the term time--restricted quarry is of concern and should be removed due to its impact on the potential viability of the quarry
p.8	Plan 03 Future Urban Structure	Move the local town centre, local indoor recreation, sports reserve, road and walking track so that they do not impact the quarry until after closure and retain the 500 m buffer to also include the blast buffer.
p.9 1 st column 2 nd para	The PSP will develop over a 20–30-year duration. During the development of the precinct, there may be a quarry as per Works Authority 1473. The Planning Scheme limits any extraction works in any quarry to an extraction timeframe of 20 years. Following cessation of any quarry and rehabilitation to a residential standard, urban development will continue to develop as set out in the PSP.	Arbitrary restriction of the quarry life to 20 years will impact its viability which is, hopefully, unintentional.
p.9 2.2 Objectives	Key PSP Objectives	Include an additional PSP objective: “Provide locally sourced quarry construction material”.
p.10	Plan 04 Land Use Budget	See comments as per Plan 03 above.

p.11	2.3 Precinct Land Use Budget	The Land use budget needs to account for the proposed quarry for transparency purposes otherwise table 2.3 could be construed as misleading
p.12	Plan 05 Image, Character and Housing	Again, the proposed quarry should be incorporated.
p.13	3. Implementation	Comment should be added on the quarry including end land use.
p.15	Table 2 Neighbourhood Design Guide	Reference should be made that some development will not take place until the proposed quarry is closed.
p.16	Table 3. Sensitive Interface Area Outcomes	Add the proposed quarry as a sensitive interface area.
p.19	3.2 Town Centres and Employment	As stated preciously, the Northern LTC3 should either be moved so as not to adversely impact the quarry 500 m buffer or developed once the quarry has been rehabilitated.
p.21	Plan 07 Open Space and Community Facilities	LP-01 and LP-07 must not adversely impact the quarry and 500 m buffer whilst still in operation
p.23	3.3.2 Community Facilities and Education	Education and community facilities must not adversely impact the quarry and 500 m buffer
p.24	Table 7 – Credited Open Space Delivery Guide	LP-01, LP07, SR-01 must not adversely impact the proposed quarry and 500 m buffer.
p.28	Plan 09 Street Network	Secondary arterial road together with the Northern most boulevard must not adversely impact the quarry and 500 m buffer
p.29	Plan 10 Transport and Path Network	Foot paths and bike paths must not adversely impact the quarry and 500 m buffer
p.36	Plan 13 Precinct Infrastructure Plan	Infrastructure development must not adversely impact the quarry and 500 m buffer
p.37	3.7 Precinct Infrastructure Plan and Staging	The timeliness of the staging must be conducted so as not to adversely impact the quarry and 500 m buffer
p.41	4.3 Precinct infrastructure plan	The timing of infrastructure adversely impacts the quarry and 500 m buffer

Comments on the Draft Infrastructure Contributions Plan (ICP)

Page Number	Draft Infrastructure Contributions Plan	CMPA Comments
6	2.4 Timeframe and Plan Review Period	The draft Precinct Structure Plan states that p.9 that the timeframe is 20-30 years and not 20 years.
General		The ICP must not apply to WA 1473 until the land is rezoned to residential once the quarry has finished operating (blasting) for 30 years where a new ICP may apply as per Shenstone Park Infrastructure Contributions Plan

Beveridge NorthWest -Mith C158 – PSP Matrix – November 2021

Page number	PSP Matrix	CMPA comments
1	1 Quarry The PSP will develop over a 20-30 year duration. During the development of the precinct, there may be a quarry as per Works Authority 1473. The Planning Scheme limits any extraction works in any quarry to an extraction timeframe of 20 years. Following cessation of any quarry and rehabilitation to a residential standard, urban development will continue to develop as set out in the PSP.	Arbitrary restriction of the quarry life to 20 years will impact its viability which is, hopefully, unintentional.

Summary

- The quarry is a vital resource for the economic development of Victoria providing a high-quality basalt resource for public and private infrastructure etc.
- The quarry is located close to where the construction material will be utilised thereby ensuring a lower carbon footprint and less impact on roads.
- The quarry will complement the presence of small, medium as well as large quarries provides accessibility, choice, quality and competition in the construction material market.
- The quarry’s production would contribute towards the current rate of supply of construction materials which is not being replenished through approval of new quarries or existing quarry work plan variations.
- The quarry would contribute to the increasing demand for quarry construction material in Victoria that is already greater than the highest prediction in the Extractive Resources in Victoria, Demand and Supply Study, 2015-2050 (<https://earthresources.vic.gov.au>) (note in other parts of this Study it grossly overestimated the extraction ready availability of construction materials).
- The Treasurer The Hon Tim Pallas MP is also a strong supporter of small and medium quarries.

Conclusion

Whilst it is very pleasing to note that WA 1473 has been reincorporated into the Beveridge NorthWest PSP, the arbitrary 20 year extraction time frame stipulated in the PSP is unrealistic and is likely to impact the viability of the quarry (which is hopefully not the intention). Additionally, throughout the PSP recognition of WA 1473 and the 500 m buffer must be given, and any impact on the quarry operation due to encroachment of infrastructure and residential development avoided.

The ICP must not apply to WA 1473 until the land is rezoned to residential once the quarry has finished operating (blasting) where a new ICP may apply as per Shenstone Park Infrastructure Contributions Plan <https://vpa.vic.gov.au/project/shenstone-park/>.

At least a minimum of 30 years operation (blasting) for WA 1473 must be incorporated into the PSP and the PSP must ensure that the quarry and 500m buffer are not impacted by encroachment of infrastructure or residential development during the operating life of the quarry. This is necessary to ensure replenishment of supply of construction materials essential for the economic and infrastructure development of Victoria.

Please do not hesitate to contact me if you would like to discuss further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'EM Gibson'.

Dr Elizabeth Gibson
General Manager

Appendix A

Front Cover – Heading: Chris Ryan Earthmoving – Exits the Quarry Industry

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Voting Members Spotlight

Chris Ryan Earthmoving – Exits the Quarry Industry

Chris Ryan, owner of Ryan Earthmoving, explains why he decided to close his business down permanently in December just gone.

After celebrating more than 30 years in business, Chris Ryan Earthmoving has been forced to pull up stumps permanently. *“We’ve had to put off three workers and sell two trucks but ultimately we have really had enough of the red tape involved in starting a new pit or applying for a variation,”* said Chris, Owner of Chris Ryan Earthmoving.

Chris started his family-run earthmoving business in 1989 in his hometown of Pyalong in central Victoria. He opened the family’s first granite sandpit back in 1990 and is now up to his sixth pit, the other five pits have been successfully rehabilitated (*High Camp Road on the front cover*) to farm grazing land. Although these pits have been successfully rehabilitated, there are still outstanding bonds that have not returned, due to red tape. Some of these bonds date back to more than 20 years.

As testament to the quality of Chris Ryan Earthmoving’s product, their gravel is specified into tenders and their material is used in iconic landmarks including the botanical gardens walking tracks, Federation Square and Birrarung Marr.

In an effort to keep his business going, Chris has in recent times applied for a new pit and also a variation to his existing work authority, but both were unsuccessful as a result of the increasing amount of red tape and costs involved.

“VicRoads asked for access to the highway to be double laned with 40m of frontage to the highway. Between Wallan and Echuca there are 75 roads that come into the Northern Highway and I don’t think there would be three that meet the standard that they would want me to do for our gravel pit. There are different rules for a shire road compared to a gravel pit,” said Chris.

In addition to the access road requirements, Chris would also have to navigate the unpredictable and constantly changing native vegetation requirements, prepare a land capability assessment, an assessment commonly used for assessing land for septic systems rather than gravel pits, and prepare an environmental management plan, duplicating most of the Work Plan – making starting a new quarry a very costly exercise.

Given the time and costs involved in establishing a new work site, Chris decided to apply for a variation to the original pit.

“We applied to Mitchell Shire for a secondary consent for a work authority variation [to extend the extraction limits] but that was rejected, even though it is still in our work authority area. They asked for a whole new planning permit which involved getting a new land capability assessment together with an environmental

management plan, dust management plan, stormwater management plan, risk assessment and they also required us to maintain the shire road all the way back to the highway – that’s 3-4km of shire road that we would have to maintain,” he explained.

Despite the costly and exhaustive requirements, Chris started on the variation but as he was working on the variation, he was made aware of additional and unexpected cultural heritage obligations.

“The quote for cultural heritage on the 2.3 hectares was \$70,000 – so that was the real dealbreaker and we just had to say that enough is enough.”

Chris calculated that in addition to the approximate \$55,000 that he has already spent on the process, it would cost at least another \$100,000 to complete the application which is just not feasible given that the extraction area is only 2.3 hectares and the gravel is only 1.5m deep.

“Once you decide to dig a hole in the ground, you put a target on your back and every government department that can trip you up will have a crack at doing it – that’s the way it seems,” Chris exclaimed/detailed/explained stated.

“There is no common sense. If Earth Resources Regulation came and inspected our gravel pit, they will see that all the regulations are being met and they would have no issue, but they are so tied up in red tape that it makes it very difficult,” he said.

When asked about how the system could be improved, Chris raised an interesting point about the way things were done 20 years ago, compared with today.

“The permit system from 20 years ago used to work, unlike today’s which is too complicated and expensive. The way we remove our topsoil, the way we dig the gravel out, the way we screen it, the way we cart it out, nothing has changed in 30 years – just the red tape.”

“Looking back to 1990, it took three weeks to get our pit application through and it cost roughly \$600. In 1995, regulations were updated slightly and it took 6 weeks to get a permit but today, we are looking at 6 years – making it a very time consuming and expensive exercise. A bit of common sense and practical thinking would go a long way from government departments, that’s what needs to happen,” he said.

According to Dr Elizabeth Gibson, from the CMPA, many other quarry owners are also in similar situations because it is simply not worth the risk and expense of trying to get approval for a variation.

“This leads to a supply and demand issue – as demand for product is growing at record rates, there will be supply issues in the coming months and years ahead unless something changes,” she said.

Elizabeth went on to highlight how accounting for a decrease of approximately 20% in quarries reporting production for 2020/21 (due to confusing changes in Earth Resources Regulation (ERR) reporting requirements) the approximate production is 68.53 million tonnes (based on the inclusion of 97 quarries reporting production of 0.05 million tonnes in 2020/21) an increase of 6% on 2019/20 despite little immigration due to the COVID-19 pandemic.¹

¹ Earth Resources Regulation Annual Statistical Report FY 2020/21, <https://earthresources.vic.gov.au/>