

23 April 2019

Linda Bibby
Director Policy & Programs
Earth Resources Policy & Programs
Department of Jobs, Precincts & Regions
1 Spring St
Melbourne Vic 3000

Dear Linda

SUBJECT: REGULATORY IMPACT STATEMENT FOR DRAFT MINERAL INDUSTRIES REGULATIONS

Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide comments to the Department of Jobs, Precincts & Regions (DJPR) on the *Regulatory Impact Statement for Draft Mineral Industries Regulations*.

CCAA is the peak industry body for the heavy construction materials industry in Australia including the cement, pre-mixed concrete and extractive industries. Our members operate cement distribution facilities, concrete batching plants, hard rock quarries and sand and gravel extraction operations throughout Victoria. For your information, a list of CCAA Victoria's members is provided in Appendix 1.

CCAA supports a regulatory regime that is efficient, effective, risk based and outcomes focused that will facilitate the supply of affordable heavy construction materials that will help ensure the cost effective delivery of the State Government's significant infrastructure program.

CCAA provides the following comments on the draft Mineral Industries Regulations:

Work Plans – Risk Management Plans

- CCAA **does not support** the development of a new Code of Practice for Risk Management Plans and new Ministerial Guidelines in addition to the existing *Preparation of Work Plans and Work Plan Variations: Guideline for Mining Projects*.
- Having three documents to provide guidance on the one topic instead of one document provides opportunity for ambiguity, confusion, variability and misinterpretation.
- This increases red tape and regulatory burden rather than reducing regulatory burden.
- There is no evidence to date that the existing Work Plan Guideline does not provide approval and compliance certainty for industry and DJPR.

Change in risk rating

- The proposed Code of Practice (page 2) states that the operator will need to '*Eliminate or minimise relevant risks as far as reasonably practicable, so that the residual risk to receptors (e.g. residents) is no more than low*'. CCAA **does not** support this statement.
- This is inconsistent with the existing Work Plan Guideline which states on page 39 that a risk rating of Medium '*May be acceptable provided the risk has been minimised as far as reasonably practicable*'.
- The existing Work Plan Guideline has been developed over several years and represents the agreed position of industry and DJPR.

Increase in Regulatory Burden

- The RIS states on Page 50 that ‘the department estimates that the net increase in costs to industry of implementation of and compliance with rehabilitation plan requirement clarifications is likely to be in the order of **20-30 per cent**’.
- The RIS also states on Page 57 that “*Given that the proposed regulations **impose a significant burden** on stakeholders, it is proposed to conduct a mid-term review of the regulations (i.e. after 5 years of operation). It could be expected that this evaluation would occur before December 2024.*”
- CCAA **does not** support the introduction of new regulations that impose additional cost to industry without the coincident introduction of new regulations that reduce industry costs by a similar or greater amount.

CCAA **will not support** the remake of Extractive Industry Regulations that include these significant areas of regulatory burden.

Victoria’s regulatory environment needs to be internationally competitive to continue to attract capital to invest into Victoria to ensure a sustainable and competitive heavy construction materials industry. This in turn facilitates Victoria’s improved productivity, housing affordability and lower infrastructure costs.

Please do not hesitate to contact me to discuss any of these issues in more detail.

Yours sincerely



BRIAN HAUSER
State Director Vic/Tas

APPENDIX 1

CEMENT CONCRETE & AGGREGATES AUSTRALIA

MEMBERSHIP

FOUNDATION MEMBERS

 <p><i>Adelaide Brighton Ltd</i></p>	 <p>Boral Construction Materials</p>	 <p>Boral Cement Limited</p>
 <p>Cement Australia Pty Ltd</p>	 <p>Hanson Australia Pty Ltd</p>	 <p>Holcim (Australia) Pty Ltd</p>

VICTORIA

ORDINARY MEMBERS

<p>Alsafe Pre-Mix Concrete Pty Ltd Barossa Quarries Pty Ltd Barro Group Pty Ltd Baxters Concrete Pty Ltd Broadway & Frame Premix Concrete Pty Ltd</p>	<p>Fulton Hogan Industries Hillview Quarries Pty Ltd Hymix Australia Pty Ltd Independent Cement & Lime Pty Ltd Kennedy Haulage Pty Ltd</p>	<p>Mentone Pre Mix Metro Quarry Group Pty Ltd Premier Resources T/A Hy-Tec Industries Pty Ltd Volumetric Concrete Australia Pty Ltd</p>
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ASSOCIATE MEMBERS

<p>Agi-Kleen Pty Ltd BASF Australia Pty Ltd BHS-Sonthofen (Aust) Pty Ltd Concrete Colour Systems</p>	<p>Concrete Waterproofing Manufacturing Pty Ltd T/a Xypex Australia GCP Applied Technologies</p>	<p>Sika Australia Pty Ltd WAM Australia</p>
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