

3 March 2023
Tyler Sujdovic
A/Executive Director
Resource & Environmental Compliance
Department of Mines, Industry Regulation and Safety
100 Plain Street
East Perth WA 6004

Via email: REC.Consultation@dmirs.wa.gov.au

SUBJECT: DISCUSSION PAPER – ELIGIBLE MINING ACTIVITY FRAMEWORK

Dear Tyler

Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide comments to the Department of Mines, Industry Regulation and Safety (DMIRS) on the Discussion Paper – Eligible Mining Activity Framework.

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 Western Australia. For your information, a list of CCAA members in Western Australia is provided in Appendix 1.

CCAA supports the concept of a streamlined approval process for low impact exploration in non-sensitive environmental areas to proceed by notification and provides the following more detailed comments to improve clarity for this important reform:

1.1.2 Scale of Activities

- Clarity is required around the depth of excavations being limited to 2 meters. It should clearly state that this excludes drilling. A drilling program of less than 2 meters depth does not make any basic raw material exploration sense and would not be cost effective or retrieve the necessary information required on the resource profile.
- A definition/diagram of an activity area compared to the surface area of all excavations is required to provide clarity on these two important, but distinct aspects.

1.1.3 Excluded Areas

- CCAA suggests that it may not be easy for a proponent to fully understand the extent of all the different land tenures and environmental overlays that are listed as Excluded Areas. CCAA **recommends** that all these land tenures and overlays are available on the DMIRS GeoView.WA GIS web-based system to enable easy access and visibility for all stakeholders.
- CCAA notes that dieback risk zones are included within the excluded areas definition. In many parts of the southwest of WA, Dieback risk zones include enormous areas of land, including already disturbed pine plantations, farmland, etc. Further clarity needs to be provided by DMIRS on what classification of Dieback risk zones should be within the Excluded Areas, i.e., infested, uninterpretable, or both so that the EMA process is available over significant areas of southwest WA.

- CCAA suggests there will be a lack of clarity around the areas containing priority flora and threatened or priority fauna. Will vegetation and fauna studies have to be completed to check for these communities? If so, this removes many of the proposed benefits of the EMA streamlined approval process.
- It is uncertain how the '50 meters of areas containing threatened or priority fauna' will be applied in practice when this fauna can be highly mobile, especially birds.
- CCAA **recommends** that these two criteria are removed, with environmental values of proposed exploration sites adequately considered on a risk basis by the other 14 exclusion criteria.

4 Duration

- CCAA suggests that a two-year period to commence activities under an EMA Notice is too short as it can take that long just to get a land access agreement signed and would create unnecessary recurring paperwork to continuously renew.

Western Australia's regulatory environment needs to be internationally competitive to continue to attract capital to invest into the state to ensure a sustainable and competitive heavy construction materials industry. This in turn facilitates Western Australia's 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



ROGER BUCKLEY






State Director Western Australia

APPENDIX 1

CEMENT CONCRETE & AGGREGATES AUSTRALIA

MEMBERSHIP

FOUNDATION MEMBERS

 <p>ADBRI Adbri Limited</p>	 <p>Boral Australia</p>	 <p>Cement Australia Pty Ltd</p>
 <p>Hanson HEIDELBERGCEMENTGroup Hanson Australia Pty Ltd</p>	 <p>Holcim Holcim (Australia) Pty Ltd</p>	

WESTERN AUSTRALIA

ORDINARY MEMBERS

<p>B&J Catalano Pty Ltd Flyash Australia Pty Ltd Fulton Hogan Industries Lime Industries Pty Ltd</p>	<p>Pilatti Bros Transport Ransberg Pty Ltd T/a WA Premix and WA Bluemetal Urban Resources Pty Ltd</p>	
--	---	--

ASSOCIATE MEMBERS

<p>Concrete Colour Systems Concrete Waterproofing Manufacturing Pty Ltd T/a Xypex Australia</p>	<p>GCP Applied Technologies Sika Australia Pty Ltd Westrac</p>	
---	--	--