

1 Feb 2021

Regulatory Transition Taskforce
Earth Resources
Department of Jobs, Precincts and Regions
Milton House
21-25 Flinders Lane
Melbourne

Via email: RTT@ecodev.vic.gov.au

SUBJECT: DRAFT GUIDELINE FOR A MINE OR QUARRY THAT REQUIRES BLASTING

Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide a submission to the Department of Jobs, Precincts and Regions (DJPR) on the *Draft Guideline for a Mine or Quarry That Requires Blasting*.

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 risk based, performance focused regulation. CCAA also understands that risk-based regulation is the stated aim of DJPR, following the recommendations from the 2018 Cronin Report *Getting the Groundwork Right*. Unfortunately, this draft guideline is not risk based and is overall too prescriptive.

CCAA provides the following comments on the draft Guideline:

Section 2.1 Documentation Templates

- CCAA **does not** support the prescriptive requirement for a Blasting Engineer to complete the Blast Management Plan for all sites.
CCAA **recommends** a Mining Engineer with 2 years' experience as a suitable expert only for high-risk sites such as declared mines and quarries. A person with a Shotfirers Certificate with suitable onsite experience is an appropriate person to complete a Blast Management Plan in other, lower risk circumstances.

Section 2.2 Risk Assessment

Buffers

- CCAA **does not** support the prescriptive requirement of a set 500 metre buffer. The setting of buffers should be risk assessed dependent on local geology and topography and may vary from site to site.
CCAA **recommends** the buffer for sites with blasting are risk assessed on a site-by-site basis and if the evidence and controls supports such a case, maybe less than 500 metres.

EPA Guideline

- CCAA **does not** support the use of the EPA Guideline 1518 as support for the prescriptive requirement of a set 500 metre buffer. As stated above, the setting of buffers should be risk assessed dependent on local geology and topography and may vary from site to site. Any future changes by the EPA to this Guide are also outside of the control of DJPR.

Exclusion Zones

- CCAA **does not** support the prescriptive requirement of set exclusion zone distances. The setting of exclusion zones should be risk assessed dependent on local geology and topography and may vary from site to site.
- CCAA **recommends** the exclusion zones for sites with blasting are risk assessed on a site-by-site basis and if the evidence and controls support such a case, the required exclusion zones could be less than 400 metres in front of the blast or 150 metres behind a blast.

Sensitive receptors

- CCAA **does not** support the definition of a blasting sensitive receptor as any easement or any land not owned by the applicant. This is different to the accepted industry standard of a sensitive receptor as applied to blasting thresholds outlined in DJPR's own document: *"Includes any land within 10 metres of a residence, hospital, school, or other premises in which people could reasonably expected to be free from undue annoyance and nuisance caused by blasting"*¹.

If the 500 metre buffer to any land not owned by the applicant was universally applied to quarries in Victoria, it would largely stop any blasting in hard rock quarries across Victoria and hence limit the production of aggregate and concrete and the construction industry, including the Government's Big Build would be severely constrained at a time of considerable economic uncertainty.

- CCAA **recommends** that the definition of a sensitive receptor for blasting remain as outlined in the *Ground vibration and airblast limits for mines and quarries. Environmental guidelines*. DJPR, August 2020.

Surveying

- CCAA **does not** support the prescriptive requirement of only supporting laser profiling of the face prior to blasting as it limits other cost-effective surveying methods and future innovative solutions.
- CCAA **recommends** that general surveying, laser scanning or other applicable information available to the operator be used to measure the profile of the face prior to blasting.

¹ Ground vibration and airblast limits for mines and quarries. Environmental guidelines. DJPR, August 2020. Accessed at <https://earthresources.vic.gov.au/legislation-and-regulations/guidelines-and-codes-of-practice/ground-vibration-and-airblast-limits> on 29 Jan'21.

Appendix, Part 1A, page 8

Approval pathways

- CCAA **does not** support the mandatory approval path of a work plan variation for any change in Part 1A or 1B. This is not consistent with the risk-based approval process outlined in the *Preparation of Work Plans and Work Plan Variations. Guideline for Extractive Industry Projects, December 2020*. The Guideline states in Section 3.2.2 “If you have an approved work plan, an administrative update may be considered for new or changing work where there is no **significant increase** in risk arising from the new or changing work”. CCAA **recommends** that if any change in Part 1A or 1B does not result in a significant increase in risk, the change is assessed through an Administrative Update process.

Threshold Limits

- CCAA **does not** support the requirement for all sites to have the same ground vibration and air blast limits.
- CCAA **recommends** that each site can have differing limits based on the site-specific risk assessment for that operation.
- CCAA **recommends** that the existing ground vibration and air blast limits outlined in an approved work plan continue to be applicable to that site and are not subject to any change if the site is not currently the subject of a work plan variation that details changes to work that would impact on the approved ground vibration and air blast limits.

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.

The provision of affordable heavy construction materials through an efficient supply chain helps to facilitate the delivery of affordable infrastructure, contributing to the completion of Victoria’s Big Build within budget.

There is no more important time than now for the construction sector, supported by an efficient heavy construction materials supply chain, to provide the engine to rebuild Victoria’s post COVID economy and create jobs.

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>ADBRI Adbri Limited</p>	 <p>BORAL Boral Australia</p>	 <p>CEMENT AUSTRALIA Cement Australia Pty Ltd</p>
 <p>Hanson HEIDELBERG CEMENT Group Hanson Australia Pty Ltd</p>		 <p>Holcim 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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