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Ben Bruce
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Submission on the South Australian Biodiversity Bill 2025

Dear Ben

Cement Concrete & Aggregates Australia (CCAA) welcomes the opportunity to provide input on the South Australian Biodiversity Bill 2025.

Cement Concrete & Aggregates Australia (CCAA) is the voice of the heavy construction materials industry representing cement manufacturers, concrete suppliers, and extractive operators throughout Australia.

Our members range from large global companies to SMEs and family operated businesses and are engaged in the quarrying of sand, stone and gravel, the manufacture of cement and the supply of pre-mixed concrete. These businesses service local, regional, and national construction and infrastructure markets to meet South Australia's building and construction needs through the provision of roads, railways, bridges, ports, airports, hospitals, schools, and footpaths. The reliable and cost-effective supply to these markets is fundamental to sustainable growth and it is CCAA's aim to promote policies that recognise the importance of these materials to Australia's sustainable future.

Recommendations

In addition to the points and supporting information outlined below and our referenced submissions, CCAA makes the following specific recommendations:

1. Provide clear guidelines on what constitutes "reasonable and practicable measures" to ensure consistent interpretation across industries. The duty should align with existing approval processes to avoid unnecessary duplication.
2. The Bill should clearly define how it interacts with existing legislation to prevent regulatory duplication and confusion. Quarrying operations should not be subject to conflicting compliance obligations under multiple laws.
3. The Bill and government should provide transitional arrangements and additional resources for regulatory agencies to ensure the efficient processing of applications under the new framework.
4. The government must ensure flexible and practical offset mechanisms that consider the unique challenges of the quarrying industry, ensuring that biodiversity outcomes are met without compromising essential material supply.

5. The Bill must recognise quarrying as an essential industry and include explicit protections for strategic extractive resource areas.
6. Land-use planning policies should ensure access to critical raw materials for South Australia's infrastructure pipeline.
7. The South Australian Multiple Land Use Framework should not be usurped by any single piece of legislation, including the Biodiversity Bill.
8. Government should consult with industry before finalising Significant Environmental Benefit guidelines, ensuring offset obligations remain feasible and proportionate to quarrying impacts.
9. The Bill should introduce a tiered penalty system that considers the severity of the offense and the scale of the business to ensure penalties are fair and proportionate.
10. The quarrying industry must be formally represented on the Biodiversity Council and other relevant advisory bodies to ensure that policy decisions reflect industry realities.
11. The Bill should explicitly state that all existing quarry approvals and management plans remain valid and are not subject to retrospective changes.

Industry commitment to Environmental outcomes

CCAA members are committed to protecting and enhancing environmental values while minimising impacts. We believe in supplying construction materials responsibly and sustainably.

CCAA members operate within a very complex framework of Federal, State and Local Government legislation which aims to protect Australia's unique biodiversity, natural landscapes and lifestyle and we are keen to continue to work with the South Australian Government and the wider South Australian Community to maintain these protections.

We acknowledge and support the South Australian Chamber of Mines & Energy (SACOME) [Submission on the Biodiversity Bill 2025](#) as a comprehensive and well-reasoned industry response.

CCAA aligns with SACOME's concerns about the Bill's complexity, potential regulatory overlap, the exclusion of key industry stakeholders in governance, and the impact on land use and development.

While CCAA supports measures that improve biodiversity outcomes, the Bill must balance environmental protection with practical industry operations to ensure South Australia's sustainable economic growth. Below, we outline key concerns and recommendations specific to the quarrying industry.

Key Issues

General Biodiversity Duty

The Bill introduces a general biodiversity duty, requiring all industries to take reasonable steps to prevent biodiversity harm. While we support biodiversity protection, we echo SACOME's concerns that the duty is broad and could create unclear compliance expectations, especially where existing approvals already impose strict environmental controls.

We recommend that the Bill provide clear guidelines on what constitutes "reasonable and practicable measures" to ensure consistent interpretation across industries. The duty should align with existing approval processes to avoid unnecessary duplication.

Overlapping Legislation and Increased Regulatory Complexity

There appears to be significant overlap between the proposed Bill and existing legislation, particularly the Landscape South Australia Act 2019 and Native Vegetation Act 1991. The quarrying industry already operates under strict environmental laws, and additional compliance burdens may create inefficiencies without clear environmental benefits.

The Bill should clearly define how it interacts with existing legislation to prevent regulatory duplication and confusion. Quarrying operations should not be subject to conflicting compliance obligations under multiple laws.

Single Permitting Regime – Avoid Delays

While CCAA supports a streamlined permitting process, industry concerns remain that the new single permitting regime could introduce delays. The transition period to the new system must be carefully managed to prevent disruptions in quarry approvals.

The Bill and Government should provide transitional arrangements and additional resources for regulatory agencies to ensure the efficient processing of applications under the new framework.

Mitigation Hierarchy Application

The requirement to apply the mitigation hierarchy—avoid, minimise, rehabilitate, and offset—in relation to clearing native plants is acknowledged. Given the nature of quarrying activities, complete avoidance of native vegetation may not always be feasible.

The Government must ensure flexible and practical offset mechanisms that consider the unique challenges of the quarrying industry, ensuring that biodiversity outcomes are met without compromising essential material supply.

Impacts on Land Use and Resource Access

The Bill appears to prioritise biodiversity conservation and restoration over other land uses, which could affect quarrying and extractive industry operations. The Bill lacks clarity on how it interacts with the State's Multiple Land Use Framework (MLUF) and resource security policies.

The Bill must recognise quarrying as an essential industry and include explicit protections for strategic extractive resource areas.

Land-use planning policies should ensure access to critical raw materials for South Australia's infrastructure pipeline.

The South Australian Multiple Land Use Framework should not be usurped by any single piece of legislation, including the Biodiversity Bill.

Biodiversity Offsets and Significant Environmental Benefit (SEB) Scheme

The Significant Environmental Benefit (SEB) scheme plays a crucial role in biodiversity offsets. However, details on how the SEB framework will change under the Bill are unclear. New offset requirements must be practical, financially viable, and aligned with existing industry investment in biodiversity conservation.

Government should consult with industry before finalising Significant Environmental Benefit guidelines, ensuring offset obligations remain feasible and proportionate to quarrying impacts.

Increased Penalties and Compliance Costs

The Bill proposes significantly increased penalties of up to \$500,000 for non-compliance. While we support strong environmental protection measures, these penalties could disproportionately impact small and medium quarry operators and create unintended economic consequences.

The Bill should introduce a tiered penalty system that considers the severity of the offense and the scale of the business to ensure penalties are fair and proportionate.

Governance and Industry Representation

SACOME has rightly pointed out that the Biodiversity Council and associated advisory bodies do not mandate industry representation. Given that quarrying and extractive industries have a major role in land use and environmental management, it is concerning that the Bill prioritises input from conservation and primary production sectors while excluding resources industry experts.

The quarrying industry must be formally represented on the Biodiversity Council and other relevant advisory bodies to ensure that policy decisions reflect industry realities.

Transitional Arrangements and Implementation

The lack of transitional provisions in the Bill could create uncertainty for existing quarry approvals and environmental management plans. Many quarries operate under long-term approvals and need clarity on how current approvals will transition under the new law.

The Bill should explicitly state that all existing quarry approvals and management plans remain valid and are not subject to retrospective changes.

Conclusion

CCAA supports SACOME's submission in full and endorses its recommendations. While we recognise the importance of biodiversity conservation, the Biodiversity Bill 2025 must be refined to ensure a balanced and workable approach for industries that underpin South Australia's economy.

We urge the South Australian Government to:

- Clarify regulatory overlaps and remove unnecessary duplication.
- Ensure timely and efficient implementation to prevent delays in quarry approvals.
- Maintain strategic extractive resource access within land-use frameworks.
- Make biodiversity offset obligations practical and viable for industry.
- Ensure the quarrying industry has a formal role in governance bodies
- Implement fair and proportionate compliance measures that do not unfairly burden smaller operators.

We welcome continued engagement with the government to refine the Bill, ensuring it supports both biodiversity conservation and South Australia's economic prosperity.

CCAA appreciates the opportunity to comment on the Biodiversity Bill 2025 and encourages the South Australian Government to consider our recommendations.

For further information, please contact State Director Jason Kuchel on 0448 848 848 or on Jason.kuchel@ccaa.com.au

Yours sincerely

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