

7 July 2025

Department of Environment, Tourism, Science and Innovation
Via: epact.policy@des.qld.gov.au

Subject: Consultation Paper – *Environmental Protection Act 1994* and other Portfolio Amendments

Dear Sir/Madam

Cement Concrete & Aggregates Australia (CCAA) welcomes public consultation on the Queensland Government's *Consultation paper - Realising efficiencies and streamlining in the Environmental Protection Act 1994 and other portfolio amendments*.

Introduction

Cement Concrete and Aggregates Australia (CCAA) is the voice of the heavy construction materials industry in Australia. CCAA members produce the majority of Australia's cement, concrete, and aggregates, which are crucial to Australia's building and construction sectors. These materials support the development of our nation's transport, energy, water, housing, defence, and social infrastructure. The industry generates approximately \$15 Billion in annual revenues and employs approximately 30,000 Australians directly and a further 80,000 indirectly.

CCAA and its members are deeply committed to operating in an environmentally responsible and sustainable manner. We believe environmental protection and enhancement is integral to the success and legitimacy of our operations.

Key environmental principles that underpin CCAA's work include:

- Collaborative Regulation: Best outcomes arise through partnership with regulators, industry, and communities.
- Innovation and Capability Building: Invest in technology, training, and innovation to improve performance.
- Continuous Improvement: Focus on stormwater, dust, noise, biodiversity, blasting, and community engagement.
- Evidence-Based and Outcomes Based Policy: Support risk-proportionate, science-based regulation that minimises duplication and supports agreed outcomes through innovation.

Summary of Industry Concerns

CCAA supports regulatory reform where it improves clarity, efficiency, and environmental outcomes. However, several proposals in the consultation paper raise substantial concerns regarding regulatory overreach, duplication, and retrospective compliance burdens.

| Section Number & Proposal | CCAA Position |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1 – Mandatory Codes of Practice | Oppose in current form. The proposed mandatory codes will not offer the flexibility that is currently available, and codes will need to be continually updated which will be slow and cumbersome. QLD Govt must retain performance-based flexibility. Frequent mandatory code updates create uncertainty and constrain site-specific innovation. Codes make sense for low-risk activity and when they are introduced they should not be mandatory. |
| 1.2 – Risk-Based Regulation of Environmentally Relevant Activities (ERAs) | Qualified support. Risk frameworks must not recapture previously deregulated sectors like concrete. Criteria for ERA reclassification must be transparent and subject to public consultation. |
| 1.3 – State Environmental Protection Priorities (SEPPs) | Oppose in current form. SEPPs may duplicate existing instruments (Matters of State Environmental Significance - MSES and Environmental Protection Policies - EPPs), introduce legal uncertainty, and impose unclear impact thresholds. There is also a lack of clarity as to what would be considered an 'unacceptable impact' to the new class of 'priorities' and, similar to 1.2, the ability to prescribe any activity as an ERA if there is an impact to an SEPP. |
| 1.4 – Best Practice Environmental Management (BPEM) | Strong objection. BPEM codification must not allow retrospective EA changes under any circumstance. Proposed 'one-size-fits-all', 7-year update cycle without consultation undermines business certainty and stifles innovation. |
| 1.5 – Standard Administrative Conditions | Oppose. Removing discretion and site-specific adaptability through standardised conditions can create a disproportionate compliance burden. Removal of the ability of the Department to amend these conditions on existing EAs as 'necessary and desirable' also opposed. |
| 2.1 – PRCP Framework Amendments | Seek clarification. Removing "mining activity" from section 431A risks unintended application to non-mining ERAs (eg prescribed ERA's). Confirm scope explicitly. |

Broader Policy Concerns

- **Undermining Investment Confidence:** Retrospective EA changes introduce regulatory risk for long-life assets.
- **Duplication of Environmental Controls:** SEPPs may create compliance confusion alongside existing policies.
- **Shift from Performance to Prescription:** Proposals move away from performance-based frameworks.

Recommendations

CCAA recommends the Queensland Government:

1. Reconsider the approach to mandatory codes and BPEM.
2. Maintain clear boundaries around ERA definitions.
3. Integrate the proposed SEPPs with existing instruments.
4. Uphold transparency in EA amendment processes.
5. Clearly exclude non-mining ERAs from PRCP offence provisions.

Closing Comments

CCAA welcomes reform that strengthens environmental protections while maintaining operational certainty and innovation capacity. Our members are committed to continuous improvement and responsible environmental stewardship. However, we urge the Government to recalibrate the proposed framework to ensure it remains practical and proportionate.

We thank the Department for the opportunity to provide feedback and would welcome continued dialogue. Please do not hesitate to contact David Rynne on 0431 729 509 or david.ryne@ccaa.com.au should you wish to arrange a meeting or require additional information.

Yours sincerely

MICHAEL KILGARIFF
Chief Executive Officer