

Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025

Submission No: 031
Submission By: Cement Concrete & Aggregates Australia (CCAA)
Publication: Making the submission and your name public

18 December 2025

Health, Environment and Innovation Committee
Queensland Parliament

Via: <https://qldparlcomm.snapforms.com.au/>

Subject: CCAA submission on the Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025

Dear Committee Members

Cement Concrete & Aggregates Australia (CCA) welcomes the opportunity to provide this submission on the *Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025*.

CCA supports modernising the Environmental Protection Act (EPA) and improving regulatory efficiency. Our sector is committed to strong environmental performance and works closely with government to achieve balanced, practical outcomes across planning, approvals and ongoing operations.

However, the Bill introduces two new mechanisms that, in their current form, create significant uncertainty for quarrying, cement and concrete operations across Queensland:

1. the proposed **State Environmental Protection Priorities (SEPPs)**; and
2. the new Environmentally Relevant Activities (ERA trigger where an activity becomes regulated if it “**may adversely affect**” a SEPP).

For context, (ERAs) are activities regulated under the EPA because of their potential environmental risk. Quarries, cement manufacturing and some concrete operations are declared ERAs, and require an Environmental Authority (EA) from DETSI. The Bill proposes to expand what becomes an ERA, which is why the clarity and operation of the new trigger is critical.

As outlined in our submission (overleaf), these changes risk creating **duplicated assessments, unpredictable regulatory outcomes, and increased compliance costs**, even for long-established and well-managed operations. The combination of unmapped SEPPs and the very broad “may adversely affect” test would allow low-risk or temporary activities to be captured as ERAs simply because of their location, and would impose a second layer of environmental assessment on issues already addressed through the Planning Act.

CCA strongly supports the intent of improving regulatory clarity and streamlining processes. With targeted amendments - such as aligning SEPPs with existing MSES mapping, tightening the ERA trigger to material risks, and clarifying how SEPPs sit within Queensland’s established impact-management hierarchy - the Bill can better achieve its

objectives while maintaining practical, proportionate regulation for essential construction materials operations.

CCAA would welcome the opportunity to appear before the Committee to speak to this submission and address any questions members may have.

Please do not hesitate to contact David Rynne on [REDACTED] or [REDACTED] should you wish to arrange a meeting or require additional information.

Yours sincerely



MICHAEL KILGARIFF
Chief Executive Officer

Full CCAA submission

1. Introduction

Cement Concrete & Aggregates Australia (CCAA) supports environmental reforms that are clear, practical and grounded in real risk. Our industry supplies essential construction materials to Queensland - every house, school, hospital, road and piece of infrastructure depends on quarries, concrete plants and cement facilities working efficiently and responsibly.

We support a strong environmental framework.

But two elements of the Bill create significant uncertainty and duplication for our industry – with two significant problems identified:

1. The introduction of State Environmental Protection Priorities (SEPPs)
2. The new ERA trigger where an activity becomes regulated if it “may adversely affect” a SEPP

These new mechanisms do not align comfortably with how environmental assessment already works in Queensland. Together, they will create double-assessment, unpredictable outcomes, and higher costs for no clear environmental gain.

This submission sets out our concerns in simple, practical terms.

2. Background - how quarries and concrete plants are regulated today

Understanding the current system is important because the Bill adds a second layer of environmental assessment on top of it.

2.1 Planning Act – Local Government + SARA (with other State agencies)

When a quarry or batching plant goes through development approval (DA), the council leads the process with consideration to on and off site risks of the activity. If the project affects a Matter of State Environmental Significance (MSES), the DA may also be referred to the State (State Assessment Referral Agency - SARA) who coordinate with other departments to ensure the assessment is considered appropriately. For MSES this includes possible considerations by DETSI (SEQ Koala), Department of Natural Resources and Mines Manufacturing and Regional and Rural Development (NRMMRRD) (Remnant Vegetation) and Department of Primary Industries (DPI) (Waterway barrier works).

MSES are mapped environmental areas, such as wetlands, threatened species habitat, regulated vegetation, fish habitat areas, protected areas and biodiversity corridors.

SARA provides a consolidated assessment of these impacts under the Planning Act and issues State conditions, which council must attach to the DA.

2.2 Environmental Protection Act – DETSI only

Separately, if a quarry or facility includes an ERA component (e.g., extractive industry, cement manufacturing), it requires an Environmental Authority (EA) from DETSI.

Depending on the type of ERA (which is common for quarries) the EA is assessed concurrently with the DA.

EA conditions regulate dust, noise, blasting, stormwater, water quality, rehabilitation, monitoring and reporting. The EA also considers MSES, under the Environmental Protection Act which results in duplication of the assessment taken under the Planning Act.

Local government has no role in EA decisions.

3. What SEPPs are

The Bill creates a new environmental category called State Environmental Protection Priorities (SEPPs).

A SEPP is essentially a “red-flag” environmental area or value that the State wants to prioritise — for example:

- wetlands
- national parks
- high-value waterways
- fish habitat areas
- biodiversity corridors or refuges
- ecologically significant landscapes.

SEPPs are to be used only under the EP Act, not the Planning Act.

SEPPs will be considered when DETSI assesses EA applications, EA amendments, or potentially when determining whether an activity becomes an ERA.

4. Problem #1 - the proposed SEPPs

4.1 SEPPs create duplication with MSES

Many SEPPs will be the same areas that already trigger assessment under MSES when a DA is lodged. This means:

- the Planning Act process assesses the environmental issue once (across the various MSES), then
- the EP Act process assesses the same issue again (SEPP).

DETSI is involved in both systems, but they are separate legal pathways with different criteria and conditions. The EA pathway provides greater discretion for DETSI to re-consider aspects of MSES which were otherwise assessed by other State agencies in the DA process, against the appropriate legislation (e.g., Remnant vegetation under the Vegetation Management Act).

This is unnecessary double-handling, against MSES guidelines which differ in approach and determination of the significance of impacts.

The duplication under the current and proposed regime is demonstrated clearly at **Attachment 1**, showing that the same environmental issues are assessed twice through different Acts.

4.2 SEPPs are not required to be mapped

Unlike MSES, SEPPs do not need to be mapped. They can be declared based on the “environmental qualities” of an area - an undefined concept that is hard for industry to know upfront. In contrast, MSES mapping provides industry, assessors and local government with upfront certainty about environmental constraints. SEPPs provide no equivalent spatial clarity.

4.3 SEPPs could be interpreted as a “zero-impact” requirement

The Bill requires DETSI to give priority to protecting SEPPs when assessing an EA. Without clear guidance, this may be interpreted as:

“No impact to a SEPP is acceptable.”

This cuts across Queensland’s well-established approach:

avoid → mitigate → manage → offset.

5. Problem #2 - the new “may adversely affect” ERA trigger

Under the Bill, an activity can become an ERA if it:

“... will or may adversely affect a SEPP.”

The word “may” allows DETSI to regulate an activity even if the risk is hypothetical, remote or extremely low.

This shifts the system from regulating activities based on what they are and what they produce - to regulating them based on where they are and an assessors view on what “may” adversely affect a SEPP. Experience shows that where legislation is unclear, assessing authorities tend to adopt a precautionary (worst-case) interpretation, further expanding assessment scope.

5.1. Real-world examples

Example 1 — Small concrete batching plant near a wetland

A temporary or mobile plant is fully contained with no discharge risk. Today it is not an ERA, requiring only a DA which would consider the land use and possible risks to the surrounding environment. Under the Bill, if a SEPP wetland is nearby, DETSI could decide the plant may affect the wetland and require it to become an ERA.

Example 2 — Quarry next to a national park

The quarry sits outside the national park. The park becomes a SEPP. Any future EA amendment may now require new studies, stricter conditions, or refusal - not because the quarry changed, but because a SEPP was mapped next door. This is essentially a retrospective duplicate assessment of a matter which would have been contemplated in the DA assessment for the land use (i.e., appropriate setbacks, emissions, safety etc.).

Example 3 — Cement or aggregates operations near a creek

These operations pose no realistic discharge risk. But if the creek becomes a SEPP, DETSI may classify the operation as an ERA because harm could occur in an extreme rainfall event. Again, this is essentially retrospective duplicate assessment of a matter which would have been contemplated in the DA assessment for the land use (i.e., appropriate setbacks to creek, surface water management etc.).

6. Why this matters

SEPPs + the “may adversely affect” trigger will:

- pull low-risk, currently DA regulated activities into ERA regulation
- add a second assessment on issues already covered under the Planning Act
- create uncertainty for long-established quarries and plants
- complicate expansions and routine EA variations
- increase costs for both industry and DETSI
- slow approval processes
- create unpredictability for infrastructure projects.

7. CCAA Recommendations

1. *Tighten the ERA trigger so only activities with a demonstrated, material risk to a SEPP are regulated.*
2. *Align SEPPs with existing MSES mapping.*
3. *Confirm that “protecting SEPPs” sits within the avoid → minimise → manage → offset hierarchy.*
4. *Streamline Planning Act and EP Act assessments so environmental issues are assessed once and under the same criteria.*
5. *Provide clear guidance to industry on how SEPPs will be interpreted.*

8. Conclusion

CCAA supports the intent of the reforms. However, SEPPs, unclear mapping, priority-protection obligations and the broad “may adversely affect” test will add uncertainty and cost without improving environmental outcomes. Targeted amendments will help the Bill achieve its objectives while ensuring regulation remains practical for essential construction materials industries.

ATTACHMENT 1: DUPLICATION – CURRENT ENVIRONMENTAL ASSESSMENT PROCESSES AND WHAT'S PROPOSED

