

07 March 2025

Biodiversity Coordination Unit
Department for Environment and Water
Adelaide SA 5001
Submitted via email: biodiversityact@sa.gov.au

RE: RESPONSE TO SOUTH AUSTRALIA'S DRAFT BIODIVERSITY BILL

Australian Energy Producers appreciates the opportunity to provide feedback on the Draft Biodiversity Bill 2025 and wishes to express strong support for the feedback submitted by the South Australian Chamber of Mines and Energy (SACOME).

While we recognise the Government's intent to strengthen biodiversity protections and improve ecosystem restoration, we share SACOME's concerns regarding the potential expansion of regulatory complexity and administrative burden imposed by the Bill.

The energy sector operates within a highly regulated framework that already imposes strict environmental controls. Our industry invests significantly in skilled personnel, compliance systems, and environmental stewardship to ensure that biodiversity and ecosystems are appropriately managed alongside responsible resource development. Regulatory frameworks should support economic development while ensuring productive environmental protection.

We highlight the following key points for consideration:

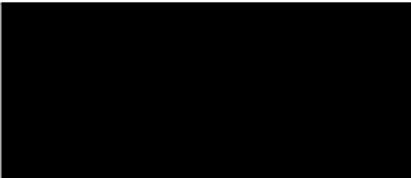
- **Regulatory Duplication and Complexity** – The Bill creates new administrative structures, policies, and procedures, adding layers of complexity to an already robust regulatory system. We echo SACOME's observations regarding regulatory overlap with existing legislation, and caution against introducing unnecessary duplication that increases compliance costs without delivering any environmental benefits.
- **Lack of Industry Representation in Decision-Making Processes** – The exclusion of key economic sectors, such as the energy industry, from representative bodies and consultation processes under the Bill is a notable oversight. Effective biodiversity management requires the inclusion of all stakeholders who play a role in land use and environmental stewardship. The preference given to the primary production and conservation sectors risks creating an unbalanced decision-making framework that does not adequately consider the expertise and operational realities of other major industries.
- **Uncertainty in the Bill's Implementation and Operational Details** – Many critical aspects of the Bill are deferred to subordinate legislation, limiting stakeholders' ability to assess the full impact of the proposed framework. The lack of detail on transitional provisions further compounds uncertainty.

- Potential Impact on Broader Economic Development Objectives – The Bill's potential effects on the ambitious economic policies of the Government remain uncertain. There is a lack of clarity on how the Bill will align with the State Development Coordination & Facilitation Act and whether it could unintentionally create additional unproductive regulatory barriers.

Australian Energy Producers supports robust environmental regulation that is clear, predictable, and efficient. We strongly encourage the Government to refine the proposed legislative framework to ensure it is streamlined, does not unnecessarily increase regulatory burden, and provides for balanced stakeholder representation in decision-making processes.

We look forward to continued engagement on this matter and welcome further discussion on how the Bill can support both biodiversity outcomes and sustainable economic growth.

Yours faithfully,

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