



Environment 2025
Committee Secretary
Legislation Committee
Parliament House
CANBERRA ACT 2600
By email: ec.sen@aph.gov.au

Dear Committee Secretary,

Re: Environment Protection Reform Bill and six related bills

AgForce is the peak representative organisation for Queensland's cane, cattle, grain and sheep, wool and goat producers. Together, these industries generated \$11.2 billion in on-farm value in 2022–23 and form the foundation of Queensland's regional economy. AgForce represents more than 6,000 farmers, individuals and agribusinesses whose operations collectively manage approximately 55 million hectares, accounting for one-third of the state's land area. Queensland producers supply high-quality food and fibre to domestic and international markets, support the economic and social fabric of rural and remote communities and provide essential stewardship of the state's natural resources. As the leading voice for Queensland's agricultural sector, AgForce works to ensure the long-term growth, viability, competitiveness and profitability of these industries.

AgForce welcomes the opportunity to provide evidence to the Senate Environment and Communications Legislation Committee on the *Environment Protection Reform Bill 2025 and six related Bills (the Bills)*. Given that Queensland manages the largest area of agricultural land of any Australian state or territory, these reforms will have a particularly significant impact on our producers and the frameworks they rely on.

AgForce notes that the Bills establish a high-level legislative architecture under which a substantial portion of the operational detail, including national environmental standards, bioregional planning instruments, accreditation rules, regulatory guidelines and charging frameworks, will be determined after the passage of the primary legislation. For this reason, AgForce's assessment is necessarily ongoing, and our feedback in this submission focuses on the core provisions and policy settings as drafted. AgForce will continue to review and respond as further instruments and standards are released.

AgForce offers this submission to support the Committee's deliberations to ensure the legislation is workable, practical and aligned with the realities of agriculture and continued Food Security.

Executive Summary

Queensland's agricultural landscapes are among the most productive and ecologically significant in Australia. In these regions, environmental health and agricultural productivity are mutually reinforcing. Producers depend on functioning ecosystems to sustain grazing, cropping and horticulture, just as healthy landscapes depend on the active, informed land management delivered daily by farmers.

Environmental and agricultural outcomes are mutually dependent, and policy settings must reflect the realities of land management across Queensland's working landscapes. Strong biodiversity outcomes depend on policy settings that support the practical stewardship producers already undertake across soil, vegetation, water and biodiversity assets. Likewise, enduring environmental outcomes can only be achieved when farm enterprises are economically viable, as financial stability enables producers to invest in the land management and stewardship practices that underpin long-term ecosystem health.

AgForce sees the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) reform process as an opportunity to strengthen genuine partnership between government and agriculture. Effective environmental reform requires working with producers, drawing on their regional knowledge, evidence-based practices and long history of adapting to climatic and ecological pressures.

As the Bills and the associated national standards are developed, AgForce is committed to working closely with the Australian Government, and seeks an equal commitment in return, to ensuring that reform remains practical, regionally workable and aligned with broader national priorities including food security, emissions reduction, climate resilience and sustainable regional development. This requires agriculture to be embedded as a core partner in policy design, bioregional planning, accreditation processes and advisory frameworks.

AgForce's support for the reform package is contingent on the following:

- ☐ Preserving Queensland's Property Maps of Assessable Vegetation-based (PMAV) certainty within the state bilateral agreements.
- ☐ Maintaining continuing-use provisions under section 43A and 43B of EPBC Act.
- ☐ Ensure bioregional planning recognises agricultural landscape context.
- ☐ Providing clear, nationally consistent definitions of both "significant impact" and "unacceptable impact".
- ☐ Ensuring offset, restoration and net-gain settings do not target, diminish or displace productive agricultural land.
- ☐ Embedding proportionate, risk-based assessment, referral and charging pathways suitable for low-margin agricultural enterprises.
- ☐ Guaranteeing formal agricultural representation in all future relevant advisory committees, standard-setting processes and accreditation governance.

The success of these reforms, and AgForce's ability to support them, depends on agriculture having a substantial and ongoing seat at the table. Only through a formal and collaborative approach can environmental improvement and agricultural viability advance together, safeguarding both ecosystem integrity and the future of Australia's food and fibre production.



1. Preserving PMAV-Based Certainty and Queensland Land-Use Rights throughout Bilateral Agreements

AgForce notes that the Department of Climate Change, Energy, the Environment and Water (DCCEEW) clarified that States were required to accredit to Commonwealth standards under bilateral agreements¹. Whilst satellite mapping technology has developed significantly within the last decades, the underlying outputs of different mapping programs has vastly different output and rates of accuracy that may negatively affect producers even where no clearing has occurred.

Queensland's Property Maps of Assessable Vegetation (PMAVs) are legally binding instruments under the *Vegetation Management Act 1999* (QLD) that define vegetation categories on a property, including Category X land where vegetation management may occur without further state approvals. PMAVs underpin long-term planning, drought and fire management, regrowth control, stocking decisions and investment certainty across Queensland's grazing and cropping systems.

The reforms Bills introduce new national environmental standards, bioregional planning instruments and accreditation processes that could interact with vegetation management settings. Without explicit alignment measures, there remains potential for federal processes to reinterpret or duplicate existing Queensland classifications, or to create uncertainty where Commonwealth and State mapping differ as bilateral negotiations progress. Maintaining PMAV operability is essential to avoid contradictory obligations and to provide landholders with clear, predictable pathways for lawful vegetation management.

AgForce Recommendations:

- ☐ Explicitly recognise PMAVs, including Category X areas, within Queensland State bilateral agreement and accreditation arrangement.
- ☐ Confirm that Commonwealth instruments will not reinterpret or override vegetation categories that have been lawfully set through PMAVs.
- ☐ Ensure that all national vegetation-related instruments are developed in close consultation with Queensland agencies and industry to prevent regulatory misalignment.

2. Bioregional Planning: Ensuring Agricultural Landscapes Are Centrally Considered

Bioregional Planning will be a central mechanism for determining development zones, priority actions and future land-use constraints under the reform package. For Queensland, where agriculture manages most of the land and is a core part of regional economies, it is essential that agricultural values, production systems and land capability are considered from the outset.

AgForce's participation in the Queensland Bioregional Planning workshop indicated that agriculture was treated largely as an afterthought compared to extractive mineral industries, renewable energy zones and urban development. Early discussions focused heavily on resource, energy and infrastructure sectors, with limited consideration of how agricultural land is used. AgForce members are the custodians and managers of vegetation bioregions across Queensland's diverse landscapes and have been sidelined as part of this integral developmental stage. This is of significant concern, as the outcomes of bioregional planning will directly influence how producers operate and invest in the long term.

¹https://parlinfo.aph.gov.au/parlInfo/download/committees/commsen/29094/toc_pdf/Environment%20and%20Communications%20Legislation%20Committee_2025_11_14.pdf;fileType=application%2Fpdf#search=%22committees/commsen/29094/0000%22



Current pilot work in Queensland has been based on Interim Biogeographic Regionalisation for Australia (IBRA) subregions. IBRA is a scientific classification system that divides Australia into ecological units based on geology, landform, vegetation and biodiversity. While useful for ecological research, IBRA boundaries do not align with Queensland's land-use systems, property boundaries or agricultural production landscapes. Using IBRA as the foundation for bioregional planning risks misrepresenting how Queensland land is managed in practice and could create decisions that unintentionally constrain or displace productive agriculture, particularly in key production regions such as the Brigalow Belt.

To ensure bioregional plans are workable, they must meaningfully incorporate agricultural land capability, production values and existing stewardship efforts, not only the priorities of other sectors.

AgForce Recommendations:

- ☐ Ensure bioregional planning processes explicitly consider Queensland agricultural land use, production systems and landscape management.
- ☐ Clearly identify productive agricultural regions, including the Brigalow Belt, to avoid unintended displacement or constraints on food and fibre production.
- ☐ Require structured agricultural representation throughout the development of Queensland bioregional plans.
- ☐ Instil Queensland vegetation mapping layers to enhance and increase the integrity of ecological mapping tools such as IBRA to recognise current Queensland continuous land-use and production information to ensure planning decisions reflect how land is managed in practice.

3. Continuing-Use Provisions: Maintaining Certainty for Queensland Producers

The Environment Protection Reform Bill does not amend or explicitly reference the continuing-use provisions in sections 43A and 43B of the EPBC Act, which determine when an activity is considered a lawful continuation of existing land use and therefore exempt from Commonwealth assessment. These provisions are essential to providing producers with certainty that long-standing agricultural practices will **not** be retrospectively captured by new federal requirements.

Many activities central to Queensland production systems are cyclical or seasonal, including regrowth and weed management, erosion control, rotational grazing and stocking adjustments in response to rainfall or pasture conditions. Any reinterpretation of “continuing use” could expose producers to new approval obligations despite operating lawfully under Queensland vegetation, water and land-use frameworks, including PMAV classifications.

Ambiguity in the application of sections 43A and 43B creates significant financial and legal risk for producers managing large, diverse landscapes. Clear, stable continuing-use settings underpin both operational and financial confidence of investment decisions and the health of regional economies. Ultimately, negatively affecting the viability of Queensland's food and fibre production and its contribution to national Food Security. AgForce supports the NFF's position that these provisions must be explicitly preserved to avoid unnecessary referrals, retrospective obligations or disruptions to established land management practices.



AgForce Recommendations:

- ☐ Maintain and protect continuing-use provisions under sections 43A and 43B of the EPBC Act.
- ☐ Confirm that lawful agricultural activities recognised under Queensland frameworks will not be retrospectively reclassified as new impacts requiring referral.
- ☐ Ensure national standards and MNES screening guidance clearly explain how continuing-use interacts with PMAVs and established land-use rights.
- ☐ DCCEEW commitment to work with agricultural organisations to keep interpretations practical, predictable and aligned with real operating conditions.

4. Providing Clear, Nationally Consistent Definitions of “Significant Impact” and “Unacceptable Impact”

Under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), Commonwealth approval is required only where an action is likely to have a significant impact on a Matter of National Environmental Significance (MNES). MNES are defined at a national level and include threatened species, threatened ecological communities, migratory species, Ramsar wetlands, World and National Heritage properties, Commonwealth marine areas and the Great Barrier Reef Marine Park.

Although MNES information is publicly accessible, it is generally mapped at broad regional scales. As a result, producers may be flagged as operating within an MNES distribution area without reliable clarity as to whether protected species or communities are actually present on their property. This creates uncertainty around when referral is genuinely required, particularly in production landscapes where routine land management activities pose minimal or temporary environmental risk.

The introduction of an additional statutory threshold, “unacceptable impact,” further increases the need for clear, nationally consistent definitions that distinguish genuinely high-risk actions from low-impact agricultural management.

AgForce Recommendations:

- ☐ Establish clear, nationally consistent definitions of both “significant impact” and “unacceptable impact” that are practical, proportionate and relevant to agricultural landscapes.
- ☐ Consider circumstances and associated guidance for when cyclical agricultural land management practice should be exempt from increased scrutiny and impacts are internally negated.

5. Embedding Proportionate, Risk-Based Assessment, Referral and Charging Pathways

Agricultural enterprises, particularly in Queensland’s extensive grazing and mixed-farming systems, operate on comparatively low margins and require timely, predictable approvals to undertake essential land management. Seasonal windows, drought planning, fire preparation, erosion control and routine infrastructure maintenance cannot be delayed without affecting productivity, animal welfare and environmental outcomes.

The reform package establishes the National Environmental Protection Agency (NEPA) and enables EPBC-related charges to support cost recovery for referrals, assessments and compliance. Without proportionate pathways tailored to agriculture, low-impact farm activities may face obligations designed for large industrial



or infrastructure projects. This would impose unnecessary cost burdens, reduce operational flexibility and create disincentives for proactive land and water management.

Routine agricultural works such as fencing, firebreak maintenance, watering points, polypipe installation, erosion mitigation or regrowth management typically pose minimal risk to MNES. The legislative framework must therefore distinguish between these activities and higher-impact proposals to ensure assessments and charges are scaled appropriately to prevent the charging framework from creating financial or administrative barriers to responsible land, water and biosecurity management.

AgForce Recommendations:

- ☐ Establish dedicated agricultural pathways within NEPA's referral, assessment and charging framework reflecting the low-impact and low-margin profile of agricultural activities.
- ☐ Introduce streamlined or deemed-compliant referral mechanisms for routine on-farm works.
- ☐ Ensure EPBC-related charges are proportionate to the scale, risk and environmental impact of the activity.
- ☐ Remove statutory timeframes to account for seasonal constraints for on ground operational activities in regional settings.

6. Ensuring Offset, Restoration and Net-Gain Settings Do Not Target Productive Agricultural Land

The Bills establish new offset, restoration and net-gain mechanisms that will determine where environmental restoration efforts occur and how impacts on MNES are balanced. Queensland's grazing, cane, cropping and mixed-farming systems operate across some of the most productive land in Australia, and any shift that incentivises or directs environmental offsets onto high-value agricultural land risks undermining food and fibre production, regional economies and established land use planning.

Offsets and restoration actions must complement, rather than compete with, productive agriculture. Without clear safeguards, productive land may be targeted due to its scale, accessibility or tenure security, even where more suitable restoration opportunities exist on public land, degraded land or within existing conservation estates.

AgForce Recommendations:

- ☐ Ensure offset, restoration and net-gain frameworks prioritise public land, existing conservation estates and degraded land ahead of productive agricultural land.
- ☐ Require national environmental standards to include clear criteria preventing offsets from reducing productive capacity, carrying capacity or essential agricultural operations.
- ☐ Ensure offset placement and restoration programs are developed with Queensland agencies and industry to avoid unintended regional impacts on food/fibre production and feral pest management to mitigate negative environmental outcomes.

7. Agricultural Representation in Governance and Advisory Processes

The Bills create new advisory, standard-setting and accreditation structures that will guide how national environmental laws are applied. Agricultural producers manage a significant part of Queensland and are directly affected by these reforms, it is critical that agricultural expertise is formally included in these governance arrangements to ensure decisions are practical, regionally informed and workable on farm.

AgForce Recommendations:



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- ☐ Require agricultural representation on all NEPA, bioregional planning and national environmental standards committees.
- ☐ Ensure committee membership includes individuals with expertise in agricultural land management and production systems.
- ☐ Establish ongoing, structured consultation with agricultural peak bodies throughout the development and review of standards and accreditation processes.

Conclusion

AgForce remains committed to working with the Australian Government to ensure that environmental reform delivers genuine improvement while reducing duplication and administrative burden for producers. Queensland producers manage and maintain much of the state's natural environment, and continued progress depends on a regulatory system that recognises the practical interdependence of environmental health and agricultural productivity.

The Bills provide a framework, but key operational elements, including bilateral arrangements, bioregional planning, national standards and core assessment definitions, remain unresolved. These components will determine how the reforms function on the ground, and without clarity, the agricultural sector faces material legal, financial and operational uncertainty.

Given the central role in managing landscape and scale of agriculture in Queensland and Nationally, it is essential that producers are formally embedded in the design of the remaining instruments and future governance.

AgForce is ready to contribute constructively to this next phase, but it is strongly emphasised that the Australian Government must consider Agriculture to be a core partner in all future development and implementation of the reform package. This is essential to achieving both durable environmental outcomes and a resilient, productive agricultural sector.

If you require further information, please contact Ms Anna Fiskbek, AgForce Policy Advisor, by email:

Yours Sincerely

Niki Ford
Chief Executive Officer



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