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28 May 2026

Environment Protection Reform Act 2025

Attention: The Hon Murray Watt MP, Minister for the Environment and Water
via the Department of Climate Change, Energy, the Environment and Water (DCCEEW)

RE: National Environmental Standard: Matters of National Environmental Significance (MNES) Exposure Draft

Foreword

On 30 January 2026, AgForce Queensland Farmers Limited provided a submission on the *Draft National Environmental Standard (Matters of National Environmental Significance) 2025*. The recommendations contained within that submission were developed to ensure the proposed *Environment Protection Biodiversity and Conservation (EPBC)* reform framework remained workable, proportionate and economically viable for Australian agriculture.

As those recommendations were not adopted, AgForce reiterates them in full within this submission on the *Exposure Draft of the National Environmental Standard (Matters of National Environmental Significance) 2026*. Importantly, the failure to incorporate those recommendations does not diminish their relevance or urgency. If anything, the progression of the reforms and the release of subsequent draft material has reinforced and amplified the concerns previously raised by industry.

The current direction of reform continues to demonstrate a significant disconnect between the practical realities of agricultural production systems and the application of a regulatory framework primarily designed for finite development activities. Queensland producers are increasingly being asked to operate under growing uncertainty relating to continuing use rights, routine land management, compliance obligations, referral thresholds and future land use flexibility, without clear guidance, clear definitions or a completed assessment of the cumulative economic and operational impacts of the current direction of the Reform interpretation.

Agriculture is not a peripheral stakeholder in this process. Australian producers underpin national food security, regional economies and sovereign supply chains. The viability of agriculture is fundamentally linked to the viability of these reforms. Put simply, if Australia expects to maintain secure domestic food and fibre production into the future, agricultural production systems must remain commercially workable, operationally practical and economically sustainable under any environmental framework.

In recommending environmental standards for Matters of National Environmental Significance, the Samuel Review stated:

Decisions at all scales and by all parties should work together to protect, conserve and improve outcomes for MNES. Progress towards the environmental outcome will result from the collective achievements of the combination of activities¹.

Durable environmental outcomes can only occur where the reforms properly integrate agricultural production realities, existing State-based regulatory systems, landscape-scale stewardship and long-

¹ Located at [Independent Review of the EPBC Act – Final Report October 2020](#)

term food and fibre production considerations into the implementation framework. Without this integration, the reforms risk creating an unworkable and economically damaging regulatory regime that undermines both environmental outcomes and food security.

At its current stage of development, AgForce does not consider the proposed framework within this Exposure Draft to be viable for Australian agriculture. The cumulative regulatory burden, legal uncertainty, undefined thresholds, duplication with existing State systems and expanding compliance expectations create a framework that is operationally unworkable, economically unsustainable and fundamentally misaligned with the realities of agricultural production systems.

AgForce and Queensland producers have consistently engaged in good faith throughout this process and have repeatedly provided practical recommendations aimed at making the reforms workable for agriculture while still delivering environmental outcomes. However, the continued failure to incorporate these recommendations, despite ongoing consultation and clear evidence of the risks posed to producers, demonstrates that substantive policy change is now required.

The reforms, specifically the national Environmental Standards, must now be materially amended to include explicit agricultural protections, workable exemptions, clear definitions and fit-for-purpose implementation pathways. Without these changes, the framework risks causing significant long-term harm to Queensland agriculture, regional communities and Australia's future food and fibre security.

Need for Explicit Agricultural Exemptions and Protections

The current Exposure Draft Standard is not fit for purpose for Australian agriculture and, if implemented in its current form, risks undermining food security, reducing productive capacity, increasing sovereign risk to agricultural land, and weakening regional economies.

Agriculture must be explicitly recognised as a cyclical, adaptive and ongoing land use fundamentally different from finite or one-off development activities. Agricultural systems continually respond to climate, seasonal variability, markets, biosecurity pressures and environmental conditions, and therefore cannot reasonably be regulated through the same assessment framework applied to permanent land use change or extractive industries.

Routine and continuing agricultural activities should be explicitly exempt from the application of the MNES Standard and associated assessment triggers where those activities are already lawfully occurring under Commonwealth, State or Territory frameworks.

Agriculture must not be subject to cumulative or duplicative environmental obligations where environmental outcomes, stewardship obligations, offsets, carbon obligations or state-based regulatory requirements already apply. The same agricultural landscape cannot continue to absorb overlapping public environmental responsibilities without significant impacts to food and fibre production, land values, investment certainty and business viability.

The regulatory burden being placed on farmers is viewed as enormous and there has been no completed Impact Analysis to quantify the cumulative compliance, administrative, productivity and financial burden associated with the proposed reforms. Given the scale of proposed change, a comprehensive agricultural impact assessment must be undertaken prior to implementation.

The MNES Standard must be amended to include the following principles and protections:

1. Insert an explicit exemption for routine and continuing use agricultural activities undertaken as part of lawful existing agricultural operations.

2. Insert a provision recognising agriculture as a cyclical, adaptive and ongoing land use with cyclical timelines of 30 years, distinct from finite development activities.
3. Limit application of the Standard to activities that are likely to result in a clear, measurable and significant impact on a Matter of National Environmental Significance (MNES).
4. Recognise and protect existing lawful use and continuing use rights for agricultural landholders.
5. Exclude routine agricultural adaptation, productivity improvement, drought response, sustainable intensification and innovation from referral and assessment requirements, especially where no significant impact on MNES is likely to occur.
6. Require assessment processes to explicitly consider food security, fibre production, regional economic contribution and agricultural productivity as mandatory decision-making factors.
7. Insert recognition that agricultural production systems contribute to environmental stewardship, ecological functioning and landscape-scale environmental management.
8. Require the application of Ecologically Sustainable Development principles to appropriately balance environmental, economic, social and food production outcomes.
9. Require Commonwealth assessment processes to align with, and avoid duplication of, existing State and Territory regulatory frameworks governing vegetation, water, reef, land management and natural resource management.
10. Recognise accredited State and Territory agricultural and environmental frameworks as the primary regulatory mechanism for routine agricultural land management activities.
11. Require all regulatory obligations, guidance and compliance frameworks to be proportionate, risk-based and capable of practical implementation by landholders.
12. Require all guidance material and compliance tools to be clear, accessible, farm-scale and operationally practical for producers.
13. Insert protections ensuring the ongoing 'voluntary' nature of the stacking of biodiversity, carbon, offset and climate-related activities across the same agricultural landholding where this is progressed.
14. Limit Indigenous native title consultation requirements to circumstances where consultation is legally required under existing Commonwealth native title frameworks.
15. Recognise existing State and Territory Aboriginal Cultural Heritage frameworks as satisfying cultural heritage consultation obligations where applicable.
16. Explicitly exclude routine agricultural activities from the application of Principle 4 and associated offset or restoration obligations.

The matters outlined above are critical to ensuring the reforms remain practical, legally certain and economically sustainable for agriculture and reinforce the need for the National Environmental Standards to be assessed and implemented as an integrated package rather than in isolation.

The standards should be reviewed as a package

The Samuel Review also made clear that the *National Environmental Standards* should be read and implemented as an integrated suite². Before the standards supporting the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) are finalised, they should be released, assessed and consulted on together to ensure they are coherent, workable and capable of delivering consistent outcomes.

Accordingly, AgForce does not support the continued release and consultation of individual standards in isolation, particularly where the cumulative interaction between standards, offsets, climate obligations, compliance frameworks and assessment pathways has not yet been fully articulated or assessed. Reviewing standards separately prevents stakeholders from understanding the full regulatory, operational and economic implications for agriculture and risks embedding

² Located at [Independent Review of the EPBC Act – Final Report October 2020](#)

overlapping obligations, duplication and unintended consequences across productive agricultural landscapes.

A holistic assessment of the complete framework is required before further progression of individual standards.

2026–27 Budget measures

The 2026–27 Budget set out a regulatory reform agenda intended to unlock productivity and economic dynamism³. The Government has committed to reducing regulatory burden by \$10.2 billion each year through measures directed at:

- reducing compliance time and costs;
- making it easier to build, invest and innovate; and
- improving government services.

This reform agenda necessarily includes implementation of the EPBC Act reforms. To meet its stated commitment to reducing regulatory burden, the Government must also recognise and address the real and ongoing costs imposed on farmers by the reforms passed by Parliament on 28 November 2025.

The Budget also included a measure to ‘Boost Productivity’ by accelerating and streamlining approval processes. This measure is welcome, but it must be implemented in a way that delivers timely and practical outcomes across all sectors, including agriculture. The measure includes:

- \$105.9 million over four years for the Department of Climate Change, Energy, the Environment and Water and the National Environmental Protection Authority to modernise environmental information, data and digital systems, improve user experience, and enable simpler, faster environmental approvals.
- \$47.6 million over four years to progress bilateral agreements with states and territories, enabling states to conduct assessments and approvals on the Commonwealth’s behalf, reducing duplication, and ensuring more efficient processing of environmental approvals.
- \$26.4 million over four years from 2026–27 for DCCEEW and NEPA to work with states and territories to develop new bioregional plans and strategic assessments that will fast-track environmental approvals in priority areas, including housing, critical minerals and renewable energy.
- funding to support states and territories to implement bioregional plans and strategic assessments in priority areas, including those relevant to agriculture⁴.

Agriculture should be explicitly included in these measures if the Government is to improve productivity, reduce duplication and deliver efficient environmental regulation across the economy. It is concerning that the Government identified savings of \$35 million over two years from 2028–29 (and \$17.5 million per year ongoing) by reducing funding for the agriculture stream of the Natural Heritage Trust⁵. This is difficult to reconcile as the Natural Heritage Trust Act identifies environmental protection, sustainable agriculture and natural resource management as core priorities and could have been used to assist with delivering environmental reforms and by providing information to assist farmers understand matters of national environmental significance and whether actions are likely to have a significant impact and require a referral.

³ Located at [Budget 2026–27 Fact Sheet](#)

⁴ Located at: [Budget Paper No. 2](#)

⁵ Located at: [Budget Paper No. 2](#)

Conclusion

In its current form, AgForce cannot support the progression of the National Environmental Standard for Matters of National Environmental Significance. The current Exposure Draft represents a significant expansion of Commonwealth regulatory control into routine and lawful agricultural land management activities and, if implemented without substantial amendment, will impose unacceptable economic, operational and sovereign risk on Queensland producers and regional communities.

The Standard fails to recognise the fundamental reality that agriculture is not a one-off development activity. Queensland producers manage dynamic, cyclical and highly variable production systems across landscapes already governed by some of the most restrictive vegetation and environmental laws in the country. The Commonwealth is attempting to layer an additional, uncertain and highly subjective regulatory framework over existing State systems without demonstrating environmental necessity, without defining workable thresholds, and without properly assessing the economic consequences.

AgForce does not accept that Queensland producers should carry this burden where the Commonwealth has failed to:

- complete a comprehensive Regulatory Impact Statement;
- quantify the cumulative cost burden on agriculture;
- assess impacts on land values, finance, insurance and investment confidence;
- fully comprehend the perverse land management outcomes of increased red tape;
- provide legally certain and operationally practical guidance; or
- release the full integrated suite of National Environmental Standards as recommended by the Samuel Review.

The current approach creates significant uncertainty around continuing use rights, routine land management, environmental stewardship, property transactions, financing and future productive capacity. It risks fundamentally altering the value, usability and transferability of productive agricultural land across Queensland without compensation, clarity or due process.

Queensland producers cannot be expected to operate under a framework where:

- routine agricultural activities risk referral or enforcement action;
- compliance obligations are undefined or impractical;
- environmental survey expectations are unreasonable and commercially unworkable;
- landholders are exposed to escalating legal and financial risk even when operating in good faith; and
- the rules continue to evolve without certainty, transparency or proper consultation.

AgForce therefore calls for an immediate pause to the progression and implementation of the MNES Standard until:

- the full suite of National Environmental Standards is released and assessed holistically;
- a full agricultural Regulatory Impact Statement is completed;
- genuine agricultural exemptions and continuing use protections are embedded;
- duplication with State frameworks is removed; and
- a fit-for-purpose agricultural pathway is co-designed with industry.

If the Commonwealth proceeds without addressing the underlying limitations of the current MNES Exposure Draft, AgForce considers there to be a serious risk of widespread economic impairment to Queensland agriculture, declining regional investment confidence, perverse environmental outcomes and the erosion of agricultural production rights across the State.

Appendix 1

30 January 2026

Environment Protection Reform Act 2025

Attention: The Hon Murray Watt MP, Minister for the Environment and Water
via the Department of Climate Change, Energy, the Environment and Water (DCCEEW)

RE: Draft National Environmental Standard (Matters of National Environmental Significance) 2025

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.

Executive Summary

Queensland producers have a long-standing record of delivering food and fibre alongside environmental stewardship, operating within comprehensive state-based land, water and vegetation frameworks. These systems have enabled producers to manage risk, invest in natural capital and respond adaptively to seasonal and climatic variability while maintaining productivity and environmental outcomes.

AgForce supports the objectives of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) reforms and the protection of Matters of National Environmental Significance (MNES). However, as currently proposed and interpreted, the MNES Standard and associated changes to the EPBC referral framework apply a development-style, project-based regulatory model to routine agricultural production. This approach does not reflect the cyclical, adaptive and perpetual nature of agriculture and risks embedding significant and recurring regulatory costs into food production systems.

The cumulative effect of MNES self-assessment, referral and evidentiary requirement, when applied to routine agricultural activities, represents a structural shift in regulatory burden from government to producers and supply chains. As demonstrated in Appendix 1, these costs are material at both the farm and sector level, representing in excess of 15 per cent of national agricultural output. At this scale, costs cannot be absorbed by producers and will flow through supply chains, with implications for food affordability, food security and regional economic resilience.

AgForce believes it is more important than ever that agriculture, and AgForce on behalf of Queensland producers, is able to contribute constructively to the design and implementation of the MNES Standard. Genuine collaboration between government and producers is essential to ensure environmental protection, food security and productive land use work hand in hand, rather than in tension. With the right settings, agriculture can continue to deliver national environmental outcomes while sustaining Australia's food supply, regional economies and long-term stewardship of the landscape.

Introduction

Agriculture operates across highly diverse and actively managed landscapes, shaped by long-term land use, bioregional variation, climate and evolving agricultural science. In Queensland, production systems function at scale, from extremely fertile floodplains to arid rangeland landscapes and everything in between, all rely on continuous, adaptive land management to sustain productivity, biodiversity function and environmental resilience. Even in the most arid landscape, land management and infrastructure are a key component of productivity and viability. Regulatory frameworks that do not account for this reality risk mischaracterising agricultural activity and constraining the very practices that deliver long-term environmental outcomes and Food Security.

For decades, Queensland agriculture has operated within a layered regulatory framework combining state-based land, vegetation, water and reef protection laws, alongside overarching Commonwealth environmental legislation. Key instruments include the *Vegetation Management Act 1999 (Qld)*, the *Planning Act 2016 (Qld)*, the *Environmental Protection Act 1994 (Qld)* and the *Water Act 2000 (Qld)*, as well as reef-specific requirements under the *Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Act 2019 (Qld)*. These frameworks provide the primary, day-to-day regulation of agricultural activity, embedding environmental protection, land-use planning and water management into routine farm operations at a bioregional scale.

The EPBC Act has historically operated as a higher-order safeguard for Matters of National Environmental Significance, complementing state-based systems rather than replacing them. However, the proposed MNES Standard represents a shift toward more active and prescriptive Commonwealth involvement in the regulation of agricultural activities. As currently drafted and interpreted, the Standard applies a project-based, static assessment model that is not optimised for Queensland's scale, landscape diversity or the science of contemporary agricultural systems operating in altered and managed environments.

Agricultural landscapes in Queensland are not pristine or static ecosystems; facing major pressures from introduced pests, changing weather patterns and long-term historic anthropogenic management. Modern agricultural science recognises that biodiversity, soil health, carbon dynamics and productivity outcomes are often maintained, and in many cases improved, through active management rather than exclusion or abandonment. Regulatory settings that fail to recognise these dynamics risk prioritising short-term administrative triggers over long-term environmental function and resilience.

Analysis presented in Appendix 1 demonstrates that, under current interpretations, MNES self-assessment and referral requirements applied to routine agricultural activities would impose substantial and ongoing costs unrelated to new development or environmental harm. When aggregated across the sector, these costs represent a material share of national agricultural production value, signalling that the framework, as currently designed, is misaligned with agriculture's essential role in food security and environmental stewardship.

Agriculture is fundamentally different from land uses that involve irreversible conversion or abandonment of land. Queensland producers manage working landscapes over generations, with environmental outcomes dependent on ongoing intervention, stewardship, adaptation and rotation of intensity in land use rather than and including static preservation of remnant landscapes. The recommendations that follow are intended to ensure the MNES Standard recognises this distinction and avoids regulatory settings that constrain the continuous land management required to deliver both environmental outcomes and food security.

AgForce Recommendations

- 1. Recognise agriculture as a distinct regulatory pathway**
The MNES Standard must explicitly recognise agriculture as a continuous, cyclical land use delivering long-term public benefits, not a finite development activity. Assessment and referral pathways must be designed specifically for food and fibre production systems operating in perpetuity. Agriculture is not irreversible conversion of land use.
- 2. Exempt routine agricultural activities from referral and self-assessment**
Routine and low-risk agricultural activities undertaken for food security, remediation, resilience and land stewardship must be explicitly exempt from MNES referral and self-assessment requirements. Applying development-style triggers to these activities creates perverse outcomes and discourages environmentally beneficial management.
- 3. Ensure short-term impacts are not assessed in isolation from long-term outcomes**
Decision-making under the MNES Standard must assess impacts in the context of long-term productivity, stewardship and landscape outcomes. Short-term disturbance associated with routine management and remediation should not be treated as adverse where it underpins sustained environmental and food security benefits.
- 4. Prevent the transfer of public regulatory costs onto producers**
Where the MNES framework introduces additional assessment, mapping or evidentiary requirements for routine agricultural activities, those requirements must be government-funded and fee-exempt. Producers should not be required to pay for regulatory processes imposed to achieve public environmental objectives related to national food production.
- 5. Eliminate reverse onus of proof for agricultural landholders**
The MNES Standard must not require producers to prove the absence of impacts across multiple protected matters. Where additional regulation is proposed, government should bear responsibility for demonstrating material risk that warrants intervention.
- 6. Require MNES mapping to be scale-appropriate and activity-specific**
MNES mapping must be spatially accurate, scale-appropriate and applied at the level of the specific activity and location. Producers should only be required to consider protected matters that are plausibly affected by the action being undertaken.
- 7. Avoid duplication of effective state-based frameworks**
The MNES framework should rely on existing state-based vegetation, water and land management systems where they are demonstrably effective. Additional Commonwealth layers should only apply where a clear and evidenced regulatory gap exists.
- 8. Recognise existing stewardship and natural capital outcomes**
The framework must formally recognise existing biodiversity, regrowth and land management outcomes already delivered by producers. Where positive outcomes are demonstrably present via industry led recognition programs supported by science, additional assessment or regulatory requirements should not apply.
- 9. Prioritise participation and workability in MNES design**
The MNES Standard must be designed to encourage compliance and participation by agricultural producers. Overly complex, costly or misaligned requirements risk disengagement, non-compliance and perverse environmental outcomes.
- 10. Confine the MNES Standard strictly to environmental protection objectives**
The MNES Standard must remain a targeted environmental instrument and not extend into cultural or social policy domains. Public engagement, Indigenous Heritage matters, including traditions and beliefs, are appropriately addressed through existing cultural heritage and land management legislation and should not be imposed as standalone obligations within national environmental law.

The following sections outline the operational, scientific and economic rationale underpinning each recommendation.

1. Recognise agriculture as a distinct regulatory pathway

Agriculture operates through cyclical, adaptive management across large areas, where routine activities are repeated seasonally and adjusted for drought, flood, pests and market conditions. The proposed MNES framework, as currently drafted and interpreted, applies a project-based assessment model that treats routine agricultural management more like a discrete development proposal, rather than an ongoing land use where outcomes are delivered through continuous intervention and stewardship.

This misalignment has practical consequences. Current advice indicates EPBC referral and assessment processes may take up to 18 months, during which time an activity may be unable to proceed. For agriculture, that timeframe is incompatible with the operational need to respond within seasons, including to feed availability, animal welfare pressures and climatic variability. It also creates a material food security risk when routine production or resilience activities are paused to meet approval timelines that were not designed for continuous production systems.

The problem is compounded where the framework effectively counts short-term, reversible change as a permanent impact, while failing to recognise the recovery, regeneration and ongoing land management that typically follow routine agricultural interventions. For example, vegetation response and regrowth following management actions may occur within seasons or years, yet the current approach risks repeatedly treating these cycles as new impacts each time an activity occurs, with limited capacity to credit long-term environmental benefits delivered through improved groundcover, reduced erosion risk, pest control, or enhanced landscape resilience.

Accordingly, recognising agriculture as a distinct regulatory pathway is not a request for reduced standards; it is a requirement for a framework that is scientifically credible in working landscapes. The MNES Standard must be refined in collaboration with agriculture to ensure cyclical activities are assessed appropriately, cumulative accounting is not repeatedly applied to routine management cycles, and long-term environmental function and food production outcomes are considered together. This requires greater agricultural engagement and targeted fine-tuning of the draft settings so the system is workable, proportionate and aligned with real-world landscape dynamics.

2. Exempt routine agricultural activities from referral and self-assessment

Routine agricultural activities are the mechanism through which environmental outcomes are actually delivered in working landscapes. Fencing, fodder harvesting, weed and pest control, grazing management and remediation works are not discretionary; they are essential to maintaining biodiversity, groundcover, managing erosion risk, protecting animal welfare and sustaining productive capacity. Subjecting these activities to referral or self-assessment processes introduces delays that are fundamentally incompatible with seasonal decision-making, drought and flood response, and time-critical land management. At a system level, this creates a regulatory environment where producers are incentivised to delay, reduce or avoid necessary management, directly undermining environmental outcomes.

If routine agricultural activities are not explicitly exempt, the cumulative effect is not improved protection of MNES but an increased administrative and financial burden that would lead to a progressive erosion of land condition, productivity and resilience. As demonstrated in Appendix 1, the cost of repeated compliance, even where fees are partially waived, accumulates rapidly and contributes to a burden equivalent to more than 15 per cent of national agricultural production value. At this scale, regulatory friction becomes a structural constraint on food production,

embedding costs throughout supply chains and increasing exposure to food security risk, particularly during periods of climatic stress.

3. Ensure short-term impacts are not assessed in isolation from long-term outcomes

Agricultural landscapes function through deliberate cycles of intervention and recovery. Activities such as contour bank construction and maintenance, selective thinning and other types vegetation management may involve short-term disturbance, but they are undertaken to reduce erosion, improve water infiltration, manage fuel loads, maintain pasture condition and support long-term ecosystem function. Treating these interventions as adverse impacts in isolation, without accounting for recovery, regeneration or baseline condition, misrepresents how environmental outcomes are achieved in working landscapes.

If short-term impacts continue to be assessed without reference to long-term outcomes nor to base health and safety requirements nor animal welfare, the MNES framework will repeatedly penalise the very practices that prevent land degradation. Retaining a tree or avoiding intervention does not, in itself, equate to a healthy landscape; unmanaged systems can experience declining groundcover, increased erosion, weed invasion and reduced ecological resilience. At a system level, this approach drives unnecessary referrals and delays, discourages proactive land management and ultimately undermines both environmental performance and food production capacity.

4. Prevent the transfer of public regulatory costs onto producers

Agricultural producers are the delivery mechanism for Australia's current and future food security, operating across vast landscapes to supply a growing domestic population while sustaining export markets. Requiring producers to fund extensive ecological assessments, mapping and referral processes in order to continue routine food production activities represents a fundamental misalignment between public policy objectives and regulatory responsibility. These assessments are not enabling new development or responding to environmental damage; they are being triggered to allow established agricultural systems to continue producing food.

A regulatory framework that relies on producer-funded assessments to deliver public environmental objectives is incompatible with maintaining long-term food security. Government cannot simultaneously mandate expanded assessment requirements in the public interest and expect producers to absorb those costs without consequence. If environmental assessments are required to inform national decision-making, they must be funded by government. Shifting these costs onto agriculture constrains productive capacity, diverts capital from on-farm investment and undermines the ability of the sector to meet future food demand. A sustainable MNES framework must recognise that public-interest regulation requires public investment, not the erosion of the economic foundations of food production.

5. Eliminate reverse onus of proof for agricultural landholders

Under current MNES settings, producers are required to demonstrate that a proposed activity will have no significant impact on all mapped MNES, or alternatively to commission assessments to demonstrate which MNES are not present or not affected, at their own cost. Given MNES mapping is often applied at a broad spatial scale, this requirement routinely captures protected matters that are not present on-farm or not plausibly affected by the activity being undertaken. In practice, this compels producers to disprove relevance across multiple protected matters before routine land management can proceed, creating disproportionate cost and delay.

This approach also fails to reflect ecological reality. Different agricultural activities benefit different species and ecosystem functions, and no single activity can optimise outcomes for all protected matters simultaneously. For example, the construction of a farm dam or water infrastructure may

improve habitat availability for frogs, waterbirds and other aquatic species, while not providing suitable habitat for grassland-dependent fauna such as the plains-wanderer. Requiring producers to demonstrate neutrality or benefit across all MNES for every activity is scientifically unsound and leads to repeated assessment of benign or beneficial actions. A credible MNES framework must remove reverse onus settings and focus assessment only on protected matters that are plausibly affected by the specific activity and location, ensuring regulation reflects how ecosystems actually function in managed agricultural landscapes.

6. Require MNES mapping to be scale-appropriate and activity-specific

Building on the issues outlined above, MNES mapping must reflect the bioregional function of Queensland's agricultural landscapes, rather than applying broad overlays that assume uniform ecological characteristics across large areas. Applying coarse-scale MNES mapping as a proxy for impact fails to capture the complexity of Queensland landscape and results in routine agricultural activities being assessed against protected matters that are not relevant to the activity, location or bioregional context. A credible MNES framework must therefore apply mapping at the scale of the activity within its bioregional setting, ensuring assessment reflects functional ecological relationships rather than broad spatial coincidence, and avoids compounding the reverse onus burden identified in Recommendation 5.

7. Avoid duplication of effective state-based frameworks

AgForce recognises that the intent of the MNES reforms is to minimise duplication between Commonwealth and state regulatory systems. However, in practice, Queensland's vegetation, water, reef and land management frameworks regulate agricultural activity at a level of bioregional and operational detail that is not replicated in Commonwealth legislation. Where federal requirements override these systems without recognising their exemptions, thresholds and operational logic, the result is increased duplication, cost and delay, with perverse outcomes for both environmental management and food production. Given the inaccuracies of the broader mapping of MNES, producers will view this as an ambit claim rather than a genuine attempt to willingly work with producers. Without clearer recognition of Queensland-specific frameworks and tailored exceptions, the MNES Standard risks displacing effective, on-ground regulation with broader federal processes that are less responsive to local landscape function and agricultural realities.

8. Recognise existing stewardship and natural capital outcomes

Many Queensland producers have delivered sustained improvements in land condition, biodiversity function and natural capital through long-term management, investment and adaptation. A framework that repeatedly assesses activities from a zero baseline, without recognising existing outcomes, penalises early stewardship and subjects producers to ongoing assessment despite demonstrable environmental performance. This approach undermines confidence in the regulatory system and weakens incentives to maintain or enhance practices that deliver long-term environmental and production benefits.

Failure to recognise existing outcomes also creates inefficiencies across emerging mechanisms such as the Nature Repair Market. Where stewardship outcomes are not acknowledged within regulatory frameworks, producers face uncertainty about whether environmental gains can be recognised, retained or leveraged, reducing participation and weakening market effectiveness. Aligning MNES settings to formally recognise existing stewardship outcomes is essential to regulatory coherence and credible offset accounting, ensuring environmental gains already delivered through long-term land management and regrowth are not discounted, double-counted or treated as permanent impacts.

9. Prioritise participation and workability in MNES design

Effective environmental protection in Queensland's agricultural landscapes depends on active producer participation and timely on-ground management, not regulatory imposition alone. AgForce seeks to work with government to ensure MNES frameworks are designed to enable participation by recognising the operational realities of agriculture and the ecological characteristics of Queensland landscapes, where outcomes are often delivered through management, regeneration and functional land use rather than discrete, project-based interventions. Where MNES settings impose long approval timeframes, repeated assessments or high upfront costs, they discourage engagement and delay routine management, weakening both environmental and production outcomes.

It is also important that MNES settings are clearly distinguished from, yet coherent with, complementary programs such as the Nature Repair Market or Carbon Abatement Programs that include both soil and trees. These programs currently focus on new, project-based restoration rather than existing stewardship or regrowth outcomes. Confusion between regulatory obligations and voluntary market mechanisms risks undermining both participation and policy intent. A workable MNES framework must therefore be clearly positioned as an enabling regulatory system, one that supports producer engagement and environmental delivery across diverse agricultural systems, rather than as a barrier that constrains action or conflates regulation with voluntary conservation markets.

10. Confine the MNES Standard strictly to environmental protection objectives

AgForce supports meaningful First Nations engagement and looks forward to contributing constructively to the development of the proposed *First Nations Engagement Standard* as the appropriate mechanism for embedding cultural engagement into environmental decision-making. However, incorporating standalone cultural engagement requirements into MNES agricultural referral pathways extends beyond the Standard's environmental purpose and risks introducing duplication, delay and uncertainty for routine land management activities already regulated under established frameworks.

Conclusion

AgForce supports strong environmental protection and the objectives of the EPBC reforms. However, the MNES Standard will only be effective if it recognises agriculture as a distinct, continuous land use, fundamentally different from finite development, and designed and implemented accordingly. Applying development-style referral pathways, extended approval timeframes and cumulative evidentiary requirements to routine agricultural activities risks constraining food production, delaying essential land management and undermining environmental outcomes.

Under the current interpretation, AgForce is concerned that environmental outcomes may be weakened rather than strengthened, as the administrative and financial burden placed on producers acts as a disincentive to proactive land stewardship and timely on-ground management. Over time, this burden erodes producer goodwill, increases scepticism toward regulatory processes, and risks shifting effort away from practical ecological outcomes toward compliance-driven decision-making. These costs are ultimately borne through higher food production costs and reduced system resilience.

A workable MNES framework must therefore provide a tailored agricultural pathway, exempt routine and beneficial activities, and ensure that any additional assessment requirements imposed in the public interest are funded by government, not producers. With these settings in place, AgForce

stands ready to work constructively with government to refine implementation so environmental protection, food security and long-term land stewardship are delivered together.

Appendix 1

Case Study: Cumulative Cost of MNES Referral and Assessment Requirements on Australian Agriculture

The current DCCEEW proposed interpretation of MNES self-assessment and referral requirements will impose a cataclysmic economic burden on routine agricultural production, materially altering the cost structure of food and fibre production in Australia. These costs arise from additional Commonwealth regulatory requirements applied to routine, ongoing agricultural activities undertaken to maintain food supply, land stewardship and production resilience.

Australia has approximately 88,000 agricultural businesses⁶ with a cumulative gross value of agricultural production at approximately \$99.5 billion per year⁷.

Table 1: The estimated Cost Profile of fully complying with current MNES requirements for an agricultural business over 12 months.

Cost component	Basis	Cost(AUD)
EPBC referral (upper bound)	Commonwealth assessment fees + ecological assessment	\$149,134
Ongoing MNES self-assessment and management	~1,000 hours per year	\$35,140⁸
Indicative ongoing regulatory cost per business	Referral + annual compliance	~\$184,000

Note: The cost estimate presented above reflects only the direct and quantifiable regulatory costs associated with EPBC referral and MNES self-assessment requirements. It does not account for additional costs and risks, including but not limited to: further ecological surveys; First Nations engagement processes; mapping and spatial analysis; legal and planning advice; owner and staff time; opportunity cost; project delays; livestock welfare risk; or lost productivity resulting from deferred or constrained management actions. Assumptions: approximately 10 routine agricultural activities per year with at least one referral⁸ valid only for the same activity and/or same area; no offset costs included.

This cost reflects regulatory obligations applied to routine food production activities, not new development or environmental harm. While referrals may be activity- or area-specific, the structure of the framework results in ongoing and repeatable costs where activities occur across properties or production systems.

Aggregate Sector Impact

Applying an ongoing cost of ~\$184,000 per business across ~88,000 agricultural producers results in a cumulative burden of approximately: **~\$16.2 billion per year imposed on Australian agriculture.**

Relative to total agricultural production of ~\$99.5 billion, this represents **in excess of 15%** of national agricultural output, constituting a double-digit structural impost on the sector.

These costs are generated by short-term regulatory triggers applied to routine agricultural activities, without sufficient weighting of holistic natural capital contributions, long-term productivity,

⁶ Available at: Brown, A, De Costa, C & Guo, F 2020, Our food future: trends and opportunities, ABARES, Research Report 20.1, Canberra, January, DOI: 10.25814/5d9165cf4241d. CC BY 4.0.

⁷ Available at: <https://www.agriculture.gov.au/about/news/landmark-year-aus-ag#:~:text=According%20to%20the%20Australian%20Bureau%20of%20Agriculture,tonnes%2C%20the%20second%2Dlargest%20winter%20crop%20on%20record>

⁸ Detailed case studies quantifying these financial calculations were provided directly via correspondence to Minister Watt on 13 January 2026.

stewardship and food security outcomes. At this scale, the burden cannot be absorbed at the farm level and will be embedded throughout supply chains, with direct implications for food affordability, food sovereignty and regional economic resilience.