



Impact of the Australian Government's 2025 environment protection reforms on Queensland

Submission to the Queensland Productivity Commission by the
Australian Conservation Foundation, August 2026

Introduction

Thank you for meeting with us recently. This submission reinforces and elaborates on the points made in that meeting.

Our submission focusses on the reforms as they apply to the agricultural sector, responding to the questions you have asked in the Call for Submissions relevant to this area. The EPBC Act's longstanding failure to regulate the impacts of agricultural activities has been a high priority for ACF, and we pushed strongly for reforms in this area through the EPBC reform process. This priority is part of a broader agenda to ensure that Australia's food production systems are sustainable and support the protection and restoration of nature.

Our work in this area includes policy and law reform advocacy, especially at the federal level, corporate and financial sector engagement, and support for those in the agricultural sector committed to sustainable food production.

The following submission makes three main points:

- The reforms have not expanded what the EPBC Act protects, which in turn reflects a longstanding and well understood responsibility of the Commonwealth to protect Matters of National Environmental Significance. These Matters, and the concept of an "action" to which it applies, have remained unchanged since the Act was introduced. What has changed is a narrow exemption for the continuation of uses that pre-date the Act. The impact of those changes largely reflects a necessary correction of a longstanding failure to apply and enforce the Act in a manner that reflects the Commonwealth's responsibilities.

- Land clearing remains a principal pressure on Queensland's threatened species, a significant source of greenhouse gas emissions, and a major contributor to the decline in Great Barrier Reef water quality. The great majority of it is for pasture expansion. This must be addressed, and the reforms provide an opportunity to do that.
- Effective environmental protection supports the Queensland economy. More than half of Queensland's gross value added is generated by industries with a moderate to very high direct dependence on nature, and the State's clearing record is already being assessed by the markets its producers sell into and by the World Heritage Committee.

Recommendations

Recommendation 1: We recommend that the Commission find that the change in regulatory experience now reported by the Queensland agricultural sector is largely the correction of a longstanding failure to apply and enforce the EPBC Act, and that it seek data from the Commonwealth Department on how many inquiries received since the changes commenced concern activities that were never exempt. The Commission should also recognise that any narrowing of previously available exemptions is appropriate and reflects the need for the EPBC Act to comprehensively protect Matters of National Environmental Significance.

Recommendation 2: We recommend that the Commission independently test industry estimates of the cost of the reforms, including the assumed number of EPBC Act referrals and the assumed cost per referral, before relying on them.

Recommendation 3: We recommend that the Commission assess the reforms against the value of the natural capital they protect, and not by reference to compliance costs alone.

Recommendation 4: We recommend that the Commission recognise the contribution that clear and consistently enforced domestic regulation makes to the market access of Queensland producers, and account for it as a benefit of the reforms.

Recommendation 5: We recommend that the Commission recognise the 2025 reforms as an opportunity for the Commonwealth and Queensland governments to act together in responding to the World Heritage Committee's continuing requests for improved control of land clearing in the Great Barrier Reef catchment, and in demonstrating that improvement in Australia's progress report due by late 2027.

Recommendation 6: We recommend that the Commission encourage the Queensland government to ensure that State vegetation management and Reef protection requirements align with the Standards required for MNES under Commonwealth law. Closing this gap will lead to better environmental protection and help respond to concerns about regulatory inconsistency across jurisdictions.

Responses to questions

Outcomes for the environment

What are the actual, expected or likely impacts of the 2025 reforms on environmental outcomes in Queensland? Which elements of the reforms are likely to have the largest expected or likely impacts?

Better regulatory outcomes

ACF reports have documented a longstanding failure to adequately apply the EPBC Act to the agricultural sector in Queensland particularly, with the consequence that extensive ongoing land clearing has been allowed to continue, including land clearing that has a significant impact on Matters of National Environmental Significance (MNES) that are supposed to be protected under the EPBC Act.¹

These MNES include threatened species and ecological communities, as well as the Great Barrier Reef which is impacted by land clearing in the Reef catchment. This assessment is consistent with that of the most recent independent review of the Act, which concluded that the EPBC Act “is not fit to address current or future environmental challenges”.

ACF strongly advocated for reforms to address these issues. The impact of the 2025 reforms, if they are thoroughly implemented, should be more effective protection of these MNES.

The reforms likely to have the greatest impact in relation to the agricultural sector relate to the changes to the continuous use exemption, and the new National Environmental Protection Agency.

Turning first to the changes to the continuous use exemption, these changes bring some activities that were previously exempt under the Act in under the legislation, but also provide a basis to address longstanding misunderstandings about the application of the

¹ Australian Conservation Foundation and M Taylor, Double Standard: The failure of Australia’s national environment law to prevent the pastoral industry bulldozing threatened species habitat in Queensland (2022). The analysis found that 421,246 hectares of threatened species habitat was cleared in Queensland in 2018–19 – 96% (404,652 hectares) for pasture expansion – with no record of any referrals, or approvals under the EPBC Act, and no enforcement action by the Department. See <https://www.acf.org.au/data-reveals-qld-habitat-destruction-out-of-control>.

Act to the agricultural sector. They do not enlarge the range of matters protected under the legislation.

As the Commission notes in the Call for Submissions, the MNES covered by the EPBC Act reflect the longstanding agreement between the Commonwealth and States and Territories (including Queensland) on areas where the Commonwealth government has responsibility for environmental regulation. The protection of these MNES in turn represents Australia's international commitments, and more generally the strong support for nature protection by the Australian public.

The scope of the matters protected by the EPBC Act has not been altered by the reforms. The Act still regulates "significant impacts" on MNES under the same legal architecture that has been in place since the Act was introduced in 1999.

Similarly, the type of activities regulated under the legislation remains the same – the Act applies to "actions" which has always included projects, developments, undertakings, activities or series of activities, or alterations to these things.² Contrary to suggestions from some industry groups, it has always been contemplated that the EPBC Act would apply to a broad range of sectors, including those involving ongoing operations such as agriculture.

The most significant legislative exception to the application of the EPBC Act for the agricultural sector has been the exemption for continuations of uses in s 43B. This exemption insulated landholders against the need for an approval for actions likely to have a significant impact on an MNES where the action was associated with an uninterrupted continuing use that commenced prior to the commencement of the EPBC Act in 2000, subject to the qualifications that the action was not an expansion or intensification or change in location resulting in increased impacts.

These significant qualifications to the exemption have always meant that it was restricted in scope. However, in our experience, in practice it was interpreted or claimed to be much broader than the wording justified. This situation complicated enforcement and, in our view, was used to rationalise non-compliance with the legislation.

Even without this mischaracterisation of the exemption, the fact that actions related to continuing uses that would otherwise be regulated actions under the EPBC Act continued to be exempt under the Act was in our view problematic as it undermined the comprehensive protection of MNES.

The 2025 EPBC Act reforms remove the application of the exemption in two circumstances: where the land has not been cleared of vegetation for at least 15 years,

² See the explanation of s523 of the EPBC Act in this DCCEEW policy statement: <https://www.dcceew.gov.au/sites/default/files/documents/epbc-act-policy-definition-action.pdf>

unless the action is a forestry operation, which applies nationally; and where the clearing is within 50 metres of a watercourse, wetland or drainage line in a Great Barrier Reef catchment. Complete removal of the exemption may have been preferable in terms of ensuring comprehensive application of the EPBC Act to all actions likely to have a significant impact on MNES, however the new exclusions reflect what we believe is a reasonable compromise, targeting vegetation which can reasonably be assumed to have reached a threshold level of ecological value, and high-risk clearing in the Reef catchment. The changes ensure that the EPBC Act applies to the agriculture sector as it applies to other sectors.

The reforms and the immediate commencement of changes to the continuous use exemption have drawn attention to the longstanding compliance issues outlined above. It is noteworthy that since these changes commenced, we understand that many of the inquiries received by the Commonwealth Department relate to matters that were never exempt, and this aligns with experience of ACF's investigations team who investigate and refer to the Department potential cases of non-compliance.

The second major change as noted above is the establishment of the National Environmental Protection Agency, which commenced on 1 July 2026. ACF has long advocated for the development of an independent national environmental regulator. Key improvements we would expect to follow from the establishment of this agency include more thorough and strategic enforcement of the legislation, greater support for compliance, particularly by the agricultural sector, and more accountable and consistent application of the Act.

Recommendation 1: We recommend that the Commission find that the change in regulatory experience now reported by the Queensland agricultural sector is largely the correction of a longstanding failure to apply and enforce the EPBC Act, and that it seek data from the Commonwealth Department on how many inquiries received since the changes commenced concern activities that were never exempt. The Commission should also recognise that any narrowing of previously available exemptions is appropriate and reflects the need for the EPBC Act to comprehensively protect Matters of National Environmental Significance.

Environmental and economic benefits

The reforms if implemented with adequate compliance and science-based standards can be expected to lead to a reduction in land clearing rates, particularly in the Great Barrier Reef catchments, resulting in substantial environmental benefits.

Land clearing remains one of the most significant threats to Queensland plant and animal species and the health of critical ecosystems and it is a significant contributor to

climate change through the direct emission of greenhouse gases and the removal of carbon sinks.

Since 2000, emissions from the clearing of forests alone (not including sub-forest ecosystems) nationally have averaged 55 million tonnes of carbon dioxide equivalents (MtCO₂-e) per annum.³ Most Australian forest clearing and related emissions occur in Queensland (Figure 1) and the majority of Queensland clearing (80-90%) is associated with agricultural pasture expansion⁴.

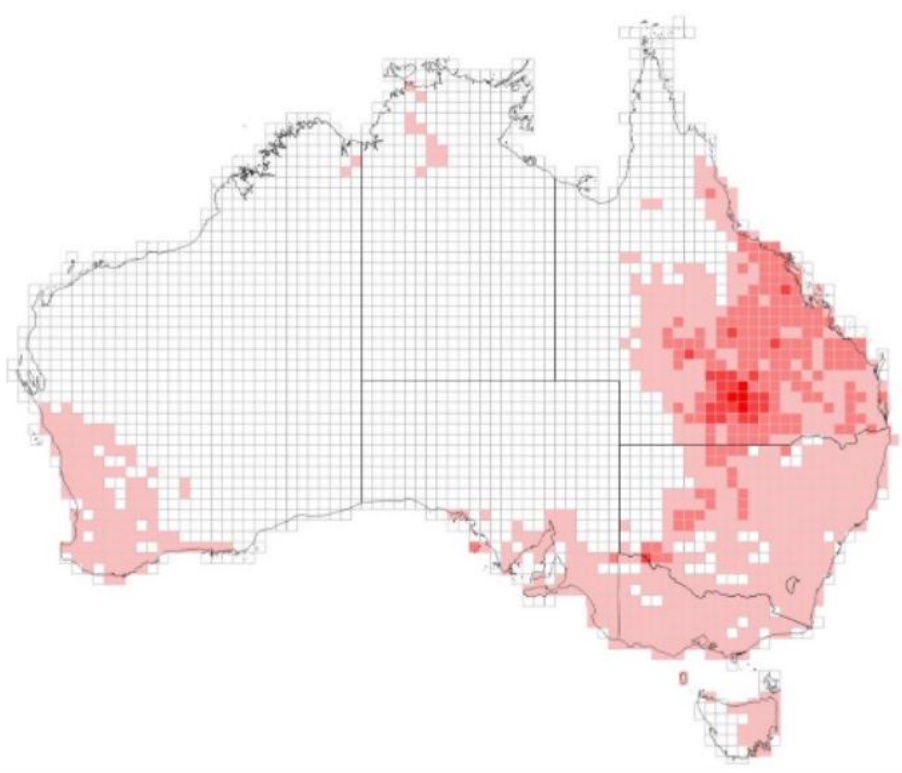


Figure 1. Areas of native forest clearing, 2001-2002 to 2019-2021. Coloured areas had at least 0.1% of their land areas cleared of forest between 2002 and 2021, darker red areas indicate areas with larger % area showing forest loss indicative of clearing. Source: Analysis of National Forest and Sparse Woody extent data, version 7, in combination with fire scar mapping.⁵

Land clearing can also lead to processes that degrade soils, such as erosion, salinisation, loss of organic matter and soil carbon, and depletion of soil fertility which compounds impacts on biodiversity and reduces the productive capacity of agricultural

³ Keith H., Macintosh A., Butler D., Mackey B. (2025). How claims of a net increase in forest cover mask the truth about the environmental impact of land clearing in Australia. Griffith Climate Action Beacon Science Informing Briefing Note 1/25. Griffith University, Brisbane, Australia.

⁴ Queensland Government (2026) Statewide Land Cover and Tree Study, *SLATS reports*, <https://www.qld.gov.au/environment/land/management/mapping/statewide-monitoring/slats/slats-reports> (accessed on 31 July, 2026)

⁵ Keith H., Macintosh A., Butler D., Mackey B. (2025). How claims of a net increase in forest cover mask the truth about the environmental impact of land clearing in Australia. Griffith Climate Action Beacon Science Informing Briefing Note 1/25. Griffith University, Brisbane, Australia

land over time.⁶ Broad-scale clearing of native vegetation can influence local climatic conditions including temperature and rainfall, increase sediment and chemical pollutant loads in freshwater streams, exacerbate the impacts of invasive predators like cats and foxes, harm pollinators, and increase pollutants in marine environments including the Great Barrier Reef.⁷⁸

Some recent media commentary from Queensland landholders in relation to the proposed reforms has claimed that clearing of brigalow forests is necessary to *reduce* runoff.⁹ However the evidence suggests the opposite: allowing brigalow to reach maturity, as would increasingly occur under the reforms, would deliver significant reductions in runoff. Data from the Brigalow Catchment Study found that compared with mature brigalow, conservatively grazed pasture resulted in a three-fold increase in runoff and, when heavily grazed, as much as a ten-fold increase.¹⁰

Runoff remains the dominant water quality pressure on the Great Barrier Reef, with fine sediment loads delivered to the Reef estimated at 1.4 to 5 times pre-development levels, and higher again in the largest sediment-exporting basins.¹¹

Forest cover also mitigates flood risk. Land clearing in the Brigalow Belt for example has reduced the capacity of forest and woodland ecosystems to provide flood attenuation resulting in a 28% loss of flood protection in urban communities.¹²

These impacts have obvious ramifications for biodiversity, but they also represent a material social and economic risk due to the degradation of natural capital that provides essential ecosystem services that support the Queensland economy including agricultural productivity.

⁶ Productivity Commission (1996) Land degradation and the Australian agricultural industry, Commonwealth of Australia.

⁷ Reside, April E. et al (2017) Ecological consequences of land clearing and policy reform in Queensland, Pacific Conservation Biology.

⁸ Tomlinson, Sean et al (2017) Landscape context alters cost of living in honeybee metabolism and feeding, Proceedings of the Royal Society Biological Sciences.

⁹ AgForce *Groundcover the key for positive environmental outcomes* media release, 11 June 2026 <https://www.agforceqld.org.au/knowledgebase/article/AGF-03111/>

¹⁰ Thornton, CM and A.E. Elledge (2021) Heavy grazing of buffel grass pasture in the Brigalow Belt bioregion of Queensland, Australia, more than tripled runoff and exports of total suspended solids compared to conservative grazing, Marine Pollution Bulletin, Volume 171.

¹¹ Waterhouse J, Lewis S, Mongin M, Skerratt J, Pineda M-C, McCloskey G, Darr S, Sambrook K, Bainbridge Z (2026) Scientific Report on the Great Barrier Reef Water Quality Targets. Commonwealth of Australia (Department of Climate Change, Energy, the Environment and Water). See also Waterhouse J, Apte S, Petus C et al (2024) 2022; Scientific Consensus Statement on land-based impacts on Great Barrier Reef water quality and ecosystem condition: Conclusions, Commonwealth of Australia and Queensland Government, <https://reefwqconsensus.com.au/conclusions/> (accessed 7 August 2026).

¹² Villarreal-Rosas, Jaramar., Wells, Jessie A., Sonter, Laura J., Possingham, Hugh P., Rhodes, Jonathan R. (2022) The impacts of land use change on flood protection services among multiple beneficiaries, Science of The Total Environment, Volume 806, Part 2

Outcomes for the economy and regulatory arrangements

What are the actual, expected or likely impacts of the 2025 reforms on economic outcomes or business activities in Queensland? Are there activities permitted under the pre-reform EPBC Act that are no longer permitted (or vice versa)? What are the likely costs (or benefits) of those changes?

The answers to these questions are partly covered in the responses above. There are undoubtedly activities that were permitted by virtue of being exempt under the pre-reform EPBC Act which can now only proceed with an approval – that is an intended effect of the reforms. But, as noted above, there has been no expansion of the scope of the EPBC Act beyond the significant impacts on MNES that have been a feature of the legislation since its introduction.

As also outlined above, it is likely that many of the activities now perceived to be newly regulated by the EPBC Act have always come under the Act but have to date been allowed to proceed because of a combination of a broader than justified understanding of the application of the continuous use exemption, and a systemic failure to enforce the Act.

Addressing these issues as part of the implementation of the reforms will mean that landholders who wish to proceed with an action that is likely to have a significant impact on an MNES and which does not come within the amended continuous use exemption will need to apply for an approval under the legislation. It also means that landholders undertaking actions that risk engaging with the legislation need to assess their compliance obligations, the so-called “self-assessment” process.

While there is a cost involved in these circumstances, claims by industry bodies such as AgForce on the cost of the reforms (\$3.5 billion per year) have been derived by assuming grossly exaggerated numbers for EPBC referrals and costs per referral.¹³

Recommendation 2: We recommend that the Commission independently test industry estimates of the cost of the reforms, including the assumed number of EPBC Act referrals and the assumed cost per referral, before relying on them.

¹³ AgForce Qld (undated) submission to the Senate Select Committee on Productivity, <https://www.aph.gov.au/DocumentStore.ashx?id=4e542c9e-7c7d-4b0b-bbc2-122e2b2c511f&subId=788882>

Contribution of environmental protection to the Queensland economy

We also urge the Commission to carefully consider the contribution of environmental protection to the Queensland economy.

As covered above, land clearing and the removal of healthy and biodiverse habitats results in wide-ranging environmental impacts that can be described as loss of natural capital. As ecological systems are degraded and their functions altered so is their ability to provide ecosystem services and the contribution of natural capital to the economy falls.

For example, the 2022 floods in Queensland and Northern NSW are considered by the insurance council of Australia to have been the nation's most costly, with insurance losses exceeding \$3.3bn and disruption to coal mine operations and associated infrastructure leading to a 2.7% decrease in gross value added for the coal industry.¹⁴ As also noted above, land clearing is known to materially increase flood risk.

Queensland is more exposed to the loss of natural capital than almost any other Australian jurisdiction. ACF's analysis of the direct dependence of Australian industry on ecosystem services found that 53.8% of Queensland's gross value added – \$187.1 billion – is generated by sectors with a moderate to very high direct dependence on nature, making Queensland the third most nature-dependent jurisdiction in the country after Western Australia and the Northern Territory. The sectors with the very highest dependence are those most prominent in regional Queensland: agriculture, forestry, fisheries, food product manufacturing, construction, and water and waste services. Nationally, those sectors generate \$293.6 billion each year, or 15.9% of GDP, and sectors with a high or very high direct dependence on nature account for more than three quarters of Australia's export earnings.¹⁵

That dependence is specific and measurable at the ecosystem scale, not merely a general proposition. The Great Barrier Reef supports more than 64,000 jobs and contributes approximately \$6.4 billion each year to the Australian economy, and the coastal protection provided by the Reef has been valued at \$438 million.¹⁶ Poor water quality from agricultural sediment runoff is one of the principal direct human pressures

¹⁴ Australian Bureau of Statistics (2022) Weather and natural disaster impacts on the Australian national accounts <https://www.abs.gov.au/articles/weather-and-natural-disaster-impacts-australian-national-accounts>

¹⁵ Australian Conservation Foundation (2022) The nature-based economy: how Australia's prosperity depends on nature, pp 8-9 and 30-31.

¹⁶ Australian Conservation Foundation (2022) The nature-based economy: how Australia's prosperity depends on nature, p 17. The employment and economic contribution figures are drawn from Deloitte Access Economics (2017) At what price? The economic, social and icon value of the Great Barrier Reef, report for the Great Barrier Reef Foundation, which assessed the Reef's total economic, social and icon asset value at \$56 billion using 2015-16 data. That analysis is now almost a decade old and has not since been updated; the current figures would be expected to be materially higher.

on the Reef, and the social and economic consequences of its decline would be borne disproportionately by Queensland's tourism, fishing and coastal communities.

Seen in this light, regulation that reduces land clearing in Reef catchments is not a cost imposed on the Queensland economy but an investment in the natural capital on which the majority of that economy's gross value added directly depends.

Recommendation 3: We recommend that the Commission assess the reforms against the value of the natural capital they protect, and not by reference to compliance costs alone.

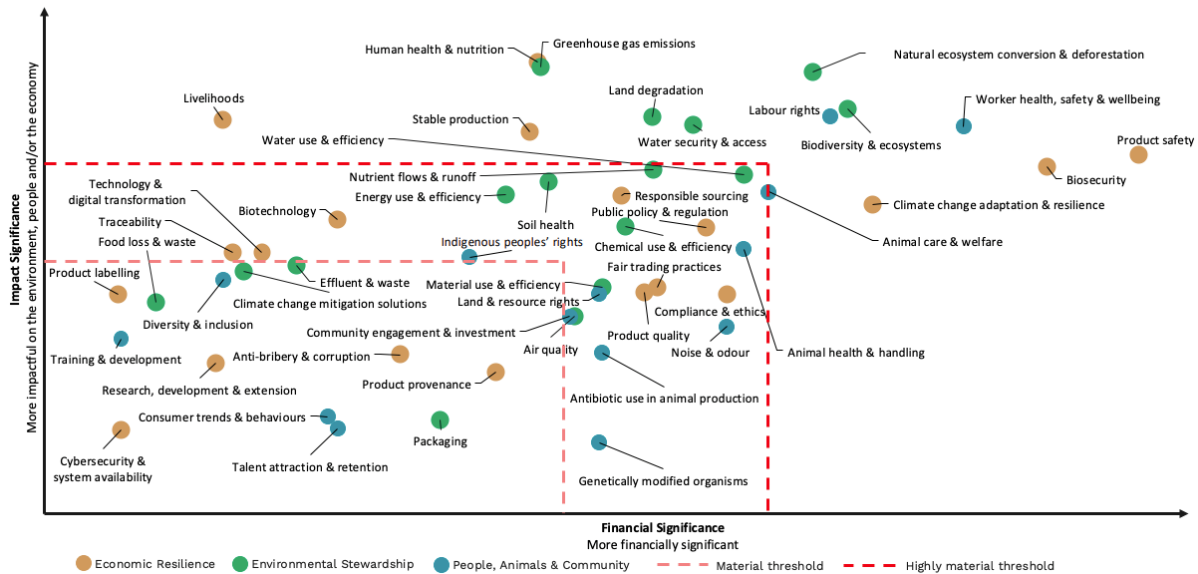
Deforestation and market access for Queensland beef

Unlawful clearing also carries a market access cost. Australia's major beef buyers now treat deforestation as a supply chain risk: Coles, Woolworths and Aldi have pledged to sell only deforestation-free beef, and McDonald's has committed to eliminating deforestation from its global supply chains by the end of 2030. The European Union's Deforestation Regulation goes further, requiring importers of cattle products to demonstrate through geolocation data that the goods are not linked to deforestation. We raise these not as an endorsement of their adequacy – ACF has been critical of the timeframes some of them allow – but as evidence of how Queensland's clearing record is assessed by the markets Queensland producers sell into and the economic risks for the Queensland agricultural sector.¹⁷ The high financial materiality of ecosystem conversion and deforestation to the Australian agricultural sector was acknowledged in the latest materiality assessment conducted by ERM on behalf of the National Farmers Federation, where it was ranked as the third highest impact materiality issue and seventh for financial materiality.¹⁸

¹⁷ Coles, Woolworths and Aldi commitments as reported in Australian Conservation Foundation (2026) Government data shows land clearing threat to the Great Barrier Reef, media release, 4 August 2026. On McDonald's commitment, see McDonald's Corporation, Commitment on Forests and Natural Ecosystems, <https://corporate.mcdonalds.com>. On the European Union requirements, see Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation.

¹⁸ ERM (2024) Final Report: Materiality Assessment Outcomes for the Australian Agricultural Sustainability Framework. <https://aasf.org.au/wp-content/uploads/2024/12/ERM-Materiality-Recommendations-Report-July-24.pdf>

Materiality matrix



Under McDonald's Deforestation-Free Beef Procurement Policy, Australia is one of only four countries containing "high priority" origins for beef deforestation risk, alongside Brazil, Paraguay and Argentina. That places certain Australian origins, which the company has confirmed include Central Queensland, in the same risk tier as the Brazilian Amazon and Cerrado and the Paraguayan and Argentine Chaco, and subjects beef from those origins to geo-monitoring verification.¹⁹ That classification reflects Queensland's clearing record: the most recent Statewide Landcover and Trees Study found 274,616 hectares of forest and woodland cleared between August 2023 and August 2024, 86% of it for pasture production and 43% of it within the Great Barrier Reef catchment.²⁰

Queensland's regulatory settings therefore do not operate in isolation from these market rules. A framework that is clear, enforced, and capable of generating verifiable evidence of compliance is an important element of ensuring that Queensland producers can demonstrate that they meet minimum standards required for market access.

¹⁹ McDonald's Corporation, Deforestation-Free Beef Procurement Policy, <https://corporate.mcdonalds.com>; and McDonald's Goal Performance and Reporting, which identifies Argentina, Australia, Brazil and Paraguay as the countries containing high priority origins for beef, and reports that 77% of beef sourced from those origins in 2024 was verified as deforestation-free through geo-monitoring.

²⁰ Australian Conservation Foundation (2026) Government data shows land clearing threat to the Great Barrier Reef, media release, 4 August 2026, reporting Queensland Government Statewide Landcover and Trees Study data for the period August 2023 to August 2024.

Recommendation 4: We recommend that the Commission recognise the contribution that clear and consistently enforced domestic regulation makes to the market access of Queensland producers, and account for it as a benefit of the reforms.

The reforms and Australia's World Heritage obligations

Australia's management of the Reef remains under active international scrutiny, and the 2025 reforms have already been assessed in that forum. In their analysis prepared for the 48th session of the World Heritage Committee, the World Heritage Centre and IUCN concluded that “[t]he reforms to the EPBC Act to tighten restrictions on clearing native vegetation in the Reef catchment are strongly welcomed, to tackle this long-standing issue”. The Committee's decision adopted at that session in turn “Welcomes the reforms to the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) to tighten restrictions on clearing native vegetation in the Reef catchment”, alongside programs directed at the restoration and remediation of gully, streambank, coastal, riparian and wetland areas.²¹

That endorsement is not a clean bill of health. The same analysis records that, given the continued pressures on the property, “the assessment of the property in relation to the criteria for inclusion of the property on the List of World Heritage in Danger remains relevant”. The Committee has encouraged Australia to increase compliance activity and enforcement procedures and to enhance the protection of remnant and high-value conservation areas, and has required a progress report focused on water quality by 1 December 2028 and a further state of conservation report by 1 December 2029.²²

The changes to the continuous use exemption are the specific measure Australia has advanced internationally as evidence that it is addressing land clearing in the Reef catchment, and which the World Heritage Committee has accepted as responsive. Weak or partial implementation would put that position at risk, with consequences for the Reef and for the Queensland industries that depend on it.

Recommendation 5: We recommend that the Commission recognise the 2025 reforms as an opportunity for the Commonwealth and Queensland governments to act together in responding to the World Heritage Committee's continuing requests for improved control of land clearing in the Great Barrier Reef catchment, and in demonstrating that improvement in Australia's progress report due by late 2027.

²¹ State of conservation of properties inscribed on the World Heritage List, WHC/26/48.COM/7B.Add.2, item 69, Great Barrier Reef (Australia), pp. 79–84; Decision 48 COM 7B.69.

²² Ibid.

Performance outcomes

Are there specific implementation risks associated with the 2025 reforms? If so, what are they? What opportunities could streamline or improve environmental regulatory processes at both the state and national level, or reduce duplication, uncertainty, and compliance costs, while maintaining existing environmental standards? Could enhancements to accreditations and bilateral agreements (assessment and approval) between Queensland and the Australian Government improve regulatory efficiency?

Implementation risks

The most significant implementation risk for the EPBC reforms as they relate to the agricultural sector is a return to the tolerance of widespread non-compliance that characterised much of the initial 25 years of the EPBC Act. Poor or politicised implementation of the Act not only undermines the environmental outcomes the legislation is intended to secure, but also creates uncertainty and disruption when corrective action is required.

Responsibility for the historic failure of the EPBC Act, and for the implementation of the reforms intended to address these failures, obviously rests with the Commonwealth, but the Queensland government clearly has a role to play, particularly given the cooperative approach to environmental protection envisaged by the Act.

Duplication, streamlining and cooperative approaches

Gaps between the protection of MNES under the EPBC Act and the protection of these matters under Queensland regulations expose landholders to the need to seek approval under the EPBC Act for activities permitted under Queensland law. Whether this gap can and should be closed is a question for the Queensland government. Alignment of Queensland regulations with the protection of MNES required under Commonwealth law does create the prospect of a coordinated regulatory approach through mechanisms such as bioregional planning, or at the very least consistent regulatory requirements.

ACF does not support accreditation of State approval systems under the EPBC Act. Although reforms to facilitate this are part of the 2025 reform package, devolving responsibility in this way to the Queensland government risks a return to the pre-reform situation of tolerance of non-compliance.

A further consideration bears on the choice of mechanism. Clearing in the Reef catchment is diffuse. It occurs across many properties, in increments that may appear modest when considered individually, but which aggregate to the hundreds of

thousands of hectares recorded in the SLATS data each year. Assessment of individual actions remains necessary, and the changes to the continuous use exemption will bring more of that clearing within its reach. But a framework that considers each action in isolation is not well suited to setting limits on the cumulative outcome, nor to giving landholders advance certainty about where clearing is and is not likely to be acceptable. The mechanisms set out below address that gap in ways that accreditation of State approval systems does not.

There are other mechanisms and options which we believe are more suitable. These include:

- Collaborative approaches across jurisdictions to ensuring that landholders are provided with timely and accurate information about regulatory obligations under Queensland laws and the EPBC Act.
- Use of assessment bilateral agreements to integrate and coordinate environmental impact assessment processes across jurisdictions but with each jurisdiction maintaining responsibility for approval decisions (ensuring that the Commonwealth remains directly responsible for outcomes for MNES).
- Bioregional planning. The current pilots in Queensland demonstrate the potential for this approach to improve environmental outcomes and provide clarity and certainty to landholders. ACF has set out its detailed views in its submission on the Draft Brigalow Belt North Bioregional Guidance Plan. While that draft plan is directed at renewable energy development, and we have identified a number of respects in which it should be improved before it is finalised, it demonstrates that systematic, spatially grounded analysis of cumulative impacts on MNES is achievable and can provide a meaningful foundation for more consistent decision-making.

Recommendation 6: We recommend that the Commission encourage the Queensland government to ensure that State vegetation management and Reef protection requirements align with the Standards required for MNES under Commonwealth law. Closing this gap will lead to better environmental protection and help respond to concerns about regulatory inconsistency across jurisdictions.

We look forward to reviewing the Commission's Interim Report.