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Impact of the Australian Government's 2025 Environment Protection Reforms on Queensland

Queensland Productivity Commission

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QUEENSLAND PRODUCTIVITY COMMISSION

Introduction

I welcome the opportunity to provide my feedback on the **Impact of the Australian Government's 2025 Environment Protection Reforms on Queensland**. This inquiry is vital, as the package of legislation amending the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) raced through Parliament in November 2025. Our agricultural industry is now struggling through its active implementation.

These reforms represent a substantial expansion and restructuring of Commonwealth environmental regulation that has moved from policy intent to a disruptive regulatory reality. Rushed through without adequate scrutiny, these laws are already acting as a handbrake on vital projects that support Queensland's growth and economic security. Rather than providing genuine protection, they have centralised power and created a climate of uncertainty for our food and fibre producers.

With contact from many farmers and graziers to myself and my office, we have spent countless hours on the phone and navigating the Federal Government's mapping for MNES program to assist. My office has provided screenshots, maps, reports and copies of the flowchart to help farmers to work through the self-assessment process.

We've contacted the Federal departments to discuss issues and received responses that are still vague and, in some cases, have been told that their legal team are still working through the impacts and the legal ramifications of their hastily rushed through Bill.

This has left farmers and family farming operations hampered, impacted and often more confused, and results in their contact with myself and my office for assistance to understand and interpret these regulations.

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Regulatory Burden and Compliance Impacts

The new National Environmental Standards (NES) serve as the legally binding "backbone" of the 2025 environment reforms, and their impact on farming – particularly in my electorate of Flynn - is significant due to changes in compliance thresholds and land management rules.

The National Environmental Protection Agency (NEPA), which is also referred to as Environment Protection Australia in some sources, is a new independent national regulator established as part of the Australian Government's 2025 environment protection reforms. It became fully operational on 1 July 2026.

The NEPA was purely designed as another regulatory body with a high priority of enforcement, especially regarding agricultural land clearing, particularly in high-risk areas like the Great Barrier Reef catchments.

The NEPA adds another expansion of government bureaucracy, costing $121 million, and creating further red tape (or green tape in this instance) that our thousands of graziers need to again interpret, understand, comply and prove compliance with changing and indeterminate rules and regulations.

1) Primary Producers in Regulatory Limbo

The real-world impacts of these reforms are now being felt acutely across my electorate of Flynn. My office has been contacted by dozens of farmers and graziers who have spent months waiting for certainty around guidelines that have yet to be determined. Of particular concern is the fact that the legally binding National Environmental Standards, which form the "legal backbone" of the new system, remained under development long after the Bills passed, with a staggering lack of transparency regarding their impact on Queensland land management.

Many of these standards are still under development or have had limited transparency regarding their practical impact on Queensland's agricultural landscapes. This has left dozens of farmers and graziers in a state of "regulatory limbo," waiting for certainty while the industry navigates the active implementation of the package.

Case study 1 –

Farmers (C & S) in the Burnett-Mary Great Barrier Reef catchment region, where there are new solar and battery projects surfacing weekly. C has been in contact with the EPBC to discuss the potential clearing of lantana on their property which is within 50m of waterway and in the GBR catchment area.

Using the flow-chart this would mean that they need to self-assess their plans for the property. They have been speaking with the department around their normal, planned clearing of this invasive weed species and have been emailed that as long as they are satisfied that there's "below significant impact" on the waterway, they can manage this as per their normal methods.

This has taken nearly 6 months to find out that what they are ALREADY doing is quite fine and within what the Department considers to be normal activities on a farm. Their time invested, including emails and computer searches, and telephone calls ~ around 150 hours to be left with a flow chart and a printed report stating that they may have species in their area that could be affected.

This time and effort have achieved zero in environmental outcomes, for farmers who were already conscious of their location, environment and the native species that they are trying to protect from solar development on their boundaries.

Case study 2 –

Large family operations (CFF) in the Fitzroy Great Barrier Reef catchment, also downstream from potentially problematic solar project. This family has been living on the properties for generations and cyclically clears their regrowth. PMAV's were locked in at the start of the century ~ 2005 approximately.

After not being certain about the impact of the new legislation, they have paused their planned programs. Over the past 5 months, they have been in contact with many departments and Agforce to find an explanation that specifically states what they can or can't do. They have ended up relying on the flowchart, completing the self-assessment tool but are still hesitant to continue to manage their property.

With regrowth in their paddocks regenerating following good rainfall in Queensland, they are keen for certainty. They have seen their Brigalow whipsticks regrow with high vigour and prefer to leave good cattle camps for their animals to benefit from. Strategic management and regular thinning helps to accelerate larger individual trees to develop, providing ongoing benefits to the soil and the pastures.

All they are asking for is assurance that they are complying with the changing legislation.

Case study 3 –

Large family operations near Rockhampton, in Fitzroy catchment region (AL) – where they have focused on improvement of pasture, including scheduled resting of paddocks for many years. Their current focus is to replace old fencelines, but again they are within 50m of a water course and in the Great Barrier Reef catchment. There needs to be recognition of regular tasks that are exempt from the EPBC Act and its ongoing confusion. This family spent weeks trying to get in contact with the department, noting that phone numbers and emails were not reaching an appropriate expert who could answer their questions – "can I clear my fenceline or not?".

2) Capacity of different landholder groups to comply

My office can provide many more examples of the confusion that our landowners are experiencing. One of the more common problems was the lack of computer skills and internet access in their regional areas.

To work around these issues, my staff used screenshots and text messages to share the property views with our less tech-savvy farmers. Most mapping and compliance, once the property owner had allocated specific time to work through the flow-chart and self-assessment tool, took around

30 minutes per property location. This was then sent by email or printed and posted out from my office, for the landowner to review for their own information.

The program that the Federal EPBC has been using was not as useful as Qld Globe, nor was it simple to identify a property. Locations and pins were not always correct and landmarks were hard to be sure were accurate.

Economic and Productivity Impacts

3) The $1.38 Trillion Renewables Burden

In Flynn, the impact of the "Nature Positive" agenda is visible in the planned destruction of our landscape. The recently released National Renewables Truth Map reveals the sheer scale of proposed works, including 31,000 wind turbines and 28,000 km of high-voltage transmission lines, with total project costs estimated at $1.38 trillion (as of October 2025).

These projects often rely on clearing untouched vegetation and food-producing land, yet they benefit from the Minister's "unchecked power" to approve proposals in the "national interest" even if they fail to meet EPBC Act requirements.

4) Threats to Key Growth Sectors

Queensland's agriculture sector, which aims for an output of $30 billion by 2030, is now being stifled by these reforms. Furthermore, the specific exclusion of resource projects from the National Interest Fast-Track Assessment Pathway is a missed opportunity to remove duplicated approvals.

By ignoring state-level efficiencies, the Commonwealth is delaying projects that are critical to Australia's energy and fuel security. The Taroom Trough and other vital resource projects should be included in the potential Fast-Track assessments. Excluding one form of energy in favour of another creates market bias.

5) Flawed "Pay to Destroy" Offsets

The industry is now navigating a system that replaces the "no net loss" approach with a "Net Gain" test, often implemented through Restoration Contributions. This "pay-for offsets" scheme allows proponents to pay a financial cost to get projects approved while still damaging critical regional habitat and Matters of National Environmental Significance (MNES). These arrangements frequently fail to address the actual loss of biodiversity in specific local areas.

6) EPA Enforcement Priority:

The Minister for the Environment has confirmed that enforcement of these new agricultural land clearing provisions will be a primary focus for the new National Environmental Protection Agency (NEPA).

7) The Shift to "Net Gain"

The proposed standards facilitate a fundamental shift from a "no net loss" approach to a "Net Gain" test. This means agricultural projects that impact Matters of National Environmental Significance (MNES) must now demonstrate they deliver an overall environmental benefit rather than simply avoiding or offsetting damage.

8) The Human Cost of Compliance

The creation of the National Environmental Protection Agency (NEPA) and Environment Information Australia (EIA) has added $172.5 million in bureaucracy without providing tangible additional environmental protection. Instead, it has increased the risk of massive fines for routine management.

In the recent past, as an example, Queensland farmers like Dan McDonald have faced fines exceeding $112,000 simply for harvesting fodder to feed cattle during a drought - an activity characterised by regulators as "development without a permit". Under the new NEPA, which has broad powers to issue Environment Protection Orders and undertake investigations, this regulatory burden will only intensify for small and family-run businesses.

9) Different Rules for Different Industries

Yet, when communities band together to object about the impact that industrial projects such as large-scale batteries and solar, as well as wind projects, they are swept aside by departments such as the EPBC. The majority of the 100+ projects in Flynn have been given approval as “not a Controlled Action” despite detailed Matters of National Environmental Significance that can’t be avoided.

Concerned community members have been instructed to wait until the destruction of the environment occurs and then report it to the relevant departments. This beggars belief and continues to show the holes in the previous and new systems which allow “pay for offsets” instead of tightening this legislation.

Not only do they receive “not a Controlled Action” our Australian Government is now underwriting these projects with the Capacity Investment Scheme (CIS).

The best example to look at for this is the Rutherglen Battery Storage project, recently approved by the CIS for funding. However, this project doesn’t even have a current Development Approval with the local Government or State SARA due to the community’s valid concerns.

- Development Application with Gladstone Regional Council – improperly made and must be resubmitted under new framework by Qld State Government (SARA) – DA/82/2025.
- Community Benefit Agreement with Gladstone Regional Council - Draft 10 February 2026, not approved or shared with the affected communities.
- Social Impact Assessment which downplays the concerns of the community, dated 19 December 2025.
- SARA (checked again 13/7/26) no reference to this project anywhere
- 2025/10380 – Federal EPBC approval 26 March 2026
- CIS Tender 8 – Approved 24 June 2026

How is this possible? This is an excellent example of too many regulatory processes, but none of them communicating with other departments, both State and Federally. And where the loopholes exist for industrial development, but only penalties exist for agriculture.

This process could even be worsened if the State Government decides to accept the assumption that the Federal Government has done its due diligence and that there's no environmental issues that should have been looked at.

Land and Risk Management Implications

10) Tightened Clearing Rules and Management Risks

The reforms have introduced immediate and stringent controls on land clearing, specifically removing "continuation of use" exemptions if the land has not been cleared for 15 years or is within 50 metres of a watercourse in the Great Barrier Reef catchment. These rules interfere with routine stewardship, creating constraints on managing fire risk, flooding, weeds, and pests. This has direct, negative implications for community safety and biosecurity.

11) Constraints on Routine Activities:

There are serious concerns that the NES and broader reforms will create unintended constraints on essential land management activities. These include the ability of landholders to manage fire risk, flooding, weeds, pests, and biosecurity, with potential flow-on risks to community safety and infrastructure resilience.

12) Stricter Land Clearing Rules:

The reforms have tightened "continuous use" exemptions. Specifically, vegetation clearing is now subject to EPBC Act assessment if:

- The land has not been cleared for 15 years or more.
- The vegetation is within 50 metres of a watercourse in the Great Barrier Reef catchment.

With much of the Flynn electorate located in the GBR catchment, our farmers and graziers are targeted by these new, additional compliance measures.

In a family enterprise and on some larger properties, 15 years really isn't that long. While extending Queensland's laws which focused on only 10 years allowance, this can be the usual cycle for some families. There's often country that a grazier will never put large scrub-pulling equipment in to maintain, but clarity needs to be shown around the potential for clearing to be targeted as necessary for biosecurity and pasture improvement.

13) Indigenous Engagement Standards

A specific National Environmental Standard for First Nations engagement and participation is currently in development. This will likely require farmers to integrate Traditional Owner knowledge and views more actively into regulatory processes and project assessments. How is Traditional Owner knowledge of a property more valued than where a family has operated and resided for decades?

How does modern technology, science and studies of the soil and biodiversity get swept aside for Traditional Owner ideas that may be hundreds of years behind modern technology? In what way is this possible to be forced on a landowner?

Our agricultural industry thrives on research and development, and to imply that there are better "traditional" options that need to be implemented over a property is quite condescending to an industry that feeds the nation.

Conclusion

The 2025 Environment Protection Reforms are a present and increasing burden on Queenslanders. It is unacceptable that thousands of primary producers are still waiting for clarity on guidelines and standards months after implementation began and the Act was forced through.

Engagement is critical when introducing and enacting legislation. Farmers and graziers are being told how to run their properties, not actually engaged when these policies are developed and implemented without their feedback being taken on board.

Farmers and graziers are true environmentalists and should be supported in their development of techniques to continue to deliver world class produce for our nation.

The Queensland Government must identify practical options to reduce this unnecessary regulatory burden and protect our state's regulatory autonomy. We must ensure that sensible environmental stewardship is recognised without shifting and duplicating administrative and financial responsibilities to the state and our primary producers.

Yours sincerely,

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