



QUEENSLAND  
FARMERS'  
FEDERATION



# Environment Protection Reform Act 2025

## *Subordinate Legislation*

### **June 2026**

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**Prepared by**

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Department of Climate Change, Energy,  
the Environment and Water

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This submission is provided to:

Environment Law Reform Taskforce

Department of Climate Change, Energy, the Environment and Water (DCCEEW)

Submitted via email - [EPRconsultation@dcceew.gov.au](mailto:EPRconsultation@dcceew.gov.au)

### Our members

- Queensland Fruit & Vegetable Growers
- Cotton Australia
- Canegrowers
- Greenlife Industry QLD
- eastAUSmilk
- Australian Cane Farmers Association
- Queensland United Egg Producers
- Turf Queensland
- Pork Queensland
- Australian Chicken Meat Federation
- Bundaberg Regional Irrigators Group
- Burdekin River Irrigation Area
- Central Downs Irrigators Ltd
- Fairburn Irrigation Network
- Mallowa Irrigation
- Pioneer Valley Water Co-operative Ltd
- Theodore Water Pty Ltd
- Eton Irrigation
- Lockyer Valley Water Users

## About the Queensland Farmers' Federation

**The Queensland Farmers' Federation (QFF) is the united voice of agriculture in Queensland.**

Our members are agricultural peak bodies who collectively represent more than 13,000 farmers who produce food, fibre and foliage across the state.

QFF's peak body members come together to develop policy and lead projects on the key issues that are important to their farmer members and the Queensland agriculture sector.

Together, we form a strong, unified voice leveraging our effectiveness by working together to drive policy and initiatives that support a strong future for Queensland agriculture.

## Submission

The Queensland Farmers' Federation (QFF) welcomes the opportunity to comment on the subordinate legislation proposed to commence on 1 July 2026 under the *Environment Protection Reform Act 2025*.

QFF is the peak body representing the collective interests of Queensland's agricultural industries, whose members manage and depend upon land and water resources that interact frequently and directly with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The way these Rules, Regulations, Rulings, Protection Statements and registers are designed and applied will substantially determine how the reformed framework operates for Queensland producers.

QFF is a member of the National Farmers' Federation (NFF) and offers this short submission in that capacity, endorsing in full the matters raised in the NFF's own submission on the Tranche 2 legislation. Foremost among these is that the Tranche 2 package has been advanced well ahead of a settled regulatory framework.

The National Environmental Standards, which is the very foundation with which the balance of the reforms must align, have only just entered the public consultation and refinement process, and the draft examples released to date fall short of being fit for purpose. In these circumstances it is premature, and in our view inappropriate, for the Department to seek views now on instruments that will ultimately have to conform to a framework that does not yet exist in final form.

Accordingly, we urge the Department not to lock in operational settings ahead of the finalised Standards and the supporting guidance that producers will rely on to understand their obligations.

QFF's key concerns and recommendations are summarised:

- Farmers should not be compelled to provide data beyond existing statutory requirements, and any farm-level environmental data used in mapping, Protection Statements, Rulings, decision-support tools, or compliance activity must be protected, de-identified where appropriate, risk-stratified, accurate, and subject to a practical correction or review pathway.
- Protection Statements must not become catch-all instruments that shift responsibility onto farmers to disprove a Significant Impact. Protection Statements must also clearly

distinguish between known habitat, likely habitat, potential habitat, and habitat genuinely critical to the survival and recovery of a protected matter.

- Agriculture must be directly involved in the design and road-testing of the Protection Statement pilots.
- Expanded National Environmental Protection Agency (NEPA) compliance powers, increased penalties, and audit arrangements must not commence until the broader reform package, guidance materials, education activities, implementation tools, and agricultural impact assessments are sufficiently complete to provide farmers with practical certainty.
- The *Minister's Statement of Expectations* or an equivalent binding mechanism must expressly recognise farmers as responsible environmental stewards and require agricultural expertise to inform NEPA's advisory arrangements should that be contemplated formally.
- A dedicated *Code of Compliance Conduct* be developed to ensure NEPA adopts a proportionate, risk-based, and cooperative compliance approach that recognises food and fibre production as a national strategic priority and gives practical effect to the principles of *Ecologically Sustainable Development* which is an Object of the EPBC Act.
- The *Register of Registrable Decisions* and *Register of Prescribed Matters* include safeguards to ensure farmers and landholders are not exposed to reputational harm or commercial damage where no breach of *National Environmental Law* has been established.
- Reaffirm Rulings are to be used as a reactive tool to clarify genuine implementation issues and not be used to pre-emptively lock in contested regulatory interpretations before the full regulatory framework has been finalised and tested in a practical sense.

Our response follows.

## Data sovereignty and self-assessment

QFF supports accurate, well-governed environmental data but only where the data and the mapping and decision-support tools it informs are reliable. We understand the subordinate legislation does not create a general power to compel data, and strongly support that being maintained.

Our concerns are:

- Information given for a narrow assessment purpose can later feed broader mapping and decision-support tools without landholder consent, embedding error, such as a single transient species sighting, into future self-assessment.
- Unclear, risk-averse self-assessment settings push producers to refer routine, business-as-usual activities simply to manage legal risk, generating yet more farm-level data.
- The onus must remain on the Commonwealth to keep its tools accurate, well-governed and stratified by risk against known and critical habitat.
- Held data, including commercially sensitive information, must be protected and de-identified, with a clear mechanism for landholders to challenge Government-held data and mapping.

## Protection Statements

The role of Protection Statements is welcome in principle, but key matters remain unresolved:

- It is unclear how they interact with Significant Impact Guidelines, bioregional plans, mapping and the forthcoming Standards, or what prevails in a conflict. This must be clarified.
- They must identify what is genuinely critical to a species' survival and recovery with precision, distinguishing known habitat from likely or potential habitat, not place wide buffers around loosely defined habitat. Recent drafts (e.g. the Red Goshawk, relevant to northern and inland Queensland) show a concerning drift toward catch-all language and buffers.
- There is no apparent stratification between Critically Endangered, Endangered and Vulnerable matters; scrutiny should be proportionate to threat status.
- The burden must not shift onto landholders to disprove an Unacceptable Impact, consistent with draft Regulation 8AA.01(c)'s reliance on accurate, high-quality information.
- QFF seeks genuine agricultural participation in designing and road-testing pilot Protection Statements (e.g. the Regent Honeyeater pilot), and better, targeted sharing of relevant data with affected landholders as a matter of equity and natural justice.

## National Environmental Protection Agency (NEPA)

On the matter of the establishment and governance of NEPA:

- Agricultural expertise must be represented across EPBC advisory mechanisms, including the National EPA Advisory Group, consistent with the Craik Review.
- The proposed registers must not expose producers to reputational harm, activist targeting, privacy or commercial risk where no breach is established; unresolved, under-review or cooperative matters should not imply wrongdoing.
- QFF opposes early commencement of the Rulings capability. Rulings should be reactive, used once the framework and guidance are settled, not to lock in contested interpretations.

## Guidance materials

Underlying all of the above is the urgent need to update outdated, agriculture-specific guidance, in particular the 2013 Significant Impact Guidelines 1.1, with fit-for-purpose, risk-stratified material prioritising the species that most commonly interact with agricultural land use. The 2026-27 Budget provisions for compliance and extension should be directed to this task as a priority.

## Conclusion

QFF strongly supports the position set out in the NFF's Tranche 2 submission and asks that it be read together with this letter. We share the NFF's view that these reforms can deliver for both the environment and agriculture but only if the supporting instruments rest on a finalised, road-tested framework and are developed in genuine partnership with the sector. We therefore urge the Department to defer settling these instruments until the National Environmental Standards and supporting guidance are complete.

Yours sincerely

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**This submission is provided by the Queensland Farmers' Federation**

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