

17 December 2025

Health, Environment and Innovation Committee
Queensland Parliament House, George St, Brisbane Qld 4000.
Email: HEIC@parliament.qld.gov.au

Property Rights Australia Inc submission to the Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025.

Property Rights Australia Inc. (PRA) is a not-for-profit, apolitical organisation which formed in 2003, to protect the property rights of landowners adversely affected by the actions of government, private companies and others who negatively impact on their properties and their right to do business. Our members are small, medium and large enterprises, mostly in Queensland and few are from other states. PRA strives for ecologically and economically sustainable natural resource management, whilst protecting private property rights. PRA wants to ensure government policies and natural resource management decisions are based on sound science and responsible economic management.

PRA provides the following comments on specific sections and clauses of the EP(ES)OLA Bill 2025.

Clause 54 – ERA's

Transition from ERA's to Codes should apply to all low risk activities, regardless of industry (Sect 20 of EP Act)

PRA is disappointed that the Bill has excluded Agricultural ERA Standards from the proposed process to transition low risk ERA's into Regulations and Codes. The Bill and Explanatory Notes do not provide adequate explanation to why only resource and general ERA's will be considered for this transition, and not agricultural ERA's.

Queensland Government's Better Regulation Policy¹ to reduce red tape and remove unnecessary regulatory burden should apply to all ERA's, not just resource and general ERA's.

Section 19 – Activity may be prescribed as ERA.

Section 21A – Prescribed condition

The new section 19 of the *EP Act*, nor existing Section 21A, do not define how the chief executive decides what is a prescribed ERA agricultural product. There is no justifiable reason why commercial Reef farmers are required to abide by additional usage requirements and restrictions for five prescribed ERA agricultural products as per Sections 13C to 13E of the *Chemical Usage (Agricultural and Veterinary) Control Act 1988*² and Sections 16 to 31 of the *Chemical Usage (Agricultural and*

¹ The State of Queensland (Queensland Treasury). 2025. The Queensland Government Better Regulation Policy. <https://s3.treasury.qld.gov.au/files/Queensland-Government-Better-Regulation-Policy-1.pdf>

² *Chemical Usage (Agricultural and Veterinary) Control Act 1988*. Subdivision 3. Sections 13C to 13E. GBR protection measures. <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1988-103#pt.2-div.3-sdiv.3>

Veterinary) Control Regulation³. The five prescribed agricultural ERA herbicide products are ametryn, atrazine, diuron and hexazinone in sugarcane cultivation and tebuthiuron in cattle grazing land use. The Agricultural ERA Standards for sugar cane⁴ and beef cattle grazing⁵ do not include usage or record-keeping requirements for these five prescribed ERA agricultural products, so how can these herbicides be deemed to be prescribed ERA agricultural products?

PRA recommends the EP(ES)OLA Bill 2025 should repeal Subdivision 3 Great Barrier Reef protection measures of the *Chemical Usage (Agricultural and Veterinary) Control Act 1988*⁶. This section states a regulation may declare a prescribed agricultural ERA product. Usage, storage and possession while carrying out an agricultural ERA complies with a regulated condition or agricultural ERA standard or the person is accredited under a recognised program for the agricultural ERA. Prescribed agricultural ERA products are unnecessary red tape, not included in the Agricultural ERA Standard and do not quantifiably contribute to the purpose of Chapter 4A of the *EP Act* to improve water quality and health of the GBR.

Environmental values (Clause 53 to insert section 9A into *EP Act*)

PRA recommends a public notification process needs to be provided for future updates to environmental values, if a Regulation allows updates without parliamentary process. Currently there is no public notification when habitat for threatened species or regulated vegetation updates are added to the Matters of State Environmental Significance MSES 22 mapping layers. Although MSES maps are generally updated annually, the timing of updates depends on the layer⁷. This poses difficulty for land managers planning an activity. Mapping layers can suddenly change between plan preparation and carrying out a land management activity, which could result in a legal activity flipping over into an illegal activity affecting biodiversity.

The recent amendments to the federal *Environment Protection and Biodiversity Conservation EPBC Act 1999* need to be considered and guidelines provided to which Act has precedence over state and national environmental matters, where conflicting regulations occur.

Priority agricultural areas should be protected from environmental harm and be included in State Environmental Protection Priorities SEPPS and recognised in the *EP Act*.

The *EP(ES)OLA Bill* does not protect the finite resource of priority agricultural areas PAA from environmental harm. PAA's are unique and occupy less than three per cent of Queensland's land mass. Resource activities are not to have significant impact or cause environmental harm to agricultural land, irrigation bores, overland water flow or induce subsidence on a landowner's land, nor neighbouring land. This issue was highlighted in a recent case between four Darling Downs

³ Chemical Usage (Agricultural and Veterinary) Control Regulation 2017. Sections 16 to 31. Prescribed agricultural ERA products. <https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2017-0136#sec.16>

⁴ Queensland Government. Reef protection regulations for sugarcane growers.

<https://www.qld.gov.au/environment/agriculture/sustainable-farming/reef/reef-regulations/sugarcane>

⁵ Queensland Government. Reef protection regulations for graziers.

<https://www.qld.gov.au/environment/agriculture/sustainable-farming/reef/reef-regulations/grazing>

⁶ *Chemical Usage (Agricultural and Veterinary) Control Act 1988*. Subdivision 3. Sections 13C to 13E. GBR protection measures <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1988-103#pt.2-div.3-sdiv.3>

⁷ Queensland Government. Matters of state environmental significance – mapping method.

<https://environment.qld.gov.au/management/planning-guidelines/method-mapping-mses>. 26 Nov 2025.

farmers and Arrow Energy's CSG application⁸. PRA recommends Section 9A should recognise and protect PAA from environmental harm.

Amendment to Water Act – Chapter 3 and 3A

The Bill is not clear about when a bore direction notice can be issued to a resource tenure holder. Impacts to bores often require baseline measurements over a long period to ascertain any changes from resource activity versus site variability. Although the Office of Groundwater Impact Assessment OGIA has a baseline strategy for assessing groundwater impacts in the Surat Cumulative Management Area CMA, there is no landholder protection for bores across other parts of Queensland. Clause 187 of the Bill (to amend section 378 of the *Water Act*) states a baseline assessment plan is required for non-CMA tenures. There are no specifications for a baseline assessment timetable similar to requirements within the Surat CMA (as per section 379B of the *Water Act*).

Make good arrangements for a water bore (Clause 203 to amend section 420 of the *Water Act*)

In addition to resource tenure holders, PRA recommends “make good agreements” be extended to other entities that may impact on bore capacity or bore water quality. For example, the emerging issue of per- and poly-fluoroalkyl substances PFAS contamination of bores and ground water used for drinking or irrigation⁹, ¹⁰. Make good measures include bore owner access to an alternative water supply. CS Energy recently provided water to a neighbouring beef cattle property to the Callide Power Station due to PFAS contamination¹¹.

Emerging issues with the potential to affect agricultural access to adequate clean groundwater.

Some renewable energy developers plan to source all water, for all operations, from host properties. This will include surface water and groundwater. Some may or may not, have water licences or permits for their worker camps and construction sites, as per Section 138 of the *Water Act*¹². Some claim not to know how many litres of water it takes to construct the concrete base of a wind turbine, which may be sourced from host properties.

This water usage for renewable energy development sites has the potential to affect water availability in neighbouring bores and surface water. PRA strongly recommends the *Water Act*'s Chapter 3 regulatory requirements on resource tenure holders¹³ for groundwater baseline monitoring and “make good arrangements” on water bores is extended to renewable energy development applications. These regulations should extend to neighbouring bore owners, as is the case for gas and resource sector companies. This requirement should also be supervised by OGIA.

⁸ ABC News, 2025. Springvale farmers fight ‘uphill battle’ against coal seam gas on agricultural land. <https://www.abc.net.au/news/2025-01-28/arrow-energy-coal-seam-gas-farmers-fight/104863334>

⁹ Queensland Department of Agriculture and Fisheries. PFAS contamination – Information for primary producers

<https://publications.qld.gov.au/dataset/df97e07e-b609-4db3-852e-7bbc52e458a0/resource/e5c20f54-a8d9-44e8-b15f-e277be465b78/download/pfas-factsheet.pdf>

¹⁰ CS Energy. Callide PFAS monitoring <https://www.csenergy.com.au/environment/pfas-monitoring/callide-pfas-monitoring>

¹¹ ABC News. Hard choice for cattle farmer after Biloela property contaminated by PFAS. <https://www.csenergy.com.au/environment/pfas-monitoring/callide-pfas-monitoring>. 9 Aug 2025.

¹² Water Act 2000. Section 138. Criteria for deciding application for water permit. <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2000-034#sec.138>

¹³ Water Act 2000. Chapter 3. Underground water management. <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2000-034#ch.3>

For issuing water licences, the definition of prescribed entity in Section 104¹⁴ of the *Water Act 2000* does not include a holder for a renewable energy tenure. It is not apparent if a renewable energy developer can apply for a water licence to take water or interfere with flow of surface water. PRA recommends the EP(ES)OLA Bill provide *Water Act* amendments to establish guidelines and monitoring to ensure there is no undue surface water diversion from renewable energy sites and the developer can apply for a water licence.

Minimising risk of heavy metal contamination into water bores

Carbon Capture and Storage CCS is often mentioned as a pathway to reduce carbon emissions. The state government needs to carefully monitor this development. Research done by landowners and their peak body organisations suggests that CCS has the potential to release heavy metals and radioactive particles, thus contaminating ground water supplies. Baseline¹⁵ and ongoing assessments by resource tenure holders including CCS prescribed entities are essential for assessing quality of water in bores.

For further information:

The EP(ES)OLA Bill is complex legislation to amend 13 Acts. Please contact Property Rights Australia if the HEIC Committee require clarification or further information to this submission.

Yours sincerely

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¹⁴ Water Act 2000. Section 104. Definitions for Div 2. Water Licences. – Owner, Prescribed entity.

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2000-034#sec.104>

¹⁵ Water Act 2000. Part 3. Baseline assessments.

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2000-034#sec.394>