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Environment and Conservation Policy and Legislation
Qld Department of Environment, Tourism, Science and Innovation
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Property Rights Australia submission

to Queensland's Environmental Offsets Framework – Discussion Paper

Introduction

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 a 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.

Farmers, graziers and rural landowners are expected to accommodate renewable energy developments, transmission corridors, environmental offsets, biodiversity stewardship agreements, conservation covenants, carbon projects and restoration initiatives, often simultaneously and frequently on the same properties. Yet there has been no comprehensive assessment of how these overlapping policies affect the productive capacity of agricultural land or the long-term viability of rural communities. Environmental policy cannot be separated from property rights.

Frameworks that progressively restrict how land may be used, managed or developed is ultimately a framework that affects property rights.

Enable flexible offset delivery.

Recommend like-for-like offsets be abolished and offsets account used for managing the protected area estate

The concept of finding like-for-like areas for ecological offsets is farcical. The discussion paper acknowledges there are multiple difficulties in achieving this unrealistic target. Private land owners are targeted to forego property rights and productivity to enter into long term offset agreements.

Trust across agricultural landscapes has been undermined by the ever-increasing environmental regulations imposed by local, state and federal governments. Landowners and farmers have to overcome regulatory hurdles such as biodiversity planning layers from local government, protected plants, essential habitat, native vegetation regulations from state government and nationally

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threatened species from federal government. Queensland's Environmental Offsets Policy imposes an additional hurdle to lock up more land and/or lose productivity, due to the offset agreement delivery requirement for "strategic location" within the same local government, bioregion or regional ecosystem[1]. Like-for-like is rarely achievable.

PRA recommends Queensland Government utilise some of the offset account funds for looking after their own land which is the ever-increasing protected area estate of 10.02 million hectares of public estate and 5.09 million hectares of private protected areas[2]. The purpose of both offsets and protected area estate are to conserve nature and biodiversity. Conserved land needs to be actively managed and not just locked up. The Offsets Account provides a sustainable source of funding to manage the protected area estate for environmental, biosecurity and fire management outcomes.

Landowner engagement declines when certain partnerships are not trusted

Landowners are becoming increasingly aware that supposed "trusted ecological advisors from environmental organisations and Natural Resource Management Groups" are required to report sightings of any Matters of Local, State or National Environmental Significance (i.e. LNES, MSES, MNES) to ecological databases such as INaturalist[3], Wildnet[4] or the federal Species Profile and Threats Database SPRAT[5]. Notification is required if conducting an Environmental Impact Statement and if a person "takes, moves or injures" a threatened species or other MNES[6], which infers taking a sample for formal identification. The consequence of reported notifications can result in a landowner being impacted by a 100-metre buffer or no go zone for essential habitat of a MSES, along with a costly flora survey by a qualified person[7], or a costly referral process for a federal EPBC permit for a MNES[8].

Therefore, there is a diminishing opportunity for staff from these "established partner groups" to engage with landowners to negotiate offsets. The State and Federal Governments, in addition to ecologists and "trusted advisors" need to make full disclosure to landowners upfront of what information is collected and reported to ecological databases. Queensland's Offset Policy should include a requirement for prior full disclosure.

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[1] Queensland Environmental Offset Policy V1.17. 2025. Chapter 2. Offset requirements for prescribed environmental matters. Page 16 & 20. https://www.detsi.qld.gov.au/policies?a=272936:policy_registry/envoff-offsets-policy.pdf

[2] Queensland Parliament. Question on Notice No. 503. 13 May 2026. Total land area of Queensland's Protected Area Estate. https://documents.parliament.qld.gov.au/tableoffice/questionsanswers/2026/503-2026.pdf

[3] INaturalist Australia. https://inaturalist.ala.org.au/

[4] Queensland Government. 2025. Wildnet platform. Sources of WildNet data. https://www.qld.gov.au/environment/plants-animals/species-information/wildnet

[5] Australian Government. Department of Climate Change, Energy, the Environment and Water. Species Profile and Threats Database SPRAT https://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl

[6] Australian Government. Department of Climate Change, Energy, the Environment and Water. 2025. Notification of activities affecting listed species or ecological communities in or on a Commonwealth area. https://www.dcceew.gov.au/environment/biodiversity/threatened/listed-species-and-ecological-communities-notification

[7] Queensland Government. 2024. Clearing of protected plants. https://www.qld.gov.au/environment/plants-animals/plants/protected-plants/clearing

[8] Australian Government. Department of Climate Change, Energy, the Environment and Water. 2026. Referrals and environmental assessments under the EPBC Act. https://www.dcceew.gov.au/environment/epbc/approvals#submit-a-referral

Alignment of Queensland and Federal Government offset calculators

PRA recommends offset calculators between state and federal systems need to align. This is especially important when a land parcel contains both MNES and MSES. There should be one unified system to offset both levels of environmental significance, and alignment to legally secure offset areas. The discussion paper's proposed amendment to Part 8 and 9 of the Act to enable Environmental Offset Protection Area to secure a Commonwealth offset is supported.

Alignment with other Offset Policies

The discussion paper does not mention how the Environmental Offsets Framework aligns with these other offset policies:-

- **Point Source Water Quality Offsets Policy** https://environment.qld.gov.au/management/water/water-quality-offsets . This policy relates to wastewater discharge to receiving waters, with offsets including riparian/ streambank and gully restoration, and constructed wetlands.
- **State Code 9: Great Barrier Reef wetland protection areas**. https://environment.des.qld.gov.au/__data/assets/pdf_file/0021/90138/sdap-code9-gbr-wetland-protection-areas-guideline.pdf . Offsets for significant residual impacts from high impact earthworks associated with certain agricultural activities (e.g. constructing farm dams, levee banks, bund walls, sediment erosion ponds). Excludes high impact works for renewable energy developments, such as government supported transport infrastructure and works carried out under the *Electricity Act 1994*.

Protecting agricultural land for producing food and fibre

PRA raised these questions to the Commonwealth Government's National Standard for Environmental Offsets and they also pertain to Queensland Government's Offsets:-

- How much productive agricultural land has already been removed from, or constrained in, agricultural production through offset and environmental market schemes?
- What will be the cumulative effect of environmental offsets, biodiversity markets, carbon projects and renewable energy developments on food and fibre production?
- Who will ultimately be accountable when offset projects fail to deliver the outcomes promised?
- The need for an independent environmental performance review of existing offset schemes.
- How will conflicts between multiple levels of government and overlapping regulators be resolved?
- What protections exist to prevent further erosion of private property rights through environmental regulation?

A nation cannot offset the loss of productive farmland or declining food security. And it cannot offset the gradual erosion of property rights.

Environmental policy must work with landowners, not against them. Without the trust, cooperation and confidence of those who manage Australia's landscapes, environmental offset frameworks will not be adopted by landholders to achieve the required outcomes.

Recognise voluntary environmental stewardship

Many landowners have actively protected remnant vegetation, retained native habitat, managed invasive species, protected waterways and maintained biodiversity values without compensation, recognition or government assistance. Yet under increasingly sophisticated environmental mapping and assessment frameworks, these same environmental values can become the basis for additional restrictions, offset obligations or regulatory scrutiny. This creates a perverse incentive.

Landowners who have cared for their land and retained environmental values may face greater regulation than neighbouring properties where those values have not previously been protected. In effect, responsible land stewardship has become a regulatory liability.

Environmental policy should reward conservation and good management rather than create circumstances where landholders perceive environmental improvement as increasing future regulatory risk. The long-term success of environmental conservation depends upon maintaining the trust and cooperation of landowners. Agricultural landscapes are managed to deliver production, biodiversity and environmental outcomes, which are matters that do not need offsetting.

Further information

If you require further information or clarification on any points raised in the submission, please contact PRA by email on pra1@bigpond.net.au or phone 0493 667 561.