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Submission by Property Rights Australia.
Inquiry into the State Development and Public Works Organisation (Critical Minerals) and Other Legislation Amendment Bill 2026

1. Introduction

Property Rights Australia welcomes the opportunity to provide this submission to the Primary Industries and Resources Committee in relation to the State Development and Public Works Organisation (Critical Minerals) and Other Legislation Amendment Bill 2026.

Property Rights Australia represents and advocates for landowners, farming families, rural businesses and regional communities whose property rights, livelihoods and long-term security are affected by government policy, major project approvals, resource development, infrastructure corridors and changing land use regulations.

Property Rights Australia does not oppose critical minerals development. Nor does it oppose responsible economic development, efficient decision making or investment in projects that genuinely serve Queensland's long term public interest.

However, Property Rights Australia strongly submits that project acceleration must not come at the expense of private property rights, agricultural land, procedural fairness, review rights, rural workplaces, food production or regional communities.

The Bill raises major concerns because it does far more than facilitate critical minerals development. It introduces broad new powers for projects considered strategically important to Queensland. Those powers may apply to projects beyond critical minerals, including resource projects, energy infrastructure, water security infrastructure, downstream processing and other projects considered to be of State or regional significance.

The central issue for this inquiry is therefore not whether Queensland should support critical minerals or major projects. The central issue is whether the Bill gives government and project proponents extraordinary facilitation powers without equivalent protections for the landowners, agricultural businesses and regional communities expected to carry the consequences.

Property Rights Australia submits that the Bill should not proceed in its current form. It should be amended to ensure stronger landowner protections, independent agricultural assessment, genuine consultation, full compensation, meaningful review rights and clear limits on the use of extraordinary powers.

2. Executive Summary

The Bill forms part of a broader policy direction in Queensland that prioritises reducing duplication, streamlining approvals, centralising decision making and accelerating project delivery.

While these objectives may improve certainty for project proponents and investors, they also risk removing processes that, from a landowner's perspective, operate as safeguards. These include public notification, independent assessment, referral requirements, appeal rights, review rights, agricultural land protections and consultation obligations.

For a project proponent, these processes may be viewed as regulatory friction. For a rural landowner, they may be the only practical opportunity to protect a home, a business, water resources, biosecurity, strategic cropping land, farm infrastructure and long-term productive capacity.

Property Rights Australia is particularly concerned that the Bill:

1. **creates a new State Strategic Project framework with significant facilitation powers;**
2. **introduces Modification Orders that may alter how Acts of Parliament operate for particular projects;**
3. **broadens compulsory acquisition powers for State Strategic Projects;**
4. **creates or expands land access powers where agreement with landowners has not been reached;**
5. **limits review and appeal rights in circumstances where landowners may be directly affected;**
6. **integrates aspects of the *Regional Planning Interests Act 2014* into broader project assessment and delivery frameworks;**
7. **risks weakening the independent consideration of agricultural land and regional interests;**
8. **places additional burden on rural communities to scrutinise complex legislative reforms;**
9. **fails to adequately address cumulative impacts on agricultural businesses and rural communities;**
10. **does not provide sufficient safeguards for food security, strategic cropping land, water resources, biosecurity, rural workplaces or landowner wellbeing.**

The Bill also appears to engage or depart from multiple fundamental legislative principles, including in relation to Henry VIII style powers, compulsory acquisition, powers of entry, delegation of significant powers, reduced appeal rights and retrospective validation provisions.

There is real and growing governance fatigue occurring across rural Queensland, where landowners and farming organisations are repeatedly required to scrutinise complex reforms simply to defend protections that should already be built into the system. Government is streamlining assessment while simultaneously devolving scrutiny onto individual landowners. In practice, government and proponents have lawyers, departments have specialists and professional advisers, while rural landowners are left to respond after hours, around kitchen tables, with volunteers and limited resources.

Property Rights Australia submits that a Bill of this significance warrants far more scrutiny than the current inquiry timetable allows. The Committee should recommend an extension of the submission period and hearing process, and Parliament should not proceed with the Bill until affected landowners and representative organisations have had a meaningful opportunity to assess its full implications.

3. Property Rights Australia's Position

Property Rights Australia's position can be summarised as follows:

Queensland needs economic development, but not by weakening property rights.

We need critical minerals and strategic infrastructure where genuinely justified, but not by creating open ended powers that override local communities, diminish agricultural protections or reduce independent scrutiny.

We must have efficient approval systems, but efficiency must not be achieved by transferring risk, cost and administrative burden onto rural landholders and farming families.

Queensland needs investment certainty, but landowners also need certainty that their land cannot be entered without proper safeguards, certainty that their rights cannot be bypassed and that agricultural land remains a public interest and certainty that compensation will be full, fair and practical and poor decisions can be independently reviewed.

Property Rights Australia therefore recommends that the Bill be significantly amended before it proceeds.

4. The Bill Is Broader Than Critical Minerals

The title of the Bill may suggest a narrow focus on critical minerals. However, the Bill's mechanisms are much broader. The proposed powers may apply to projects considered strategically significant to Queensland or a region.

This is important because public and parliamentary debate should not proceed on the assumption that the Bill is limited to mines or critical minerals processing. Its most powerful tools may be available to a wider range of projects, including infrastructure, energy, industrial, water, state defence and downstream processing projects.

That breadth matters for rural communities. A farming district may already be dealing with coal seam gas, transmission infrastructure, renewable energy projects, resource exploration, water planning, environmental regulation, vegetation management, regional planning changes and biosecurity obligations. The introduction of another facilitation framework, with broad powers and reduced review rights, adds to an already heavy burden.

Property Rights Australia submits that any legislation giving special status and special powers to projects of State or regional significance must include equally strong protections for affected landowners and agricultural regions.

At present, the Bill appears to focus heavily on how projects can be delivered faster. It does not place equivalent emphasis on how agricultural land, farming enterprises and rural communities will be protected.

5. Consultation Period Is Inadequate

Property Rights Australia is concerned that the period provided for public submissions is inadequate given the scale and complexity of the Bill.

This Bill affects agricultural land, land access, compulsory acquisition, infrastructure planning, appeal rights, review rights, the operation of the *Regional Planning Interests Act 2014* and the balance between project facilitation and private property rights.

The Bill raises significant constitutional, legal and practical issues. It introduces new powers. It alters existing safeguards. It affects the position of landholders. It has implications for rural communities and regional economies.

Farming families and rural organisations do not have teams of lawyers, planners, policy officers and consultants on standby to examine lengthy legislation at short notice. They must review the material while also operating businesses, managing seasonal conditions, responding to existing development pressures and participating in other ongoing policy processes.

Property Rights Australia requests that the Committee recommend:

1. **an extension of the submission period;**
2. **additional public hearings in affected regional areas;**
3. **direct engagement with agricultural organisations, landholder groups and rural communities;**
4. **further parliamentary scrutiny before the Bill proceeds.**

A Bill of this significance should not be rushed.

6. State Strategic Project Powers Require Stronger Safeguards

The Bill creates a new State Strategic Project framework. Once a project receives this status, significant facilitation powers may become available.

Property Rights Australia is concerned that the criteria, process and safeguards for granting this status require much greater scrutiny.

The declaration of a State Strategic Project should not be a doorway through which ordinary landholder protections, local planning processes, agricultural assessments and appeal rights are reduced. Nor should it become a mechanism by which private commercial projects obtain public powers without clear, independently assessed public interest.

Property Rights Australia recommends that the Bill be amended to require:

1. **clear statutory criteria before a project can be declared a State Strategic Project;**
2. **a demonstrated public interest, not merely private commercial benefit;**
3. **mandatory consultation with all directly affected landowners before a declaration is made;**
4. **publication of reasons for any declaration;**
5. **independent assessment of agricultural, water, environmental, social and regional impacts;**
6. **a public register of declarations and supporting reasons and**

7. **review rights for directly affected landowners and local governments.**
8. **Full compensation to affected landowners to cover loss in market value, severance, disruption, or adverse planning change.**

The State should not be able to confer extraordinary facilitation powers on a project without proper notice, reasons, transparency and review.

7. Modification Orders Are a Major Concern

Property Rights Australia is particularly concerned by the proposed Modification Order powers.

These powers appear capable of altering how legislation operates for State Strategic Projects. Where subordinate legislation can modify the operation of Acts of Parliament, this raises serious rule of law concerns.

Property Rights Australia understands that such powers are often described as Henry VIII powers. They should be used rarely, narrowly and only with strong parliamentary oversight.

From a landowner perspective, the practical concern is simple, if a statutory process, condition, assessment requirement or appeal right can be modified because it is considered duplicative, unreasonable or an impediment to project delivery, then landowners may lose the very protections that Parliament originally put in place.

The question should not be whether a statutory process slows a project. The question should be whether that process protects a legitimate public interest.

Agricultural land protection, public notification, independent assessment, review rights and conditions attached to approvals may appear inconvenient to proponents. That does not mean they are unnecessary. In many cases, they are essential.

Property Rights Australia recommends that Modification Orders be subject to strict safeguards, including:

1. **express exclusion of core property rights protections from modification;**
2. **express exclusion of agricultural land protections from modification unless Parliament separately approves the change;**
3. **mandatory tabling and disallowance provisions;**
4. **mandatory publication of reasons;**
5. **direct notice to affected landowners;**
6. **independent assessment before a Modification Order is made;**
7. **a requirement that no Modification Order may reduce appeal rights for affected landowners;**
8. **sunset clauses and statutory review and**
9. **a requirement that the Minister demonstrate why existing law is genuinely unworkable, not merely inconvenient.**

The burden should be on government and proponents to prove why extraordinary modification powers are necessary. It should not fall on landowners to prove why ordinary legal safeguards should remain.

8. Compulsory Acquisition for Project Facilitation Must Be Strictly Limited

Property Rights Australia strongly opposes any expansion of compulsory acquisition powers that allows private land to be taken primarily for the benefit of private proponents, without strict public interest tests and full compensation.

Compulsory acquisition is one of the most serious powers available to government. It should be used only where there is a clear, compelling and independently assessed public purpose.

It should not be normalised as a project facilitation tool.

The impact of compulsory acquisition on rural landowners is not limited to the market value of the land taken. It may include:

1. loss of productive land;
2. severance of paddocks;
3. disruption to livestock movement;
4. loss of water infrastructure;
5. impacts on irrigation, bores, dams and overland flow;
6. biosecurity risks;
7. reduced property functionality;
8. increased operating costs;
9. loss of future development options;
10. impacts on succession planning and family security;
11. stress, uncertainty and loss of control and
12. devaluation of retained land.

Compensation frameworks often fail to properly recognise the full business impact on agricultural enterprises. A farm is not simply a collection of parcels of land. It is an integrated workplace, business, home, family asset and productive system.

Property Rights Australia recommends that the Bill be amended to provide that compulsory acquisition for a State Strategic Project may occur only where:

1. **there is a clear and independently assessed public purpose;**
2. **private commercial benefit is not the dominant purpose;**
3. **all reasonable alternatives have been assessed and published;**
4. **directly affected landholders have been consulted;**
5. **agricultural impacts have been independently assessed;**

6. **acquisition is genuinely necessary and proportionate;**
7. **full compensation is paid before possession is taken;**
8. **compensation includes business loss, severance, productivity loss, disturbance, legal costs, valuation costs, professional advice, relocation costs, water impacts, biosecurity impacts and long-term operational impacts and**
9. **affected landowners have access to independent review and appeal.**

The test should not simply be whether a project is important. The test should be whether taking private property is necessary, justified, proportionate and in the public interest.

9. Access Authorities Must Not Undermine Landowner Agreement

Property Rights Australia is concerned that the Bill creates or expands access authority powers that may allow entry onto land where agreement with landowners has not been reached.

Land access is not a minor administrative matter. For farming families, entry onto land can affect the operation of the farm, animal welfare, biosecurity, privacy, workplace safety, water infrastructure, crops, fences, roads, soil condition and family homes.

The ability to enter land, bring machinery onto land, take samples, conduct surveys, clear vegetation, disturb land, construct temporary access tracks or undertake enabling works is a significant power.

Property Rights Australia submits that landowner agreement must remain the foundation of land access arrangements wherever possible.

If access authorities are retained, the Bill must be amended to include stronger safeguards:

1. **access must be a genuine last resort;**
2. **proponents must demonstrate genuine negotiation, not token consultation;**
3. **landowners must be given adequate time and funded access to independent legal and technical advice;**
4. **no access should occur without a written access plan;**
5. **adherence to biosecurity plans must be mandatory;**
6. **access must avoid sensitive farming operations, mustering, lambing, calving, planting, harvesting and wet weather damage;**
7. **there must be clear rules for gates, fences, tracks, weeds, pests, chemicals, water points and livestock safety;**
8. **proponents must hold adequate insurance and indemnify the landowner;**
9. **bonds or security deposits should be mandatory, not discretionary;**
10. **compensation should be automatic for loss, disturbance or business interruption;**
11. **penalties should apply for breaches and**
12. **landowners should have fast access to dispute resolution and the Land Court.**

A landowner should not be forced to carry the risk of a project they did not seek, do not control and may not benefit from.

10. Reduced Review and Appeal Rights Are Unacceptable

Property Rights Australia is deeply concerned by any reduction in review and appeal rights for landholders and communities affected by State Strategic Projects, Modification Orders or infrastructure planning processes.

Review rights are not red tape. They are a safeguard against poor decisions.

If a decision affects a person's land, business, water, home, future productivity or legal rights, that person should have a meaningful ability to challenge the decision.

It is particularly concerning if project proponents retain appeal rights while landowners face restricted opportunities to challenge decisions affecting them. Such an imbalance would undermine public confidence and create a perception that the system is designed to protect project delivery rather than procedural fairness.

Property Rights Australia recommends that the Bill be amended to ensure:

1. **no reduction in landowner appeal rights;**
2. **full merits review for directly affected landowners;**
3. **clear standing for landowners, local governments and representative agricultural organisations;**
4. **independent review of State Strategic Project declarations;**
5. **independent review of Modification Orders;**
6. **independent review of access authority decisions;**
7. **independent review of compulsory acquisition decisions;**
8. **access to reasons and supporting documents and**
9. **adequate timeframes for landholders to seek advice and respond.**

11. The Regional Planning Interests Act Must Not Be Absorbed into Project Facilitation

Property Rights Australia is concerned by the interaction between the Bill and the *Regional Planning Interests Act 2014.*

The *RPI Act* was introduced to ensure that certain regional interests, including priority agricultural areas, strategic cropping areas and strategic environmental areas received specific consideration when resource and development activities were proposed.

The *RPI Act* was not designed primarily as a project facilitation mechanism. It was intended to ensure that development proposals were tested against broader regional interests, including agricultural productivity and land use compatibility.

Repeated concerns have been raised regarding proponent self-assessment, limited independent verification and the practical operation of the RPI framework. The response to those concerns should

be to strengthen independent agricultural assessment and oversight. It should not be to further subsume agricultural assessment into project facilitation processes before the existing framework has been demonstrated to be operating effectively.

Property Rights Australia submits that agricultural interests must remain an independent checkpoint within major project assessment.

If productive agricultural land is genuinely a State interest, then it must be treated as a foundational public interest, not as a secondary consideration to be managed within a project acceleration framework.

Property Rights Australia recommends that the Bill be amended to ensure:

1. **independent agricultural assessment remains mandatory for projects affecting priority agricultural areas, strategic cropping areas, water resources or productive agricultural land;**
2. ***RPI Act* triggers are independently verified, not left primarily to proponents;**
3. **landowners can access and challenge assessments affecting their land;**
4. **agricultural assessment is not overridden by Modification Orders or State Strategic Project declarations;**
5. **cumulative agricultural impacts are assessed at property, district and regional scale and**
6. **the precautionary principle applies where food production, water security or strategic cropping land may be affected.**

12. Cumulative Impacts Must Be Properly Considered

Many rural communities are no longer dealing with a single project or a single policy reform.

They may be dealing with overlapping impacts from resource development, coal seam gas, renewable energy projects, transmission corridors, road upgrades, water infrastructure, environmental offsets, vegetation regulation, biosecurity rules, regional planning changes and now additional State Strategic Project powers.

Assessment systems often treat projects separately. Farming businesses experience them cumulatively.

Cumulative impacts may include:

1. land fragmentation;
2. loss of productive capacity;
3. increased weeds and pests;
4. road damage and traffic risks;
5. disruption to stock movement;
6. pressure on local water resources;
7. loss of rural amenity;
8. workforce and accommodation pressure;

9. increased fire risk;
10. reduced land values;
11. stress and uncertainty and
12. loss of confidence in government processes.

Property Rights Australia recommends that the Bill be amended to require cumulative impact assessment before State Strategic Project powers are used in agricultural regions.

This assessment should consider impacts on individual properties, farming enterprises, local communities, agricultural supply chains, local roads, water resources, biosecurity, rural workplaces and regional food production.

13. Governance Fatigue and the Transfer of Burden to Rural Communities

Property Rights Australia wishes to draw the Committee's attention to a broader issue, governance fatigue.

Over recent years, landowners and farming organisations have repeatedly participated in inquiries, reviews, consultations, reform processes and project negotiations relating to agricultural land protection, groundwater management, subsidence, coexistence, transmission infrastructure, renewable energy projects, vegetation management, resource development and regional planning.

Each process is presented as an opportunity to have a say. However, participation is not cost-free.

For farming businesses, participation requires reading lengthy legislation, understanding complex technical material, attending meetings, coordinating with neighbours, preparing submissions, seeking expert advice and responding to repeated consultations. These tasks occur while farmers are also running businesses, managing stock, responding to seasonal conditions, maintaining infrastructure and supporting families.

When legislation is streamlined and review processes are reduced, the regulatory burden does not disappear. It is often transferred from government institutions to the very communities those institutions were meant to protect.

This is not simply consultation fatigue. It is the repeated requirement for farming communities to defend agricultural protections that should already be embedded in the system.

Queensland governments have long recognised productive agricultural land, food production and regional communities as matters of State significance. Yet farming communities continue to be asked to re-establish that position whenever new project facilitation powers are proposed.

Property Rights Australia submits that Parliament must address this imbalance.

If agriculture is a public interest, then the institutions responsible for protecting agriculture must be strengthened. The burden should not be continually shifted onto landowners, volunteers and community organisations. Government is streamlining assessment while simultaneously devolving scrutiny onto individual landowners.

14. What Is Missing From the Bill

Property Rights Australia submits that the Bill contains extensive discussion of project delivery, infrastructure, investment, critical minerals, strategic development and regulatory efficiency.

There is comparatively little emphasis on:

1. farming businesses;
2. agricultural workplaces;
3. family homes;
4. water resources;
5. biosecurity;
6. strategic cropping land;
7. cumulative impacts;
8. coexistence outcomes;
9. long term agricultural productivity;
10. psychosocial impacts;
11. rural community capacity;
12. participation fatigue and
13. the burden placed on affected communities to scrutinise successive reforms.
14. coexistence outcomes
15. protection of property valuation.

These omissions matter. They suggest that the Bill has been framed primarily around the needs of project delivery, rather than the lived reality of the people and communities affected by project delivery.

Property Rights Australia submits that any Bill designed to accelerate major projects must include a corresponding framework to protect those expected to host, accommodate or coexist with those projects.

15. Recommended Amendments

Property Rights Australia recommends that the Committee amend the Bill to include the following safeguards.

Recommendation 1: Extend the submission and hearing process
The Committee should extend the submission period and hold additional regional hearings to allow proper scrutiny by rural landowners, farming organisations and local communities.

Recommendation 2: Limit the scope of State Strategic Project powers
The Bill should clearly define the criteria for State Strategic Project declarations and require an independently assessed public interest test.

Recommendation 3: Protect against compulsory acquisition for private benefit
Compulsory acquisition should not be available for projects where the dominant purpose is private commercial benefit. Acquisition should require a clear public purpose, independent assessment and full compensation.

Recommendation 4: Strengthen compensation rights
Compensation should include market value, severance, business loss, productivity loss, disturbance, legal costs, valuation costs, water impacts, biosecurity impacts, relocation costs, professional advice and long term operational impacts.

Recommendation 5: Preserve landowner review and appeal rights
The Bill should not reduce review or appeal rights for directly affected landholders. Full merits review should be available for decisions affecting land, access, acquisition, approvals and conditions.

Recommendation 6: Restrict Modification Orders
Modification Orders should not be able to reduce property rights, agricultural protections, review rights, environmental safeguards, public notification or landowner consultation requirements.

Recommendation 7: Require direct landowner consultation
Affected landowners should receive direct written notice and a genuine opportunity to respond before any declaration, access authority, Modification Order, infrastructure plan or acquisition step affecting their land.

Recommendation 8: Make access safeguards mandatory
Access authorities should require biosecurity plans, access plans, insurance, indemnities, bonds, compensation, dispute resolution and enforceable conditions.

Recommendation 9: Strengthen independent agricultural assessment
Agricultural land assessment should remain an independent checkpoint, especially for priority agricultural areas, strategic cropping land, water resources and productive farming regions.

Recommendation 10: Require cumulative impact assessment
The Bill should require property, district and regional scale cumulative impact assessment before facilitation powers are used in agricultural areas.

Recommendation 11: Establish a public register
All State Strategic Project declarations, Modification Orders, access authorities, acquisition declarations and reasons for decisions should be published on a public register.

Recommendation 12: Include statutory review
The Act should be independently reviewed within two years, with landowner organisations, agricultural bodies and affected communities included in that review.

16. Conclusion

Property Rights Australia submits that the State Development and Public Works Organisation (Critical Minerals) and Other Legislation Amendment Bill 2026 raises serious questions for Queensland landowners, farming businesses and rural communities.

The issue is not whether critical minerals or major projects should proceed. The issue is whether Queensland is creating powerful project facilitation mechanisms without equivalent protections for the people whose land, businesses, homes and communities will be affected.

Property Rights Australia is concerned that the Bill forms part of a broader pattern of reform in which project delivery is accelerated, regulatory friction is reduced and decision making is centralised, while agricultural safeguards, review rights and independent scrutiny are not strengthened to the same degree.

This imbalance must be corrected.

Queensland's agricultural land, food production, rural communities and private property rights are not obstacles to development. They are foundational public interests.

If the Parliament chooses to provide extraordinary powers to facilitate major projects, it must also provide extraordinary safeguards to protect landholders.

Property Rights Australia therefore requests that the Committee recommend that the Bill not proceed in its current form, and that it be amended to provide stronger protections for private property rights, agricultural land, review rights, compensation, land access, independent assessment and rural community participation.

Property Rights Australia would welcome the opportunity to appear before the Committee to speak to this submission.

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