

15 September 2025

Property Rights Australia Inc submission to the Productivity Commission's Interim Report

"Investing in cheaper, cleaner energy and the net zero transformation"

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's submission provides feedback on two of the recommendations from the Productivity Commission's Interim Report on "Investing in cheaper, cleaner energy and the net zero transformation".

Draft Recommendation 1.3

Introduce an emissions-reduction incentive for heavy vehicles.

PRA does not support the "car and ute tax" imposed by the federal New Vehicle Efficiency Standard, nor an increase in the road user charge for heavy vehicles. The livelihood of farmers, trade persons, families and regional Australians requires access to utilities, four wheel drives and heavy vehicles to haul gear, tow machinery, drive through rugged and boggy terrain and have the capacity to travel vast distances throughout regional Australia. The concept of emissions reduction incentive for heavy vehicles disadvantages regional landholders and rural businesses and impedes their productivity.

Governments need to support the advanced biofuel industry as an alternative source of fuel to regular diesel and aviation fuel¹.

¹ Clean Energy Finance Corporation (CEFC) and the Australian Renewable Energy Agency (ARENA). 2019. The Biofuels and Transport: An Australian Opportunity is based on a full report prepared by GHD Pty Ltd (Report). <https://arena.gov.au/assets/2019/11/biofuels-and-transport-an-australian-opportunity.pdf>

Draft Recommendation 2.1

Reform national environment laws

Expediting approvals for clean energy projects

Any proposal that places emission reduction and renewable energy industry interests ahead of other significant industrial developments is unacceptable.

The states already have strong environmental laws and they should be enforcing them with the inclusion of renewables projects.

The *Environment Protection and Biodiversity Conservation EPBC Act 1999* is not broken and remains one of Australia's most robust frameworks for safeguarding threatened and endangered species and their habitats. Diluting these safeguards would undermine decades of scientific and community driven effort and could erode public confidence in the legislation. If the process is cumbersome, the problem is an administrative one, not a legislative one. The process does need streamlining to increase productivity and facilitate a faster approvals time but it should be able to be done without compromising standards and all industries should benefit from the extra efficiency.

Through the *EPBC Act*, Australia is committed to Ecologically Sustainable Development ESD². This requires using, conserving and enhancing community resources so that ecological processes on which life depends on, are maintained and the total quality of life now and in the future can be increased.

The Act's rigorous assessment process ensures any development projects that may impact on Matters of National Environmental Significance MNES are evaluated³. Healthy ecosystems underpin other essential industry sectors such as tourism, agriculture, and fisheries; therefore, protecting these ecosystems is essential.

Weakening the Act and speeding up approvals for energy infrastructure would jeopardise that social licence and trust.

The Act aligns with Australia's commitments under global biodiversity conventions. Any rollback is not in line with the International Plant Protection Convention IPPC expectations and could damage our international reputation.

Exemptions or fast tracking for renewable energy project approvals are not supported by PRA. Project assessments under the *EPBC Act* criteria should be fair and equitable across all major development proposals, regardless of industry.

² Australian Government. Department of the Environment and Energy. 1992. National Strategy for Ecologically Sustainable Development. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5516t2036/5516t2036.pdf>

³ Australian Government. Department of Climate Change, Energy, the Environment and Water. 2021. Criteria for determining ESD relevance. <https://www.dcceew.gov.au/environment/epbc/publications/criteria-determining-esd-relevance>

National environmental standards

Australia's landscape and biodiversity are variable and diverse. It is difficult to comprehend how an enforceable national environmental standard can be developed. In a variable tropical climate across various bioregions, how does a project site maintain, improve and recover matters of national environmental significance MNES? How can a project area protect against mobile key threatening processes such as feral pigs?

The Australian Government must provide due diligence, consult widely and proceed with caution in the development of National Environmental Standards. Five-year statutory reviews of the Standard must be included since comprehensive revisions will be required.

Regional planning

No-go zones should also include protection for priority agricultural land (strategic cropping land) in addition to zones of high environmental value to achieve objectives of ESD. Exemptions for routine maintenance in no-go zones to include fire breaks and fire management lines, invasive weed and pest animal management, and erection and maintenance of fencing infrastructure.

There is no science or known methodology to define or assess "cumulative impacts", therefore regional plans should not include cumulative impacts as a criterion to be managed.

Offset arrangements

Australia's biodiversity should be protected foremost. PRA recommends the concept of offsets is kept to a minimum. If renewable energy infrastructure has no or minimal impact on matters of national environmental significance, then governments should install the infrastructure on their protected area estate which is a vast landmass currently occupying 22 per cent of Australia⁴.

Productive agricultural land is being invaded by renewable energy infrastructure and associated powerlines. Additional agricultural land is being tied up by some projects requiring a revegetation offset within a similar ecosystem. Australia needs to also protect agricultural land for food security.

Offset schemes do not compensate for environmental harm.

Community support for clean energy projects

In areas of freehold land, where native title has been extinguished, there should be no mandatory requirement to engage Aboriginal and Torres Strait islander people in a project activity being assessed under the *EPBC Act*.

Queensland Government improved community consultation and benefits by passing the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Act 2025*⁵. This Act has empowered local communities and local governments dealing with renewable project proposals. Perhaps other states should consider similar legislation, rather than consider developing and imposing national standards for engagement.

⁴ Australian Government. Department of Climate Change, Energy, the Environment and Water. 2025. Ownership and governance of protected areas. <https://www.dcceew.gov.au/environment/land/nrs/about-nrs/ownership>

⁵ Queensland Government. 2025. Media Statement. Landmark renewable laws switch-on regional community benefits from today. <https://statements.qld.gov.au/statements/103102>

Conclusion

If there is genuine intent to reform the EPBC Act, it should be done transparently and with extensive public consultation. PRA does not support any amendment that favours some industrial development over another. Rethink renewables and stop their hasty introduction, until government processes can reassure communities they have the right mix of energy generation sources for long term productivity, economic growth and environmental protection.

Economist Judith Sloan highlights the forgotten property rights of landowners in a recent media article in the Australian, where she states “As for the idea of speeding up the approval of renewable energy and related projects, this is firming up as one of the strong recommendations from the Jim Chalmers productivity gabfest later this month. The fact the legitimate property rights of rural and regional landholders and communities are in effect stolen because of this proposal doesn’t seem to worry the Productivity Commission PC these days – it would have done so in the past.”⁶

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

⁶ Net-zero report predictable, but sloppy and absurd: Three Little Pigs, anyone?
<https://www.theaustralian.com.au/nation/politics/netzero-report-predictable-but-sloppy-and-absurd-three-little-pigs-anyone/news-story/495bea43e89e88e7cb4e09609ef13d92>