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- **Graziers and mixed enterprises in Reef regions:**
- **Do you plan to cultivate new areas and sell fodder and hay?**
- **Are you planning to crop fallow land not used for the previous three out of 10 years?**

Requirements for an environmental authority (permit) to farm new cropping and horticultural areas in Reef regions

Queensland Government Reef regulations affecting new or expanded cropping and horticulture areas, takes effect from 1 June 2021. If you grow, harvest and sell crops off-farm, this may apply to you. The regulation affects expansion of cultivated areas for all commercial crops including grain, pulses, cane, cotton, fodder, hay, pasture seed, bananas, biofuels and harvested horticultural crops. New cropping areas greater than five hectares, where the soil is cultivated, crop grown, harvested and sold off-farm for a fee or reward.

Reef regulations for new or expanded cropping and horticulture



Before preparing new cropping areas, check if Reef regulations apply to you.

Photos: Sharon Howard & Marie Vitelli.

Applies to all six Reef catchments, after 1 June 2021.

A person carrying out new cropping requires to register as a 'suitable operator' <https://environment.des.qld.gov.au/licences-permits/suitable-operators> and obtain an Environmental Authority (permit) BEFORE commencing operational works to cultivate cropping land on areas greater than five hectares.

Applies to previously cleared land (either Category X or within a Property Map of Assessable Vegetation) PMAV) and new, undeveloped greenfield sites. Any land that has not been cropped at least three times in the last 10 years (cropping history test). Previous cropping history can include commercial and non-commercial crops (eg Leucaena, tree crops, forage crops).

Applies to a wide range of commercial crops on newly cultivated land including cane, grain and pulses, cotton, hay, fodder, pasture seed harvesting, biofuels, bananas and many horticultural crops.

Exempt cropping areas include closed system cropping, hydroponics, forestry, forage crops and forage tree crops grazed in-situ (e.g. Leucaena, grazed forage sorghum, grazed forage oats), ripping for pasture improvement and fodder grown, harvested and used for own livestock on-farm. Land with a development approval issued prior to 1 June 2020 for High Value Agriculture or Irrigated High Value Agriculture is also exempt.

Exempt areas also include where preparation work commenced between 1 June 2018 and prior to 1 June 2021, with the intent to crop at least three times in the next ten years, of which one cycle will be within the next five years. This is a transitional measure to enable recent cropping areas time to meet the cropping history test.

Existing, ongoing cropping areas do not require to apply for a permit, however all areas will be subject to minimum practice Reef Standards. Cane Standards commenced in December 2019, bananas to phase in between 2020 to 2022 and all grain and horticulture Standards proposed to commence in December 2022.

What are required activities in the Reef Standard for new cropping?



Farm design to minimise runoff of sediment and irrigation water is required: Photo Sharon Howard

- The Standard requires measures to avoid and mitigate fine sediment, dissolved inorganic nitrogen (fertiliser) and irrigation water entering receiving waters to the Great Barrier Reef.

- Public consultation on the proposed regulatory Reef Standard closed on 17 February 2021. This AgForce factsheet outlines proposed ERA13 Standard requirements, pending the final outcome of the government consultation process.
- Cultivating new cropping areas greater than 5ha, after 1 June 2021, is an Environmentally Relevant Activity ERA and requires an Environmental Authority (permit) to proceed.
- Submit a standard application form online for a prescribed ERA 13A and pay a \$670 fee or lodge a variation application to alter one or more of the criteria (\$870 fee). State Government assessment timeframe is 20 business days.
- A site-specific application and \$870 fee are required for areas which cannot meet the eligibility criteria or before cultivating new areas greater than 100ha. Application to include soil and land attribute survey, proposed farm design, and impact on environmental values (declared under the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 <https://environment.des.qld.gov.au/management/water/policy> , Matter of State Environment Significance MSES or wetland environmental value). An alternative, optional process is a 'land limitations assessment' as outlined in the 'Guidelines for Agricultural Land Evaluation in Queensland' <https://www.publications.qld.gov.au/dataset/qld-agricultural-land-evaluation-guidelines> .
- State Government assessment timeframe is 40 business days.
- Permits can be transferred to another owner or land manager for a \$140 fee.
- A Standard or Variation Application must be accepted and approved by the Department. It is possible that a Site-Specific Application may be refused, although unlikely. There will be a right to appeal the decision. Reef Compliance Officers have the ability to do a site inspection for a Site-Specific Application, although an inspection may or may not occur.
- Details of the applicant's name, Lot/Plan and a copy of the cropping permit will be included in the 'environmental authorities public register' <https://apps.des.qld.gov.au/env-authorities/> .
- There is no annual fee for ERA13A permits, nor do they expire or have an end date. If the permit is surrendered or suspended, the cropping activity can no longer be carried out.

Revised draft, farm design standards for new cropping include:-

- a) No activity within five metres of the defining bank of a waterway or the seasonal highwater line at the point of flooding.
- b) Design and implement measures to minimise release of sediment and nutrient from cropping location into receiving waters. Measures are an action or procedure such as:-
 - (i) Drainage structures such as spoon drains, contour banks, diversion banks, sediment traps, recycle pit or constructed wetland and
 - (ii) Design of cropped area to reduce velocity of surface water runoff (surface cover, row length and direction, cultivation methods, drainage structures).
- c) Implement and maintain measures to avoid loss of irrigation water to natural waterways. Irrigation measures include matching amount of irrigation to crop requirement, design of area and /or use drainage structures.
- d) Record a property plan and update annually by 1 November each year, which shows location, activity area, irrigation features, natural waterways, receiving waters and implemented measures.
- e) On request, provide the property plan to a departmental authorised officer.

More information

Contact details.

- OGBR Reef regulation Standard for new or expanded cropping and horticulture
<https://www.qld.gov.au/environment/agriculture/sustainable-farming/reef/reef-regulations/producers/cropping>
- Previous draft ERA 13A Standard for new or expanded cropping
https://www.qld.gov.au/_data/assets/pdf_file/0026/119069/cropping-horticulture-era-standard-draft.pdf . Current revised draft Standard not publicly available. Final ERA13A Standard will be published on 14 May 2021. Takes effect from 1 June 2021.
- Contact the Office of Great Barrier Reef, phone 13 74 68 or email officeofthegbr@des.qld.gov.au
- AgForce Policy Officer – Marie Vitelli, ph 0429 062 852, email vitellim@agforceqld.org.au

AgForce Policy on Reef Regulations

- **AgForce opposes mandatory Reef regulations.**
- **AgForce seeks to promote best practice and innovation through voluntary guidelines and an incentives scheme.**
- **State Government’s Reef regulations impose onerous record-keeping and regulated Standards on commercial Reef farmers, without substantiated evidence that Reef health will benefit at all.**
- **AgForce continues to strive for evidence-based science for Reef and government policy.**
- **AgForce is providing this summary of Reef regulation requirements as a member service, while AgForce continues the long-term quest for fair laws for farmers.**