



Version 7 – May 2021

Reef Protection Regulations 2019 - What does it mean for you?

The Queensland Labor Government won the Parliamentary vote on the 19 September 2019 to strengthen Reef Regulations for commercial farming activities across five Reef catchments. These regulations affect broadacre cropping, cane and beef cattle grazing in the Burdekin, Fitzroy, Wet Tropics, Mackay Whitsunday and Burnett Mary catchments. The only farming activity in eastern Cape York to be regulated is new cropping.

Record-keeping of fertiliser and agricultural chemical use on grazing and cane land

Effective from 1 December 2019, records detailing the date, location and application rate of any agricultural chemical, mill mud or fertiliser used on beef cattle grazing and cane land needs to be made within three days of application. Records are to be kept for six years and made available for inspection by an authorised compliance officer, if requested. Any associated purchase invoices need to be kept. Record-keeping is required by all commercial beef-cattle graziers and cane farmers across five Reef catchments, excluding Cape York.

Grazier actions required for land with less than 50 per cent ground cover, assessed on the 30th September each year

No further regulatory action is required for grazing land with greater than 50 per cent ground cover. Beef cattle graziers with land in poor or degraded condition (less than 50 per cent ground cover) are required to implement measures to halt or improve land condition and keep a written record of implemented measures. This will include measures to minimise runoff such as adjusting stocking rates, wet season spelling, managing preferential grazing and preventing stock access to erodible areas. Grazing standards and associated written records of measures commence during Year 2020 (Burdekin), Year 2021 (Fitzroy) and Year 2022 (Wet Tropics, Mackay Whitsunday and Burnett Mary).

Commercial cropping (grain, hay, fodder, cane - grown, harvested and sold off-site)

From 1 June 2021, new or expanded commercial cropping and horticultural areas on five hectares or more will need to apply for an Environmental Authority (permit), prior to commencing operational works, regardless if land has been previously cleared. An environmental authority (permit) does not apply to closed system cropping (eg. hydroponics) or forage crops grazed in-situ, such as forage oats, forage sorghum and Leucaena or crops grown and used on-farm and not sold commercially.

New cropping requirements apply to activities on land that has not been cropped more than three times in the last 10 years. The new cropping requirements apply to any grain, cane, horticultural crop, hay or fodder crop sold commercially off-farm, including any new agricultural or biofuel crop development.



ADVANCING SUSTAINABLE AGRIBUSINESS

The farm design standard for new cropping requires measures to avoid loss of soil and nutrient run-off and minimal loss of irrigation water. <https://www.qld.gov.au/environment/agriculture/sustainable-farming/reef/reef-regulations/producers/cropping> . The fee for a standard application is \$670 and \$870 for a site-specific or variation application.

Developing new cropping areas greater than 100 hectares is considered 'high-risk' and will require a site-specific Reef water quality assessment with tailored farm design measures to manage water quality risks.

New commercial cropping or preparation work commencing **prior to 1 June 2021** will not require this Environmental Authority (permit), as long as ongoing cropping occurs for at least three out of 10 years.

All existing sugar cane areas

Require records of soil tests before applying any fertiliser, calculated fertiliser rates and amount used on each block, farm budget for nitrogen and phosphorus use, actual and historical cane yields, and measures to minimise runoff of sediment, nutrient and irrigation water. Fertiliser invoices and contractor reports must also be kept for six years.

All existing cropping areas

By December 2022, minimum practice cropping standards and record keeping requirements will be developed and implemented for all existing commercial crop producers in Reef regions, except eastern Cape York. Depending on risk to Reef water quality, the standards may limit fertiliser inputs, application methods and require erosion control measures.

Why does AgForce oppose the Reef protection regulations?

- Imposes onerous record-keeping and additional actions on at least 8,500 graziers, 3,700 cane farmers and 1,000 grain and crop producers without any substantiated evidence that Reef health will benefit at all.
- Unfairly targets primary producers (incorrectly assuming we are the main source of pollutants, nutrients and sediment) rather than taking a whole-of-landscape approach.
- Agricultural industries, regional communities and producers have been deliberately excluded from the main law-making process. Every single one of our suggested amendments have been ignored, yet the onus will be on us to abide by them.
- The regulations are not based on the latest science. The most recent science Government has considered is from the 2017 Reef Scientific Consensus Statement. Queensland Government is relying



on modelled outcomes rather than rigorous validation through an extensive network of land and Reef monitoring sites.

- Farmers are continually copping the blame for the Reef, when farmers take their responsibility to the environment and especially the Great Barrier Reef seriously.

For more information about Reef protection regulations

Web: www.qld.gov.au/ReefRegulations **Email:** officeoftheGBR@des.qld.gov.au **Phone:** 13 74 68.

How does Reef regulations affect me as a producer?

Bill (grain producer) wants to expand another 100ha.

For the expansion of the crop area after June 2021, Bill will have to complete a cropping history test. If the new area between five and 100 hectares has not been cropped three times in the last 10 years, he will require an Environmental Authority (permit) and pay an application fee, before commencing operational works. If the cropping expansion area is greater than 100 hectares, there will be a site-specific application process and application fee. This includes a risk assessment from the cropping activity to Reef water quality and environmental values.

John (beef producer) has a 100-acre cultivation that he wants to plough and plant to feed cattle during a good year. Does John have to comply with the new cropping farm design standard?

Fodder crops grown by graziers for their own cattle and growing crops grazed on farm such as forage oats, forage sorghum and Leucaena are exempt from the cropping farm design standard (in 2021) and grains minimum practice standard (in 2022). The grazed cultivation area would be subject to grazing minimum practice standards. However, if the forage fodder is to be harvested from the cultivation paddock and sold off-farm for a fee or reward, it is considered a new cropping paddock, if not previously cropped three times in the last 10 years. .

Jackie (beef producer) has three out of her 10 paddocks with less than 50 per cent ground cover due to drought, pasture dieback and kangaroos.

Does Jackie have to pay a consultant to write her records or can she do it from a template?

Queensland Government will be using satellite monitoring tools such as Long Paddock FORAGE ground cover reports and VegMachine to check for properties trending below the annual 50 per cent ground cover threshold <https://www.longpaddock.qld.gov.au/forage/> and <https://vegmachine.net>. Long Paddock and VegMachine take into consideration specific regional conditions and weather impacts.

These free, web-based ground cover monitoring tools are available for use by producers too. Producers are expected to do their own ground cover assessment on 30 September, each year.

Environmental compliance officers are to consider implications of drought, fire and regional impacts on ground cover thresholds. The department has not advised how localised impacts on ground cover such as pasture dieback and kangaroos will be considered. The written record of implemented measures to halt or improve poor land condition can be written by the grazier in any format, not necessarily by a consultant or adviser.



ADVANCING SUSTAINABLE AGRIBUSINESS

Does Jack have to attend some grazing workshops as part of his implemented measures?

Jack will not have to attend any workshops to complete his written records for grazing land in poor or degraded condition. However, Jack can seek advice from a relevant expert, including a soil erosion or fertiliser adviser or agronomist, if useful. If Jack uses an accredited agricultural adviser registered with QRIDA, he may be able to get up to \$1000 rebate towards the cost of the adviser. Rebate details and accredited adviser list from Qld Rural and Industry Development Authority QRIDA

<http://www.grida.qld.gov.au/current-programs/farming-in-reef-catchments-scheme>.

How much does the Reef compliance officer charge Jack every time they come out?

There is no fee or charge for a property visit by a compliance officer. However, if a producer willfully fails to comply with standards, there could be fines up to \$222,000 (1,665 penalty units). Maximum penalty for other contraventions of the standards is \$80,070 (600 penalty units). Failure to keep records may incur a Penalty Infringement Notice PIN of five penalty units \$667.25 for an individual or 25 penalty units \$3336.25 for a corporation. Not producing a written record or document on request by an officer, could incur a fine up to \$6,670.

Fred (beef producer in a Reef catchment with river frontage country) has no riparian fencing and his cattle water on the river. Does Fred have to fence off the river and supply off-stream watering point?

If the annual assessment of land condition and ground cover on 30 September shows areas less than 50 per cent ground cover, a written record of implemented measures to halt or improve land condition is required.

Fencing riparian areas is not compulsory. However, a method to manage preferential grazing and minimise cattle pads on the riverbank would be required, for areas where ground cover is less than 50 per cent. This could include wet season spelling, relocation of river access or off-stream water points, and permanent or temporary fencing. The written record must be made with three days of an action being taken, kept for six years and produced on request to a compliance officer.

Grazing standards commence in the Burdekin (2020), Fitzroy (2021) and Wet Tropics, Mackay Whitsunday and Burnett Mary (2022).

Titles of the Act and Regulations:-

Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Act 2019
Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Regulation 2019.

Environmental Protection Regulation 2019.

Note: Information in this AgForce fact sheet is based on available information to industry about Reef Protection Regulations and Standards, as per 11 May 2021.