

SUBMISSION

I provide our submission in respect of the proposed Environmental Protection (Great Barrier Reef Protection Measures) and other Legislation Amendment Bill 2019 (“the Bill”) to be included in the ITDEC’s consideration.

In providing this submission I refer directly to the Environmental Protection (Great Barrier Reef Protection Measures) and other Legislation Amendment Bill 2019 and Explanatory Notes. This Bill is oppressive, coercive, biased and onerous. It is an unnecessary impost on farmers, creating more red tape that will provide absolutely no benefit to the GBR in terms of water quality. It does not reflect the expert knowledge and understanding that the majority of landholders have with respect to sustainable land management, innovation nor the true science that backs this knowledge.

The attribution of risk and allocation of resources

Requiring a high level of accreditation and regulation across all of the catchments inclusive of all producers and supporting services in each of the catchments fails to consider the risk level of individual producers and their contribution to reef water quality. For example only 3% of the Burdekin Catchment is mapped with a high or very high risk of gully erosion – (the main identified source of sediment and organic nutrient loads) yet the legislation would put significant cost onto the other 97% of producers. Not to mention how audits would be administered and the cost of same apportioned.

The Reef 2050 plan and the scientific consensus report that sit behind it would not have consulted with landholders because it is overly prescriptive for example suggesting that forage utilisation by grazing of 10-30% as a maxim. This is based on outdated and disproven methodologies of exclusion and lower stocking rates rather than by improved grazing management. By contrast a lot of the work in the regenerative space is looking at under grazing being a problem as well as over grazing.

Old Blankets

The proposed land condition classifications are based on the ABCD framework. Again this is an outdated approach to assessment of land condition because there is no percentage analysis. The ground cover expectations exceed most of the capacity of the inland and drier areas in the catchment and is a very outdated prescriptive and blanket approach.¹ Utilisation of ground cover as the metric for erosion control which contradicts the Vegetation Management and Other Legislation Bill of 2018 with the 50m watercourse retention provisions. There is no recognition or provision for the vegetation management restrictions and the increased competition with ground cover from the ever increasing basal tree encroachment as we see happening from year to year at no fault of our own management. The restrictions on remedial activities that should be undertaken within the watercourses is unavailable to landholders. A totally unacceptable scenario that on deciding whether to intervene, we are dammed if we do and dammed if we don’t.

¹ Bartley, Rebecca & Corfield, Jeff & Hawdon, Aaron & Kinsey-Henderson, Anne & Abbott, Brett & Wilkinson, Scott & J Keen, Rex. (2014)



Soil/sediment loss occurring where basal tree area has increased significantly since the inception of Category R mapping and regulation. January 2018



Shaded areas from heavy tree cover, no ground cover and soil erosion is beginning to occur. Our children could differentiate between these sites where the risk of erosion and what was causing it was very clear. January 2018



Balance of Trees and grass. Note how high flood waters from storm runoff further upstream resulted in a banker in the flood out area with debris in the fork of the trees and no soil erosion. January 2018

The legislation is designed to deal with only anthropogenic induced water quality issues but the proposed regulations fail to differentiate. Meaning natural events like fire, extended drought, flood or storm damage and the subsequent impact to the condition of land in the Reef catchments is not considered.

The BMP is Industry Owned

The Bill seeks to allow producers accredited with BMP and other accreditation programs to be compliant. However, it includes excessive powers for the Minister to change what 'BMP' means at any point. As an industry based program, the BMP records from the Grazing and Cropping sectors are not the property of the Government and the presumption has been made that it will be. The BMP is a minimum benchmark and is not conducive to innovative developments in management practices. Being industry owned allows for improvements and incorporation of innovation that comes from the flexibility of knowing that good land management is directly linked with profitability.

Two separate bodies of Water in each catchment – slug agriculture

The legislation prescribes an offset framework for other industries and land use. Whilst agriculture is being sluggish with excessive blanketed targets under extremely difficult existing environmental conditions i.e. drought, other industrial activities and jurisdictions can continue to operate under other regulatory instruments which provide for offsets. Before reading this Bill and explanatory notes and the respective standards we would not have believed it possible to create the divine separation of water in the same catchments in that the alleged agricultural sediment and pollution makes it over the dam wall to the reef where all other sources don't make it to the reef? The proposed penalties are excessive and as our industry has experienced with the Vegetation Management Acts and all of the amendments over the 19 year period is there any assurance that this legislative instrument won't be abused as well? Therefore, it is obvious to any objective person that consistency with fundamental legislative principles i.e. Section 4 of the Legislative Standards Act 1992 has not been met.

No innovation – not a smart state

Any new proposed cropping paddock would be captured under an intense and costly planning and potential offset framework. The prescriptive policy under the farm design standards does not consider other aspects like unique gradients of slope, soil type, cover, targeted crop nutrient requirements based on sap testing of previous crops and crop rotations etc. The Standard is a simplistic preferred system that does not consider other innovation, written by people who have not consulted industry, yet another example where the Bill does not meet the Legislative Standards Act 1992.

There is no onus on Government agencies at all levels to ensure that it is compliant with the standards on Government owned land (road verges, reserves or National Parks) nor have they the capacity to manage these lands properly with an increasing preference for administrative experience over technical expertise.²

² Poynter, Mark. (2018), pp 193-194



The costs of surveying, designing and constructing this contour system was borne by our operation entirely without any financial assistance. If we were to do this project again under the proposed Legislation, the requirements and costs associated in planning would be too onerous and we would not be inclined to proceed.

For 12 years we have utilised innovative farming practices where we use very little nitrogen. Instead we use targeted nutrient systems that enhance soil biology with elements that are available to the plants in the various cropping rotations (when there is a sufficient soil moisture profile). These systems were developed under our own trials and at considerable cost with uncertainty of success at every angle. The incentive to do this is threefold, regeneration of healthy soils, profitability in crop yields and ultimately our future. Additionally chemical use is to a minimum. No grower wants to see the expense of these nutrients and chemicals run off so for an example of some perspective on this issue in point, less than a tablespoon per hectare of chemical is used in a season. Can urban coastal residents make the same claim in their unregulated use of herbicides and fertilizers in a domestic garden setting? All of this incentive will be reduced should everyone be reduced to the lowest denominator. Why should we do any more if we are going to be penalised for doing something that isn't prescribed in a Standard? The goal of good land management practice is directly linked to profitability.

No Measurement

There is no measurement proposed. All of the results are based on modelling rather than physical measurement of sediment, erosion or water quality. The model works on land areas. Grazing land use encompasses a large area in most of the catchments so it is assumed to be a large contributor. The modelling on stream erosion is very poor with very little accurate mapping having been undertaken. In the 2017 scientific consensus statement, analysis of the science of land based water quality impacts on the Great Barrier Reef referred to 32 monitoring points across the GBR catchments but a map shows there are only six in the Burdekin Catchment.

“the 2015 modelling review identified that only a few of the many sources of uncertainty can be formally quantified and therefore recommended that qualitative terms be used to describe levels of confidence in the results.”³

Therefore the so called science by its own admission is uncertain and recommends more direct measurement. According to Orpin & Ridd 2012, “...the role of frequency, magnitude and duration in determining the impact of exposure of corals to elevated SSCs is poorly constrained by limited quantitative measurements during events...more high-quality observational data, at meaningful length-scales can only enhance our ability to disentangle potential behavioural shifts in environmental responses”.⁴

³ Bosomworth and Cowie, 2016, DNRM

⁴ Orpin & Ridd, 2012

Subsidiarity

The principal of *subsidiarity* is vital for real and meaningful change where it is led by people in voluntary initiatives like the Landholders Driving Change, Bowen, Broken, Bogie Rivers Project in the NQ Dry Tropics. Subsidiarity requires decisions are made by the people closest and most affected by the issues and concerns of the community. Coercion will stifle innovation and positive objectives. So where does this Bill and its encompassing regulations leave these initiatives and many others like it? An alternative to this coercive Bill is to use the previously respected Government Departments of the old DPI or DEEDI to implement similar projects as described above with landholders who are easily identifiable in struggling to implement change that is linked to profitability and work together to achieve measurable improvements to their respective operations. With respect to remaining majority of land holders in the respective catchments who are already striving to achieve measurable improvements a simple survey would be all that is required.

Conclusion

Given the limited timeframe for submissions, I am unable to write more. Suffice to say that on many levels this Bill is detrimental for Agriculture and consequently the GBR. We understand that the committee process is broken. This understanding is based on our experience from making a detailed and referenced submission in response to the VMOLA 2018 Bill to the State Development, Natural Resources and Agricultural Industry Development Committee and subsequent evidence given at the Committee Hearings around the State. The Committee Chair reported to Government that despite record numbers of submissions by the real stakeholders who also travelled enormous distances to give evidence, no evidence was heard. The limited time frame for submissions is unreasonable and we believe deliberate. It would be difficult for the real stakeholders who are affected by this proposed Legislation to attend any hearings given the priorities and commitments in the current season and short notice for the submission deadline with community hearings details still unannounced. The overwhelming evidence is consistent with the conclusion that real science is not at the core of this Bill. It has to be recognised that the 2017 election commitments from the preference deal between the Queensland Labor Party and the ultimate agenda of the Greens is the reason for this proposed Bill. Having personally seen the beauty of the GBR and taken a key interest in the real science, we can understand the emotive hyperbole but cannot understand why it is so necessary to create a legislative framework that leaves landholders in no doubt as to the Governments desired agenda. If we knew that this proposed Bill would improve water quality on the GBR, we would support it with all of our endeavours, however we know the truth is otherwise.

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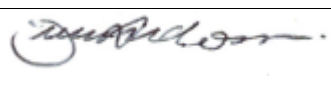

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