



15 March 2019

A/Committee Secretary
Innovation, Tourism Development and Environment Committee
Parliament House
George Street
Brisbane Qld 4000

By email: itdec@parliament.qld.gov.au

Dear Chair and Committee Members

Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Bill 2019 - Inquiry

We welcome the opportunity to provide submissions to the Committee's inquiry of the abovementioned Bill.

Environmental Defenders Office Qld

The Environmental Defenders Office Qld (**EDO Qld**) is an independent community legal centre specialising in empowering the community to protect their environment and the Great Barrier Reef (**GBR**) through the use of the law. We achieve this through working with all sectors of the community to provide advocacy, education, representation and advice on environmental laws and access to justice.

In summary, EDO Qld strongly supports the substantive elements of the Bill, which will see implementation of many of the recommendations of the Reef Water Quality Science Taskforce.¹ The new laws will allow the Queensland Government to:

- Better regulate agricultural industries that affect GBR water quality;
- Stipulate pollution reduction targets for the GBR catchments;
- Set minimum standards to achieve meaningful reductions in pollution;
- Offer flexible options for industry to achieve compliance;
- Effectively gather data; and
- Ensure that new development in the GBR catchment area does not increase water pollution.

EDO Qld recommends that the Bill be strengthened by:

- Regulating high-risk activities in high-risk areas, such as the application of fertiliser and pesticides in riparian areas;
- Improving access to offsets for agricultural operators; and
- Preventing the dumping of dredge spoil in GBR catchments.

¹The Great Barrier Reef Water Science Taskforce, and the Office of the Great Barrier Reef, Department of Environment and Heritage Protection, "[Final Report: Great Barrier Reef Water Science Taskforce](#)" (2016)

Extensive agriculture conducted in the GBR catchment area has resulted in nutrients, fine sediments and pesticides polluting the water, posing the greatest water quality risks to the GBR and coastal ecosystems. These risks have been exacerbated by the Queensland Government's historical lack of urgency and purpose in improving water quality in the GBR catchments,² and the low uptake of best management practice programs by agricultural users.³ Shortcomings in regulating this pollution has come at a cost: the social, cultural, ecological and economic values of the GBR are under threat.

These threats are in addition to the impacts the GBR faces from climate change, which will be widespread even in the case Australia achieves efforts under the Paris Agreement to limit global average temperatures to below 1.5°C above pre-industrial levels.⁴

The success of these reforms is dependent on the willingness of the Queensland Government to improve its enforcement of these laws. The current GBR protection measures in Chapter 4A of the *Environmental Protection Act 1994* have not been used since they were introduced in 2009. As highlighted by the recent [ABC investigations and Right to Information request](#), "Government audits of 344 sugar cane farming businesses in 2017-18 in the three "priority" areas showed 49 per cent were not complying with the law". A Queensland Government spokesperson was quoted in the ABC report linked above:

"To date, no growers have been prosecuted for contraventions of Chapter 4A of the Environmental Protection Act 1994".

If members of the public are to have any faith that these stronger laws are going to be effective, the Queensland Government needs to effectively enforce them. We are grateful that protection of the GBR is a clear priority for the Palaszczuk Government, and acknowledge the Department of Environment and Science for consulting with us extensively on these reforms.

Due to resourcing constraints we were unable to prepare a detailed submission. We agree with the views of our colleagues the World Wide Fund for Nature (WWF), as summarised in **Attachment 1**.

The proposed new laws are essential to improving water quality in the 35 key GBR river catchments. We urge the Committee to support this important Bill, and would welcome the opportunity to present to the Committee and elaborate on our views orally at the public hearing of this inquiry.

Yours faithfully



Jo-Anne Bragg

CEO, Solicitor

Environmental Defenders Office (Qld) Inc

²See Queensland Audit Office "[Follow-up of Managing Water Quality in Great Barrier Reef catchments: Report 16: 2017-18](#)" (2018) at p.5.

³Ibid at p.9.

⁴Chris McGrath, "Paris Agreement goals slipping away and with them Australia's chance to save the Great Barrier Reef" (2019) EPLJ 3.

Attachment 1

We strongly support the main elements of the Bill, which will:

- specify catchment pollution targets that will improve the quality of water entering the GBR;
- regulate all industries, all agriculture sectors and all of the 35 key GBR catchments;
- allow for industry standards as an alternative means of compliance, so industry can choose their own pathway to improved practices. These standards must be genuinely 'best practice' in terms of GBR water quality;
- allow for the ability to set minimum standards which will ensure significant cuts to water pollution, including the full Six Easy Steps for cane farming, and all grazing land in C and D class restored to good condition (B class or better);
- allow for the ability to collect essential data that can drive productivity improvements but also ensure full regulatory compliance; and
- ensure that new developments do not increase water pollution, so the investments and efforts made by existing land and water users will not be wasted.

We strongly recommend that the Bill be strengthened by:

- addressing high-risk activities (such as the application of fertilisers and pesticides) in high risk areas including leaky/permeable soils, riparian areas, tidal and coastal wetlands, steep slopes, acid sulfate soils, low productivity soils, flood prone areas and salinity affected areas.
- Expanding the powers for point source pollution from industrial development to be offset to include agriculture, so that agricultural operators will be able to access least cost options for pollution abatement.
- Prohibiting the practice of dumping millions of tonnes of maintenance dredge spoil in GBR catchments - or at the very least effective offsetting of pollution put in place.