




Speech By
Hon. Leanne Enoch

MEMBER FOR ALGESTER

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ENVIRONMENTAL PROTECTION (GREAT BARRIER REEF PROTECTION MEASURES) AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

 **Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (12.47 pm): I move—

That the bill be now read a second time.

On 27 February 2019 I introduced the Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Bill 2019 into the Queensland parliament. I would like to thank the Innovation, Tourism Development and Environment Committee for its detailed consideration of the bill. The committee tabled its report on 26 April 2019 with one recommendation—that the bill be passed. I am delighted to bring a bill to the House that has undergone a rigorous and considered consultation process over almost 2½ years and that is supported by the committee.

This bill has one very important objective—that is, to protect the Great Barrier Reef by improving water quality. This legislation is a direct response to a recommendation of the Great Barrier Reef Water Science Taskforce in 2016 that government introduce water quality regulations across all reef catchments. In acting on this recommendation, we are helping to protect the future of Queensland's most valuable natural asset, an asset that brings in millions of dollars and supports thousands of jobs.

Our Great Barrier Reef is one of the most extraordinary places on earth. It is the largest living structure on the planet. Science tells us that the Great Barrier Reef is more than 500,000 years old. It is one of Australia's most treasured wonders. It supports more than 60,000 jobs and contributes about \$6 billion to the Australian economy. However, scientific evidence shows that it is under threat, and the two major threats are climate change and water quality.

The 2017 Scientific Consensus Statement, the recently released 2017 and 2018 Reef Water Quality Report Card and the outlook report 2019 all confirm that, in spite of the efforts of some, poor water quality continues to threaten the reef. The federal government, via GBRMPA, recently released their Great Barrier Reef Outlook Report. It gives us a stark message: the outlook for the reef is very poor and the window for taking action is now. The federal LNP's outlook report also made it clear that there are two major threats to the Great Barrier Reef: climate change and, at the regional level, water quality. With the impacts of climate change being felt here and now, improving water quality is absolutely critical to the future health of the reef.

We know that improving water quality will help the reef recover from other impacts such as cyclones, coral bleaching and a change in climate. It is both a privilege and a responsibility to have the reef on our doorstep, and as its caretakers we are at a pivotal time in human history. The action we take now will impact the reef in the future. The Palaszczuk government knows how critical it is that we protect the Great Barrier Reef, and this is why we have made it one of our six Advancing Queensland

priorities. Our government is acting for the sake of the reef itself, the marine ecosystems it supports, the industries that rely on its health and our future generations. How we respond to this challenge is being closely scrutinised by the world.

In December this year the federal government must report back to UNESCO on the state of the conservation of the Great Barrier Reef and the actions we are taking to safeguard its World Heritage status. In its last consideration of the reef in 2017, the World Heritage committee asked Australia to accelerate its efforts to meet the targets of the Reef 2050 Plan, particularly for water quality. The bill we are debating here today is critical action to do just that. Queensland, in partnership with the federal government, will be doing its part to protect the reef.

We have seen from the UN Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services that the global rate of species extinction is already tens to hundreds of times higher than it has been on average over the last 10 million years. This report has been written by 145 experts from 50 countries and looks at marine and terrestrial threats. We cannot let this be the trend for the Great Barrier Reef—one of the world's most diverse and remarkable ecosystems. The Great Barrier Reef is critical to the spiritual, cultural, economic and social wellbeing of the one million people who live in its catchment and to all Australians. The Great Barrier Reef also brings significant economic opportunities to Queensland. Our tourism industry depends on it and our local fishing industry depends on it. For those of us who accept the science, we are aware that the Great Barrier Reef is under enormous pressure. This affects its ability to thrive now and survive into the future.

The federal LNP government's recently released 2019 outlook report tells us that initiatives to halt and reverse the effects of climate change at a global level and effectively improve water quality at a regional scale are the most urgent to improve the region's long-term outlook. This is why our government's actions, including the proposed reef regulations, and our action to reduce emissions and address climate change are so important. Reliable scientific evidence shows that excess nutrients and sediment are contributing to a decline in reef health. Fine sediment and nutrients from farms and other land based activities can travel hundreds of kilometres through waterways onto the reef. Sediment blocks the light that keeps corals and seagrasses alive, and excess nutrients are linked to outbreaks of the crown-of-thorns starfish which devour coral. This is a problem that we have been working on for a long time.

There are those who say that voluntary action is the only way to go. I have personally visited many farms across the reef regions. I know there are fantastic farmers who are doing an incredible job to voluntarily change their practices to improve water quality and their land's condition, which is ultimately building their long-term business success. In the Mackay and Whitsunday region, work across 50 cane farms last year saw a reduction of nearly 100 tonnes of nitrogen being applied. Farmers reported no impact on productivity and that they had actually saved money on fertiliser costs. In the Burdekin a nutrient management project helped reduce the amount of nitrogen applied by 200 tonnes across 150 cane farms, again with no loss of productivity or profitability, and farmers achieved an increase in tonnes of sugar per hectare. This is proof that there is a way to reduce run-off and improve profitability and productivity for farmers.

For the last decade the government has been working with industry to help embed these practices voluntarily. Unfortunately, the uptake of these voluntary practices has not been fast enough, and water quality has not improved at the rate required to meet our targets. For example, under the previous Grazing Best Management Practice Program only 73 farmers in reef catchments were accredited. This represented only one per cent of all graziers across reef catchments, or 2.7 per cent of grazing land. Similarly, only 11 per cent of Queensland's sugarcane farmers are accredited under the current voluntary program. This represents just 23 per cent—less than a quarter—of the total cane farming area.

There are some incredible farmers pretty much doing the heavy lifting on water quality, but we need more like them to get on board. The recent Reef Water Quality Report Card has shown a very slight improvement overall in the reduction of harmful sediment and nutrients flowing to the reef, and of course there is a lot of gratitude for that improvement, but we know that much more—much more—is needed. The Queensland government has invested more than \$120 million since 2009 to help farmers voluntarily improve their practices to improve water quality whilst also supporting productive and profitable industries. Of this funding, around \$55 million has been allocated to the cane industry and \$11 million to the grazing industry. We continue to invest, with a record amount of more than \$330 million targeting reef protection under the Palaszczuk government. It is clear from the science that we need to accelerate the uptake of improved practices to ensure the reef has the best possible chance into the future.


This bill is not aimed at those who are already meeting their own industry's minimum standards. In fact, those who are already accredited under their own industry standards will be able to have their hard work recognised in this legislation. This bill is aimed at ensuring those farmers who are not yet on track will accelerate their progress. This bill and the supporting regulations will complement current voluntary efforts and investment and fast-track efforts to help bring everyone up to minimum practice standards to protect the reef and improve water quality.

There are two key elements of the bill. Firstly, this bill ensures growers and graziers are operating at standards that mirror their own industry's best management practices and use the best available science to reduce run-off while maintaining productivity and profitability. There are minimum practice standards established by industry that are workable and practical, and this bill and associated regulations will help ensure these standards become the minimum across the board. Ultimately, as I have outlined, good farming practices mean long-term business success and a healthy reef.

There have been concerns raised by industry and stakeholders that standards in this legislation could be easily changed. The Palaszczuk government has always been a consultative government and one that listens to the people of Queensland. It is for this reason that I make the commitment to industry that these minimum standards will not be substantially further amended for at least five years once they are finalised later this year. If they are significantly amended after that time, the law requires that this would only be done after public consultation and consideration of the costs and benefits of the change. This five-year commitment will give industry the certainty they are seeking to invest in their businesses and help strike the right balance between protecting the reef while also ensuring farmers can increase productivity and profitability.

I would like to acknowledge the regional members of parliament who have strongly advocated for this commitment, in particular the member for Mackay and the Townsville MPs—the member for Mundingburra, the member for Thuringowa and the member for Townsville—and the member for Maryborough. All of these members have been strong voices for their communities, and I thank them for their efforts.

The Palaszczuk government will always listen to science. The latest 2017 and 2018 Reef Water Quality Report Card, jointly released with the federal government last month, says that Cape York's water quality pollution reduction targets have been met. This is a great result and the Palaszczuk government, including the member for Cook, has taken notice. Because of these results, which were achieved through voluntary action, I can announce today that we will not be switching on the minimum practice standards in Cape York as planned.

 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (2.56 pm), continuing: Before lunch I announced that we will not be switching on the minimum practice standards in Cape York as planned. Cape York is a great example of what can be achieved through voluntarily methods if there is enough uptake. I would like to thank the member for Cook for her advocacy in this regard, as she has spoken up for the good work of those industries in Cape York to be recognised.

The second aspect of this bill is to put in place measures to ensure that industry growth and new development can occur without compromising the improvements that have already been made to water quality while also minimising the regulatory burden on existing activities. The provisions outlined in this bill ensure that reef water quality targets for nutrients and sediments are taken into account in regulatory decision-making. Implementing this regulatory package will see real progress towards the water-quality targets. Using the latest figures available from the government's Paddock to Reef monitoring, modelling and reporting program, it is estimated that, if there is widespread compliance with the practice standards in this legislation, we could reach about 80 per cent of the 2025 target for reducing dissolved inorganic nitrogen loads.

When it comes to sediment loads, we have achieved only a 0.5 per cent reduction across the reef in the past two years. That needs to drastically improve and this bill will help achieve this. One of the realities of a regulatory system is that penalties are needed as part of the enforcement system. Much has been said about the size of the penalties in this bill, which have been set to align with penalties for similar offences under the Environmental Protection Act. However, these are the maximum penalties reserved for action taken in court for the most deliberate or seriously negligent offenders. Following consultation with industry, if a fine is imposed—and it will be only after other means of encouraging compliance are exhausted—it is much more likely to be a penalty infringement notice. Of course, these are much smaller penalties. For example, failure to keep records will have a fine of around \$600 for an individual.

To help producers improve practices, as part of last year's state budget the Queensland government allocated an additional \$13.8 million over four years. This includes \$10.1 million as part of the Farming in Reef Catchments Rebate Scheme to support producers to access professional advice to help them meet the new requirements. Under this scheme, which is being implemented by the Queensland Rural Industry and Development Authority, producers will be able to receive a rebate of up to \$1,000 to offset the costs of professional advice. This funding comes on top of a suite of other investments that the Palaszczuk government is making to accelerate industry transition to best practice.

Today, I am pleased to announce an additional \$5.7 million for the new Grazing Resilience and Sustainable Solutions program. This program is a combination of extension support and incentives for graziers in the Burdekin, Burnett-Mary and Fitzroy catchments and will be delivered in partnership with the Department of Agriculture and Fisheries, the Fitzroy Basin Association, NQ Dry Tropics and the Burnett Mary Regional Group. This investment ensures the same levels of support that were available under the Grazing Best Management Practice program, which was once delivered by these organisations in partnership with AgForce, until AgForce suddenly and quite shockingly deleted graziers'—their own members'—data without consent. The Queensland government wants the hard work of those graziers who participated in and were accredited under the Grazing Best Management Practice program to be recognised and built upon.

I also announced over the weekend an additional \$1 million investment in the Banana Best Management Practice program to provide for additional extension and incentives for banana growers in the Wet Tropics and Cape York. The banana industry is working very hard to voluntarily meet the minimum standards. This was reflected in the Reef Water Quality Report Card, which showed more than 64 per cent of banana land is operated in accordance with best practice. This is a great result, and the extension of this program will help encourage more growers to meet and surpass the minimum standards.

These new investments come on top of already existing funding programs the government provides, including for best management practice programs such as the Smartcane BMP and Hort360 BMP. Other programs include assistance for nutrient management planning in the sugarcane industry under the successful RP161 project in regions such as Burdekin, Mackay-Whitsundays, Isis, Herbert and soon Russell Mulgrave, and programs to improve ground cover in the grazing industry such as the Grassroots program.

I would like to thank all those who have been engaging with the Department of Environment and Science over the almost 2½ years on the development of the regulatory package and those who made a submission to the committee and appeared before the committee at its numerous public hearings. The development of this regulatory package has been a textbook example of a thorough consultative process. The Department of Environment and Science held over 70 meetings with agricultural and industry groups, environment groups and hundreds of landholders from the cane, banana, grazing and horticulture industries.

I have personally met with farmers from across the catchments to hear firsthand about the practical concerns about the regulatory proposals. I have been on farms in the Wet Tropics, Burdekin, Burnett-Mary, Mackay-Whitsundays and Cape York. Recently in Townsville I spoke directly to cane, banana and grazing farmers and it is as a result of these conversations and the direct advocacy of government members that I have been able to announce important concessions today. I am particularly grateful to those farmers, as well as submitters to the committee, industry and conservation groups and scientists, for sharing their unique circumstances and insights. I have engaged with and listened to canegrowers and graziers and to the Queensland Farmers' Federation, and today I have committed that a Labor government will not make further amendments to the minimum standards once adopted under this legislation and regulations for at least five years. This responds to the issue of certainty that has been raised by these stakeholders.

We have also made significant amendments to the minimum standards. For example, the practical, respectful and considered approach of the Australian Banana Growers' Council and its members has seen revisions to the nutrient requirements, such as allowing for a nutrient management plan. Another example is the contributions from graziers who attended workshops with the Department of Environment and Science in the regions and made an effective case for a simple and flexible outcomes based minimum standard.

Before the bill was introduced earlier this year, the entire grazing minimum standard in the legislation was rewritten after consultation with graziers to ensure it applies only to land in poor condition, rather than the more prescriptive approach that was originally proposed. I am also pleased to inform the House that changes have been made to the proposed thresholds for the new cropping environmental authority as a direct result of concerns raised by the Queensland Farmers' Federation,

Australian Banana Growers' Council, Growcom and Canegrowers about the impacts of the proposal on industry growth. The threshold has increased from two to five hectares for when an environmental authority with standard conditions is required for new cropping, and from 30 hectares to 100 hectares for when a site-specific application for new cropping is required. These changes will be made as part of the regulations that sit under the legislation we are debating today. The increased thresholds will allow for most new cropping to go through a simple process with standard conditions, while only the largest developments will need to undergo a site-specific assessment considering land suitability for the activity.

Another aspect of the regulatory package that has been the subject of strong representations is section 89, the head of power to make a regulation about additional data. As a result of these representations, we will not be making a regulation at this stage and instead will seek to work voluntarily with industry to collect relevant data. However, data continues to be critical both for industry and for government to make the best decisions. For this reason, we will not remove the head of power in the bill.

Speaking of voluntary action, where we are providing industry sectors with additional time to comply, there is a real opportunity for those areas to demonstrate that they are voluntarily meeting best practice standards. Growcom, for example, see this opportunity for the horticulture sector and we will be working with them to see what can be done to fast track voluntary uptake of the Hort360 program. Honestly, nothing would please me more than to be able to say in the future that regulated minimum standards are not needed, like I have done in relation to Cape York today.

In addition to being responsive to industry, we have responded to concerns raised by groups like WWF, Australian Marine Conservation Society and the Environmental Defenders Office about the need to ensure that new development did not add to the water quality problem. As a result, all new and expanding point source activities, like sewage treatment plants, aquaculture and mining, will be required to achieve a 'no net decline' in water quality from nutrient and sediment release.

I would also like to thank the volunteers and community conservation groups who work to protect the Great Barrier Reef on the ground every day. Their hard work and dedication is invaluable to the preservation of this natural wonder. I also want to recognise the work of the scientists whose work has underpinned this legislation. Of course, the LNP has been participating in a full-scale attack on science with their plans to create an Office of Science Quality Assurance which they are proposing in order to score cheap political points but fundamentally to undermine the legitimacy of science. Reef science has been at the centre of this attack. It has been deeply disappointing that there has been misinformation spread across communities, which has caused division, suspicion and fear. The chair of the reef independent expert panel has been so concerned that he wrote to me and the federal Minister for Environment. He has elsewhere noted that we have seen these tactics before from the cigarette industry when the health science showed the terrible impacts from smoking.

I would also like to recognise the member for Mirani who, last sitting week, commented during his adjournment speech that regenerative agriculture, which includes using less chemicals while making their land more productive, will help protect the reef, and I look forward to seeing his support for this legislation.

Lastly, I want to recognise the shadow minister for the environment, the member for Broadwater, who seems to have accepted some key truths. I was pleasantly surprised by his comments in the *Australian* on 18 July. He said—

The reef is not dead. It had big challenges but there are signs of how resilient it is.

...

That does not give us a blank cheque not to care about runoff from agriculture.

...

It doesn't excuse us from doing something about global warming.

He also said—

The reef will adapt if we can have the cleanest possible water flowing into it.

He is right on this and I look forward to the full-throated support of the member for Broadwater today. This final package of regulatory amendments will strike the right balance between protecting the Great Barrier Reef and the over 60,000 jobs and the economic value it provides, while maintaining productivity, profitability and jobs. We want to protect all jobs and this package is a step towards that.

I will briefly touch on the fact that this bill also contains amendments that give effect to the common assessment method for threatened species and amends wildlife classes to be consistent with the method through amendments to the Biodiscovery Act 2004, the Fisheries Act 1994, the Nature

Conservation Act 1992 and the Vegetation Management Act 1999. These amendments will allow for a nationally consistent approach to threatened species listings and therefore better protection for our most vulnerable creatures.

I have said this before and I will say it again now: we are at a tipping point. This is our opportunity to make very sensible responsible changes to protect the future of the Great Barrier Reef and everything that connects to that magnificent area. We will do this in a considered responsible way, but we must also act with urgency. We are the stewards of the reef at this moment in time. The decisions we make today will determine the living legacy we leave behind. I firmly believe that we can protect Queensland's most iconic natural asset, but we must step up. We must work together so that we and future generations can enjoy a strong and healthy reef, while ensuring a thriving agricultural industry.

If we do not do something now, there could be irreversible consequences in the future. Certainly the federal LNP's outlook report for 2019 makes it very clear that we must act now. The threats regarding climate change and water quality are very real, which is why this bill is so incredibly necessary to ensure that we give the Great Barrier Reef the best possible chance to withstand a changing climate. This bill strikes the right balance between protecting the reef and protecting all jobs—rural, regional and those that rely on the reef. I commend the bill to the House.