




Speech By  
**Samuel O'Connor**

**MEMBER FOR BONNEY**

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Record of Proceedings, 22 February 2022

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

 **Mr O'CONNOR** (Bonney—LNP) (6.26 pm): From the outset, I make it clear that the Liberal National Party will not be supporting this bill, but we will be moving an amendment. It is unusual because it omits the entire Katter bill but seeks to make a simple but significant change to the reef regulations. We want to remove the ability of the government to impose huge penalties on farmers who are doing the right thing. Farmers who are accredited under a best practice accreditation program recognised by the government and who comply with the requirements of that program should not face the threat of massive fines—currently a maximum of \$228,000—within the reef regulations. They should be treated as genuine partners in achieving environmental outcomes. The government currently recognises best management programs, BMP programs, as matching the standards they want these farmers to reach so this amendment makes sense and reduces the burden of regulation. It makes good business sense for growers too. BMP leads to better yields with lower costs and ensures our Queensland producers keep up to date with the desires of the market.

While we agree changes are needed, we do not believe this bill is the way to achieve them, but we welcome the opportunity to debate this important issue. I will start by outlining the problems I see with the bill before us and then I will talk about what we think would get the balance right and show farmers they are partners in protecting the Great Barrier Reef. This can be achieved. We can have a more efficient, more productive agricultural sector at the same time as doing all we can to improve water quality in our most significant and largest collection of ecosystems.

Most of the explanatory notes of this bill selectively quote experts to cast doubt over the accepted science of the Great Barrier Reef. I am not going to get into a debate on that though. In fact, none of us should be getting into a debate on scientific consensus. This chamber is not the place where that is determined. Science is not a matter of opinion. It is about reaching the most likely consensus based on the available evidence.

To my knowledge, none of us in this parliament are experts on the Great Barrier Reef, but it is our job to listen to those experts and then determine what the best policy response is to deal with the issues they raise. Governments from both sides of the House have supported the scientific consensus statement. That includes in 2013 when the member for Glass House was an excellent environment minister—a member who also pioneered the BMPs which are working to protect the reef. We support the statement being produced by a vast array of experts and, importantly, being independently reviewed by scientists outside of those fields.

The last statement from five years ago was written by 48 leading scientists on a panel—these were biologists, ecologists, economists and social scientists—all from our top universities and the excellent Australian Institute of Marine Science. They determined the consensus of over 1,600 reports which was then reviewed by the Reef Water Quality Independent Science Panel. This process is the best way of determining the current state of Queensland's most significant natural asset, and the findings it has made have been increasingly concerning.

A new Scientific Consensus Statement is being put together this year and I would urge both the state and federal governments to do more to be transparent and open about how it is being put together. Give more detail on how it is compiled. Take people on the journey with you to give everyone confidence in what is being put together. All valid research must be taken into account to ensure its credibility. Please do not just put these details on a difficult to find government website. Promote the fact that this new statement is being put together. Talk about the process to the general public in a way that they will understand. This is essential to people knowing what the challenges to reef health are and why we need to have a policy response to deal with them.

The weight of scientific evidence outlined over many years and in several statements is why we have concerns about this particular proposal for an independent regulator. This bill gives this independent regulator very broad powers, stating in section 444X that they have the power to do 'anything necessary or convenient to be done in the performance of the independent regulator's functions'. If that regulator is guided by the dire scenario in the Scientific Consensus Statement and in many other assessments of the reef—and the bill says they must have a science or agriculture background—there is a likelihood they could crack down harder on farmers. If the intent of this bill was to decrease the regulatory burden on farmers, there is nothing outlined within it to ensure the proposed regulator would do just that.

The bill also talks about restoring the maximum penalties for various offences to 100 penalty units. I understand the intent of this but I believe our amendment is a much neater way of achieving what this is trying to; hence its omission of the bill before us. Fundamentally this bill has been brought forward because of the way our producers were treated when these regulations were first introduced. Farmers were treated as the enemy, as environmental vandals, recklessly releasing chemicals onto our reef. That caricature is so far from the reality I have seen as I have travelled around our state. Framing growers like this does not achieve the outcome I believe everyone in this chamber wants—to make sure the Great Barrier Reef can survive the challenges of climate change by relieving the water quality pressures on it so it is still a beautiful, vibrant, environmental attraction for generations to come.

The vast majority of farmers take careful, thoughtful and effective care of their land. They are looking for solutions to reduce their impact and to make their farms as efficient as possible. They innovate, they collaborate and they source solutions from around the world. Where a farmer is taking this approach they do not deserve to be penalised or treated as anything less than a genuine environmental partner.

The LNP's amendment, which I will table for the record of the House, will reduce the risk of penalties on farmers provided they are accredited under a recognised program and complying with the program. This is a much simpler way to remove the threat of these huge penalties from farmers and it will further incentivise best management practice.

*Tabled paper:* Environmental and Other Legislation (Reversal of Great Barrier Reef Protection Measures) Amendment Bill 2021, amendments to be moved by Mr Sam O'Connor MP [173](#).

*Tabled paper:* Environmental and Other Legislation (Reversal of Great Barrier Reef Protection Measures) Amendment Bill 2021, explanatory notes to Mr Sam O'Connor's amendments [174](#).

*Tabled paper:* Environmental and Other Legislation (Reversal of Great Barrier Reef Protection Measures) Amendment Bill 2021, statement of compatibility with human rights contained in Mr Sam O'Connor's amendments [175](#).

The only protections provided in the bill before us against committing an offence are related to employees. The bill exempts employers from any penalties if their employee did not follow their instructions. In my view that is too narrow. They do not deserve to be penalised if they are doing everything right. It is much simpler to keep the single offence in the current Environmental Protection Act and to simply provide an exemption to accredited producers.

Best practice programs are industry led. They are put together by experts and they deliver better whole-of-farm outcomes. Not only is there less run-off but higher yields and a more sustainable product which is attractive to companies seeking to increase their environmental credentials. When it comes to sugar, the big companies want to sell those sustainability credentials. Coca-Cola only sources sugar from companies who meet the Bonsucro standards. This type of market pressure is only going to increase, so even from an economic point of view farmers will be pushed to prove their sustainability.

One of the current programs the department recognises is Smartcane BMP. Smartcane satisfies the Bonsucro standard and has grown in its coverage substantially since its inception in 2014. The department even recognises them as having 'standards that are consistent with, or better than, the minimum practice agricultural standards under section 318YB of the Act'.

While the minister tried to undersell them in answer to a recent question on notice, claiming that they only represent four per cent of growers, Smartcane-accredited growers cover 37 per cent of the Queensland cane area and for those who have been benchmarked for BMP practices it is 83 per cent. At present though their funding past 30 June is not guaranteed. I urge Labor not to cut this support. I

urge the minister to renew the funding in the upcoming budget and I would suggest at least a threefold increase from \$1.48 million to \$4.5 million. A good way to find that money would be in the almost \$10 million they did not spend which was the only funding they had attached to the original reef regulations.

There is also AgForce's AgCarE program. They receive some funding through the Land Restoration Fund at present but again could do with this being increased and formal recognition of the good work they do. We need more of these industry-led solutions whether they be specific to different regions or to give farmers different approaches so that it can suit the context they are working in. We want to encourage and incentivise farmers to do the best for their surrounds in the most appropriate way for their farm and empower them rather than punish them.

Some of the only funding the government put towards the initial reef regulations was that \$10 million to the farming and reef catchment rebates and we recently found out that they had spent less than \$4,000—an outrageous failure to deliver. The state funding contribution towards Sugar Research Australia should also be increased. That is how you are going to deliver better environmental outcomes—through science; through innovation; through evidence based, industry-led best practice; working with farmers as partners, not demonising them and making them the enemy in the fight to save the reef.

We have seen the federal government step up to provide substantial funding in this area—\$580 million to improve water quality. The state government needs to step up too. As a good start, I would strongly encourage the environment minister to actually visit a cane farm or two, as I have done in my extensive travel since serving in this role. We do not support the bill but our amendment is sensible. It is a simple change but it would go a long way towards removing a significant fear many farmers have.