Reef protection regulations in the Great Barrier Reef regions

What are the new Reef protection regulations?
The Reef protection regulations are Queensland laws that address land-based sources of water pollution to the Great Barrier Reef. This includes industrial and agricultural sources of nutrient and sediment pollution from all six Reef regions – Cape York, Wet Tropics, Burdekin, Mackay Whitsunday, Fitzroy and Burnett Mary.
The new regulations started on 1 December 2019 and will be rolled out over three years. The progressive roll out for different industries in different regions is based on improved water quality management priorities. Please refer to the timeframes on page 5.

New cropping requirements and industrial standards postponed
The Queensland Government has deferred the commencement of the new or expanded cropping and horticulture activities requirement (known as ERA 13A) and the new sediment and nutrient emission standard for new point source activities from taking effect under the Reef protection regulations until 1 June 2021.
The deferment is in direct response to COVID-19 (coronavirus) and ensures the agricultural community and industry has a suitable amount of time to prepare for the changes.

New or expanded cropping and horticulture activities – all new or expanded cropping and horticulture activities in any Reef region on five hectares or more that do not meet the cropping history test will require an environmental authority (permit), before the activity or any work takes place, from 1 June 2021.

What are the new requirements?
The requirements are:

- **Record keeping** – all graziers, sugarcane and banana producers in the Wet Tropics, Burdekin, Mackay Whitsunday, Fitzroy and Burnett Mary regions must keep records from 1 December 2019 and all grains and horticulture producers must keep records from 1 December 2022. Agricultural advisers must also keep records from 1 December 2019.
- **Minimum practice agricultural standards** – primary producers in the Wet Tropics, Burdekin, Mackay Whitsunday, Fitzroy and Burnett Mary regions will need to comply with industry specific minimum practice agricultural standards as these are applied to each region over three years.
- **Farm nitrogen and phosphorus budget (sugarcane only)** – all sugarcane producers must implement a farm nitrogen and phosphorus budget in the Wet Tropics, Burdekin, and Mackay Whitsunday regions from 2021 and in the Fitzroy and Burnett Mary regions from 2022.
- **New, expanded or intensified industrial development** – all regulated industrial land use activities in any Reef region must meet new discharge standards to ensure there is no increase in nutrient or sediment pollutant loads from 1 June 2021.
Why is the Cape York region excluded from most of the new requirements?

Most of the new requirements do not apply to existing producers in the Cape York region as the region has met its water quality targets.

However, from 1 June 2021, any new or expanded commercial cropping and horticulture activities in the Cape York region on five hectares or more that do not meet the cropping history test will require an environmental authority (permit) before the activity or any work takes place.

What are the requirements for non-agricultural industries?

New, expanded or intensified regulated industrial land use activities such as sewage and water treatment plants, land-based aquaculture or mining that release nutrients and sediment will be required to meet new discharge standards from 1 June 2021. These activities are already regulated under the Environment Protection Act 1994.

The new requirements are to ensure new development does not worsen nutrient or sediment pollutant loads. If this cannot be achieved through design or operating conditions, the Point Source Water Quality Offsets Policy will guide what offsets can be used to meet the new discharge standards.

The Queensland Government is also working with councils and the urban development industry to better manage urban run-off.

THE REQUIREMENTS

What are the record keeping requirements for agricultural activities?

Records need to be kept to demonstrate activities are being undertaken on the property in accordance with the minimum agricultural practice standards. The government has committed to not commencing the regulation to acquire specific agricultural data from the broader agricultural sector, such as data about fertiliser and chemical use, soil testing and crop yield.

For producers

Any agricultural producer undertaking commercial beef cattle grazing, sugarcane or banana cultivation in Wet Tropics, Burdekin, Mackay Whitsunday, Fitzroy and Burnett Mary regions will need to keep records.

Some records (general records) will need to be kept from 1 December 2019. Other records need to be kept as the new Reef protection regulations roll out to different regions for different industries.

Under the new regulations, there are three types of records that need to be kept by producers:
1. general records
2. minimum standard records (including farm nitrogen and phosphorus budget records for sugarcane growers)
3. primary documents.

General records must be kept about the person carrying out the activity and the property it is being carried out on. Records must also be kept about agricultural chemicals, fertiliser and mill mud/mill ash applied to the property as part of carrying out the activity. The term ‘agricultural chemicals’ includes any herbicides, insecticides or fungicides applied to land or crops, but does not include products applied to cattle and livestock. These records need to be supported by primary documents such as leaf or soil tests, fertiliser contractor printouts, or fertiliser or agricultural chemical invoices.

There is no specific format these records need to be kept in and many producers will already be recording this information using industry developed forms. Records must be made within three days of the activity or action. They must be kept for at least six years.

Producers in the Wet Tropics, Burdekin and Mackay Whitsunday regions who are already required to create and keep records under the existing Reef protection regulations, must now keep these records for six years (previously five years).

For more detailed information, please refer to the Record keeping for producers factsheet online at www.qld.gov.au/ReefRegulations

For advisers

From 1 December 2019, agricultural advisers, such as fertiliser sellers and agronomists, operating in Reef regions need to keep records of any tailored advice provided to agricultural producers or to people seeking advice on their behalf (such as farm contractors) about meeting minimum practice agricultural standards and the requirements of a farm nitrogen phosphorus budget (sugarcane only).
Tailored advice means advice about meeting the minimum standards and farm nitrogen and phosphorus budgets that is not general in nature. This advice is specific to a particular property and related set of circumstances. It does not include advice about meeting the requirements for new or expanded cropping and horticulture. The requirement to keep records is also limited to advice that has been provided for a fee or reward.

Records must be created within five business days after providing the advice, and be kept for a minimum of six years.

For more detailed information, please refer to the Record keeping for advisers factsheet online at www.qld.gov.au/ReefRegulations

What are the minimum practice agricultural standards?

The minimum practice agricultural standards are tailored to each industry. They have been developed for sugarcane, grazing and bananas with grains and horticulture to come.

All of the minimum practice agricultural standards focus on retaining nutrients and sediment on-farm to prevent and minimise run-off and improve water quality.

For some industries, like sugarcane and bananas, the minimum practice agricultural standards outline specific methodologies for undertaking certain activities.

The Queensland Government has made a commitment that the minimum practice agricultural standards will remain substantially unchanged for the next five years (i.e. until 1 December 2024).

For more detailed information, please refer to the producer factsheets online at www.qld.gov.au/ReefRegulations

What is the farm nitrogen and phosphorus budget requirement?

This requirement only applies to sugarcane.

From 1 December 2021, all sugarcane producers in the Wet Tropics, Burdekin and Mackay Whitsunday regions must have a farm nitrogen and phosphorus budget.

From 1 December 2022, all sugarcane producers in the Fitzroy and Burnett Mary regions must have a farm nitrogen and phosphorus budget.

The initial farm nitrogen and phosphorus budget must be prepared by an appropriate person, such as an agronomist, and must then be reviewed every five years by an appropriate person.

Sugarcane producers can prepare their own farm nitrogen and phosphorus budget if they have the relevant experience and qualifications through a recognised program.

For more detailed information, please refer to the Sugarcane requirements factsheet online at www.qld.gov.au/ReefRegulations

What are the requirements for new or expanded cropping and horticulture?

From 1 June 2021 (deferred from 1 June 2020), new or expanded commercial cropping and horticulture activities in the Cape York, Wet Tropics, Burdekin, Mackay Whitsunday, Fitzroy and Burnett Mary regions on five hectares or more that do not meet the cropping history test will require an environmental authority (permit) before the activity or any work takes place.

A cropping history is when cropping or horticulture activities have occurred during three out of the last 10 years (with at least one of the years being in the last five years). The cropping history test includes all types of crops including non-commercial, rotational, changing from one crop to another, sequencing or break crops and fodder crops.

Crops that are grown in a closed system (e.g. hydroponically), forestry, and non-commercial crops are not captured by the new requirements. An example of a non-commercial crop is where fodder crops are grown by graziers for their own cattle and are not sold to other producers.

New or expanded cropping or horticulture activities on land between five and 100 hectares will have a simplified application process and will need to meet standard conditions for a standard environmental authority. Producers will be able to apply to vary the standard conditions if required.

New or expanded cropping and horticulture activities over 100 hectares will need to make a site specific application to determine any tailored conditions to manage water quality risks for the newly cropped area.
The requirements for new cropping or horticulture activities relate to the way the land (or features of the land) and farming infrastructure are designed, implemented and maintained. They include soil and erosion control measures and irrigation requirements.

Producers undertaking new cropping or horticulture activities are also required to meet minimum practice agricultural standards where these are prescribed by regulation. Currently, such standards are only in place for cropping for sugarcane or bananas.

Banana growers who are relocating due to TR4 Panama disease will only need to apply for a standard environmental authority, subject to the standard conditions regardless of the size of the new cropping activity.

For more detailed information, please refer to the New or expanded cropping factsheet online at www.qld.gov.au/ReefRegulations

What support is available for producers?

Programs and support tools including best management practice programs and extension services are provided by the Australian and Queensland governments and industry organisations to help producers adopt improved farming practices.

Farming in Reef Catchments Rebate Scheme

Eligible graziers, sugarcane producers and banana growers can apply for a one-off Farming in Reef Catchments rebate of up to $1000 to help offset the costs of obtaining professional and agronomic advice for nutrient and sediment management.


For more detailed information, please refer to the Support programs and assistance factsheet available online at www.qld.gov.au/ReefRegulations

Where do I find more information?

Register at www.qld.gov.au/ReefRegulations to receive an information pack. You can also choose to receive regular updates.

Web: www.qld.gov.au/ReefRegulations
Email: officeofthegbr@des.qld.gov.au
Telephone: 13 QGOV (13 74 68)
## Timeframes

<table>
<thead>
<tr>
<th>Region</th>
<th>Record keeping requirements</th>
<th>Minimum practice agricultural standards</th>
<th>Farm nitrogen and phosphorus budget (sugarcane only)</th>
<th>New or expanded cropping activities</th>
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<tr>
<td>Sugarcane Wet Tropics, Burdekin and Mackay Whitsunday</td>
<td>1 December 2019</td>
<td>1 December 2019</td>
<td>1 December 2021</td>
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<td>1 December 2022</td>
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New or changed regulated industrial land use activities will be required to meet new discharge standards from 1 June 2021.