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 Reef protection regulations are being strengthened following the passage of the *Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Act 2019*.

The new regulations will start on **1 December 2019** and will be rolled out over the next 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.**

What are the new requirements?
The requirements under the new Reef protection regulations 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 the next 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 or expanded cropping and horticulture activities** - all new or expanded cropping and horticulture activities in any Reef region on more than five hectares that do not meet the cropping history test will require an environmental authority (permit), subject to farm design standards, from **1 June 2020**.

- **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 December 2020**.

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 2020**, any new or expanded commercial cropping and horticulture activities in the Cape York region on more than five hectares that do not meet the cropping history test will require an environmental authority (permit) before the activity or any work takes place.
Do the new regulations only apply to the agricultural industry?

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 December 2020. 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 avoid a net residual impact.

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?

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 print-outs, 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 phosphorus budgets that is not general in nature and is specific to a particular property and related set of circumstances. 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 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 a suitably qualified person, such as an agronomist. Producers can prepare subsequent budgets but every five years, they must be reviewed by a suitably qualified person.

Sugarcane producers can prepare their own farm nitrogen and phosphorus budget if they have the relevant experience and qualifications through a recognised program, or they can contact a suitably qualified person, such as an agronomist.

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 2020, new or expanded commercial cropping and horticulture activities in the Cape York, Wet Tropics, Burdekin, Mackay Whitsunday, Fitzroy and Burnett Mary regions on more than five hectares 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 rotational, changing from one crop to another, sequencing or break crops and fodder crops.

However, crops that are grown in a closed system (e.g. hydroponically), forestry, and non-commercial crops are not included. 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 on land between five and 100 hectares will have a simplified application process. Producers will need to meet standard farm design requirements (which are being developed) under the conditions of a standard environmental authority.

Further formal public consultation on the standard farm design requirements will occur in early 2020 for a statutory period of at least 30 business days under Section 318A of the Environmental Protection Act 1994.


New or expanded cropping and horticulture activities over 100 hectares will need to make a site specific application to allow the particular conditions of that property to be assessed to determine tailored conditions to manage water quality risks for the newly cropped area.

All farms will need to meet minimum practice agricultural standards where these apply to the crop(s) being grown.
Banana growers who are relocating due to TR4 Panama disease will only need to apply for a standard environmental authority, subject to the standard farm design requirements 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)
<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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New or changed regulated industrial land use activities will be required to meet new discharge standards from 1 December 2020.