



Reef protection regulations
Office of the Great Barrier Reef
Department of Environment and Science
GPO Box 2454
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Email: officeoftheGBR@des.qld.gov.au

Re: Environmentally Relevant Activity (ERA) standard: Commercial cropping and horticulture in the Great Barrier Reef catchment (prescribed ERA 13A)

Thank you for the opportunity to provide feedback on the draft standard conditions for new or expanded cropping and horticulture activities in the Great Barrier Reef catchments.

Capricorn Conservation Council (CCC) is the leading non-government, environmental organisation in Central Queensland. CCC has been advocating for the environment since 1973, with a particular focus on the Fitzroy River catchment areas and the associated coastal, island and marine environments.

CCC supports measures which will improve the quality of the water entering the Great Barrier Reef, particularly when it is designed to protect the aquatic systems of the river basins and the marine ecosystems of the coast and reef. The Queensland reef protection regulations have the potential to minimise the levels of nutrient and sediment entering the Great Barrier Reef from land-based industrial and agricultural activities. However, in relation to the standards which have been developed for new or expanded commercial cropping and horticulture activities, CCC is concerned that there are some inadequacies which may result in undesirable biodiversity / habitat protection outcomes.

CCC is particularly concerned with the proposed Standard Conditions 2 and 3:

- Standard Condition 2: “The activity must not be undertaken within at least five (5) metres of the defining bank of a natural waterway” (SC2), and
- Standard Condition 3: “Prior to 1 November each calendar year a waterway buffer must be implemented and maintained between the defining bank of all downslope waterways and the edge of any adjacent cropping or fallow areas, such that it minimises sediment run-off” (SC3).

In relation to SC2, CCC considers five metres to be an insufficient buffer width for any significant natural waterway or natural waterways associated with steeper gradients on adjacent lands. There also seems to be a contradiction between these conditions in that cropping and horticulture activities are not to be undertaken within 5 metres of a natural waterway (SC2), and this same five metre buffer referred to in SC3 is to be maintained adjacent to all down slope waterways (albeit that the latter is only required as at 1 November each year).

In relation to SC3, the requirement there must be a waterway buffer¹ of a minimum of 5 metres and which has at least 80% vegetated cover² in between the cropping (or fallow) area and the downslope waterway is of concern. The definition of vegetated cover specifically excludes woody vegetation which therefore excludes natural native riparian vegetation within the buffer. Wooded riparian vegetation provides essential waterway functions including, but not limited to, bank stabilisation, absorbing any excess irrigation waters, carbon sequestration, wildlife habitat and movement corridors, shading and providing habitat for aquatic organisms and landscape aesthetics. The requirement to achieve 80% ground cover will result in the unnecessary and undesirable clearing of riparian vegetation which is not adequately protected by other legislation from essential environmental clearing created by SC3.

CCC also has concerns that the vegetated buffer required by SC3 is only required to be in place 'prior' to 1 November which is before the onset of the wet season. This infers that the waterway buffer is not required during most of the year and does not need to be maintained. It may be used for other production purposes such as access tracks and earthworks which will disturb the ground cover and allow winter rainfall events and irrigation waters to transport sediment and nutrients in to the waterways leading to the Great Barrier Reef.

Where land managers attempt to meet the 80% non-woody vegetation cover prior to the wet season and cannot use their cropping species for the purpose¹, there will be a temptation to sow hardy (and often undesirable) grass species. Historically, introduced grasses have become significant environmental weeds and encouraging, or not prohibiting, their use along waterways will result in these species becoming more widespread through the catchment.

CCC strongly recommends that:

- Waterway buffer widths are increased for natural waterways, particularly major waterways such as rivers.
- The definition of vegetated cover be redefined to allow for, and encourage, riparian vegetation to be retained or established along waterways as a suitable waterway buffer.
- SC3 is amended to require that vegetation is maintained and managed in all waterway buffers so that the buffer remains effective in preventing sediment run-off throughout the year (not just the wet season).
- Restrictions are placed on the species which can be used to create the 80% vegetated cover to assist with trying to reign in the spread of environmental weeds through the catchments. Currently there is a restriction in that the crop species cannot be used. It may be that the crop species is preferable to introduced grass species which are known to spread and encroach into areas of native vegetation.

The standard conditions proposed for erosion and sediment control and irrigation are:

- Standard condition 4: Prior to commencing the planting of crops for the activity and when preparatory work for the activity is in progress, measures must be designed and implemented to avoid and mitigate soil loss and surface water run-off to receiving waters.
- Standard condition 5: Where an agricultural ERA standard is not in effect for the cropping or horticulture, after commencing the activity, erosion and sediment control measures must be maintained to avoid and mitigate soil loss and surface water run-off to receiving waters.

¹ **Waterway buffer:** Means a strip of retained or planted vegetation of a minimum of (5) five metres in width and has at least 80% **vegetated cover** in between the cropping (or fallow) area (of the activity) and a downslope waterway. The waterway buffer must not consist, in whole or in part, of the crop or crops being produced as part of the activity.

² **Vegetated cover:** Means living, attached non-woody vegetation (e.g. grasses).

- Standard condition 6: Measures that avoid and mitigate the loss of irrigation water to natural waterways must be implemented and maintained. The requirements for new or expanded cropping or horticulture activities (known as ERA 13A) aim to achieve 'no net decline' in water quality by preventing and minimising nutrient and sediment run-off.

CCC strongly recommends that the measures taken to meet the requirements of the standard conditions should be restricted to outside the waterway buffer. This can easily be achieved through the redefining of measures in the glossary.

In relation to the reporting standard conditions:

- Standard condition 7: Plan(s) of the activity area must be kept showing:
 1. The cadastral lot(s) boundaries; and
 2. The activity area(s) within the cadastral lot(s) boundaries; and
 3. Irrigation and drainage areas; and
 4. Natural waterway; and
 5. Receiving waterways; and
 6. Downslope waterways; and
 7. Waterway buffers.
- Standard condition 8: The plan(s) required by condition SC7 must be updated periodically so that the plan(s) is current as at 1 November each year.
- Standard condition 9: The plan(s) required by condition SC7 must be provided to the administering authority on request within the timeframe stipulated by the administering authority in the request.

CCC submits that the plans should be submitted to the administering authority as a matter of practice and not only upon request. This would enable the review of the implementation of the standard conditions, provide for educational compliance communications and will make the planning requirement an important part of compliance and not just a paperwork exercise.

Thank you for the opportunity to make a submission on the draft standard conditions for new or expanded cropping and horticulture activities in the Great Barrier Reef catchments. I would appreciate a response on how our concerns will be addressed in the finalisation of the regulations.

Yours sincerely



Doug Crossman
Secretary
