



Speech by

**GLEN ELMES**

*Member for Noosa*

*Shadow Minister for Climate Change & Sustainability*

Hansard - Thursday 8 October, 2009

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### **Great Barrier Reef Protection Amendment Bill**

Second Reading Resumed from 4 June (see p. 790), on motion of Ms Jones-- That the bill be now read a second time.

**Mr ELMES (Noosa--LNP) (2.33 pm):** I would like to make one very short comment at the outset of this debate. I find it incredible that in the lead-up to today's debate on the Great Barrier Reef the government has been saying for months how important this is--government members have said all week how important this debate is yet they are happy, in the statements they have made, to have this bill passed by Christmas--yet at the start of this week we debated two education bills together on which there was no division and we have considered another bill on gambling which both sides of the parliament agreed with but on which debate had to be closed down.

Then arguably the most important bill to come before the House in this sitting week is incompetently gagged and the debate that would like to be had by all members of this parliament, to express their point of view on behalf of their constituents and on behalf of the Great Barrier Reef, has been curtailed. That does not suggest to me that this debate and the government's protection of the Great Barrier Reef have got off to a great start.

I do hope, as we move through proceedings this afternoon and tonight, that between both sides of this House we may be able to get some sort of a resolution that will both protect the Great Barrier Reef and protect the livelihoods of the primary producers who live in the three catchments.

The Great Barrier Reef is one of the wonders of the modern world. Its uniqueness and value are known nationally and internationally. This importance is acknowledged formally through its World Heritage recognition in 1981. It is the largest of the World Heritage areas, at 35 million hectares.

The inscription on the register reads 'superlative natural phenomenon'. With some 2,900 reefs in total and 760 fringing reefs, this is the world's most extensive coral reef system. Indeed, it is protected under the Convention on Biological Diversity, as it hosts critically important habitats for the conservation and sustainability of biological diversity.

These include seagrass beds and mangrove forests. They include nesting grounds for the threatened green and loggerhead turtles as well as the internationally endangered dugong and critical breeding areas for the humpback whale. They include myriad bird species amongst which are reef herons, ospreys, pelicans, frigate birds, sea eagles and shearwaters. It is the home to some 1,500 species of fish, 350 species of hard corals, 4,000 species of mollusc, 500 species of sponges, and so the list goes on.

We should also keep in the forefront of our minds as we debate this legislation today how culturally important the reef is to Queensland's Aboriginal and Torres Strait Islander communities.

Of further note, it is economically important for Queenslanders as it provides employment to some 63,000 people engaged in tourism, fishing and recreational industries, yielding annual revenues in the order of \$5.8 billion, including \$5.1 billion from tourism, \$610 million from recreational activity and \$119 million from commercial fishing.

Quite apart from this, it is just a fantastic part of a rich tapestry of life to be there, to see and to experience all it has to offer. The Great Barrier Reef is vitally important, so it then follows logically that anything that threatens the health and wellbeing of this treasure should be vigorously fought. We on this side of the House support intelligent, evidence based action to combat any real threat, particularly to the 450 inshore reefs. We see it as our obligation as leaders in our society to ensure that our generation and all the generations which are to follow us have the opportunity to experience its wealth. It is incumbent upon us as custodians to honour that most important duty and obligation.

Accordingly, as a party prepared to stand up for principles, we believe in the carrot-and-stick approach. In the case of the welfare of the Great Barrier Reef, we share the very logical and considered views of the groups which represent the agricultural industries in calling for a continuation of the carrot approach through Reef Rescue and a further rollout of the principles embodied within the Delbessie Agreement within the leasehold sector and on to the freehold sector, or 'Six Easy Steps'.

This is the better approach, where industry is engaged in genuine consultation with responsible government entities--where the objectives are clear, where the objectives are shared, where the objectives are to achieve outcomes which improve the environment, where the objectives are to maintain or even improve the outputs from industry, where the outcomes are achieved cost-effectively.

We know also that even in the very best of industries there will always be the recalcitrant who will not move readily to adopt best practice, who will be reluctant to change from the 'way we have always done it'.

We want those individual land managers identified and strongly encouraged and assisted to adopt best practice. We know that in the broad approach to these issues there will be the need at the end of the day for the stick, and we will support its use in the circumstances which I will outline.

Indeed, so do all of the industries currently engaged in discussion on the regulatory impacts of the bill. They do not want any bad apples in their industry. However, it is those few who refuse to budge from the practices of the past who are made out by this government to be in the overwhelming majority.

Nothing could be further from the truth. Like bacon and eggs, where the chicken is involved but the pig is committed, so, too, do we have Anna Bligh's green mates interested in conservation but it is the land managers who are actually committed to it. Every Queenslander knows that this is part 2 of the preference deal done with Greens just prior to the March election.

The real pity is that the price to be paid is the counterproductive regulatory approach to this issue which we now see on the table. The LNP cannot support this bill in its present form. I understand even the minister has reservations about it.

However, we have come into this parliament with a suite of amendments which, taken together, will make a very crudely constructed bill workable to achieve the improvements in water quality which everyone in Queensland who understands the potential impact on the reef and those dependent on it also want.

I ask the minister to join with me in a show of bipartisan support to work closely with industry to remove all of the wrinkles from this bill and shape it so that we can get a win-win-win situation--a win for the reef and the environment, a win for industry and common sense, and even a win for the Premier so she can keep faith with her green mates and their sweetheart deal.

The Great Barrier Reef Protection Amendment Bill is a worthy title. It is reassuring to think that more action is proposed to protect Queensland's greatest icon. One reads it in expectation of finding a continuation of the laudable, incentive based approach embedded in the reef plan, of seeing complementary legislation, of seeing inclusivity and cooperation fostered further.

If there is a single piece of legislation which demonstrates more starkly for all to see the difference in approach between that of the Bligh government and the encouraging and incentive based approach from my side of politics, then I beg someone to show it to me.

The Bligh government's approach through this bill is divisive and vindictive. As its key objective, it seeks to reward the armchair green extremists for harvesting the preferential support at the last election which tipped this government over the line, but this reward is at the expense of the agricultural communities in the Burdekin and the other two Wet and Dry Tropics catchments.

It puts at risk this mainland based agricultural economy which generates \$3.8 billion annually from cattle, cane and horticulture. We believe that this is just the start. As time goes on, we will see this regulatory approach regressively extended to other industries, areas and activities.

The prime example of this is that the horticultural industry is engaged in the present discussions. Why is that, if it is not to be the next cab off the rank?

I spent some time one night re-reading the minister's second reading speech. I had been hoping against hope that I might have missed an important paragraph, but that was not the case. I was hoping to see the minister's plan for the agricultural community. I was looking to see what she has in mind for industries which generate \$3.8 billion from cattle grazing, dairying, sugarcane production, bananas, cotton, chicken, pigs, fruits and vegetables.

What is the plan? Well, I do not know because there is not one word--not a single word, not even a syllable--in all of that lofty rhetoric which would give farmers on the land any hope for the future.

What the minister does say is-- ... and I want to reiterate this point, farmers who have acknowledged their responsibility for the health of the reef and have voluntarily adopted sustainable agricultural practices should not be adversely affected by this bill. Well of course they shouldn't, but will they be under the legislation in its present form? In the minister's speech there is not one positive word about the farmers and their contribution to the state's economy of \$3.8 billion.

It is important that I repeat that we on this side of the House will work with the government to improve this legislation to achieve the improvements in water quality for the reef--that is, those improvements which science informs us are the appropriate management options to reverse the decline in water quality.

The reason for this bill rests on the single assertion that, if the reef water quality targets are not achieved within the given time frames, the reef will die. It will not get sick or stagnate; it will die.

In her second reading speech the minister goes on to state-- Climate change and the crown-of-thorns starfish are putting the reef in serious jeopardy, but another threat comes from agricultural pollution. This is a threat that can be addressed.

The minister says that she will attack agriculture--the producers of our food and exports--but makes no attempt to address either climate change or the crown-of-thorns starfish. In

attacking agriculture, as she proposes, the minister is also throwing out the baby with the bathwater.

The minister also stated-- Credible and undeniable science is telling us that the voluntary approach is not working and will not deliver the 2013 goal of reef plan--to halt and reverse the decline of the quality of water entering the Great Barrier Reef lagoon. I will let the minister in on a secret: the longline fisher folk are taking out coral trout in large numbers, and one of the natural predators of young crown-of-thorn starfish is the coral trout. A little attention to the longline fishing industry to make it a little more sustainable will see the crown-of-thorns starfish problem start to be managed.

All through the government's proposal there is a lack of balance, a lack of understanding and a lack of compassion.

In her second reading speech the minister tells us--and again I quote-- Credible and undeniable science is telling us that the voluntary approach is not working and will not deliver the 2013 goal of reef plan--to halt and reverse the decline of the quality of water entering the Great Barrier Reef lagoon.

Let us examine the credible and undeniable science of which the minister speaks. The only science to which the minister refers in her second reading speech is the 2008 Scientific consensus statement on water quality in the Great Barrier Reef . It is reasonable to infer that this is the credible and undeniable science to which the minister refers and on which she bases her justification for this draconian legislation. It may be that she has other scientific reports available to her but not to anyone else--reports which have not been peer reviewed or published in learned journals. If she has, I ask that these be tabled immediately so that the research can be tested. The last thing we want is some kind of voodoo science doing irreparable harm to our food producers and our land managers.

I do not believe any minister, but particularly this minister, for whom I have a high regard, would make far-reaching decisions on utterly unsupportable grounds.

**Ms Jones:** I wouldn't; that is right.

**Mr ELMES:** No trouble at all, Kate. The conclusions from the scientific consensus are these--  
1. Water discharged from rivers to the GBR continues to be of poor quality in many locations.  
2. Land derived contaminants, including suspended sediments, nutrients and pesticides are present in the GBR at concentrations likely to cause environmental harm.  
3. There is strengthened evidence of the causal relationship between water quality and coastal and marine ecosystem health.  
4. The health of the freshwater ecosystems is impaired by agricultural land use, hydrological change, riparian degradation and weed infestation.  
5. Current management interventions are not effectively solving the problem.  
6. Climate change and major land use change will have confounding influences on GBR health.  
7. Effective science coordination to collate, synthesize and integrate disparate knowledge across disciplines is urgently needed ...

One has to ask the question: are these conclusions consistent with the government's evidence? As always, the devil is in the detail. The language used in the body of the statement is calm and reasoned. Consider this in relation to the part of the report dealing with the conclusion that water discharged from rivers to the GBR continues to be of poor quality in many locations.

The scientific consensus statement says-- Concentrations of nitrate and nitrite have elevated in groundwater in areas under intense agriculture--a portion of this groundwater is believed to enter coastal waters. Note we are talking about a portion.

How elevated are the levels? How big is the portion? What is the quantum? What effects might it have? No answer is given to any of these important questions.

The statement also goes on to say-- ... river loads of nutrients, sediments and pesticides are higher than in pre-European times--this is inferred from changes in land use and estimated

through monitoring and modelling, although with significant model uncertainty ... Again, that is inferred, not proven: 'with significant model uncertainty'. Indeed, all of this scientific consensus rests heavily on the work of Jon Brodie and his modelling of land use in pre-European times which was first published in 2003--some considerable time ago, and much has changed since.

This, in turn, is based heavily on modelling against the two near-pristine catchments at Normanby in the Dry Tropics and Dalrymple Creek within the Herbert catchment in the Wet Tropics, and extrapolating those findings across a vast area of the state. This reliance is open to question and is acknowledged as such by the scientific consensus statement, where it says 'with significant model uncertainty'.

Next consider this in relation to the part of the statement dealing with the conclusion that the health of the freshwater ecosystem is impaired by agricultural land use, hydrological change, riparian degradation and weed infestation.

Again, I quote-- Concentrations of pesticides in waterways are highest in areas of intensive agricultural activity--the implications of this for community structure in freshwater ecosystems are potentially severe but our knowledge is limited ... The last line again: 'our knowledge is limited.' Consider this in relation to the part of the statement dealing with the conclusion that current management interventions are not effectively solving the problem-- Understanding of the effectiveness of management interventions has improved in the last five years, but there are still significant knowledge gaps that undermine our present ability to identify investment priorities and provide confidence in likely water quality outcomes.

Note again, there are still significant knowledge gaps that undermine our present ability to identify investment priorities and provide confidence in likely water quality outcomes. It then goes on to say-- Economic and social impediments to practice change vary between regions, complicating the design of policies to achieve agricultural practice change-- And even more telling-- Knowledge of the effectiveness of restoration techniques is insufficient to guide investment--the effectiveness of riparian vegetation and wetlands as potential filters of sediments, nutrients and pesticides is known for some cropping areas, but is limited for grazing areas.

Note again, knowledge of the effectiveness of restoration techniques is insufficient to guide investments. Now consider this in relation to the part of the statement dealing with the conclusion addressing climate change and how major land use change will have confounding influences on the GBR health, and again I quote-- Increased rainfall variability and intensity of weather events (droughts, floods etc) will make land management more difficult and increase the risks of soil erosion and loss, thus increasing loads of sediment and nutrients discharged into the GBR lagoon.

Droughts reduce vegetation cover and expose soils to higher erosional losses to freshwater and marine environments during floods. Changing hydrology may have severe effects on the catchment of water quality ... Remember that climate change will increase soil erosion and loss. Note also that a drought that we know of in the Burdekin lasted 70 years from 1801 to 1870, ending only some 135 years ago when Queensland was just a fledgling state. Severe drought is a risk that will not respond to legislation. I ask members to also consider this in relation to the part of the statement dealing with the conclusion. I quote-- ... Effective science coordination to collate, synthesise and integrate disparate knowledge across disciplines is currently limited and inadequate, and is needed as a matter of urgency to manage GBR water quality.

Science integration is the key to informing management decisions for the Reef Plan, and is required to understand and quantify the following links between the system components that determine GBR water quality and ecosystem health: - within and across catchments of the GBR, so that the linkages between catchment actions and the health of catchments and the GBR can be quantified; - between biophysical, social and economic variables so that realistic targets and implementation strategies can be developed and assessed; - across local to

regional to GBR scales, to determine whether existing and proposed activities are sufficient to achieve the reef plan goal of reversing water quality declines within a 10-year timeframe ... I hope honourable members come to the same conclusions that I did. Under close examination the conclusions do not always match the evidence.

Further there is a great need, an enormous need, for funding to collate all of the science and to present it urgently so that legislators can make an informed decision, which is certainly not the case at the moment. Is this really the credible and undeniable science of which the ministers speak? When we look at it, is it so credible and undeniable? Would the authors claim it was credible and undeniable? Absolutely on the credible front but undeniable in supporting the action proposed by this government? I genuinely do not think so.

So if it is not here in the scientific consensus statement, where is the credible and undeniable science on which the urgency for the need for this draconian bill rests? If it is not the science of John Brodie, Jim Binney, Dr Fabricus, Professor Iain Gordon, Dr Heather Hunter, Dr Peter Reagain, Professor Richard Pearson, Dr Mick Quirk, Dr Peter Thorburn, Jane Waterhouse, Dr Ian Webster or Dr Scott Wilkinson then whose is it? Neither is it the science of Dr Peter Ridd from James Cook University with 25 years of Great Barrier Reef research under his belt.

He says that the reef is in pristine condition. His special area of interest is as a physical oceanographer paying particular attention to sediment transportation. His conclusion is that there is no significant threat to the reef from human activity.

But the area of greatest diversion from the seemingly conventional wisdom relates to Peter Ridd's view of sediment loads. Dr Ridd's view is that there is no doubt that sediment loads from agricultural causes is responsible for an increase in sediment loads. But he claims that those loads are minor, last only a few days each year and never reach the outer reef. By contrast Peter Ridd's research shows that the reef's suspension of sediment from wave action--that is, sediment which has been there for 80,000 years--is more significant.

Further, he claims that what human activity has placed on the reef is only a very small fraction of what is there. His key question is: can the results of human activity increase the level of nutrients across the entire reef for a significant period of time across each year? His answer, based on his research, is that. .. it would be virtually impossible to quantify the effect of man-induced increases in nutrients as they are so small.

Is the urgent need for this bill based on the science World Wildlife Fund or that of the Queensland Conservation Council or that of Wildlife Queensland or that of the Australian Marine Conservation Society? Well, what do they say? They all welcome this legislation.

But take the WWF. It has two bob each way. On ABC news on 3 July 2009 Nick Heath welcomed this proposed legislation but also welcomed the funding from Reef Rescue, which only commenced in July this year, as a good mix of incentives for those who want to move voluntarily to the new models plus regulations for those who choose not to move voluntarily.

Remember again that the minister in her second reading speech said--and I want to reiterate this point-- Farmers who have acknowledged their responsibility for the health of the reef and have voluntarily adopted sustainable agricultural practices should not be adversely affected by this bill.

So Nick Heath and Minister Jones both favour our approach. Nick Heath advocates incentives for the willing and punishment for the recalcitrant. So do we.

But the Bligh government seeks to punish 4 thousand land managers against the advice of its own experts.

The Bligh government knows that only 1,000 land managers are likely to be an issue. Of those, many were denied funding under Reef Rescue as the money had run out. They are not unwilling. Nick Heath says to punish the unwilling. Many of the 1,000 are not unwilling; they are just unfunded.

And why? Because the Bligh government would rather spend the \$50 million allocated to this legislation punishing them rather than spend \$50 million to assist them to adopt latest best practice and it is certainly not spending anything to obtain the good science which its own expert panel is crying out for.

The other key question which must be asked is: how do we know if this draconian approach is successful? The public benefit test for the Great Barrier Reef Protection Package May 2009 gives us the answer at page 5. It says you will not know. It says-- It will not be possible to attribute the full extent of reduction in pesticide and fertilizer run-off specifically to the Package because the actions will occur in conjunction with the other policy and program initiatives aimed at improving Reef water quality, including the Commonwealth's \$200 million Reef Rescue initiative ...

There are other actions already in train. The ink is not yet dry on the Vegetation Management (Regrowth Clearing Moratorium) Act 2009 passed just after the last state election. Remember that is the first part of the Labor preference deal with the Greens.

Then there is reef plan which has taken many years to develop to the stage it is now. It has morphed under the Rudd government into Reef Rescue and the money from this latest rebranding started to flow only in July this year. Would it not be prudent to see if these measures work, to measure their progress before embarking on a grossly unfair, stifling, regulatory regime?

Reef plan has its own shortcomings though. It ignores, for example, the effects of climate change, shipping accidents, urban development, fishing and sewage, all of which can affect the water quality of the reef.

I ask: what will the effect be on funding from Reef Rescue? Have any assurances been sought from the Commonwealth in this regard? Will the federal government be absolved from its incentive funding obligations on the grounds that incentive funding does not apply where a regulatory regime exists.

I have to ask: will the regulatory regime under this bill ultimately be counterproductive to the health of the reef? Of course it will. It must. Regulation always reduces compliance to the minimum possible standard. This is one of the greatest contradictions of this bill. We have Reef Rescue, a well thought through and targeted \$200 million voluntary program courtesy of the federal Labor government. It is working well. It is oversubscribed but underfunded. Then along comes this nasty piece of legislation which threatens to undo all of the goodwill that now exists.

It is Labor versus Labor--the same party with two different contradictory plans that are trying to achieve the same outcome.

If this situation existed with a federal coalition government and a state Labor government, I suppose I could understand how it came about, although it still would not make any sense. The best way to sum up this point is via the following quote-- It is agreed that it was important that the various actions being taken by both Governments should be complementary and coordinated to ensure the water quality targets identified in the updated reef plan are achieved.

And who agreed upon this course of action? It came about from a communique on 3 January 2009 from the Great Barrier Reef Ministerial Council. In attendance was the Hon. Peter Garrett, the federal Minister for the Environment; the Hon. Martin Ferguson, the Minister for Tourism; our own minister, Kate Jones; Steve Wettenhall, the Parliamentary Secretary to the Minister for Tourism; and the Hon. Tim Mulherin, the Minister for Primary Industries and Fisheries.

Of course the other burning question is: will the government's approach work? The fact is that we will never know, because there is not going to be any evidence gathered which will tell us. No individual farmer will have an association with this legislation proven, nor will any individual farmer ever have it proven that his or her erosion was reduced and by how much,

fertiliser run-off reduced and by how much, pesticide run-off reduced and by how much because the monitoring and testing will not be done. There is all this huff and puff but, when it comes down to it, the Bligh government will not put our money where its mouth is, nor can it tax cane growers to pay for it as there are only about 25 per cent making any money.

That is the trouble with socialism, isn't it? You eventually run out of other people's money to spend.

That very lonely sediment monitoring station at the mouth of the Burdekin cannot differentiate between the myriad sources of run-off. It cannot attribute the sediment load to any operator or property. It cannot identify whether the sediment is recent or ancient.

Madam Deputy Speaker, I know that you do not like props, but I will hold up a map for one second. The green bit shows the catchment area, and there is one monitoring station to monitor 4,500 farms and land manager operations in that catchment area located at the mouth of the Burdekin River.

**Mr Horan:** That green area is as big as the United Kingdom!

**Mr ELMES:** It is about the size of the United Kingdom. One wonders how that one, as I said, very lonely piece of infrastructure is ever going to pick up which farmers are not doing the right thing and which regions within that are not doing the right thing. Is it any wonder that land managers believe that the sole purpose of this bill is to either fine or tax them out of existence?

The Burdekin River catchment on its own covers an area of 130,126 square kilometres extending from well south of the Tropic of Capricorn between Emerald and Longreach to far to the north of the city of Townsville. My rough calculations suggest that it covers about one-seventh of the land area of Queensland with, as I said, just one monitoring station at the mouth of the river in Ayr. But let me backtrack.

I will paraphrase a direct quote from the minister's own 2008 scientific consensus statement on water quality in the Great Barrier Reef. It said that science integration is the key to informing management decisions for the reef plan and is required to understand and quantify the following links between the system components that determine GBR water quality and the ecosystem health across local to regional to GBR scales to determine whether existing and proposed activities are sufficient to achieve the reef plan goal of reversing water quality declines within a 10-year time frame.

So there we have it. What the minister trumpets as credible and undeniable science says that we do not yet know if what we are doing will be successful.

Queensland is a big state. We love big things here. We have the Big Cow. We have the Big Pineapple. We have the Big Apple. And now with this bill in its present form we have the biggest waste of time!

This bill has two purposes. It is part of a deal to repay a debt to the Greens for preferences at the last election and it is an attempt to do something meaningful for the health of the Great Barrier Reef which in its present form will fail. This is one situation where the government can have its cake and eat it, too.

The Premier can fulfil her promise to the Greens, so let us just put that to one side. I say to the minister and to government members, both in this chamber and elsewhere, with all sincerity that the amendments I will introduce are designed to reward the good, to penalise the bad but specifically to turn this highly flawed legislation into something that this parliament, the land users in the three catchments and the entire state can be proud of. If it were within my power, I would move now that this debate be adjourned.

The key reason put forward by the minister in her second reading speech is not valid. Were we adjourning, I would ask the minister to join with me in bipartisan support for the Great Barrier Reef and support the adjournment of the bill. This would be on the basis that I had allayed her concerns that the 2013 goal of reef plan would not be achieved. Her scientific

consensus panel is calling for funding to inform the Queensland community of the best policy options to protect this great asset. It is not telling us that the voluntary approach is not working.

The credible and undeniable science is telling us that we simply do not know, and I strongly believe that we should find out. If we were adjourning debate on this bill I would call on the minister to commit the funds saved by the adjournment of bill--that is, \$50 million--and allocate it in two tranches to support the intent of the bill.

The major part would be applied to accelerate the rollout of Reef Rescue. The lesser part would be to support science integration called for by the scientific consensus panel.

I would call on the minister to secure from the panel its budget and the time frame necessary to inform this House of the appropriate management options by which to best protect the reef. I greatly regret that it is not possible to adjourn the debate and obtain the facts to support the health of the Great Barrier Reef.

Accordingly, I will be moving a suite of amendments at the appropriate time which, taken together, will take this bill closer to its stated objective. I also want to remind the parliament that the LNP is committed to the protection of the Great Barrier Reef. It is a moral responsibility.

We are also committed to ensuring that the measures to protect the reef are valid. The logic underpinning this bill is this: water of poor quality continues to enter the GBR lagoon. The two biggest land users in the GBR catchment must be responsible therefore.

The two biggest land users are cattle grazing and sugarcane growing. Therefore, they must be the biggest polluters. Therefore, we should regulate the activity of all cattle and cane farmers.

The linkage has a simplistic charm. In the absence of aggregated scientific data which the scientific consensus panel calls for, it is a reasonable place to start. However, the logic loses its credibility when it seeks to regulate all 4,500 cattle and cane farmers.

The explanatory notes tell us that only 1,000 operators will be required to prepare an ERMP initially. Many of these were willing to be part of the reef plan and, but for a shortage of funding, would be involved now. Grazing on state leasehold land under the Delbessie Agreement and its improved management practices is being rolled out. The Delbessie model will be used by AgForce to extend best practice management to freehold land. The cattle and cane peak organisations are aware that the recalcitrant give their industries a bad name. It is not true that the recalcitrant are the norm.

However, that is the conclusion which the government has reached and upon which it has drafted this bill. So I urge the government not to target the 4,500 unfairly. Do not punish the whole cane and cattle industries for their few recalcitrants. Do not demonise the whole industry for the actions of a few.

Instead, I urge the government to identify the 1,000 land managers whom it regards as high risk. Give them the opportunity to improve their practices. Do not forget that many of them would be part of Reef Rescue now if not for inadequate funding.

Focus on only the 1,000 land managers and resource the process so well that a manual for best practice is developed and continuously improved for application in other cases if they are identified.

The government has swept up 3,500 good land managers in a regime which will cost time, money and effort and erode the goodwill which the reef plan, Delbessie and Six Easy Steps have nurtured. It may well be counterproductive. Why would they volunteer in future to be better land managers if they get no credit for it? They will avoid punishment if they comply with this bill and its regulations. They will avoid the nasty consequences by complying. It is a simpler option and the one likely to be adopted, but it will be at the cost of improved practice.

Accordingly, the biggest effect of this bill in its present form will be on erosion. It will not be in redressing erosion of the soil; it will be the erosion of goodwill, the erosion of confidence that primary producers have for the future when dealing with government. It will be a terminal erosion of trust.

Farming folk put a lot of store in their word. It is their bond. A handshake means more than a signature on a contract. Most Australians--nearly 80 per cent in fact--see honesty and integrity as qualities which they value most in their political leaders.

I just wish they could see their political leaders at work today! Those land managers have been working diligently and cooperatively with their own peak organisations and government agencies in the mistaken belief that they can trust this government. Focusing on the 1,000 is objective, simple and practical.

Excluding organic cane growers and dairy farmers would make the approach even simpler. Organic cane growers do not use chemicals, pesticides or herbicides. While section 95 exempts organic land managers accredited by the Australian Quarantine and Inspection Service from producing an ERMP, they are still regarded as an agricultural ERA, and I wonder why.

Dairy farmers occupy 0.21 per cent of the land area of the reef catchment. Their herds are two per cent of the total cattle numbers. The explanatory notes say that big landowners are big polluters and sets out to target them. It must be that dairying is included by mistake.

The bill seeks to prevent fertiliser run-off from cane farms by regulating the quality of fertiliser used. I would suggest that that is a simplistic approach.

Cane growers seek to maximise the productivity of their land by managing the application and effectiveness of inputs very carefully. The issue of run-off of fertiliser has much more to do with the timing of and the quantity of rainfall than it does with any surplus application of fertiliser. Underpinning the government's approach are the 12 nitrogen replacement field trials that were held in 2003 and the subsequent eight field trials that were held in 2004 in the Wet Tropics, conducted by the CSIRO.

Although that work showed initial promise, the methodology remains unproven. It postulates that the optimum rate may be calculated by simply replacing the nitrogen that the crop removes from the soil. On that basis, there is none available to run off. Key factors are ignored.

Firstly, if the placement method of fertiliser application is used in an unseasonal, heavy and unexpected rainfall event, they simply wash away almost all of the fertiliser before it has the opportunity to be absorbed by the soil and/or in due course by the growing crop.

Secondly, the optimum amount may not be the optimum for the crop, which, if the application is inadequate, may simply mine naturally occurring nitrogen from the soil, thereby degrading it.

The third factor that is ignored is the land manager's desired production target. Best practice environmental management is a term that is already identified or defined within the dictionary for the Environmental Protection Act 1994 and within section 21 of that act.

Although the current methodology described in section 21(2) may be appropriate for this purpose, further consultation with the industry is required to ensure that the compliance with the definition occurs at the peak body level for extension to the individual land manager level and that the development of the compliance regime is not at the operator level. A BPM approach seems to be more likely to progress the industry, to be adopted by cane growers and, at the same time, encompass ERMP requirements.

This bill seeks to prevent sediment run-off from cattle farms by regulating the number of cattle grazing. The theory is that regulating the number of cattle to an optimum level and then minimum ground cover of pasture and vegetation will be maintained. This will prevent erosion and sedimentation of waterways and, ultimately, the GBR lagoon. The issues ignored by this

simplistic approach are many. Balancing forage growth and forage consumption is one. Managing wet season pasture rest is another. Gully management is a third. The design of paddocks, grazing management, the provision of shade and optimising watering points for cattle are all part and parcel of good cattle grazing management for this region.

So, too, is maintaining 3P--perennial, palatable and productive--grass ground cover, which is perhaps the single most important management strategy for improving run-off quality in the Burdekin. Reef Rescue funds the watering of cattle away from watercourses. This action complements the Vegetation Management (Regrowth Clearing Moratorium) Act, which mandates 50-metre buffers around watercourses.

The reduction of sediment run-off from grazing land requires a comprehensive approach engaging land managers. Simply regulating cattle numbers cannot achieve that objective. Members will note that we on this side of the House have taken some care to develop our position on the bill to focus on achieving the government's desire to improve the water quality affecting the reef. Indeed, we and the government are as one on this issue.

Our intention has been directed towards making a flawed bill deliver the outcomes for the reef which the stakeholders desire. Our approach on soil testing is, once again, focused on the practical. The government proposes to demand a significant increase in soil testing by the 4,500 land managers who are affected by the bill.

Therefore, it is incumbent on the government to ensure that sufficient accredited soil testing facilities are available. These facilities must be operating and readily accessible to the land manager in each of the catchments. Accordingly, it is incumbent on the government to ensure that those soil testing facilities are required, as a condition of their accreditation, to have turnaround times for soil testing that do not inhibit in any way the production cycle of land managers impacted by this bill.

I seek the minister's assurance that this will occur and that she will provide the House with evidence of the appropriate action ensuring that outcome. I ask the minister to commit now to tabling that evidence as soon as possible.

According to the 2006 census, the three catchments captured by the bill are home to some 339,469 people. Each year, 2 million people from Australia and overseas stay at least one night in the Whitsundays, Cairns or Townsville.

Each year, two million people visit the reef, that is, they actually go on to or into the waters of the reef lagoon. Let there be no doubt that a portion of the waste, waste water and sewage from all of those warm bodies will be having an impact on the reef and its water quality. We know, for example, that sewerage systems throughout this area have experienced relatively regular failure. So a portion of this lost sewage will also find its way into reef waters.

Just by way of example, in 2008-09 at Mossman there were 40 overflows of sewage due to flooding or effluent bypass events. There were also 19 at Gordonvale and 47 at Babinda. Overflows and heavy rainfall events are accepted as part of life at Hinchinbrook and Ingham, while Yarrabah does not even have a sewerage system plant at all, only ponds that discharge via a creek directly into the Coral Sea.

So I presume Yarrabah will not be an ERA but all of the others that I have mentioned and all of the other sewage treatments that I have not mentioned will be. With all of these ERA failures, it is clear that DERM already has its hands full. Hopefully, it is keeping its head above water, regardless of the quality. How is it expected to monitor the performance of an additional 4,500 ERAs over such a vast area as the three catchments? I do not have confidence in the government's interest in these failures that have occurred so far away from Brisbane.

The Labor affiliated Australian Workers Union shares my scepticism. It accuses the government of underfunding the state's fire preparedness in national parks for the forthcoming fire season. Fire poses a looming threat this year. We have just had a total fire ban in August, but DERM will not guarantee the funding of additional rangers in national

parks, nor will DERM commit to replacing current or future vacancies. It will not even fund rangers to work on weekends. We know that bushfires occur on weekends. Victoria had Black Saturday this year. When a wild, uncontrollable fire occurs, what follows? In the next rain event, sediment and sooty run-off occurs. Where will that go? Straight out on to the reef.

The bill requires a management plan for an agricultural ERA that provides for the management of sediment loss from the property. The standard by which to measure that management is impossible. The bill requires that the agricultural ERA prevent sediment loss. There was a situation--and I raised this with the minister when we were talking the other day--regarding labelling.

I had some concern with regard to relabelling in the three catchments, the labels that are supplied and the work that is being done by the APVMA. I have looked again at the bill and I still have some concerns in that regard, but I will leave that issue at this point and raise it at a later time. If any of the 1,000--indeed, if any of the 4,500 land managers--are engaged under Delbessie, that is, they already operate on state leasehold land under an engaging, cooperative, incentive-driven process, then there is absolutely no need for this legislation to affect them at all.

It is already within the power of the government to require land management to ERMP standard. Indeed, I suspect that it is a chronic failure by DERM not to have addressed this issue already under Delbessie.

Perhaps the minister could explain why this failure has occurred.

Perhaps the minister could explain why an ERMP and Delbessie need to operate side by side and how it will be ensured that they are not conflicting requirements and that two lots of costs are not being incurred by these price takers.

Indeed, this regulatory regime unfairly incurs additional costs for this group of operators that are so far not incurred anywhere else. As they are price takers, the government is effectively making the operators less viable. That is not fair when the government cannot attribute any element of the alleged problem to any individual.

The power for the minister under section 93 indicates clearly the haste with which this bill has been drafted. It will give the minister power that more correctly belongs in the parliament.

I am very conscious of the time and the reduced time that we have to debate this issue this afternoon in the parliament. As members would be aware, the shadow minister in this position has 60 minutes in which to address the parliament.

But I am also aware that there are many of my colleagues who live along the coastline of the reef who want to have their say on this particular bill. I will leave my contribution there. I say to the minister and the parliament that the LNP will reserve its right on its final intentions on this bill once we have gone through the amendment process.

I will use the notes that I have here and others that I have prepared as we go through the amendment process.

I ask that we get through this and we come up with what is a good outcome not only for the reef, as I said at the start, but also the primary producers who operate in the three catchments.

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