

# **Rural and Regional Adjustment (Farming in Reef Catchments Rebate Scheme) Amendment Regulation 2019**

Explanatory notes for SL 2019 No. 158

made under the

*Rural and Regional Adjustment Act 1994*

## **General Outline**

### **Short title**

*Rural and Regional Adjustment (Farming in Reef Catchments Rebate Scheme) Amendment Regulation 2019*

### **Authorising law**

Sections 3, 10, 11 and 44 of the *Rural and Regional Adjustment Act 1994*.

### **Policy objectives and the reasons for them**

The policy objective of the subordinate legislation is to enable the Queensland Rural and Industry Development Authority (the Authority) to administer a rebate scheme (the Scheme) to assist eligible primary producers with the cost of obtaining professional advice regarding nutrient and sediment management. The rebate will help support eligible primary producers to meet minimum practice standards for improved water quality in the Great Barrier Reef catchment.

Protecting the Great Barrier Reef is one of the Queensland Government's six priorities under *Our Future State: Advancing Queensland's Priorities*. To support this commitment, the recommendations of the Great Barrier Reef Water Science Taskforce are to be addressed in part by encouraging agricultural activities within the Great Barrier Reef catchment to meet minimum practice standards. Compliance with these standards will assist in managing nutrient and sediment pollutants and contribute to meeting water quality targets for a healthy Reef.

As part of the 2018-19 State Budget, the Queensland Government announced funding of \$10.1 million over three years (starting 2019) targeted at the cane, grazing and banana industries in the Great Barrier Reef catchment

The Scheme will complement requirements proposed in the Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Bill 2019. However, the assistance for farmers to meet the proposed regulated minimum practice

standards will be rolled out independently of these reforms. This is to encourage producers to develop nutrient and phosphorus budgets, nutrient management plans and/or erosion and sediment control measures (e.g. land condition management plans) in the short term.

The rebate scheme has been designed to complement programs which improve water quality outcomes in the Great Barrier Reef catchment. These include, for example, the SmartCane Best Practice Management Practice (BMP) program, and programs to train and accredit advisors, such as the Fertcare Accredited Advisor program.

## **Achievement of policy objectives**

The subordinate legislation achieves the policy objective by establishing the Farming in Reef Catchments Rebate Scheme as an 'approved scheme' under the *Rural and Regional Adjustment Act 1994*. The Authority can only give financial assistance under an approved scheme.

The Scheme will provide rebates of up to \$1000 to eligible primary producers that can demonstrate that they have sought expert advice from an accredited agricultural advisor to meet better practice standards in the Great Barrier Reef catchment. Eligible applicants under the scheme include beef, sugar cane and banana primary producers within the Great Barrier Reef catchment. The regions included in the Great Barrier Reef catchment are the Burdekin, Wet Tropics, Burnett Mary, Mackay/Whitsundays, Fitzroy and Cape York regions as shown on the map titled 'Great Barrier Reef catchment and river basins' which can be obtained from the Department of Environment and Science.

To be eligible to receive a rebate under the Scheme, an applicant must:

- be a primary producer carrying out cattle grazing, cultivation of bananas, or cultivation of sugarcane within the Great Barrier Reef catchment;
- have paid for eligible professional advice, that is still current at the time the application is made;
- have obtained the professional advice from an accredited agricultural advisor who is not related to the applicant or employed by an entity owned or partially owned by the applicant; and
- have not already received a rebate under the Scheme, or from the Commonwealth or State, in relation to improving the water quality of water on land in the eligible area.

The application for assistance must be made in the approved form. It is a condition of the Scheme that the applicant provide the authority with evidence of the costs incurred in obtaining the eligible professional advice through an official receipt and tax invoice.

## **Consistency with policy objectives of authorising law**

The subordinate legislation is consistent with the objectives of the Act.

## **Inconsistency with policy objectives of other legislation**

The subordinate legislation is consistent with the policy objectives of other legislation.

## Alternative ways of achieving policy objectives

An alternative way of achieving the policy objective would be for the provision of the rebate to be handled administratively by the Department of Environment and Science. However, the Authority is a specialist administrator of government financial assistance programs and it is, therefore, more efficient for the Authority to administer the rebate scheme.

The *Rural and Regional Adjustment Act 1994* enables the Authority to give financial assistance to primary producers, small businesses or other elements of the State's economy to benefit the State's economy. The Authority has extensive experience in administering grant, loan and rebate schemes for government and is well placed to administer the Scheme.

## Benefits and costs of implementation

The Scheme will assist eligible primary producers to obtain professional advice about managing nutrient and sediment pollution within the Great Barrier Reef catchment to contribute to achieving water quality improvement targets for the Great Barrier Reef under the Reef 2050 Water Quality Improvement Plan 2017-2022.

The Scheme is supported by funding of \$10.1 million over three years (starting 2019) announced in the 2018-19 State Budget to support the cane, grazing and banana industries in the Great Barrier Reef catchment to improve water quality.

## Consistency with fundamental legislative principles

The subordinate legislation has been drafted with regard to, and is consistent with, the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

## Consultation

The Department of Environment and Science consulted with peak agricultural bodies and conservation groups about the key elements of the proposed rebate scheme in July 2019. These peak bodies represent the different types of individual primary producers who may wish to take advantage of the rebate scheme (i.e. banana producers, cane producers and graziers). Feedback from stakeholders consulted about key elements of the Scheme was generally positive. As this is a voluntary rebate scheme to assist producers, it was not considered necessary to consult individual primary producers who may wish to apply for the rebate.

The Department of Agriculture and Fisheries sought advice from the Office of Best Practice Regulation (OBPR) within the Queensland Productivity Commission. The OBPR advised that the proposal is excluded from further analysis under the *Queensland Guide to Better Regulation* on the basis of category (k) – *regulatory proposals that are designed to reduce the burden of regulation, or that clearly do not add to the burden, and it is reasonably clear there are no significant adverse impacts*.