

Compliance and enforcement strategy: Reef protection regulations

1. Purpose

To ensure industries and businesses in the six Great Barrier Reef regions comply with the regulated Great Barrier Reef protection measures to improve water quality in the Great Barrier Reef catchment.

2. Background

The *Environmental Protection (Great Barrier Reef Protection Measures) and Other Legislation Amendment Act 2019* has introduced new regulatory requirements known broadly as the Reef Protection Measures (or Reef regulations). The new requirements have a phased roll-out over a five-year period from commencement on 1 December 2019 to 1 December 2024. The Reef regulations capture an estimated 12,600 regulated agricultural producers across the Great Barrier Reef catchments. More information about the amendments and implementation dates is available at www.qld.gov.au/ReefRegulations.

There are five (5) key areas of new regulation:

1. Agricultural Environmentally Relevant Activity (ERA) standards
2. Agricultural ERA advisors
3. Prescribed ERA 13A
4. *Recognised Accreditation Programs* and accredited farmers
5. 'No residual impact' requirements for industrial and resource ERAs.

This compliance strategy focuses on the regulatory requirements for the agricultural sector, including agricultural producers, advisers and accreditation programs. The compliance and enforcement approach for industrial and resource ERAs is published separately in the Department of Environment and Science's *Regulatory Strategy and Enforcement Guidelines*.

3. Compliance strategy

This strategy articulates how the Department of Environment and Science (the department) will monitor and respond to environmental obligations under the Reef regulations. The strategy aligns with an approach that includes: inform, enable, detect, and deter, as outlined in Figure 1. Departmental compliance activities will adopt a risk-based approach based on outcomes for Reef water quality improvements.

It is acknowledged that each agricultural commodity has differing motivations, support programs and practices and, therefore, the compliance approach needs to be tailored accordingly. The overarching approach is shown in Figure 2, with a focus on working with industry to clearly communicate the regulatory requirements and provide information and pathways for voluntary compliance. Agricultural producers who either have or are voluntarily making farm practice changes to meet the regulated minimum practice standards will be a low priority for compliance activities, as will producers who are accredited under a recognised accreditation program. Targeted compliance and enforcement activities will focus on producers who do not comply and are not voluntarily making changes to meet the regulated minimum practice standards.

The strategy is based on the principals of natural justice, consideration of aggravating and mitigating factors, and incorporating learnings from behavioural sciences in motivating human behaviour change.



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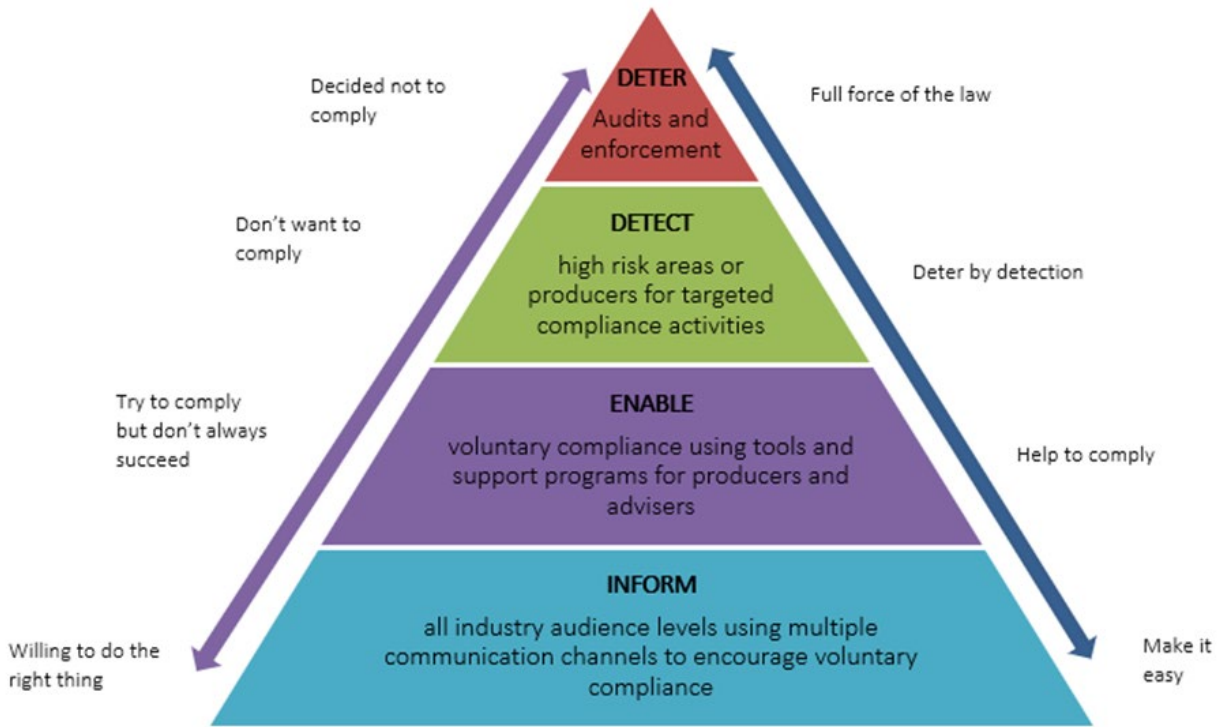


Figure 1 Reef Compliance Program Compliance Strategy

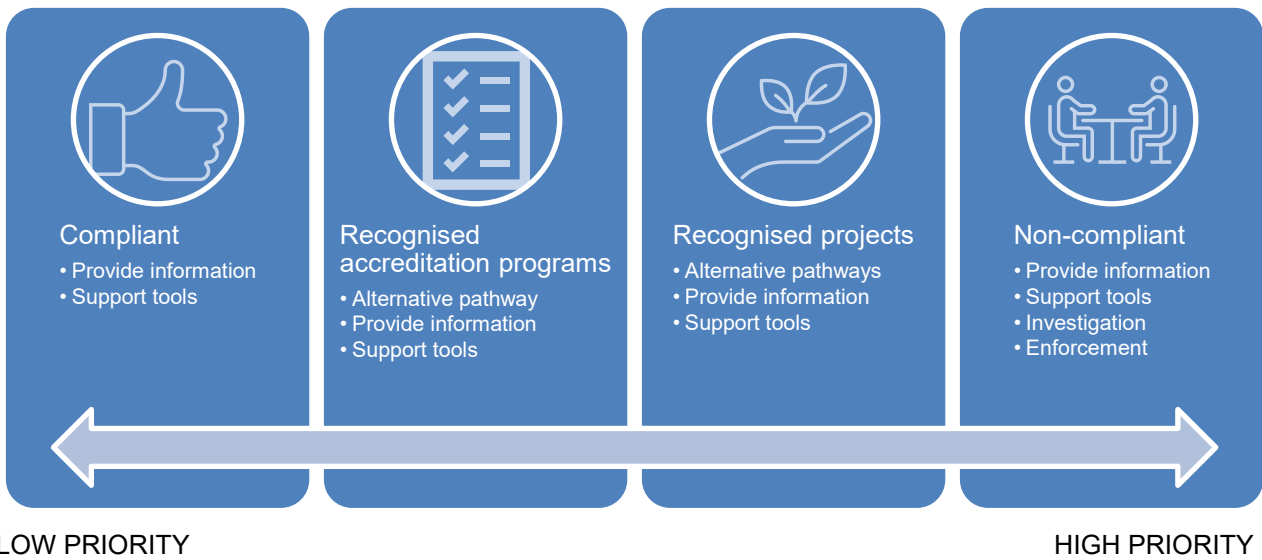


Figure 2 Compliance approach for agricultural producers and priority for compliance inspections.

Inform

The compliance strategy will be supported by a broad and holistic education and engagement approach that encourages change by investing in educating and enabling industry to voluntarily comply. This approach will seek to clearly communicate the regulatory requirements so that agricultural producers and advisers understand what is required of them. This engagement will include extension with a focus on the Reef regulations and will complement other water quality improvement projects and work of other agencies such as the Department of Agriculture and Fisheries as well as industry and catchment management groups.

Enable

The compliance strategy will provide alternative pathways and tools for the agricultural sector to achieve or demonstrate voluntary compliance. Producers who are accredited under an approved *Recognised Accreditation Program* are deemed to have met the regulatory requirements and are the lowest priority for compliance inspections. Producers who are involved in an acknowledged practice change project will be a lower priority for compliance inspections while they are actively involved in the program.

Detect and deter

The use of enforcement will be purposefully directed to motivate compliance across the industry sectors. Inspection effort will focus on higher risk areas or producers, using a range of detection tools.

Engagement with producers will adopt an escalating compliance strategy, with initial engagement at the education end of the compliance spectrum, followed by an enforcement response in accordance with the department's [Enforcement Guidelines](#) where continuing non-compliance is identified. Enforcement is underpinned by significantly increased penalties under the amended Reef regulations.