

6 October 2020

Our ref: WD NDC: MC

Review Team  
Reef 2050 Long-Term Sustainability Plan  
Department of Agriculture, Water and Environment

By email: [REDACTED]

Dear Review Team

**Response to public consultation draft of Reef 2050 Long-Term Sustainability Plan**

Thank you for the opportunity to provide feedback on the Reef 2050 Long-Term Sustainability Plan (the Draft Plan). The Queensland Law Society (QLS) appreciates being consulted on this important issue. Thank you also for the short extension of time to deliver this response.

QLS is the peak professional body for the State's legal practitioners. We represent and promote over 13,000 legal professionals, increase community understanding of the law, help protect the rights of individuals and advise the community about the many benefits solicitors can provide. QLS also assists the public by advising government on improvements to laws affecting Queenslanders and working to improve their access to the law.

In response to the Draft Plan, QLS makes the following comments.

**Traditional Owner engagement and consultation**

QLS welcomes the acknowledgment in the Draft Plan of the continuing connection of Aboriginal and Torres Strait Islander Peoples to the Great Barrier Reef area,<sup>1</sup> the consultation with Traditional Owners to date<sup>2</sup> and the important role that Traditional Owners have in the ongoing protection and management of the reef.<sup>3</sup>

Aboriginal and Torres Strait Islander Peoples have been caring for country since time immemorial, the practices of Australia's Indigenous Peoples have been developed over, and have been ongoing for, 65,000 years. The collective traditional ecological knowledge Aboriginal and Torres Strait Islander Peoples have is unique, specific to geographic locality, and if properly utilised can enhance the ways in which Australia approaches the protection and conservation of our biodiversity and environment. Aboriginal and Torres Strait Islander Peoples must be engaged in matters relating to the protection and preservation of Australia's

<sup>1</sup> Draft Plan at page 4 of pdf file and at page 6

<sup>2</sup> Draft Plan at page ii and page 2

<sup>3</sup> Draft Plan at pages 11 and 20



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unique biodiversity. QLS considers it is essential to continue to engage and consult with the appropriate Aboriginal and Torres Strait Islander peoples and communities, that is, those with authority and knowledge of their land and sea country.

### Impacts of climate change

QLS also welcomes the statements in the Draft Plan that 'Global warming and the climate change it drives is the most serious and pervasive threat to the Reef' and 'the future long-term outlook is critically dependent on limiting global temperature rise'.<sup>4</sup>

This is consistent with the findings of the *Great Barrier Reef Outlook Report 2019* ('*Outlook Report 2019*') that "climate change is escalating and is the most significant threat to the [Great Barrier Reef] Region's long-term outlook."<sup>5</sup> The *Outlook Report 2019* states:

*Documents based on the latest scientific research, such as the revised Reef 2050 Plan and Great Barrier Reef Blueprint for Resilience make it clearer that 'Restricting global temperature increase to 1.5°C or lower is critical to the Reef remaining a functioning ecosystem'.<sup>6</sup>*

Climate change must be a central consideration when further developing the Plan.

In accordance with our commitment to evidence-based policy, QLS recognises the scientific consensus that the climate is changing as a result of human activity. According to the Intergovernmental Panel on Climate Change (IPCC) and the CSIRO, the climate is warming due to the emission of greenhouse gases.

QLS notes the international commitments made by Australia as a signatory to the Paris Agreement. To achieve the aims of the Paris Agreement to limit global warming to 1.5 degrees Celsius, a reduction in emissions is required with a view to achieve net zero emissions by 2050. There is a need for an evidence-based domestic legislative framework that will effectively allow Australia to meet its Paris Agreement commitments.

The Draft Plan is an integral part of implementing the Intergovernmental Agreement between the Commonwealth and the State of Queensland<sup>7</sup> and, together, these documents reflect the commitment of both levels of government to manage and protect the Reef. In this context, the Plan is a critical tool for both State and Federal governments in reducing emissions.

The Draft Plan should be strengthened to include strategic actions and commitments for all levels of Government to limit the impact of climate change, consistent with the commitments made by Australia. Importantly, these actions should reflect the scale and urgency of the threat that has been identified.

QLS recommends that the Draft Plan also incorporate specific actions on climate change, including commitments to:

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<sup>4</sup> Draft Plan at page 1

<sup>5</sup> Great Barrier Reef Marine Park Authority, *Great Barrier Reef Outlook Report 2019*, at page v, accessed 30 September 2020 at <http://www.gbrmpa.gov.au/our-work/outlook-report-2019/> *nocache?utm\_source=Media%20release&utm\_medium=Website&utm\_campaign=Outlook%20Report%202019*

<sup>6</sup> Great Barrier Reef Outlook Report 2019, at page 208.

<sup>7</sup> <https://www.environment.gov.au/marine/gbr/protecting-the-reef/intergovernmental-agreement>

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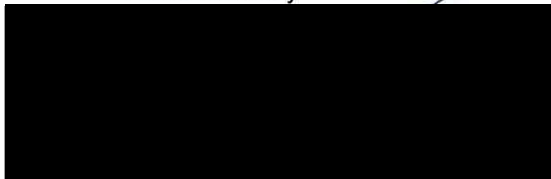
- achieve the aims of the Paris Agreement to limit global warming to 1.5 degrees Celsius, including a reduction in emissions with a view to achieve net zero emissions by 2050; and
- measurable targets, consistent reporting, independent monitoring and proper cooperation and integration between states and territories and the Commonwealth.

It is critical that policy coherence and consistency is maintained across the various levels of government to provide certainty to industry and the community more broadly. QLS also emphasises the need for an evidence-based legislative framework to respond to climate change more broadly, at both the State and Federal levels. The framework must:

- be clear, consistent and comply with the principles of good law
- be industry neutral to the extent possible and be developed with a clear understanding of its benefits and impacts, including the steps that must be taken to mitigate negative impacts on industries and communities
- involve measurable targets, consistent reporting, independent monitoring and proper cooperation and integration between states and territories and the Commonwealth
- provide certainty regarding how activities impacting on Australia's emissions will be assessed and regulated so as to provide industry, regulators and the courts with clear bounds within which to act.

QLS welcomes the opportunity to consult further on this important work. If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via [policy@qls.com.au](mailto:policy@qls.com.au) or by phone on (07) 3842 5930.

Yours faithfully



Luke Murphy  
President