



Queensland

Environmental Protection Act 1994

Environmental Protection (Air) Policy 2008

Current as at 8 July 2016



Queensland

Environmental Protection (Air) Policy 2008

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Environmental Protection (Air) Policy 2008

Part 1 Preliminary

1 Short title

This environmental protection policy may be cited as the *Environmental Protection (Air) Policy 2008*.

2 Commencement

This policy commences on 1 January 2009.

3 Definitions

The dictionary in schedule 2 defines particular words used in this policy.

Part 2 Application and purpose of policy

4 Application of policy

This policy applies to the air environment.

5 Purpose of policy

The purpose of this policy is to achieve the object of the Act in relation to the air environment.

Note—

See section 3 of the Act.

6 How purpose of policy is achieved

The purpose of this policy is achieved by—

- (a) identifying environmental values to be enhanced or protected; and
- (b) stating indicators and air quality objectives for enhancing or protecting the environmental values; and
- (c) providing a framework for making consistent, equitable and informed decisions about the air environment.

Part 3 Environmental values and air quality objectives

7 Environmental values for the air environment

The environmental values to be enhanced or protected under this policy are—

- (a) the qualities of the air environment that are conducive to protecting the health and biodiversity of ecosystems; and
- (b) the qualities of the air environment that are conducive to human health and wellbeing; and
- (c) the qualities of the air environment that are conducive to protecting the aesthetics of the environment, including the appearance of buildings, structures and other property; and
- (d) the qualities of the air environment that are conducive to protecting agricultural use of the environment.

8 Air quality objectives for indicators

- (1) An air quality objective stated in schedule 1, column 3 for an indicator stated in column 1 and for a period stated in column

[s 10]

- (a) firstly—avoid;
Example for paragraph (a)—
using technology that avoids air emissions
- (b) secondly—recycle;
Example for paragraph (b)—
re-using air emissions in another industrial process
- (c) thirdly—minimise;
Example for paragraph (c)—
treating air emissions before disposal
- (d) fourthly—manage.
Example for paragraph (d)—
locating a thing that releases air emissions in a suitable area to
minimise the impact of the air emissions

Part 5 Miscellaneous

10 Repeal

The Environmental Protection (Air) Policy 1997, SL No. 468
is repealed.

Schedule 1 Air quality objectives

section 8

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 |
|--|----------------------|--|---------------------|----------|----------|
| Indicator | Environmental value | Air quality objectives | | Period | Days |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | |
| 1,2-dichloroethane | health and wellbeing | 750 | 0.17 | 24 hours | |
| 1,3-butadiene | health and wellbeing | 2.4 | 0.001 | 1 year | |
| arsenic and compounds (measured as the total metal content in PM_{10}) | health and wellbeing | $6\text{ng}/\text{m}^3$ | | 1 year | |
| benzene | health and wellbeing | 10 | 0.003 | 1 year | |
| benzo(a)pyrene (as a marker for polycyclic aromatic hydrocarbons) | health and wellbeing | $0.3\text{ng}/\text{m}^3$ | | 1 year | |
| cadmium and compounds (measured as the total metal content in PM_{10}) | health and wellbeing | $5\text{ng}/\text{m}^3$ | | 1 year | |

Schedule 1

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 |
|------------------|----------------------------------|--|---------------------|------------|-----------------|
| Indicator | Environmental value | Air quality objectives | | Period | Days |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | |
| carbon disulfide | health and wellbeing | 110 | 0.032 | 24 hours | |
| | protecting aesthetic environment | 21 | 0.0063 | 30 minutes | |
| carbon monoxide | health and wellbeing | 11mg/m ³ | 9 | 8 hours | 1 day each year |
| dichloromethane | health and wellbeing | 3.2mg/m ³ | 0.85 | 24 hours | |
| | | 0.48mg/m ³ | 0.13 | 1 week | |

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 | |
|------------------|--|--|---------------------|------------|------------|--|
| Indicator | Environmental value | Air quality objectives | | Period | Days | |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | | |
| fluoride | health and biodiversity of ecosystems (other than protected areas) | 2.9 | | 24 hours | | |
| | | 0.84 | | 30 days | | |
| | | 0.5 | | 90 days | | |
| | health and biodiversity of ecosystems (for protected areas) | 0.1 | | 90 days | | |
| | protecting agriculture | 1.5 | | 24 hours | | |
| | | 0.4 | | 30 days | | |
| | | 0.25 | | 90 days | | |
| | formaldehyde | health and wellbeing | 54 | 0.04 | 24 hours | |
| | | protecting aesthetic environment | 110 | 0.08 | 30 minutes | |
| hydrogen sulfide | health and wellbeing | 160 | 0.11 | 24 hours | | |
| | protecting aesthetic environment | 7.5 | 0.0049 | 30 minutes | | |

Schedule 1

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 |
|---|---------------------------------------|--|---------------------|----------|-----------------|
| Indicator | Environmental value | Air quality objectives | | Period | Days |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | |
| inorganic mercury vapour | health and wellbeing | 1.1 | | 1 year | |
| lead and compounds (measured as the total metal content in total suspended particles) | health and wellbeing | 0.5 | | 1 year | |
| manganese and compounds (measured as the total metal content in PM_{10}) | health and wellbeing | 0.16 | | 1 year | |
| nickel and compounds (measured as the total metal content in PM_{10}) | health and wellbeing | $20\text{ng}/\text{m}^3$ | | 1 year | |
| nitrogen dioxide | health and wellbeing | 250 | 0.12 | 1 hr | 1 day each year |
| | | 62 | 0.03 | 1 year | |
| | health and biodiversity of ecosystems | 33 | 0.016 | 1 year | |

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 |
|---|---|---|---------------------|-----------|-----------------|
| Indicator | Environmental value | Air quality objectives | | Period | Days |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | |
| ozone | health and wellbeing | 210 | 0.10 | 1 hr | 1 day each year |
| | | 160 | 0.08 | 4 hours | 1 day each year |
| ozone (measured as accumulated exposure over a threshold of 40 ppb during daylight hours) | protecting agriculture | | 0.2 ppm-hr | 5 days | |
| | | | 3 ppm-hr | 3 months | |
| | health and biodiversity of ecosystems (for semi-natural vegetation) | | 3 ppm-hr | 3 months | |
| | | health and biodiversity of ecosystems (for natural or uncultivated areas) | | 10 ppm-hr | 6 months |
| PM _{2.5} | health and wellbeing | 25 | | 24 hours | |
| | | 8 | | 1 year | |

Schedule 1

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 |
|------------------|--|--|---------------------|------------|------------------|
| Indicator | Environmental value | Air quality objectives | | Period | Days |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | |
| PM ₁₀ | health and wellbeing | 50 | | 24 hours | 5 days each year |
| styrene | health and wellbeing | 280 | 0.06 | 1 week | |
| | protecting aesthetic environment | 75 | 0.016 | 30 minutes | |
| sulfate | health and wellbeing | 27 | | 24 hours | |
| sulfur dioxide | health and wellbeing | 570 | 0.2 | 1 hr | 1 day each year |
| | | 230 | 0.08 | 1 day | 1 day each year |
| | | 57 | 0.02 | 1 year | |
| | protecting agriculture | 32 | 0.011 | 1 year | |
| | health and biodiversity of ecosystems (for forests and natural vegetation) | 22 | 0.0075 | 1 year | |

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 |
|---|----------------------------------|--|---------------------|------------|----------|
| Indicator | Environmental value | Air quality objectives | | Period | Days |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | |
| tetrachloroethylene | health and wellbeing | 0.27mg/m ³ | 0.036 | 1 year | |
| | protecting aesthetic environment | 8.6mg/m ³ | 1.16 | 30 minutes | |
| toluene | health and wellbeing | 4.1mg/m ³ | 1 | 24 hours | |
| | | 410 | 0.1 | 1 year | |
| | protecting aesthetic environment | 1.1mg/m ³ | 0.26 | 30 minutes | |
| total suspended particles | health and wellbeing | 90 | | 1 year | |
| vanadium and compounds (measured as the total metal content in PM ₁₀) | health and wellbeing | 1.1 | | 24 hours | |
| vinyl chloride monomer | health and wellbeing | 28 | 0.010 | 24 hours | |
| visibility reducing particles | protecting aesthetic environment | 20km visibility in the air environment | | 1 hr | |

Schedule 1

| Column 1 | Column 2 | Column 3 | | Column 4 | Column 5 |
|--|----------------------|--|---------------------|----------|----------|
| Indicator | Environmental value | Air quality objectives | | Period | Days |
| | | $\mu\text{g}/\text{m}^3$ at 0 degrees C (except where noted) | ppm (volume/volume) | | |
| xylenes (as a total of ortho, meta and para isomers) | health and wellbeing | 1.2mg/m ³ | 0.25 | 24 hours | |
| | | 950 | 0.2 | 1 year | |

Schedule 2 Dictionary

section 3

air emission means a substance released into the air.

air environment means the part of the environment of an area or place characterised by the air emissions that may be experienced there.

air quality objective, for an area or place, means—

- (a) for an air quality objective for an indicator that is the amount of the visibility in the air environment—the minimum amount of visibility that should be in the air environment of the area or place despite the presence of the indicator; or
- (b) otherwise—the maximum level that an indicator should be in the air environment of the area or place.

dwelling means a part of a building used or capable of being used as a residence.

equivalent aerodynamic diameter, in relation to a particle (a ***measured particle***), means a length equivalent to the diameter of a spherical particle with a density of 1g/cm³ that has the same settling velocity as the measured particle.

health and biodiversity of ecosystems means the environmental value mentioned in section 7(a).

health and wellbeing means the environmental value mentioned in section 7(b).

indicator means a contaminant that may be present in the air environment.

PM_{2.5} means particles in the air environment with an equivalent aerodynamic diameter of not more than 2.5 microns.

PM₁₀ means particles in the air environment with an equivalent aerodynamic diameter of not more than 10 microns.

ppb means parts for each billion.

ppm means parts for each million.

ppm-hr, for an indicator, means the average concentration of the indicator measured in parts for each million, multiplied by the length of time in hours to which the average applies.

protected area see the *Nature Conservation Act 1992*, section 14.

protecting agriculture means the environmental value mentioned in section 7(d).

protecting aesthetic environment means the environmental value mentioned in section 7(c).

total suspended particles means particles in the air environment with an equivalent aerodynamic diameter of not more than 50 microns.

1 Index to endnotes

- 2 Key
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2 Key

Key to abbreviations in list of legislation and annotations

| Key | Explanation | Key | Explanation |
|-------------|---------------------------------------|---------------|----------------------------|
| AIA | = Acts Interpretation Act 1954 | (prev) | = previously |
| amd | = amended | proc | = proclamation |
| amd | = amendment | prov | = provision |
| t | | | |
| ch | = chapter | pt | = part |
| def | = definition | pubd | = published |
| div | = division | R[X] | = Reprint No. [X] |
| exp | = expires/expired | RA | = Reprints Act 1992 |
| gaz | = gazette | reloc | = relocated |
| hdg | = heading | renu | = renumbered |
| | | m | |
| ins | = inserted | rep | = repealed |
| lap | = lapsed | (retro | = retrospectively |
| | |) | |
| notf | = notified | rv | = revised version |
| d | | | |
| num | = numbered | s | = section |

| Key | Explanation | Key | Explanation |
|---------------|---------------------------|--------------|--|
| o in c | = order in council | sch | = schedule |
| om | = omitted | sdiv | = subdivision |
| orig | = original | SIA | = Statutory Instruments Act 1992 |
| p | = page | SIR | = Statutory Instruments Regulation 2012 |
| para | = paragraph | SL | = subordinate legislation |
| prec | = preceding | sub | = substituted |
| pres | = present | unnum | = unnumbered |
| prev | = previous | m | |

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

| Reprint No. | Amendments included | Effective | Notes |
|--------------------|----------------------------|------------------|-------------------------------|
| 1 rv | none | 1 January 2009 | Revision notice issued for R1 |

| Reprint No. | Amendments included | Effective | Notes |
|-------------|---------------------|-----------------|-------|
| 1A | 2011 Act No. 18 | 1 January 2012 | |
| 1B | 2012 SL No. 196 | 9 November 2012 | |

| Current as at | Amendments included | Notes |
|---------------|---------------------|-------|
| 8 July 2016 | 2016 SL No. 116 | |

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Environmental Protection (Air) Policy 2008 SL No. 441

made by the Minister for Sustainability, Climate Change and Innovation on 26 November 2008

notfd gaz 12 December 2008 pp 2044–53

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2009 (see s 2)

[exp 1 September 2019](#) (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) An explanatory note was prepared.
amending legislation—

Work Health and Safety Act 2011 No. 18 ss 1–2, 404 sch 4 pt 1

date of assent 6 June 2011

ss 1–2 commenced on date of assent

remaining provisions commenced 1 January 2012 (2011 SL No. 238)

Environmental Protection and Other Legislation Amendment Regulation (No. 1) 2012 SL No. 196 pts 1–2

notfd gaz 9 November 2012 pp 319–20

commenced on date of notification

Environmental Protection Legislation Amendment Regulation (No. 1) 2016 SL No. 116 pts 1, 3

notfd <www.legislation.qld.gov.au> 8 July 2016
commenced on date of notification

5 List of annotations

Air quality objectives for indicators

s 8 amd 2011 Act No. 18 s 404 sch 4 pt 1

SCHEDULE 1—AIR QUALITY OBJECTIVES

amd 2012 SL No. 196 s 3; 2016 SL No. 116 s 12

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