Queensland

Environmental Protection Act 1994

Environmental Protection (Water) Policy 1997

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Information about this reprint

This policy is reprinted as at 23 November 2007. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Queensland

Environmental Protection (Water) Policy 1997

Contents

Environmental Protection (Water) Policy 1997

[as amended by all amendments that commenced on or before 23 November 2007]

Part 1 Preliminary

1 Short title

This policy may be cited as the *Environmental Protection (Water) Policy 1997*.

2 Commencement

Section 32[1] commences on 1 January 1998.

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 all Queensland waters.

1 Section 32 (Prohibition on build-up of sediment)

5 Purpose of policy

The purpose of this policy is to achieve the object of the Act in relation to Queensland waters.[2]

6 How purpose of policy is to be achieved

The purpose of this policy is to be achieved by providing a framework for—

(a) identifying environmental values for Queensland waters; and

(b) deciding and stating water quality guidelines and objectives to enhance or protect the environmental values; and

(c) making consistent and equitable decisions about Queensland waters that promote efficient use of resources and best practice environmental management; and

(d) involving the community through consultation and education, and promoting community responsibility.

Part 3 Basic concepts

7 Environmental values to be enhanced or protected

(1) The ***environmental values*** of waters to be enhanced or protected under this policy are—

(a) for a water in schedule 1, column 1—the environmental values stated in the document opposite the water in schedule 1, column 2; or

(b) for another water—the qualities in subsection (2).

2 Under section 3 of the Act, the object of the Act is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends ***(ecologically sustainable development***).

(2) The qualities are—

(a) if the water—

(i) is a pristine water—biological integrity of a pristine aquatic ecosystem; or

(ii) is not a pristine water—biological integrity of a modified aquatic ecosystem; and

(b) suitability for recreational use; and

(c) suitability for minimal treatment before supply as drinking water;[3] and

(d) suitability for agricultural use; and

(e) suitability for industrial use.

(3) However, if a natural property of the water precludes enhancement or protection of a particular environmental value, subsection (1)(b) does not apply to the value.

(4) For subsection (1)(a), a document is taken to state environmental values for a water if it states 1 or more values (however described) that are equivalent to a quality or qualities in subsection (2).

8 Indicators for environmental values

(1) An ***indicator*** for an environmental value is a property that is able to be measured or decided in a quantitative way.

Examples—

The concentration of chromium, pH value and Secchi disc clarity are commonly used indicators.

(2) The following documents are used to decide the indicators for an environmental value for a water—

(a) site specific documents;

3 For drinking water guidelines that apply to water after it has been treated or is to be used for drinking—see the guidelines produced by the Department of Health or the Australian Drinking Water Guidelines published jointly by the National Health and Medical Research Council, ANZECC and ARMCANZ.

(b) the AWQ guidelines;

(c) documents published by a recognised entity.

9 Water quality guidelines for indicators for environmental values

(1) ***Water quality guidelines*** are numerical concentration levels or statements for indicators that protect a stated environmental value.

(2) The following documents are used to decide the water quality guidelines for an environmental value for a water—

(a) site specific documents;

(b) the AWQ guidelines;

(c) documents published by a recognised entity.

(3) To the extent of any inconsistency between the documents for a particular water quality guideline, the documents are to be used in the order in which they are listed in subsection (2).

10 Protocols

(1) A ***protocol*** is a procedure to be followed in—

(a) making tests and measurements; or

(b) taking samples; or

(c) preserving and storing samples; or

(d) performing analyses on samples; or

(e) performing statistical analyses of the results of sample analyses and interpreting the results.

(2) For this policy, the following documents are used to decide protocols—

(a) the Water Quality Sampling Manual, 2nd edition, February 1995 published by the department;[4]

(b) the AWQ guidelines;

4 A copy of the manual may be purchased at the department's central office at 160 Ann Street, Brisbane.

(c) Australian Standards;

(d) documents published by a recognised entity.

(3) To the extent of any inconsistency between the documents, the documents are to be used in the order in which they are listed in subsection (2).

Part 4 Management goals for waters

11 Water quality objectives

(1) The water quality objectives for a water in schedule 1, column 1 are—

(a) the objectives stated in the document opposite the water in schedule 1, column 2; or

(b) if water quality objectives for the water are not stated in the document—the set of water quality guidelines which will protect all environmental values stated in the document.

(2) The water quality objectives for a water that is not in schedule 1 are the set of water quality guidelines for all indicators that will protect all environmental values for the water.

(3) However, water quality objectives do not apply to—

(a) water in swimming pools; and

(b) drinking water in a domestic water supply system, including, for example, water in a local government or privately owned water supply system; and

(c) waste water in a storage including, for example, a sewage lagoon, mine tailings dam, irrigation tailwater dam and piggery or dairy waste water pond; and

(d) water in a pond used for aquaculture; and

(e) water within an initial mixing zone or attenuation zone.

12 Identifying environmental values etc. for waters

(1) The chief executive may develop a plan to decide priorities for identifying environmental values and water quality objectives for waters not mentioned in schedule 1.

(2) In deciding the priority in which waters will be assessed, the chief executive must consider—

(a) the views of the chief executive (water resources) and chief executive (fisheries); and

(b) the views of the community; and

(c) the demonstrated, or potential, adverse environmental impacts on waters from industrial or urban development or agriculture.

(3) The chief executive, in cooperation with the chief executive (water resources) and chief executive (fisheries), may decide the following for a water—

(a) the environmental values to be protected in the water;

(b) the water quality objectives for the water;

(c) ways to improve the quality of the water.

(4) The chief executive may decide the matters in subsection (3) for a particular water only if—

(a) there has been appropriate consultation with the community; and

(b) there has been consideration of the economic and social impacts of protecting environmental values in the water.

(5) In addition, the chief executive may decide water quality objectives for a water that provide a lower level of protection of the environmental values for the water than the water quality guidelines mentioned in section 11(2)[5] only if—

(a) the adoption of the water quality guidelines would involve economic or social impacts that are unacceptable to the community; and

(b) the water quality objectives are an improvement on existing water quality.

5 Section 11 (Water quality objectives)

(6) After deciding the matters in subsection (3) for a particular water, the chief executive may develop a document about the matters for the water for inclusion in schedule 1.

13 When environmental values are protected

For this policy, the environmental values for a water are protected if the measures for all indicators do not exceed the water quality guidelines stated for the indicators.

Part 5 Management of activities

Division 1 Preliminary

14 How administering authority may require certain action

If, under this part, an administering authority is authorised to require a relevant person to take certain action, the administering authority may require the person to take the action by—

(a) for an environmental management decision about an environmental authority—imposing a condition on the authority; or

(b) for an environmental management decision about a development approval—imposing a development condition on the approval; or

(c) for an environmental management decision about an environmental management program—imposing a condition on the approval of the program; or

(d) for an environmental management decision about an environmental protection order—including the requirement in the order.

Division 2 Waste management evaluation

15 Waste management evaluation procedure

(1) This section applies if an administering authority is making an environmental management decision about an activity that may affect a water.

(2) The administering authority must consider using the following waste management evaluation procedure—

(a) step 1—evaluate waste prevention options and require the relevant person to implement appropriate waste prevention;

(b) step 2—if waste prevention does not, or is not likely to, eliminate all waste water, evaluate waste water treatment and waste water recycling options and require the relevant person to implement appropriate treatment and recycling;

(c) step 3—if waste water treatment and waste water recycling does not, or is not likely to, eliminate all waste water, evaluate waste water treatment and waste water disposal options of release on land, release to sewer and release to a surface water and require the relevant person to implement appropriate treatment and disposal;

(d) step 4—if waste water treatment and waste water disposal does not, or is not likely to, eliminate all waste water, evaluate waste water treatment and waste water disposal to ground water and require the relevant person to implement appropriate treatment and disposal.

Division 3 Environmental management decisions

16 Waste water recycling

(1) This section applies if an administering authority is making an environmental management decision about an activity involving waste water recycling.

(2) The administering authority must consider—

(a) the water quality objectives for waters affected by the recycling; and

(b) the maintenance of acceptable health risks.

17 Waste water releases on land

(1) This section applies if an administering authority is making an environmental management decision about an activity involving the release of waste water on land.

(2) The administering authority must consider the following—

(a) the existing quality of waters that may be affected by the release and the water quality objectives for the waters;

(b) available land and wet weather storage;

(c) the cumulative effect of the release concerned and any other releases of contaminants to waters that could be affected by the release known to the administering authority;

(d) the need to protect soil and plants from damage;

(e) the maintenance of acceptable health risks;

(f) any applicable code of practice approved under section 548 of the Act.

(3) To protect an environmental value, the administering authority may require the relevant person to release the waste water to an artificial wetland for the removal of nutrients from the water.

18 Waste water releases to surface water

(1) This section applies if an administering authority is making an environmental management decision about an activity involving the release of waste water (other than contaminated stormwater) to a surface water.

(2) The administering authority must consider the following—

(a) whether the size of the initial mixing zone will adversely affect an environmental value, especially biological integrity and suitability for recreational use;

(b) whether concentrations of contaminants in the initial mixing zone are acutely toxic to the biota;

(c) the existing quality of the surface water;

(d) the cumulative effect of the release concerned and any other releases of contaminants to the surface water known to the administering authority;

(e) future releases to the surface water known to the administering authority;

(f) the water quality objectives for waters outside the initial mixing zone.

(3) The administering authority may require the relevant person to submerge an outfall to the surface water if it will help to—

(a) protect the visual recreational use of the water; or

(b) better achieve the water quality objectives for the water.

(4) To protect an environmental value, the administering authority may—

(a) require the relevant person to meet a minimum initial dilution level under stated tidal or flow conditions by—

(i) increasing the depth of submergence of an outfall; or

(ii) using diffusers; or

(b) apply a limit to the size of the initial mixing zone; or

(c) require the relevant person to use an alternative outfall location; or

(d) require the relevant person to release waste water—

(i) if the release is into coastal waters—only during stated parts of the tide; or

(ii) if the release is into non-coastal waters—only above stated freshwater flows.

19 Stormwater management

(1) This section applies if an administering authority is making an environmental management decision about an activity involving, or likely to involve, the release of contaminated

stormwater to a roadside gutter, a stormwater drain or a surface water.

(2) The administering authority must decide whether the management of stormwater releases from the activity is adequate to prevent or minimise environmental harm in waters affected by the release.

(3) In making its decision, the administering authority must consider the following—

(a) the existing quality of a water that may be affected by the release and the water quality objectives for the water;

(b) the cumulative effect of the release in question and any other releases of contaminants to the water known to the administering authority;

(c) the technology, management and nature of processes being, or to be, used in carrying out the activity;

(d) any relevant urban stormwater quality management plan prepared under section 42;[6]

(e) the topography of the locality and local climatic conditions;

(f) if the activity involves exposing or disturbing soil—the soil type, its characteristics and the way it is managed.

(4) If the administering authority decides the management of stormwater releases from the activity is not likely to be adequate to prevent or minimise environmental harm, the administering authority may require the relevant person—

(a) to implement waste prevention measures, including, for example—

(i) diverting upstream stormwater run off away from contaminated areas; and

(ii) minimising the size of contaminated areas; and

(iii) covering, paving or roofing contaminated areas; and

6 Section 42 (Urban stormwater quality management)

(iv) cleaning contaminated areas without using water; or

(b) to install control or treatment measures, including, for example, artificial wetlands, buffers that improve waste water quality, bunding, first flush stormwater diversion systems, oil separators and silt and rubbish traps; or

(c) if the activity involves exposing or disturbing soil—

(i) to implement waste prevention measures, including, for example, minimising the amount of soil being exposed or disturbed by staging works associated with the activity and revegetating or mulching exposed or disturbed areas as quickly as possible; or

(ii) to install control or treatment measures including, for example, buffers that improve waste water quality, silt fences and settling basins.

20 Direct waste water release to ground waters

(1) This section applies if an administering authority is making an environmental management decision about an activity involving the direct release of waste water to ground water.

Example of direct release of waste water to ground water—

The release of waste water to an aquifer or other ground water by way of a well, deep-well injection or bore would be a direct release of waste water to ground water.

(2) The administering authority must consider the following—

(a) whether the size of the attenuation zone will adversely affect an environmental value, especially in the draw-down zones of any bores used to obtain water for irrigation, stock or supply for drinking;

(b) the existing quality of the ground water;

(c) the cumulative effect of the release concerned and any other releases to the ground water known to the administering authority;

(d) the water quality objectives for waters outside the attenuation zone.

(3) The administering authority may decide to authorise the release of waste water to a ground water that results in the water quality objectives for waters outside the attenuation zone not being met only if—

(a) the release is to a confined aquifer; and

(b) the existing quality of the ground water is extremely poor; and

(c) the ground water is a long way from the surface; and

(d) there is no foreseeable environmental value for, or commercial use of, the ground water; and

(e) there is no likely ecological link with another water.

(4) To protect an environmental value, the administering authority may require a limit to the size of the attenuation zone.

21 Incidental waste water release to ground waters

(1) This section applies if an administering authority is making an environmental management decision about an activity involving, or likely to involve, the incidental release of waste water to ground water.

(2) The administering authority must consider the following—

(a) the existing quality of, and the water quality objectives for, the ground water or a surface water likely to be affected by the release;

(b) the cumulative effect of the release concerned and any other releases of waste water to the ground water known to the administering authority;

(c) requiring the relevant person to minimise or prevent infiltration of waste water to the ground water.

22 Construction of artificial wetlands for waste water treatment

(1) This section applies if an administering authority is making an environmental management decision about an activity

involving the construction of an artificial wetland for waste water treatment in a natural wetland.

(2) The administering authority must decide whether the existing ecological values, or the ecological values likely to exist after rehabilitation, of the natural wetland are so significant that the artificial wetland should not be constructed in the natural wetland.

(3) In making its decision, the administering authority must consider the following—

(a) whether the natural wetland is of local, regional or national importance using wetlands criteria given in the ANCA Directory;

(b) whether the natural wetland no longer functions as a wetland because its ecological values have been degraded as evidenced by—

(i) the substantial loss of invertebrates from the benthic region; or

(ii) the substantial invasion by exotic plants so that native plants can no longer compete; or

(iii) the wetland is no longer fulfilling ecological functions including, for example, providing breeding, feeding or roosting sites for resident or migratory aquatic biota and birds;

(c) whether the degradation could be reversed by cost-effective remedial or rehabilitation measures;

(d) potential improvements to downstream water quality through building the artificial wetland;

(e) whether there is an alternative site for construction of the artificial wetland.

23 Use of natural biological controls in treatment of waste water

(1) This section applies if an administering authority is making an environmental management decision about an activity involving the use of natural biological controls in the treatment of waste water.

(2) The administering authority must consider—

(a) any safety information available about the controls and the recommended dose levels for the controls; and

(b) the likely persistence and effect of the controls on the environment; and

(c) whether there are any potential pathogens in the controls.

24 Acid sulphate soils

(1) This section applies if an administering authority is making an environmental management decision about an activity involving the exposure or disturbance of acid sulphate soils or the lowering of a watertable associated with acid sulphate soils.

(2) The administering authority must consider requiring the relevant person to implement appropriate management actions, including, for example, the following—

(a) avoiding or minimising the disturbance of the soils;

(b) neutralising the soils;

(c) managing watertable fluctuations, freshwater flows and tidal water levels to ensure the maintenance of adequate water cover over the soils;

(d) burying neutralised soils on the site under clean fill;

(e) burying soils under permanent water or a permanent watertable so the soils are not exposed to oxygen;

(f) treating or disposing of leachate and run off in an appropriate way.

25 Waste reception facilities for ships

(1) This section applies if an administering authority is making an environmental management decision about an activity involving a place for the mooring, docking or berthing of ships.

(2) The administering authority must consider requiring the relevant person to provide waste reception facilities.

(3) In making its decision, the administering authority must consider the following—

(a) waste reception facilities should be required only for wastes that usually need to be released from ships using the place;

(b) the type of waste reception facilities required depends on the activities for which the place is used and may include, for example—

(i) sewage pump-out stations or other fixed onshore facilities; and

(ii) vacuum tankers for collection of oil or sewage or other mobile onshore facilities; and

(iii) an adequate number of easily accessible onshore rubbish bins and toilets; and

(iv) mobile barges for oil, sewage and rubbish collection; and

(v) quarantine facilities;

(c) larger ships may be able to keep wastes on-board and treat or dispose of the wastes at reception facilities at their home port or elsewhere;

(d) any relevant quarantine laws about the reception from overseas ships of waste particularly animal waste, drainage from sick bays or medical facilities, galley scraps, medical wastes and organic refuse;

(e) any relevant obligations under MARPOL 73/78 in relation to annexes I, II and V.

Division 4 Monitoring

26 Monitoring particular releases

(1) This section applies if an administering authority is making an environmental management decision about an activity involving the release of waste water on land or to a water.

(2) The administering authority must consider requiring the relevant person to monitor the waste water releases.

(3) In making its decision, the administering authority must consider the following—

(a) whether monitoring is needed—

(i) to decide if any of the following is being complied with—

(A) a development condition of a development approval;

(B) a condition of an environmental authority or environmental management program;

(C) an environmental protection order; or

(ii) to decide if a system to prevent contamination of land or waters by waste water is required or an existing system is functioning properly; or

(iii) because of the risk, and likely consequences, of the system failing;

(b) the variability of waste water released from the activity;

(c) the protocols for monitoring the releases;

(d) requiring the relevant person to use continuous monitoring equipment where it is reasonable and practicable.

(4) If the administering authority requires the relevant person to carry out monitoring, the administering authority must consider the following factors in deciding the frequency of the monitoring and the indicators to be monitored—

(a) the type of activity to be carried out;

(b) the risk of harm to environmental values involved in carrying out the activity;

(c) the frequency of monitoring needed—

(i) to decide if a condition of an environmental authority or environmental management program or an environmental protection order is being complied with; or

(ii) to decide if a system to prevent contamination of land or waters by waste water is functioning properly; or

(iii) because of the risk and potential consequences of the system failing; or

(iv) to ascertain the variability of waste water released from the activity;

(d) any factors specific to the site where the activity is, or will be, carried out.

27 Impact monitoring

(1) This section applies if an administering authority is making an environmental management decision about an activity involving the release, or potential release, of waste water on land or to a water.

(2) The administering authority must consider requiring the relevant person to carry out impact monitoring of the effect of the waste water releases.

(3) In making its decision, the administering authority must—

(a) consider the protocols for monitoring the land or water to which the waste water is released; and

(b) take into account impact monitoring is generally only required—

(i) for large or hazardous activities with potential for causing significant environmental harm; or

(ii) to measure the size of the initial mixing zone or attenuation zone from a large or complicated release; or

(iii) to verify the conclusions of an environmental impact assessment, study or report; or

(iv) to decide future disposal strategies; or

(v) if there is concern over levels of a particular contaminant in a water and there are known activities that release that contaminant to the water.

(4) If the administering authority requires the relevant person to carry out impact monitoring, an administering authority must

consider the following factors in deciding the frequency of the monitoring and the indicators to be monitored—

(a) the type of activity to be carried out;

(b) the risk of harm to environmental values involved in carrying out the activity;

(c) the water quality objectives for a water affected by the activity;

(d) any factors specific to the site where the activity is, or will be, carried out.

Part 6 Management of certain sources of contamination

28 Release of certain substances from ships into non-coastal waters

(1) A person must not release from a ship into non-coastal waters—

(a) oil; or

(b) a noxious liquid substance; or

(c) a harmful substance.

Maximum penalty—40 penalty units.

(2) However, a person does not commit an offence against subsection (1) if the release was authorised under an emergency direction.

(3) If a person is charged with an offence against subsection (1), it is a defence to the charge for the person to prove—

(a) the release was necessary to secure the safety of the ship or to save someone's life; or

(b) the release resulted from damage, other than wilful damage, to the ship or its equipment and all reasonable precautions were taken after the damage happened or

the release was discovered to prevent or minimise the release.

29 Release of sewage from ships into non-coastal waters

(1) A person must not release sewage into non-coastal waters from a ship that has a sewage holding tank or is required by law to be fitted with a sewage holding tank.

Maximum penalty—40 penalty units.

(2) A person must not release sewage from a ship into non-coastal waters at a place for mooring, docking or berthing ships.

Maximum penalty—20 penalty units.

(3) If a person is charged with an offence against subsection (1) or (2), it is a defence to the charge for the person to prove—

(a) the release happened because of damage to the ship or its equipment; and

(b) all reasonable precautions were taken before and after the damage happened to prevent or minimise the escape of the sewage.

30 Disposal of rubbish from ships into non-coastal waters

(1) A person must not dispose of rubbish from a ship into non-coastal waters.

Maximum penalty—20 penalty units.

(2) If a person is charged with an offence against subsection (1), it is a defence to the charge for the person to prove—

(a) the disposal was made to secure the safety of the ship and persons on board the ship or to save someone's life; or

(b) the disposal resulted from damage to the ship or its equipment and all reasonable precautions were taken before and after the damage happened to prevent or minimise the disposal; or

(c) if the rubbish is synthetic fishing net or synthetic material used in the repair of a synthetic fishing net—

(i) the disposal was the accidental loss of the net or material; and

(ii) all reasonable precautions were taken to prevent the loss; and

(iii) all reasonable attempts were made to recover the net or material.

31 Prohibition on deposit or release of certain things

(1) This section applies to the following things—

(a) rubbish;

(b) scrap metal, motor vehicle parts, motor vehicle bodies or tyres;

(c) building waste;

(d) sawdust;

(e) solid or liquid waste from an on-site domestic waste water treatment system;

(f) cement or concrete;

(g) a degreasing agent, paint, varnish or paint thinner;

(h) any manufactured product, or any by-product or waste from a manufacturing process, that has a pH less than 6 or greater than 9;

(i) an insecticide, herbicide, fungicide or other biocide;

(j) oil.

(2) A person must not deposit or release a thing to which this section applies—

(a) into a roadside gutter, stormwater drain or a water; or

(b) in a place where it could reasonably be expected to move or be washed into a roadside gutter, stormwater drain or a water.

Maximum penalty—

(a) for a thing mentioned in subsection (1)(a) to (d)—20 penalty units; or

(b) for a thing mentioned in subsection (1)(e) to (j)—40 penalty units.

(3) However, a person does not commit an offence against subsection (2) if the deposit or release was authorised under any of the following—

(a) a development condition of a development approval;

(b) an environmental authority;

(c) a standard environmental condition of a code of environmental compliance for a chapter 4 activity;

(d) an environmental management program;

(e) an environmental protection order;

(f) an emergency direction.

(4) If a person is charged with an offence against subsection (2), it is a defence to the charge for the person to prove—

(a) the deposit or release happened while carrying out a lawful activity; and

(b) the person complied with the general environmental duty either by complying with the relevant code of practice (if any) or in some other way.

32 Prohibition on build-up of sediment

(1) A person must not—

(a) release stormwater run off into a roadside gutter, stormwater drain or a water that results in the build-up of sand, soil, silt or mud in the gutter, drain or water; or

(b) deposit sand, soil, silt or mud—

(i) in a roadside gutter, stormwater drain or a water; or

(ii) in a place where it could reasonably be expected to move or be washed into a roadside gutter, stormwater drain or water and result in a build-up of sand, soil, silt or mud in the gutter, drain or water.

Maximum penalty—20 penalty units.

(2) However, a person does not commit an offence against subsection (1) if the release or deposit was authorised under any of the following—

(a) a development condition of a development approval;

(b) an environmental authority;

(c) a standard environmental condition of a code of environmental compliance for a chapter 4 activity;

(d) an environmental management program;

(e) an environmental protection order;

(f) an emergency direction.

(3) If a person is charged with an offence against subsection (1), it is a defence to the charge for the person to prove—

(a) the release or deposit happened while carrying out a lawful activity; and

(b) the person complied with the general environmental duty either by complying with the relevant code of practice (if any) or in some other way.

33 On-site domestic waste water treatment systems

(1) This section applies if—

(a) a local government is preparing or amending a planning scheme or considering a rezoning or development application; and

(b) under the scheme or application on-site domestic waste water treatment systems are proposed to be used in a locality.

(2) The local government must consider the following—

(a) the number of existing on-site domestic waste water treatment systems in the locality;

(b) the cumulative effect of the proposed and existing systems in the locality on water quality objectives for waters in the locality;

(c) the sizes of the lots and the soil types, land slopes, hydrology and hydrogeology in the locality;

(d) the proximity of the systems to surface waters and ground waters in the locality;

(e) the rainfall and other climatic conditions of the locality;

(f) the existing quality of waters in the locality and the water quality objectives for the waters;

(g) any relevant ground water protection plan prepared under section 45.[7]

Part 7 Environmental plans

Division 1 Preliminary

34 Priorities and timetable for environmental plans

(1) If a local government is required to develop more than 1 environmental plan about a matter under this part, it must—

(a) prioritise the plans to be developed and implemented about the matter; and

(b) determine a timetable for developing and implementing the plans.

(2) The chief executive (water resources) must, for a matter for which the chief executive is required to develop environmental plans under this part—

(a) prioritise the plans to be developed and implemented about the matter; and

(b) determine a timetable for developing and implementing the plans.

7 Section 45 (Protection of ground waters)

35 Purpose of policy to be considered

In developing and implementing the environmental plans, the local government or chief executive (water resources) must consider the purpose of this policy and how the purpose is to be achieved.[8]

36 Time for development and implementation of environmental plans

Within 5 years after the commencement of this policy, the local government or chief executive (water resources) must develop and start implementing at least 1 environmental plan for each matter.

37 Review of environmental plans

The local government or chief executive (water resources) must regularly review—

(a) the priorities and timetable for the development and implementation of environmental plans; and

(b) after a plan has been developed and implemented—the performance of the plan, including its economic and social impacts.

38 Compliance with part

A local government may achieve compliance with this part by implementing a plan prepared by it that substantially complies with this policy, even though the plan was not originally prepared for this policy.

39 Reporting

(1) A local government that is required to develop and implement environmental plans must give the chief executive—

8 Sections 5 (Purpose of policy) and 6 (How purpose of policy is to be achieved)

(a) a report on the development and implementation of plans within 3 years after the commencement of this policy; and

(b) after the local government has started implementing an environmental plan—a report on the plan's implementation within 2 months after the end of each financial year.

(2) However, subsection (1) does not apply to a local government that—

(a) reports to the chief executive (water resources) about another plan; and

(b) notifies the chief executive of the department within 3 years of the commencement of this policy of its intention to implement the other plan to achieve compliance under this part for the environmental plan and report to the chief executive (water resources).

(3) The chief executive (water resources) must give the chief executive of the department—

(a) a report about the development and implementation of its environmental plans within 3 years after the commencement of this policy; and

(b) after the chief executive has started implementing an environmental plan—a report on the plan's implementation 2 months after the end of each financial year.

Division 2 Local government environmental plans

40 Sewage management

(1) A local government that operates a sewerage system must develop and implement an environmental plan about sewage management that minimises unnecessary flows entering the system.

(2) In developing its plan, the local government must consider—

(a) the water quality objectives for a water to which a release of waste water may occur; and

(b) the maintenance of acceptable health risks.

(3) The local government must consider including the following measures in its plan—

(a) ways of reducing infiltration to sewers;

(b) ways of avoiding unintended stormwater inflow to sewers;

(c) alternatives to expansion or remediation of an existing system and to construction of a new system, including, for example—

(i) chemical and composting toilets; or

(ii) domestic on-site waste water treatment systems and recycling or disposal of waste water.

41 Trade waste management

(1) A local government that operates a sewerage system must develop and implement an environmental plan about trade waste management that controls trade wastes entering the system.

(2) The local government must consider including in its plan—

(a) requirements for waste prevention, recycling and treatment measures before the release of trade waste to sewer may be authorised; and

(b) provisions about the effect of trade waste on—

(i) the recycling of waste water and sludge; and

(ii) the materials used to construct the sewerage system; and

(iii) the health and safety of people working on the sewerage system; and

(iv) the treatment capabilities of sewage treatment plants.

42 Urban stormwater quality management

(1) A local government that has an urban stormwater system must develop and implement an environmental plan about urban stormwater quality management that improves the quality of stormwater in a way that is consistent with the water quality objectives for waters affected by the system.

(2) The local government must consider including in its plan—

(a) measures to minimise the contamination of waters by stormwater, maximise the infiltration of water into the ground, reduce the velocity of stormwater and remove contaminants from stormwater, including, for example, the following—

(i) flow rate mitigation, erosion control and infiltration areas;

(ii) grassed or vegetated drainage lines, vegetated water buffers and conservation or restoration of riparian vegetation;

(iii) artificial wetlands, gross contaminant traps, retention basins and trash racks; and

(b) planning and design approaches for its stormwater system that have regard to the needs of the local community, including, for example, the following—

(i) minimising ecological impacts on waters in the locality;

(ii) acceptable health risks, aesthetics, protection from flooding, public safety and other social concerns;

(iii) making use of stormwater for recycling and water conservation;

(iv) making use of drainage corridors for improved recreational values and open space or landscape areas; and

(c) investigation of opportunities to build contaminant control measures and re-establish riparian vegetation and aesthetically pleasing environments in degraded drainage corridors; and

(d) integration of the plan with catchment based planning and land use planning; and

(e) implementation of viable alternatives to the release of stormwater through outlets across beaches or into waters with poor circulation.

43 Water conservation

(1) A local government that operates a water supply system must develop and implement an environmental plan about water conservation that improves water use efficiency in the system.

(2) In developing its plan, the local government must consider—

(a) the water quality objectives for a water to which a release of waste water may occur; and

(b) the maintenance of acceptable health risks.

(3) The local government must consider including the following measures in its plans—

(a) water restrictions, including, for example, restricted garden watering;

(b) the use of rainwater tanks and waste water recycling;

(c) ways of reducing water usage in industrial processes and household appliances, including, for example, low flush toilets and water efficient appliances;

(d) water pricing policies, tariff structures, water meters and financial incentives and concessions to reduce water usage;

(e) voluntary water reduction schemes and community education and involvement in water conservation;

(f) detection and control of leaks in its water supply system.

Division 3 Other environmental plans

44 Environmental water provisions

(1) The chief executive (water resources) must develop and implement environmental plans about environmental water provisions for Queensland waters.

(2) In developing the plans, the chief executive must consider the following—

(a) ecological values of the waters and environmental water requirements;

(b) protecting the environment in future water allocation decisions;

(c) reallocating water from water storages to provide water to the environment;

(d) management of water allocations;

(e) monitoring to ensure environmental water provisions are maintaining ecological values of the waters;

(f) further research to improve the understanding of environmental water requirements;

(g) involving relevant environmental, social and economic stakeholders in decisions about providing water to the environment;

(h) possible approaches to the plan's implementation.

45 Protection of ground waters

(1) The chief executive (water resources) must develop and implement environmental plans about protecting ground waters.

(2) The chief executive must consider including the following in the plans—

(a) provisions about ground water management;

(b) vulnerability maps;

(c) aquifer classification systems;

(d) provisions about wellhead protection.

Part 8 Miscellaneous

Division 1 Functions of chief executive

46 Education and information

(1) The chief executive, in cooperation with the chief executive (water resources) and other relevant entities, must promote a coordinated strategy to educate and inform the community about water quality management issues.

(2) The chief executive's role in developing the strategy is to—

(a) identify water quality management issues not being adequately addressed and liaise with relevant entities to address the issues; and

(b) identify any overlap of functions and activities and minimise duplication of resources.

(3) The strategy must include—

(a) identifying and prioritising water quality management issues; and

(b) identifying persons and organisations requiring education and information about the issues; and

(c) developing and implementing education programs about water quality management issues for persons and organisations identified in paragraph (b).

(4) An administering authority must promote community education and information about water quality management issues for which it is responsible.

47 Ambient monitoring

(1) If the chief executive carries out ambient monitoring of waters to assess the state of Queensland waters the chief executive must—

(a) prepare a report about the results of the monitoring; or

(b) include the results in an appropriate state of the environment report.

(2) If practicable, the report must include a comparison of ambient monitoring results with the water quality objectives for, and freshwater flows to, the waters during the time of the monitoring.

(3) For a report prepared under this section, if the measure of an indicator does not comply with a water quality guideline because of a natural property of the water, the measure of the indicator is taken to comply with the water quality guideline.

Division 2 Miscellaneous

48A Operation of sch 1

(1) The boundaries of a water listed in schedule 1, column 1 are the boundaries identified in the document stated in column 2 of the schedule opposite the water.

(2) A document mentioned in schedule 1 is available for inspection—

(a) during office hours at the department's office at 160 Ann Street, Brisbane; and

(b) on the department's website.[9]

9 The department's website is at <www.epa.qld.gov.au>.

Schedule 1 Environmental values and water quality objectives for waters

sections 7 and 11

Column 1 Water		Column 2 Document
Name	**Description**	
Albert River, including all tributaries of the Albert River estuary	part of basin 145	Albert River Environmental Values and Water Quality Objectives, published by the department in March 2007
Bloomfield River, including all tributaries of the river	part of basin 108	Bloomfield River Environmental Values and Water Quality Objectives, published by the department in March 2007
Bremer River, including all tributaries of the Bremer River estuary	part of basin 143	Bremer River Environmental Values and Water Quality Objectives, published by the department in March 2007
Brisbane River, including all tributaries of the Brisbane River estuary, other than Oxley Creek	part of basin 143	Brisbane River Environmental Values and Water Quality Objectives, published by the department in March 2007

Schedule 1 (continued)

Column 1 **Water**		**Column 2** **Document**
Name	**Description**	
Brisbane creeks—Bramble Bay, including Bald Hills, Cabbage Tree, Downfall, Kedron Brook, Nudgee and Nundah creeks	part of basin 142	Brisbane Creeks—Bramble Bay Environmental Values and Water Quality Objectives, published by the department in March 2007
Broadwater, including— • Biggera and Loders creeks • the Broadwater and all creeks of the Broadwater catchment • Runaway Bay	part of basin 146	Broadwater Environmental Values and Water Quality Objectives, published by the department in March 2007
Burrum, Gregory, Isis, Cherwell and Elliott rivers, including all Hervey Bay coastal rivers and creeks	part of basin 137	Burrum, Gregory, Isis, Cherwell and Elliott Rivers Environmental Values and Water Quality Objectives, published by the department in March 2007
Caboolture River, including all tributaries of the river	part of basin 142	Caboolture River Environmental Values and Water Quality Objectives, published by the department in March 2007

Schedule 1 (continued)

Column 1 **Water**		**Column 2** **Document**
Name	**Description**	
Coomera River, including all tributaries of the river	part of basin 146	Coomera River Environmental Values and Water Quality Objectives, published by the department in March 2007
Currumbin and Tallebudgera creeks and Pacific Beaches, including— • all tributaries of Currumbin and Tallebudgera creeks • all creeks of the Pacific Beaches catchment	part of basin 146	Currumbin and Tallebudgera Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007
Daintree River, including all tributaries of the river	part of basin 108	Daintree River Environmental Values and Water Quality Objectives, published by the department in March 2007
Douglas Shire central coastal creeks, including all coastal creeks between Mowbray River and Mossman River	part of basin 109	Douglas Shire Central Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007
Douglas Shire coastal waters	adjacent to basins 108 and 109	Douglas Shire Coastal Waters Environmental Values and Water Quality Objectives, published by the department in March 2007

Schedule 1 (continued)

Column 1 **Water**		**Column 2** **Document**
Name	**Description**	
Douglas Shire northern coastal creeks, including all coastal creeks north of Daintree River and east of Bloomfield River	part of basin 108	Douglas Shire Northern Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007
Douglas Shire southern coastal creeks, including all coastal creeks between Mowbray River and the southern boundary of the area of the Douglas Shire Council	part of basin 109	Douglas Shire Southern Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007
Fraser Island waters	basin 139	Fraser Island Environmental Values and Water Quality Objectives, published by the department in March 2007
Great Sandy Strait	adjacent to basins 137 to 140	Great Sandy Strait Environmental Values and Water Quality Objectives, published by the department in March 2007
Great Sandy Strait coastal creeks	part of basin 140	Great Sandy Strait Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007

Schedule 1 (continued)

Column 1 **Water**		**Column 2** **Document**
Name	**Description**	
Hervey Bay	adjacent to basins 137 and 139	Hervey Bay Environmental Values and Water Quality Objectives, published by the department in March 2007
Logan River, including all tributaries of the Logan River estuary	part of basin 145	Logan River Environmental Values and Water Quality Objectives, published by the department in March 2007
Maroochy River, including all tributaries of the river	part of basin 141	Maroochy River Environmental Values and Water Quality Objectives, published by the department in March 2007
Mary River, including all tributaries of the river	basin 138	Mary River Environmental Values and Water Quality Objectives, published by the department in March 2007
Mooloolah River, including all tributaries of the river	part of basin 141	Mooloolah River Environmental Values and Water Quality Objectives, published by the department in March 2007
Moreton Bay	basin 144 and adjacent to basins 141 to 143, 145 and 146	Moreton Bay, North Stradbroke, South Stradbroke, Moreton and Moreton Bay Islands Environmental Values and Water Quality Objectives, published by the department in March 2007
Mossman River, including all tributaries of the river	part of basin 109	Mossman River Environmental Values and Water Quality Objectives, published by the department in March 2007

Schedule 1 (continued)

Column 1 **Water**		**Column 2** **Document**
Name	**Description**	
Mowbray River, including all tributaries of the river	part of basin 109	Mowbray River Environmental Values and Water Quality Objectives, published by the department in March 2007
Nerang River, including all tributaries of the river	part of basin 146	Nerang River Environmental Values and Water Quality Objectives, published by the department in March 2007
Noosa River, including— • Kin Kin creek • Teewah coastal creeks • lakes Cooroibah, Cootharaba, Doonella and Weyba	part of basin 140	Noosa River Environmental Values and Water Quality Objectives, published by the department in March 2007
Oxley Creek, including all tributaries of the creek	part of basin 143	Oxley Creek Environmental Values and Water Quality Objectives, published by the department in March 2007
Pimpama River, including— • Behms and McCoys creeks • southern Moreton Bay coastal creeks	part of basin 146	Pimpama River Environmental Values and Water Quality Objectives, published by the department in March 2007

Schedule 1 (continued)

Column 1 **Water**		**Column 2** **Document**
Name	**Description**	
Pine rivers and Redcliffe creeks, including— • Hays Inlet • all tributaries of the North Pine and South Pine rivers	part of basin 142	Pine Rivers and Redcliffe Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007
Pumicestone Passage, including— • waters of Bribie Island • Bells, Coochin, Dux, Elimbah, Mellum, Ningi and Tibrogargan creeks	part of basin 141	Pumicestone Passage Environmental Values and Water Quality Objectives, published by the department in March 2007
Redland creeks, including Coolnwynpin, Eprapah, Hilliards, Lota, Moogurrapum, Tarradarrapin, Tingalpa and Wynnum creeks	part of basin 145	Redland Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007

Schedule 1 (continued)

Column 1 **Water**		**Column 2** **Document**
Name	**Description**	
Saltwater Creek, including all tributaries of the creek	part of basin 108	Saltwater Creek Environmental Values and Water Quality Objectives, published by the department in March 2007
Sandy, Six Mile, Wolston, Woogaroo and Goodna creeks	part of basin 143	Sandy, Six Mile, Wolston, Woogaroo and Goodna Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007
Trinity Inlet	part of basin 111	Trinity Inlet Environmental Values and Water Quality objectives published by the department in March 2007

Editor's note—

A copy of each plan may be inspected on the department's website at <www.epa.qld.gov.au>.

Schedule 2 Dictionary

section 3

acid sulphate soil means—

(a) a soil or soil horizon that contains sulphides; or

(b) an acidic soil or acidic soil horizon affected by the oxidation of sulphides.

agricultural use, of water, means the use of water in carrying out an agricultural activity.

Examples—

Irrigating crops, watering stock and farm water supply (other than drinking water) are examples of agricultural use of water.

ambient monitoring, of a water, means measuring the general quality of the water without specifically measuring the effect of particular releases of contaminants into the water.

ANCA Directory means the report called 'A review and update of Queensland site accounts in A Directory of Important Wetlands in Australia', prepared by the department in September 2005.[10]

ANZECC means the Australian and New Zealand Environment and Conservation Council.

ARMCANZ means the Agriculture and Resource Management Council of Australia and New Zealand.

artificial wetlands means wetlands that are not natural wetlands.

attenuation zone means the area around a release to ground water in which the concentration of contaminants in the

10 The ANCA Directory and the Australian Wetlands Database may be inspected during office hours at the department's office at 160 Ann Street, Brisbane. The database is also available for inspection on the website of the Department of the Environment and Heritage (Commonwealth) at—

<www.deh.gov.au/water/wetlands/database/directory/index.html>.

Schedule 2 (continued)

release is reduced to ambient levels through physico-chemical and microbiological processes.

Australian Standards means the standards published by Standards Australia.

AWQ guidelines means the 'Australian and New Zealand Guidelines for Fresh and Marine Water Quality', volumes 1, 2 and 3, published by ANZECC and ARMCANZ in October 2000.

basin, followed by a number, means the river basin of that number described in 'Australia's River Basins 1997', 3rd edition, published by Geoscience Australia, Commonwealth of Australia, in 2004.[11]

biological integrity, of a water, means the water's ability to support and maintain a balanced, integrative, adaptive community of organisms having a species composition, diversity and functional organisation comparable to that of the natural habitat of the locality in which the water is situated.

Examples—

The following are examples of biological integrity of a water—

(a) the intrinsic value of pristine or modified aquatic ecosystems;

(b) its ability to support associated wildlife;

(c) its ability to produce food for human consumption.

buffer means the area between a place where contaminants are stored, used or produced and roadside gutters, stormwater drains or waters.

chief executive (fisheries) means the chief executive of the department in which the *Fisheries Act 1994* is administered.

chief executive (water resources) means the chief executive of the department in which the *Water Act 2000* is administered.

11 A map showing the river basins in Queensland can also be viewed on the Department of Natural Resources and Mines' website at—

<www.nrm.qld.gov.au/watershed/>.

Schedule 2 (continued)

coastal waters has the meaning under the Marine Pollution Act.

contaminated stormwater means stormwater that contains a contaminant.

cooperative research centre means a cooperative research centre funded by the Commonwealth.

deposit includes drop, leave, place or throw.

draw-down zone, of a bore, means the region in which there is a difference between the observed water level during pumping and water level when there is no pumping.

environmental management decision means a decision by an administering authority about an environmental authority, development approval, environmental management program or environmental protection order for an environmentally relevant activity or other activity.

environmental values see section 7.

environmental water provisions means the part of the environmental water requirements that can be met and include—

(a) unregulated flows in rivers and water in wetlands and aquifers; and

(b) allocations or releases from storages; and

(c) water in transit for other users.

environmental water requirements means patterns of seasonal water flows and levels that are needed to maintain the environment at a low level of risk of environmental harm.

harmful substance has the meaning under the Marine Pollution Act.

impact monitoring, of the release of a contaminant into a water, means measuring the effect of the release on the water's quality.

incidental release, of waste water to ground water, means the release of waste water into ground waters by infiltration that happens incidental to carrying out an activity.

Schedule 2 (continued)

indicator see section 8.

initial mixing zone means an area where waste water mixes rapidly with surface water because of the momentum or buoyancy of the waste water and the turbulence of the surface water.

Marine Pollution Act means the *Transport Operations (Marine Pollution) Act 1995*.

MARPOL 73/78 has the meaning under the Marine Pollution Act.

minimal treatment, of water, means—

(a) coarse screening; or

(b) coarse screening and disinfection.

modified aquatic ecosystem means an aquatic ecosystem that is, or has been, subject to human interference through—

(a) releases (whether direct or indirect) into a water forming part of the ecosystem; or

(b) activities in the water's catchment area.

natural biological controls means naturally occurring bacteria, fungi or micro-organisms that are cultured and added to wastes in high numbers to breakdown contaminants.

natural wetland means a wetland existing in nature or formed by natural processes.

noxious liquid substance has the meaning under the Marine Pollution Act.

NWQM Strategy means the National Water Quality Management Strategy developed by ANZECC and ARMCANZ.

oil has the meaning under the Marine Pollution Act.

on-site domestic waste water treatment system includes a septic tank and a trench or disposal area associated with an on-site domestic waste water treatment system.

Schedule 2 (continued)

primary contact recreational use, of a water, means full body contact with the water, including, for example, swimming, surfing, windsurfing, diving and waterskiing.

pristine aquatic ecosystem means an aquatic ecosystem that has not been, or is not, subject to human interference through—

(a) releases (whether direct or indirect) into a water forming part of the ecosystem; or

(b) activities in the water's catchment area.

protocol see section 10.

recognised entity means—

(a) the department; or

(b) an environmental protection agency of the Commonwealth or a State; or

(c) ANZECC; or

(d) ARMCANZ; or

(e) the Government Chemical Laboratory;[12] or

(f) the department in which the *Water Act 2000* is administered; or

(g) the department in which the *Fisheries Act 1994* is administered; or

(h) the United States Environmental Protection Agency or another environmental protection agency of a national government; or

(i) a cooperative research centre; or

(j) Commonwealth Scientific and Industrial Research Organisation; or

(k) an Australian university.

12 The Government Chemical Laboratory is an entity within the department in which the *Health Act 1937* is administered.

Schedule 2 (continued)

recreational use, of a water, means—

(a) primary contact recreational use of the water; or

(b) secondary contact recreational use of the water; or

(c) visual recreational use of the water.

recycling, of waste water, means—

(a) reusing the waste water in the process that generated it; or

(b) reprocessing the waste water to develop a new product; or

(c) using the waste water (whether on or off the site where it is generated).

relevant person, for an environmental management decision, means—

(a) for a decision about an environmental authority—the applicant for, or the holder of, the authority; or

(ab) for a decision about a development approval—

(i) the applicant for the approval; or

(ii) a person who is bound by the development conditions of the approval; or

(b) for a decision about an environmental management program—the person or public authority that submitted the program for approval or the holder of the approval of the program; or

(c) for a decision about an environmental protection order—the proposed recipient, or recipient, of the order.

secondary contact recreational use, of a water, means contact (other than full body contact) with the water, including, for example, boating and fishing.

ship has the meaning under the Marine Pollution Act.

site specific document means a document—

(a) that contains specific information about a water, or part of a water; and

Schedule 2 (continued)

(b) is recognised by the relevant administering authority as having appropriate scientific authority.

surface waters means waters other than ground waters.

visual recreational use, of a water, means viewing the water without contact with it.

waste prevention means the adoption of practices or processes that avoid generating waste or reduce the quantity of waste requiring subsequent treatment, recycling or disposal.

waste water means a liquid waste, and includes contaminated stormwater.

water quality guidelines see section 9.

water quality objectives are long-term goals for water quality management.

waters includes the bed and banks of waters.

wetland means an area of permanent or periodic inundation, whether natural or artificial, static or flowing, fresh, brackish or saline, and includes an area of marine water the depth of which at low tide is less than 6m.

Endnotes

1 Index to endnotes

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 23 November 2007. Future amendments of the Environmental Protection (Water) Policy 1997 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 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
amdt	=	amendment	prov	=	provision
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	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	(retro)	=	retrospectively
notfd	=	notified	rv	=	revised edition
num	=	numbered	s	=	section
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 2002
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	5 June 1997	17 July 1997
2	1994 Act No. 62	1 January 2001	1 January 2001

Reprint No.	Amendments included	Effective	Notes
2A	2003 SL No. 73	24 April 2003	
2B	2004 SL No. 208	4 October 2004	
2C	2006 SL No. 30	1 May 2006	
2D	2006 SL No. 81	5 May 2006	R2D withdrawn, see R3
3	—	5 May 2006	
3A	2007 SL No. 177	20 July 2007	
3B	2007 SL No. 289	23 November 2007	

5 List of legislation

Environmental Protection (Water) Policy 1997 SL No. 136
made by the Governor in Council on 5 June 1997
notfd gaz 5 June 1997 pp 504A–504B
ss 1–2 commenced on date of notification
s 32 commenced 1 January 1998 (see s 2)
remaining provisions commenced on date of notification
exp 31 August 2008 (see SIA s 56A(1)(a)(i) and SIR s 5 sch 3)
Note—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.
(2) A regulatory impact statement and explanatory note were prepared

amending legislation—

Environmental Protection Act 1994 No. 62 ss 1–2, 616(2) (prev s 272(2)) (this Act is amended, see amending legislation below)
date of assent 1 December 1994
ss 1–2 commenced on date of assent
remaining provision commenced 1 January 2001

amending legislation—

Environmental Protection and Other Legislation Amendment Act 2000 No. 64 s 52 (amends 1994 No. 62 above)
date of assent 24 November 2000
ss 1–2 commenced on date of assent
remaining provision commenced 1 January 2001

Environmental Protection Policies Amendment Policy (No. 1) 2003 No. 73 ss 1, 4 sch
notfd gaz 24 April 2003 pp 1436–7
commenced on date of notification

Environmental Protection Policies Amendment Policy (No. 1) 2004 SL No. 208 pts 1, 5
notfd gaz 1 October 2004 pp 393–5
ss 1–2 commenced on date of notification
remaining provisions commenced 4 October 2004 (see s 2)

Environmental Protection (Water) Amendment Policy (No. 1) 2006 SL No. 30
notfd gaz 3 March 2006 pp 887–8
ss 1–2 commenced on date of notification
remaining provisions commenced 1 May 2006 (see s 2)
Note—A regulatory impact statement and explanatory note were prepared

Environmental Protection Policies Amendment Policy (No. 1) 2006 SL No. 81 pts 1, 5
notfd gaz 5 May 2006 pp 76–7
commenced on date of notification

Environmental Protection (Water) Amendment Policy (No. 1) 2007 SL No. 177
notfd gaz 20 July 2007 pp 1524–5
commenced on date of notification

Environmental Protection Policies Amendment Policy (No. 1) 2007 SL No. 289 pts 1, 3
notfd gaz 23 November 2007 pp 1682–4
commenced on date of notification

6 List of annotations

Definitions
s 3 prov hdg amd 2003 SL No. 73 s 4 sch

How administering authority may require certain action
s 14 amd 2004 SL No. 208 s 22

Waste water releases on land
s 17 amd 1994 Act No. 62 s 616(2) (amd 2000 No. 64 s 52)

Monitoring particular releases
s 26 amd 2004 SL No. 208 s 23

Prohibition on deposit or release of certain things
s 31 amd 2004 SL No. 208 s 24

Prohibition on build-up of sediment
s 32 amd 2004 SL No. 208 s 25; 2007 SL No. 289 s 5

Amendment of certain provisions of policy
s 48 amd 1994 Act No. 62 s 616(2) (amd 2000 No. 64 s 52); 2003 SL No. 73 s 4 sch
om 2006 SL No. 81 s 9

Operation of sch 1
s 48A ins 2006 SL No. 30 s 4

PART 9—ASSESSMENT OF POLICY PERFORMANCE
pt hdg om 2006 SL No. 81 s 9

Review of policy
s 49 amd 1994 Act No. 62 s 616(2) (amd 2000 No. 64 s 52); 2004 SL No. 208 s 26 om 2006 SL No. 81 s 9

SCHEDULE 1—ENVIRONMENTAL VALUES AND WATER QUALITY OBJECTIVES FOR WATERS
amd 2006 SL No. 30 s 5; 2007 SL No. 177 s 3

SCHEDULE 2—DICTIONARY
def **"ANCA Directory"** sub 2006 SL No. 30 s 6
def **"AWQ guidelines"** sub 2006 SL No. 30 s 6
def **"basin"** ins 2006 SL No. 30 s 6(2)
def **"chief executive (water resources)"** amd 2003 SL No. 73 s 4 sch
def **"environmental management decision"** amd 2004 SL No. 208 s 26(1)
def **"recognised entity"** amd 2003 SL No. 73 s 4 sch
def **"relevant person"** amd 2004 SL No. 208 s 26(2)