



Queensland

Environmental Protection Act 1994

Environmental Protection (Water) Policy 1997

Reprinted as in force on 1 January 2009

Reprint No. 3C

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Information about this reprint

This policy is reprinted as at 1 January 2009. 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.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

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Queensland

Environmental Protection (Water) Policy 1997

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Environmental Protection (Water) Policy 1997

[as amended by all amendments that commenced on or before 1 January 2009]

Part 1 Preliminary

1 Short title

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

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.

5 Purpose of policy

The purpose of this policy is to achieve the object of the Act in relation to Queensland waters.¹

1 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*).

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) For subsection (1)(b), the qualities are—
 - (a) for high ecological value waters—the biological integrity of an aquatic ecosystem that is effectively unmodified or highly valued; and
 - (b) for slightly to moderately disturbed waters—the biological integrity of an aquatic ecosystem that is affected adversely to a relatively small but measurable degree by human activity; and

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- (c) for highly disturbed waters—the biological integrity of an aquatic ecosystem that is measurably degraded and of lower ecological value than waters mentioned in paragraph (a) or (b); and
- (d) suitability for—
 - (i) primary recreational use; or
 - (ii) secondary recreational use; or
 - (iii) visual recreational use; and
- (e) suitability for minimal treatment before supply as drinking water; and

Note—

For guidelines that apply to water after it has been treated or is to be used for drinking, see—

- (a) the guidelines about drinking water published by Queensland Health; or
- (b) the document called ‘Australian drinking water guidelines 2004’, developed by the National Health and Medical Research Council and the Natural Resource Management Ministerial Council.

At the commencement of this section, the ‘Australian drinking water guidelines 2004’ could be accessed on the National Health and Medical Research Council’s website at <www.nhmrc.gov.au>.

- (f) suitability for agricultural use; and
 - (g) suitability for aquacultural use; and
 - (h) suitability for producing aquatic food for human consumption; and
 - (i) suitability for industrial use; and
 - (j) the cultural and spiritual values of the water.
- (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).

(5) In this section—

cultural and spiritual values, of a water, means places, objects, or uses, in or near the water, that have anthropological, archaeological, historic, sacred or scientific significance or value.

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

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

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

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;
- (b) the QWQ guidelines;
- (c) the AWQ guidelines;
- (d) documents published by a recognised entity.

9 Water quality guidelines for indicators for environmental values

(1) *Water quality guidelines* are quantitative measures 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 QWQ guidelines;
 - (c) the AWQ guidelines;
 - (d) 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).

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) 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.

- (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

15 Management hierarchy for water

- (1) This section states the management hierarchy for an activity that may affect a water.

Note—

See the *Environmental Protection Regulation 2008*, section 51.

- (2) To the extent it is reasonable to do so, waste water release to waters must be dealt with using the following hierarchy of preferred procedures—
 - (a) step 1—evaluate waste prevention options and 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 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 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 implement appropriate treatment and disposal.

16 Management intent for waters

- (1) This section states the management intent for waters that are subject to an activity that involves the release of waste water or contaminants to the waters.

Note—

See the *Environmental Protection Regulation 2008*, section 51.

- (2) It is the management intent for the waters that the decision should ensure the following—
- (a) for high ecological value waters—the measures for indicators for all environmental values are maintained;
 - (b) for slightly to moderately disturbed waters—
 - (i) if the measures for indicators of the environmental values achieve the water quality objectives for the water—the measures for the indicators are maintained at levels that achieve the water quality objectives for the water; or
 - (ii) if the measures for indicators of the environmental values do not achieve the water quality objectives for the water—the measures for indicators of the environmental values are improved to achieve the water quality objectives for the water;
 - (c) for highly disturbed waters—the measures for indicators of the environmental values are progressively improved to achieve the water quality objectives for the water.

Part 6 On-site sewerage facilities

33 Matters particular local governments must consider

- (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 sewerage facilities are proposed to be used in a locality.
- (2) The local government must consider the following—
- (a) the number of existing on-site sewerage facilities in the locality;
 - (b) the cumulative effect of the proposed and existing facilities 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 facilities 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.

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.

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.²

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

² Sections 5 (Purpose of policy) and 6 (How purpose of policy is to be achieved)

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—
 - (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 is a sewerage service provider must develop and implement an environmental plan about sewage management that minimises unnecessary flows entering the sewerage service.
- (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 service and to construction of a new service, 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 is a sewerage service provider must develop and implement an environmental plan about trade waste management that controls trade wastes entering the sewerage service.
- (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 service; and
- (iii) the health and safety of people working on the sewerage service; 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.

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.

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- (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.³

³ 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— <ul style="list-style-type: none"> • 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— | part of basin 146 | Currumbin and Tallebudgera Creeks Environmental Values and Water Quality Objectives, published by the department in March 2007 |
| <ul style="list-style-type: none"> • all tributaries of Currumbin and Tallebudgera creeks • all creeks of the Pacific Beaches catchment | | |
| 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— <ul style="list-style-type: none"> • 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— <ul style="list-style-type: none"> • 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— <ul style="list-style-type: none"> • 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— <ul style="list-style-type: none"> • 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, Erapah, 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

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.

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

aquatic ecosystem means a community of organisms living within or adjacent to water, including riparian or foreshore areas.

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 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 2004.⁴

⁴ 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)

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 an aquatic ecosystem that is effectively unmodified or highly valued;
- (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.

contaminated stormwater means stormwater that contains a contaminant.

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

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

Schedule 2 (continued)

- (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.

high ecological value waters means waters in which the biological integrity of the water is effectively unmodified or highly valued.

highly disturbed waters means waters that are significantly degraded by human activity and have lower ecological value than high ecological value waters or slightly or moderately disturbed waters.

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.

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

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

on-site sewerage facility means an on-site sewerage facility under the *Plumbing and Drainage Act 2002*.

Schedule 2 (continued)

QWQ guidelines means the document called ‘Queensland water quality guidelines 2006’, published by the department.

Editor’s note—

A copy of the guidelines may be inspected at the department’s head office at 160 Ann Street, Brisbane and may be accessed on the department’s website at <www.epa.qld.gov.au>.

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;⁵ 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.

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

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

Schedule 2 (continued)

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

sewerage service provider means a service provider under the *Water Supply (Safety and Reliability) Act 2008* for providing a sewerage service.

site specific document means a document—

- (a) that contains specific information about a water, or part of a water; and
- (b) is recognised by the relevant administering authority as having appropriate scientific authority.

slightly or moderately disturbed waters means waters in which the biological integrity of the water has been affected adversely to a relatively small but measurable degree by human activity.

surface waters means waters other than ground waters.

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 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

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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 1 January 2009. 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 | |
| 3C | 2008 SL No. 443 | 1 January 2009 | |

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 2009 (see SIA s 56A(2) and SIR s 5 sch 3)

Notes—(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 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
- Environmental Protection (Water) Amendment Policy (No. 1) 2008 SL No. 443**
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)

6 List of annotations

Commencement

s 2 om 2008 SL No. 443 s 4

Definitions

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

Environmental values to be enhanced or protected

s 7 amd 2008 SL No. 443 s 5

Indicators for environmental values

s 8 amd 2008 SL No. 443 s 6

Water quality guidelines for indicators for environmental values

s 9 amd 2008 SL No. 443 s 7

Protocols

s 10 om 2008 SL No. 443 s 8

PART 5—MANAGEMENT OF ACTIVITIES**pt hdg** om 2008 SL No. 443 s 9**Division 1—Preliminary****div hdg** om 2008 SL No. 443 s 9**How administering authority may require certain action****s 14** amd 2004 SL No. 208 s 22
om 2008 SL No. 443 s 9**Division 2—Waste management evaluation****div hdg** om 2008 SL No. 443 s 10**Management hierarchy for water****prov hdg** sub 2008 SL No. 443 s 11(1)
s 15 amd 2008 SL No. 443 s 11(2)–(4)**Division 3—Environmental management decisions****div hdg** om 2008 SL No. 443 s 12**Management intent for waters****s 16** sub 2008 SL No. 443 s 12**Waste water releases on land****s 17** amd 1994 Act No. 62 s 616(2) (amd 2000 Act No. 64 s 52)
om 2008 SL No. 443 s 12**Waste water releases to surface water****s 18** om 2008 SL No. 443 s 12**Stormwater management****s 19** om 2008 SL No. 443 s 12**Direct waste water release to ground waters****s 20** om 2008 SL No. 443 s 12**Incidental waste water release to ground waters****s 21** om 2008 SL No. 443 s 12**Construction of artificial wetlands for waste water treatment****s 22** om 2008 SL No. 443 s 12**Use of natural biological controls in treatment of waste water****s 23** om 2008 SL No. 443 s 12**Acid sulphate soils****s 24** om 2008 SL No. 443 s 12**Waste reception facilities for ships****s 25** om 2008 SL No. 443 s 12**Division 4—Monitoring****div hdg** om 2008 SL No. 443 s 12**Monitoring particular releases****s 26** amd 2004 SL No. 208 s 23
om 2008 SL No. 443 s 12

Impact monitoring

s 27 om 2008 SL No. 443 s 12

PART 6—ON-SITE SEWERAGE FACILITIES**pt hdg** sub 2008 SL No. 443 s 13**Release of certain substances from ships into non-coastal waters**

s 28 om 2008 SL No. 443 s 14

Release of sewage from ships into non-coastal waters

s 29 om 2008 SL No. 443 s 14

Disposal of rubbish from ships into non-coastal waters

s 30 om 2008 SL No. 443 s 14

Prohibition on deposit or release of certain thingss 31 amd 2004 SL No. 208 s 24
om 2008 SL No. 443 s 14**Prohibition on build-up of sediment**s 32 amd 2004 SL No. 208 s 25; 2007 SL No. 289 s 5
om 2008 SL No. 443 s 14**Matters particular local governments must consider****prov hdg** sub 2008 SL No. 443 s 15(1)
s 33 amd 2008 SL No. 443 s 15(2)–(3)**Sewage management**

s 40 amd 2008 SL No. 443 s 16

Trade waste management

s 41 amd 2008 SL No. 443 s 17

Water conservation

s 43 om 2008 SL No. 443 s 18

Amendment of certain provisions of policys 48 amd 1994 Act No. 62 s 616(2) (amd 2000 Act 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 Act 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 “**acid sulphate soil**” om 2008 SL No. 443 s 19(1)
- def “**ANCA Directory**” sub 2006 SL No. 30 s 6
om 2008 SL No. 443 s 19(1)
- def “**aquatic ecosystem**” ins 2008 SL No. 443 s 19(2)
- def “**AWQ guidelines**” sub 2006 SL No. 30 s 6
- def “**basin**” ins 2006 SL No. 30 s 6(2)
- def “**biological integrity**” amd 2008 SL No. 443 s 19(3)
- def “**chief executive (water resources)**” amd 2003 SL No. 73 s 4 sch
- def “**coastal waters**” om 2008 SL No. 443 s 19(1)
- def “**deposit**” om 2008 SL No. 443 s 19(1)
- def “**draw-down zone**” om 2008 SL No. 443 s 19(1)
- def “**environmental management decision**” amd 2004 SL No. 208 s 26(1)
- def “**harmful substance**” om 2008 SL No. 443 s 19(1)
- def “**high ecological value waters**” ins 2008 SL No. 443 s 19(2)
- def “**highly disturbed waters**” ins 2008 SL No. 443 s 19(2)
- def “**impact monitoring**” om 2008 SL No. 443 s 19(1)
- def “**incidental release**” om 2008 SL No. 443 s 19(1)
- def “**Marine Pollution Act**” om 2008 SL No. 443 s 19(1)
- def “**MARPOL 73/78**” om 2008 SL No. 443 s 19(1)
- def “**natural biological controls**” om 2008 SL No. 443 s 19(1)
- def “**noxious liquid substance**” om 2008 SL No. 443 s 19(1)
- def “**oil**” om 2008 SL No. 443 s 19(1)
- def “**on-site domestic waste water treatment system**” om 2008 SL No. 443 s 19(1)
- def “**on-site sewerage facility**” ins 2008 SL No. 443 s 19(2)
- def “**primary contact recreational use**” om 2008 SL No. 443 s 19(1)
- def “**pristine aquatic ecosystem**” om 2008 SL No. 443 s 19(1)
- def “**protocol**” om 2008 SL No. 443 s 19(1)
- def “**QWQ guidelines**” ins 2008 SL No. 443 s 19(2)
- def “**recognised entity**” amd 2003 SL No. 73 s 4 sch
- def “**recreational use**” om 2008 SL No. 443 s 19(1)
- def “**relevant person**” amd 2004 SL No. 208 s 26(2)
om 2008 SL No. 443 s 19(1)
- def “**secondary contact recreational use**” om 2008 SL No. 443 s 19(1)
- def “**sewerage service provider**” ins 2008 SL No. 443 s 19(2)
- def “**ship**” om 2008 SL No. 443 s 19(1)
- def “**slightly or moderately disturbed waters**” ins 2008 SL No. 443 s 19(2)
- def “**visual recreational use**” om 2008 SL No. 443 s 19(1)
- def “**water quality objectives**” amd 2008 SL No. 443 s 19(4)