



Queensland

Environmental Protection (Water) Amendment Policy (No. 1) 2010

Subordinate Legislation 2010 No. 185

made under the

Environmental Protection Act 1994

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[s 1]

1 Short title

This policy may be cited as the *Environmental Protection (Water) Amendment Policy (No. 1) 2010*.

2 Policy amended

This policy amends the *Environmental Protection (Water) Policy 2009*.

3 Amendment of s 6 (Environmental values to be enhanced or protected)

- (1) Section 6(2)(f) to (i)—
renumber as section 6(h) to (k).
- (2) Section 6(2)(e)—
omit, insert—
 - ‘(e) for waters that may be used for producing aquatic foods for human consumption—the suitability of the water for producing the foods for human consumption;
 - (f) for waters that may be used for aquaculture—the suitability of the water for aquacultural use;
 - (g) for waters that may be used for agricultural purposes—the suitability of the water for agricultural purposes;’.
- (3) Section 6(2)(h), as renumbered—
insert—
 - ‘(iii) visual recreational use;’.
- (4) Section 6(3)—
insert—

‘*visual recreational use*, of water, means viewing the water without contact with it.’.

4 Replacement of s 16 (Development and implementation of environmental plans)

Section 16—

omit, insert—

'16 Development and implementation of environmental plans

- '(1) If, under this part, a local government or sewerage service provider must develop and implement an environmental plan about trade waste management, it must develop and start implementing the plan within 1 year after the commencement of this policy.
- '(2) If, under this part, a local government must develop and implement an environmental plan other than a plan about trade waste management, it must develop and start implementing the plan—
- (a) for a distributor-retailer's participating local government—before 1 July 2012; or
 - (b) for a large local government, other than a distributor-retailer's participating local government—before 1 July 2013; or
 - (c) for another local government—before 1 July 2014.
- '(3) In this section—
- large local government*** means a local government having a local government area with a population of more than 50000.'

5 Amendment of s 17 (Reporting and review of environmental plans)

- (1) Section 17(1)(a), 'developed and certified'—
- omit, insert—*
- 'developed, and certified and endorsed'.
- (2) Section 17(1)(b), 'the commencement of this policy'—
- omit, insert—*
- 'the plan is published under paragraph (a)'.

6 Amendment of s 19 (Total water cycle management—general)

(1) Section 19(1)(b)—

renumber as section 19(1)(c).

(2) Section 19(1)(a)—

omit, insert—

‘(a) a distributor-retailer’s participating local government;

(b) a local government, other than a distributor-retailer’s participating local government, if its local government area has a population of at least 25000;’.

(3) Section 19(1)—

insert—

Note—

In making a water netserv plan under the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, a distributor-retailer must, under section 99BQ(1)(c) of that Act, have regard to each of its participating local governments’ total water cycle management plans.’.

(4) Section 19(3)(a), ‘guidelines’—

omit, insert—

‘any guidelines’.

(5) Section 19(3)—

insert—

‘(c) any regional water supply strategy applying to its local government area; and

(d) for a local government within the SEQ region, each of the following plans, to the extent the plan applies to its local government area—

(i) SEQ regional plan;

(ii) any sub-regional total water cycle management plan under the SEQ regional plan.’.

- (6) Section 19(6)—

insert—

‘regional water supply strategy means a document about short-term and long-term water supply security for particular regions, published by the department.

Note—

Regional water supply strategies are available on the department’s website at <www.derm.qld.gov.au>.

SEQ regional plan means the regional plan for the SEQ region under the Planning Act.’.

7 Amendment of s 22 (Trade waste management)

- (1) Section 22(2) and (3)—

renumber as section 22(3) and (4).

- (2) Section 22(1)—

omit, insert—

- ‘(1) This section applies to a local government or other entity that is a sewerage service provider, if the local government or entity permits trade waste to enter its sewerage services.

Note—

However, see the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 100A for how this section applies to a distributor-retailer under that Act.

- ‘(2) The local government or entity must develop and implement an environmental plan about trade waste management to control trade waste entering its sewerage services.’.

8 Amendment of s 23 (Certification of plans)

- (1) Section 23, heading, ‘Certification’—

omit, insert—

‘Certification and endorsement’.

[s 9]

(2) Section 23(2)—

omit, insert—

‘(2) Each plan must—

(a) be independently certified by a registered professional engineer under the *Professional Engineers Act 2002* as complying with this policy; and

(b) if the plan is developed and implemented by a distributor-retailer’s participating local government—be endorsed by the distributor-retailer.

‘(3) The certification must include the engineer’s name and registration details.’.

9 Amendment of sch 1 (Environmental values and water quality objectives for waters)

(1) Schedule 1, entries for Douglas Shire central coastal creeks, Douglas Shire coastal waters, Douglas Shire northern coastal creeks, Douglas Shire southern coastal creeks, Great Sandy Strait and Great Sandy Strait coastal creeks—

omit.

(2) Schedule 1—

insert—

‘Douglas central coastal creeks, including all coastal creeks between Mowbray River and Mossman River	part of basin 109	Douglas Central Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in July 2010
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Douglas coastal waters	adjacent to basins 108 and 109	Douglas Coastal Waters Environmental Values and Water Quality Objectives, published by the department in July 2010
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Douglas northern coastal creeks, including all coastal creeks north of Daintree River and east of Bloomfield River	part of basin 108	Douglas Northern Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in July 2010
Douglas southern coastal creeks, including all coastal creeks between Mowbray River and Simpson Point	part of basin 109	Douglas Southern Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in July 2010
Great Sandy Strait and coastal creeks	part of basin 140 and adjacent to basins 137, 138 and 139	Great Sandy Strait and Coastal Creeks Environmental Values and Water Quality Objectives, published by the department in July 2010
Lockyer Creek, including all tributaries of the creek	part of basin 143	Lockyer Creek Environmental Values and Water Quality Objectives, published by the department in July 2010
Stanley River, including all tributaries of the river	part of basin 143	Stanley River Environmental Values and Water Quality Objectives, published by the department in July 2010’.

(3) Schedule 1, column 2, ‘March 2007’—

omit, insert—

‘July 2010’.

(4) Schedule 1, entry for Albert River, column 1, ‘all tributaries of the Albert River estuary’—

omit, insert—

‘all tributaries of the river’.

[s 10]

- (5) Schedule 1, entry for Bremer River, column 1, ‘all tributaries of the Bremer River estuary’—
omit, insert—
‘all tributaries of the river’.
- (6) Schedule 1, entry for Brisbane River, column 1, ‘estuary other than Oxley Creek’—
omit, insert—
‘other than Bremer River, Lockyer Creek, Oxley Creek and Stanley River’.
- (5) Schedule 1, entry for Burrum, Gregory, Isis, Cherwell and Elliott rivers, column headed ‘Description’, ‘part of basin 137’—
omit, insert—
‘basin 137’.
- (7) Schedule 1, entry for Logan River, column 1, ‘all tributaries of the Logan River estuary’—
omit, insert—
‘all tributaries of the river’.
- (8) Schedule 1, entry for Pimpama River, column 1, ‘Behms’—
omit, insert—
‘Behm’.
- (9) Schedule 1, entry for Sandy, Six Mile, Wolston, Woogaroo and Goodna creeks, column 1, after ‘creeks’—
insert—
‘including all tributaries of the creeks’.

10 Amendment of sch 2 (Dictionary)

Schedule 2—

insert—

‘**distributor-retailer** see the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, schedule.

participating local governments, for a distributor-retailer, see the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, section 5.’.

ENDNOTES

1. Made by the Minister for Climate Change and Sustainability on 5 July 2010.
2. Approved by the Governor in Council on 15 July 2010.
3. Notified in the gazette on 16 July 2010.
4. Laid before the Legislative Assembly on . . .
5. The administering agency is the Department of Environment and Resource Management.

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