

# **Environmental Protection (Water) Amendment Policy (No. 1) 2013**

## **Explanatory Notes for Subordinate Legislation No. 158**

made under the

*Environmental Protection Act 1994*

## **General outline**

### **Short title**

*Environmental Protection (Water) Amendment Policy (No. 1) 2013*

### **Authorising law**

Sections 26 and 33 of the *Environmental Protection Act 1994*

### **Policy objectives and the reasons for them**

The objectives of the amendment policy are to amend the *Environmental Protection (Water) Policy 2009* (Environmental Protection Water Policy) to:

- establish environmental values and water quality objectives for the waters of the Black River, O'Connell River, Pioneer River, Plane Creek, Proserpine River, Ross River and Whitsunday Island basins and adjacent Great Barrier Reef coastal waters; and
- extend the date by which certain local governments must develop and start implementing a total water cycle management (water cycle) plan to 1 July 2015.

### **Achievement of policy objectives**

The Environmental Protection Water Policy provides a framework for identifying environmental values and water quality objectives for specific waters through the development of documents which are listed in schedule 1 of the Policy.

Such documents have been prepared for the waters of the following basins:

- Black River
- O'Connell River

- Pioneer River
- Plane Creek
- Proserpine River
- Ross River
- Whitsunday Island and adjacent Great Barrier Reef coastal waters.

The amendment policy achieves the objective of establishing environmental values and water quality objectives for waters of the Black River, O'Connell River, Pioneer River, Plane Creek, Proserpine River, Ross River and Whitsunday Island basins and adjacent Great Barrier Reef coastal waters by listing these documents in schedule 1 of the Environmental Protection Water Policy.

The Environmental Protection Water Policy also provides for when certain local governments must develop and start implementing their water cycle plan. There is no discretionary provision in the Environmental Protection Water Policy to extend water cycle plan completion dates. As such, an amendment to the Environmental Protection Water Policy was necessary to extend the completion dates to 1 July 2015.

## **Consistency with policy objectives of authorising law**

The amendment policy is consistent with the objectives of the *Environmental Protection Act 1994*. The amendment policy helps to achieve the objectives of this Act by establishing environmental values and water quality objectives to enhance or protect the environmental values for waters in Queensland.

## **Inconsistency with policy objectives of other legislation**

The amendment policy is consistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The Environmental Protection Water Policy sets goals and objectives but does not include any regulatory provisions for not meeting the objectives. However, management of water quality with a goal of achieving the water quality objectives would provide numerous ecosystem health and socio-economic benefits; for example protecting aquatic ecosystems, protection of water quality for primary industries and fisheries, protecting primary, secondary and visual and aesthetic amenity and cultural and spiritual values.

## **Consistency with fundamental legislative principles**

The amendment policy is consistent with fundamental legislative principles.

## **Consultation**

The environmental values and water quality objectives were developed in consultation with the Creek to Coral Natural Resource Management group (Townsville region) and Reef Catchments Natural Resource Management (Mackay Whitsunday region) and a wide range of associated stakeholders. Government, industry and community representatives were consulted. The process included a series of stakeholder and community workshops and meetings across each region. The draft values and objectives, associated technical reports and a socio-economic assessment report were also released for public review and submissions.

There was general support for the development of environmental values and water quality objectives to inform the future management of the waters. All issues raised in consultation were considered and addressed where relevant.

The department is working with the Department of Energy and Water Supply under its initiative to simplify the requirement for specific water sector plans under the *Water Supply (Safety and Reliability) Act 2008*—adopting performance based planning with streamlined annual reporting against key performance indicators, and including local government water cycle plans under the Environmental Protection Water Policy.

The proposed two year extension for the completion of local government water cycle plans under the Environmental Protection Water Policy will avoid compliance problems with the statutory timelines until the above ‘green tape’ reduction proposal is in place, and the requirement for local government water cycle plans under the Environmental Protection Water Policy is removed. Local Governments have been consulted and generally support the approach.