

South Australia

## **Environment Protection (Water Quality) Policy 2003**

under the *Environment Protection Act 1993*

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# Part 1—Preliminary

## 1—Short title

This policy may be cited as the *Environment Protection (Water Quality) Policy 2003*.

## 3—Interpretation

(1) In this policy—

*Act* means the *Environment Protection Act 1993*;

**ANZECC** means the Australian and New Zealand Environment and Conservation Council;

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

**clean stormwater** means stormwater that is not contaminated stormwater;

**contaminated stormwater** means stormwater that is contaminated by a pollutant listed in Schedule 4 or any material that could be reasonably prevented from entering the pipes, gutters and other channels used to collect and convey the stormwater;

**exemption** means an exemption under Part 6 of the Act;

**pollutant** has the same meaning as in the Act, and includes waste;

**protected environmental value**, in relation to waters or a particular body of water, means such of the following beneficial aspects or uses of water as are designated by this policy (see clause 9) in respect of those waters or that body of water for protection from pollution:

- A Aquatic ecosystem—
  - (i) fresh water;
  - (ii) marine water;
- B Recreational water use and aesthetics—
  - (i) primary contact;
  - (ii) secondary contact;
  - (iii) aesthetics;
- C Potable use;
- D Agricultural/aquaculture use—
  - (i) irrigation;
  - (ii) stock watering;
  - (iii) aquaculture;
- E Industrial use;

**septic system** means a system used on premises for the on-site collection, treatment and disposal of sewage generated at the premises, and includes a septic tank;

**stormwater** means rain or melted precipitation that runs off land or structures on land;

**surface waters** means—

- (a) marine waters; and
- (b) all other waters of the State other than underground water;

**underground water** means water occurring naturally, or stored, below ground level;

**vessel** means a boat, yacht, ship or other vessel capable of floating and being used on water;

**waste** has the same meaning as in the Act, and includes wastewater;

**waste management hierarchy**—see clause 7;

**wastewater** means waste principally consisting of water, and includes wash down water, cooling water, effluent, irrigation runoff and contaminated stormwater;

**wastewater management system** means a system designed and operated for the purpose of collecting and managing wastewater so as to minimise any adverse impacts of the wastewater on the environment;

**wastewater storage lagoon** means any dam, pond or lagoon constructed and used for the purpose of holding wastewater but does not include a sediment retention basin;

**watercourse** means any of the following (whether or not temporarily dry):

- (a) a river, creek or other natural watercourse (whether modified or not);
- (b) a dam or reservoir that collects water flowing in a watercourse;
- (c) a lake, wetland or other body of water through which water flows;
- (d) the Coorong;
- (e) an artificial channel;
- (f) a public stormwater disposal system;
- (g) part of a watercourse;

**water quality criteria**, in relation to protecting a particular protected environmental value, means the maximum concentrations of certain substances permitted by this policy to be in water, or the minimum or maximum levels permitted for certain characteristics of water;

**water quality objectives**—see clause 10;

**waters** means waters to which this policy applies—see clause 4.

- (2) For the purposes of this policy, a person discharges or deposits waste or a pollutant into waters or onto land if the person causes or allows the waste or pollutant to be discharged or deposited into the waters or onto the land or fails to prevent it from entering the waters or escaping onto the land (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).
- (3) For the purposes of this policy, the discharge or deposit of waste or a pollutant into a watercourse that is temporarily dry will be regarded as the discharge or deposit of the waste or pollutant into waters.
- (4) In this policy, the expression **mandatory provision** followed by a statement as to the category of offence is to be taken to signify that contravention of the provision at the foot of which the expression appears is, for the purposes of Part 5 of the Act, an offence of the category so stated.

**Note—**

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

#### **4—Application of policy**

- (1) Subject to section 7 of the Act and this clause, this policy applies in relation to all surface waters and underground waters including the water within a public stormwater disposal system or irrigation drainage channel, but excluding—
  - (a) water within the pipes and closed tanks of a water reticulation system; and
  - (b) water within a sewage system or wastewater management system; and
  - (c) water within a closed tank constructed of or lined with material impervious to water; and
  - (d) water within a private or public swimming pool.
- (2) This policy does not apply to the discharge of clean stormwater into any waters.
- (3) Except for Part 5, this policy does not apply to the ultimate discharge of stormwater from a public stormwater disposal system into any waters by a government or public authority responsible for the system.
- (4) Nothing in this policy affects the operation of an environmental authorisation granted under the Act, or any authority or exemption given by or under any other Act or law, and in force immediately before the commencement of this policy.

#### **6—Amendment of policy without following normal procedure (section 32)**

- (1) The following provisions of this policy may be amended by the Minister, by notice in the Gazette, pursuant to section 32(1)(c) of the Act:
  - (a) Division 2 of Part 4;
  - (b) Part 5;
  - (c) Table 2 of Schedule 1;
  - (d) Schedule 2;
  - (e) Schedule 3;
  - (f) Schedule 4;
  - (g) Schedule 5.
- (2) The kinds of changes that may be made to a provision by amendment under subclause (1) are as follows:
  - (a) the provision may be substituted wholly or in part;
  - (b) material may be varied or struck out from the provision;
  - (c) material may be inserted into the provision.
- (3) The Authority cannot make a recommendation to the Minister for amendment of any of the provisions referred to in subclause (1) unless—
  - (a) a proposal for the amendment has been developed, taking into account, where relevant, the principles set out in the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000* prepared by ANZECC/ARMCANZ, as in force from time to time, or in any guidelines substituted for those guidelines; and

- (b) the proposal has been reduced to writing, clearly setting out the purpose and likely impact of and reasons for the proposed amendment; and
- (c) there have been consultations with relevant organisations and industries and the community likely to be affected by the proposed amendment; and
- (d) the views expressed by those consulted have been considered by the Authority and communicated to the Minister.

## Part 2—Objects of policy

### 7—Objects

- (1) The principal object of this policy is to achieve the sustainable management of waters, by protecting or enhancing water quality while allowing economic and social development.
- (2) This policy more particularly seeks to—
  - (a) focus water quality management on achieving water quality objectives that will protect or enhance the water quality values assigned by this policy to the various areas of water; and
  - (b) ensure that pollution from both diffuse and point sources does not prejudice the achievement of those water quality objectives; and
  - (c) ensure that waste management will be based on doing the following, in the following order of priority (the *waste management hierarchy*):
    - (i) avoiding the production of waste;
    - (ii) minimising, as far as reasonably practicable, the production of waste;
    - (iii) reusing waste;
    - (iv) recycling waste;
    - (v) recovering part of waste for re-use;
    - (vi) treating waste to reduce potentially degrading impacts;
    - (vii) disposing of waste in an environmentally sound manner,to the effect that, first, the production of waste should be avoided and, second, to the extent that avoidance is not reasonably achievable, the production of waste should, as far as reasonably practicable, be minimised, and so on; and
  - (d) promote best practice environmental management; and
  - (e) promote within the community environmental responsibility and involvement in environmental issues.

## Part 3—Water quality objectives

### 8—Designation of protected environmental values (Schedule 1)

- (1) Subject to this clause, the protected environmental values of the waters to which this policy applies are the values designated for those waters (by an "X") in Table 1 of Schedule 1.

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- (2) However, the protected environmental values of a particular body of water described or delineated in Table 2 of Schedule 1 are the values designated in respect of that body of water in that table.

### **9—Water quality criteria (Schedule 2)**

- (1) Subject to this clause, the water quality criteria for waters that have a protected environmental value are the criteria set out in Table 1 of Schedule 2 for waters with that value.
- (2) However, the water quality criteria for a particular body of water described or delineated in Table 2 of Schedule 2 are the criteria designated in respect of that body of water in that table.

### **10—Water quality objectives**

The water quality objectives for any particular waters will be achieved if the provisions of this policy relating to the water quality criteria applicable to those waters are complied with, so that the protected environmental values of those waters are safeguarded.

## **Part 4—Management and control of point source pollution**

### **Division 1—General obligations**

#### **11—General obligation to avoid discharge etc into waters**

- (1) A person who is undertaking an activity, or is an occupier of land, must take all reasonable and practicable measures (not being measures that themselves cause environmental harm) to avoid the discharge or deposit of waste from that activity or land—
- (a) into any waters; or
  - (b) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray, or stormwater or by the rising of the water table),
- and, in taking those measures, must apply the waste management hierarchy.
- (2) If, after having complied with subclause (1), some waste is to be discharged or deposited, and may lawfully be discharged or deposited, by a person into waters or onto land referred to in subclause (1)(b), the person must take all reasonable and practicable measures to prevent or minimise any resulting environmental harm to waters.
- (3) Subclause (2) does not derogate from any other provision of this policy.

#### **12—Obligation not to cause certain environmental harm**

A person must not, by discharging or depositing a pollutant into any waters, cause any of the following:

- (a) loss of seagrass or other native aquatic vegetation; or
- (b) a reduction in numbers of any native species of aquatic animal or insect; or

- (c) an increase in numbers of any non-native species of aquatic animal or insect; or
- (d) a reduction in numbers of aquatic organisms necessary to a healthy aquatic ecosystem; or
- (e) an increase in algal or aquatic plant growth; or
- (f) the water to become toxic to vegetation on land; or
- (g) the water to become harmful or offensive to humans, livestock or native animals; or
- (h) an increase in turbidity or sediment levels.

Mandatory provision: Category B offence.

### **13—Obligation not to contravene water quality criteria (Schedule 2)**

- (1) A person must not, by discharging or depositing a pollutant into any waters, cause any of the water quality criteria applicable (see Schedule 2) to those waters—
  - (a) to be exceeded or, if already exceeded (whether through natural causes, the discharge or deposit of a pollutant or a combination of both), further exceeded; or
  - (b) in the case of a minimum level specified in Schedule 2 in relation to a characteristic of water—to be decreased or, if already decreased (whether through natural causes, the discharge or deposit of a pollutant or a combination of both), further decreased.

Mandatory provision: Category B offence.

- (2) In this clause—

*exceeded* or *decreased* means exceeded or decreased as measured by a method approved by the Authority.

- (3) To avoid doubt, if zero constitutes a water quality criterion in Schedule 2 for a particular pollutant, the pollutant must not be detectable in the relevant waters when measured by a method approved by the Authority.

### **14—Exemption from water quality criteria in surface waters—mixing zones**

- (1) The Authority may only grant a person an exemption from clause 13 in respect of the discharge of waste into surface waters if the person satisfies the Authority that measures can be taken in accordance with subclause (2) to establish an area in the waters where the waste is discharged and mixed with the waters (a *mixing zone*).
- (2) The following requirements apply in relation to a mixing zone:
  - (a) the establishment of the zone must not—
    - (i) pose a significant risk to aquaculture areas, potable water intakes or supplies or marine parks or other areas of water with a high conservation value; or
    - (ii) be inconsistent with a plan adopted under Part 7 of the *Water Resources Act 1997*;
  - (b) the zone must not be situated within waters that—

- (i) are regularly used to a significant extent for primary contact recreation; or
  - (ii) have significant value as a spawning or nursery area for aquatic organisms;
  - (c) in the case of marine waters (other than estuarine waters), the zone must—
    - (i) have a radius not exceeding 100 metres; and
    - (ii) not be within 200 metres of the mean low water mark of the coast at spring tides;
  - (d) in the case of other surface waters, the zone must have a radius not exceeding 20 metres;
  - (e) the zone's operation must—
    - (i) be sustainable; and
    - (ii) prevent or minimise the presence in or about the waters of objectionable matter or odours, or discolouration, as a result of the discharge; and
    - (iii) not prejudice the water quality objectives for the waters outside the zone.
- (3) If the Authority grants a person an exemption referred to in subclause (1), the Authority must, in addition to any other conditions that may be imposed, impose conditions of the exemption requiring the person to take the measures referred to in this clause.

#### **15—Exemption from water quality criteria in underground water—attenuation zones**

- (1) The Authority may only grant a person an exemption from clause 13 in respect of the discharge of waste into underground waters if the person satisfies the Authority that measures can be taken in accordance with subclause (2) to establish an area in the waters where the waste is discharged and the concentration of pollutants is reduced by physico-chemical and microbiological processes (an *attenuation zone*).
- (2) The following requirements apply in relation to an attenuation zone:
  - (a) the zone must not be situated wholly or partly within a water protection area within the meaning of Part 8 of the Act;
  - (b) the zone must not extend beyond the boundaries of the land on which the waste is generated except with the consent of the landowners affected;
  - (c) the aquifer must not have high permeability properties (eg. Karst rock or fractured rock aquifers);
  - (d) the zone's operation must—
    - (i) be sustainable; and
    - (ii) not prejudice the water quality objectives for the waters outside the zone.

- (3) If the Authority grants a person an exemption referred to in subclause (1), the Authority must, in addition to any other conditions that may be imposed, impose conditions of the exemption requiring the person—
- (a) to take the measures referred to in this clause; and
  - (b) to take action in accordance with a contingency plan approved by the Authority if pollution from within the attenuation zone is detected outside the zone.

#### **16—Obligation not to exceed discharge limits fixed by policy (Schedule 3)**

- (1) A person must not, in the course of undertaking an activity described in Schedule 3, discharge a pollutant listed in the Schedule into any waters, or a particular body of water described or delineated in the Schedule, at a rate or concentration level that exceeds the rate or concentration level specified by the Schedule in respect of that pollutant.
- Mandatory provision: Category B offence.
- (2) The Authority must not grant an exemption from subclause (1) if of the opinion that to do so would—
- (a) prejudice the water quality objectives for waters inside or outside the area of water to which the proposed exemption would apply; or
  - (b) be inconsistent with a plan adopted under Part 7 of the *Water Resources Act 1997*.

#### **17—Obligation not to discharge or deposit listed pollutants into waters or onto certain land (Schedule 4)**

- (1) A person must not discharge or deposit a pollutant listed in Part 1 of Schedule 4—
- (a) into any waters; or
  - (b) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).
- Mandatory provision: Category B offence.
- (2) Subclause (1) does not apply in relation to the lawful use of a pesticide or herbicide if the pesticide or herbicide is manufactured for use in relation to waters and is used at a concentration not exceeding a maximum concentration specified by the manufacturer or by law.
- (3) A person must not discharge or deposit a pollutant listed in Part 2 of Schedule 4 into any waters.
- Mandatory provision: Category B offence.

## 18—Wastewater storage lagoons

- (1) In determining matters required to be determined by the Authority under Part 6 of the Act in relation to an environmental authorisation or an application for an environmental authorisation that involves the construction of a wastewater storage lagoon or an application for a development authorisation referred to the Authority under the *Development Act 1993* that involves the construction of a wastewater storage lagoon, the Authority must take into account the principle that the construction of wastewater storage lagoons should be avoided in the following locations:
  - (a) within the flood plain known as the "1956 River Murray Flood Plain" or any flood plain that is subject to flooding that occurs, on average, more often than once in every 100 years;
  - (b) within a water protection area within the meaning of Part 8 of the Act;
  - (c) within 20 metres of a public road or road reserve;
  - (d) within 50 metres of a bank of a watercourse;
  - (e) within 200 metres of a residence built on land that is owned by some other person;
  - (f) within 500 metres of the high water mark;
  - (g) within an area where the base of the lagoon would be below any seasonal water table.
- (2) A person must not store a pollutant listed in Schedule 5 in a wastewater storage lagoon located in—
  - (a) the flood plain known as the "1956 River Murray Flood Plain"; or
  - (b) a water protection area within the meaning of Part 8 of the Act.Mandatory provision: Category B offence.
- (3) A person who constructs a wastewater storage lagoon must comply with the following provisions:
  - (a) the lagoon must be constructed so that polluted water in the lagoon cannot intercept with any underlying seasonal water table;
  - (b) in the case of a lagoon that is to be used for storage of wastewater that contains a pollutant listed in Schedule 5, the lagoon must—
    - (i) be constructed of or lined with an impervious material; or
    - (ii) be equipped with leak collection facilities that collect all leakages and return them to the lagoon or dispose of them in some other lawful manner;
  - (c) in the case of a lagoon other than one to which paragraph (b) applies, the lagoon must be constructed of or lined with a barrier that minimises, as far as practicable, leakage from the lagoon;
  - (d) a sufficient number of monitoring bores must be installed and properly placed so that the presence of any leakage can be readily ascertained;
  - (e) the lagoon must be constructed so as not to be liable to inundation or damage from flood waters;

- (f) if there is any potential for the wastewater in the lagoon being a risk to the health of any animals, sufficient barriers to access to the lagoon by those animals must be installed.

Mandatory provision: Category B offence.

- (4) A person who discharges wastewater into a lagoon to which subclause (3) applies must ensure that the lagoon is maintained in a condition that ensures ongoing compliance with the provisions set out in that subclause.

Mandatory provision: Category B offence.

- (5) A person who discharges wastewater into a wastewater storage lagoon must not allow the water in the lagoon to reach a level that is less than 600 millimetres from the level of the maximum carrying capacity of the lagoon.

Mandatory provision: Category B offence.

### **19—Obligation not to discharge listed pollutants or waste into bores, mine shafts etc (Schedule 4)**

A person must not, after the first year of the operation of this policy, discharge or deposit a pollutant listed in Schedule 4 or any waste into a bore, mine shaft, quarry, well, infiltration basin or other similar structure or a naturally occurring sinkhole.

Mandatory provision: Category B offence.

## **Division 2—Additional obligations relating to particular activities**

### **20—Application of Division**

Obligations imposed by this Division are in addition to and do not derogate from obligations imposed by the other provisions of this policy.

### **21—Abattoirs, slaughter houses and poultry processors**

- (1) An operator of an abattoir, slaughter house or poultry processing works must ensure that—
- (a) the premises incorporate a wastewater management system; and
  - (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as an abattoir, slaughter house or poultry processing works; and
  - (c) waste generated at the premises is not discharged—
    - (i) into any waters; or
    - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, an abattoir, a slaughter house or a poultry processing works.

## 22—Antifoulants

- (1) In this clause—
- antifoulant** means any chemical substance designed for application to water submerged surfaces to inhibit the growth of plants, animals or other organisms on those surfaces.
- (2) If a person uses an antifoulant, the code titled *Code of Practice for Antifouling and In-water Hull Cleaning and Maintenance 1997* prepared by ANZECC applies.
- (3) The Authority or another administering agency may issue an environment protection order to a person who uses an antifoulant to give effect to the code referred to in subclause (2).
- (4) A person must, in using an antifoulant, or removing an antifoulant from any surface, comply with the following provisions:
- (a) the only antifoulant containing tributyltin that may be used is one where the release rate of tributyltin from the antifoulant is less than 5 micrograms per square centimetre per day (as determined in accordance with a method approved by the Authority);
  - (b) an antifoulant containing tributyltin must not be used on a vessel that is less than 25 metres in length unless the hull of the vessel is made of aluminium;
  - (c) the cleaning of the hull of a vessel or the surface of any structure that has been coated with an antifoulant, or of any equipment contaminated with antifoulant, may only be carried out—
    - (i) in dry dock; or
    - (ii) above the high water mark of any waters; or
    - (iii) below the high water mark of any waters while the tide is out to such an extent that there is no tidal water coming into contact with the vessel, structure or equipment;
  - (d) antifoulant residues—
    - (i) must not enter any waters; and
    - (ii) must not come into contact with any land that is below the high water mark of any waters; and
    - (iii) must be collected and disposed of at a waste depot that is authorised under the Act to receive such waste.

Mandatory provision: Category B offence.

## 22A—Aquifer water storage and recovery schemes

- (1) In this clause—
- aquifer water storage and recovery scheme** means a scheme involving the injection of stormwater into an aquifer for the purpose of storage and subsequent recovery.
- (2) If a person operates an aquifer water storage and recovery scheme, the code titled *Code of Practice for Aquifer Storage and Recovery 2004* prepared by the Authority applies.

- (3) The Authority may issue an environment protection order to a person who operates an aquifer water storage and recovery scheme to give effect to the code referred to in subclause (2).

### **23—Cattle feedlots**

- (1) In this clause—

*cattle feedlot* means a confined yard or area in which cattle are held and are fed principally by mechanical means or by hand.

- (2) An operator of a cattle feedlot must ensure that—

- (a) the premises incorporate a wastewater management system; and
- (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as a cattle feedlot; and
- (c) waste generated at the premises is not discharged—
  - (i) into any waters; or
  - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) Subclause (2) will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, a cattle feedlot.
- (4) The Authority must, in determining any matters under Part 6 of the Act in relation to a cattle feedlot, take into account the *Guidelines for Establishment and Operation of Cattle Feedlots in South Australia 1994* prepared by the Authority and Primary Industries SA.

### **24—Composting works**

- (1) In this clause—

*composting works* means works for the production of mushroom or other compost.

- (2) An operator of composting works must ensure that—

- (a) the premises incorporate a wastewater management system; and
- (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as composting works; and
- (c) waste generated at the premises is not discharged—
  - (i) into any waters; or
  - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, composting works.

## 25—Concrete batching works

- (1) In this clause—

*concrete batching works* means works for the production of concrete or concrete products by the mixing of cement, sand, rock, aggregate or other similar materials.

- (2) An operator of concrete batching works must ensure that—

- (a) the premises incorporate a wastewater management system; and
- (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as concrete batching works; and
- (c) waste generated at the premises is not discharged—
  - (i) into any waters; or
  - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, used for the purposes of concrete batching works.

## 26—Extractive industries

- (1) In this clause—

*extractive industry* means operations involving extraction, or extraction and processing (by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner), of sand, gravel, stone, shell, shale, clay or soil, but does not include the removal of sand for the purposes of beach replenishment, or dredging.

- (2) An operator of an extractive industry must ensure that stormwater that has been contaminated by extracted material on the premises has had as much material removed from it as is reasonably practicable before it is discharged into any waters.

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, used for the purposes of an extractive industry.

## 27—Fish processing works

- (1) In this clause—

*fish processing works* means premises used for the purposes of scaling, gilling, gutting, filleting, freezing, chilling, packing or otherwise processing fish for sale, but excluding the processing of fish only in the course of a business of selling fish by retail;

*premises* includes a vessel.

- (2) An operator of a fish processing works must ensure that—
- (a) the premises incorporate a wastewater management system; and
  - (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as a fish processing works; and
  - (c) waste generated at the premises is not discharged—
    - (i) into any waters; or
    - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, a fish processing works.

## 28—Milking sheds

- (1) In this clause—

*milking shed* means any structure, whether roofed or not, at which operations for the milking of animals are carried on, including any associated yard areas in which animals are confined prior to or following milking.

- (2) An operator of a milking shed must ensure that—
- (a) the premises incorporate a wastewater management system; and
  - (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as a milking shed; and
  - (c) waste generated at the premises is not discharged—
    - (i) into any waters; or
    - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) If a person operates a milking shed, the code titled *Code of Practice for Milking Shed Effluent 2003* prepared by the Authority applies.

- (4) The Authority or another administering agency may issue an environment protection order to a person who operates a milking shed to give effect to the code referred to in subclause (3).

## 29—Milk processing works

- (1) In this clause—

*milk processing works* means premises used for the purposes of separating, evaporating or otherwise processing milk for the manufacture of evaporated or condensed milk, cheese, butter, ice cream or other similar dairy products.

- (2) An operator of milk processing works must ensure that—
- (a) the premises incorporate a wastewater management system; and
  - (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as milk processing works; and
  - (c) waste generated at the premises is not discharged—
    - (i) into any waters; or
    - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, milk processing works.

## 30—Piggeries

- (1) In this clause—

*piggery* means premises consisting of confined or roofed structures used for the purposes of the keeping or husbandry of pigs.

- (2) An operator of a piggery must ensure that—
- (a) the premises incorporate a wastewater management system; and
  - (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as a piggery; and
  - (c) waste generated at the premises is not discharged—
    - (i) into any waters; or
    - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) Subclause (2) will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, a piggery.

- (4) The Authority must, in determining any matters under Part 6 of the Act in relation to a piggery, take into account the *Development Guidelines for the Establishment of Intensive Piggeries in South Australia 1998* prepared by the Department for Primary Industries and Resources SA, the Authority, the South Australian Farmers' Federation and the Murraylands Regional Development Board.

### **31—Saleyards**

- (1) In this clause—

*saleyard* means a commercial yard at which cattle, sheep or other animals are gathered or confined for the purposes of their sale, auction or exchange, and includes associated transport loading facilities.

- (2) An operator of a saleyard must ensure that—

- (a) the premises incorporate a wastewater management system; and
- (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as a saleyard; and
- (c) waste generated at the premises is not discharged—
  - (i) into any waters; or
  - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, a saleyard.

### **32—Septic systems**

- (1) A person who owns or occupies premises at which a septic system is installed must ensure that waste from the septic system is not discharged—

- (a) into any waters; or
- (b) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to—

- (a) the discharge into waters of wastewater that has been treated to ensure that the water quality objectives for those waters are not prejudiced at the point of discharge; or
- (b) the discharge onto land referred to in subclause (1)(b) of wastewater that has been treated to ensure that the water quality objectives for the waters into which the wastewater is reasonably likely to enter are not prejudiced at the point of entry.

- (3) Subclause (1) will not apply until the expiry of the first year of the operation of this policy in relation to a septic system that was installed immediately before the commencement of this policy.
- (4) If a person uses sludge collected from a septic system, the *South Australian Biosolids Guidelines for the Safe Handling, Reuse or Disposal of Biosolids 1998* prepared by the Authority apply.
- (5) The Authority or another administering agency may issue an environment protection order to a person who uses sludge collected from a septic system to give effect to the guidelines referred to in subclause (4).

### 33—Septic tank effluent disposal schemes

- (1) In this clause—  
*septic tank effluent disposal scheme* means a scheme for the collection and disposal of waste from septic systems.
- (2) An operator of a septic tank effluent disposal scheme must ensure that waste from septic systems collected or stored by the operator is not discharged—
  - (a) into any waters; or
  - (b) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) Subclause (2) does not apply in relation to—
  - (a) the discharge into waters of wastewater that has been treated to ensure that the water quality objectives for those waters are not prejudiced at the point of discharge; or
  - (b) the discharge onto land referred to in subclause (2)(b) of wastewater that has been treated to ensure that the water quality objectives for the waters into which the wastewater is reasonably likely to enter are not prejudiced at the point of entry.
- (4) Subclause (2) will not apply until the expiry of the first year of the operation of this policy in relation to a scheme that was operating immediately before the commencement of this policy.
- (5) If a person supplies wastewater collected from septic systems under a septic tank effluent disposal scheme for reuse, or reuses such wastewater, the *South Australian Reclaimed Water Guidelines 1999* prepared by the Department of Human Services and the Environment Protection Agency apply.
- (6) If a person supplies sludge collected from septic systems under a septic tank effluent disposal scheme for reuse, or reuses any such sludge, the *South Australian Biosolids Guidelines for the Safe Handling, Reuse or Disposal of Biosolids 1996* prepared by the Authority apply.
- (7) The Authority or another administering agency may issue an environment protection order to a person who undertakes an activity referred to in subclause (5) or (6) to give effect to the guidelines referred to in the subclause.

### 34—Sewerage systems and sewage treatment systems

- (1) An operator of a sewerage system or sewage treatment system must ensure that untreated matter conveyed by the system or wastewater generated by the system is not discharged—
  - (a) into any waters; or
  - (b) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to—
  - (a) the discharge into waters of wastewater that has been treated to ensure that the water quality objectives for those waters are not prejudiced at the point of discharge; or
  - (b) the discharge onto land referred to in subclause (1)(b) of wastewater that has been treated to ensure that the water quality objectives for the waters into which the wastewater is reasonably likely to enter are not prejudiced at the point of entry.
- (3) Subclause (1) will not apply until the expiry of the first year of the operation of this policy in relation to a sewerage system that was operating immediately before the commencement of this policy.
- (4) If a person supplies wastewater collected from a sewage treatment system for reuse, or reuses such wastewater, the *South Australian Reclaimed Water Guidelines 1999* prepared by the Department of Human Services and the Environment Protection Agency apply.
- (5) If a person supplies sludge collected from a sewage treatment system for reuse, or reuses any such sludge, the *South Australian Biosolids Guidelines for the Safe Handling, Reuse or Disposal of Biosolids 1996* prepared by the Authority apply.
- (6) The Authority or another administering agency may issue an environment protection order to a person who undertakes an activity referred to in subclause (4) or (5) to give effect to the guidelines referred to in the subclause.

### 35—Tanneries and fellmongeries

- (1) In this clause—

***tannery or fellmongery*** means works for the commercial preservation or treatment of animal skins or hides, but excluding—

  - (a) the processing of skins or hides by primary producers in the course of primary production activities outside township areas; and
  - (b) the processing of skins or hides in the course of taxidermy.
- (2) An operator of a tannery or fellmongery must ensure that—
  - (a) the premises incorporate a wastewater management system; and

- (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as a tannery or fellmongery; and
- (c) waste generated at the premises is not discharged—
  - (i) into any waters; or
  - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, a tannery or fellmongery.

### 36—Vessels and vessel facilities

- (1) In this clause—

*aquaculture lease* has the same meaning as in the *Aquaculture Act 2001*;

*black water* means—

- (a) human waste, either alone or in combination with water; or
- (b) any other wastewater generated by cleaning a toilet;

*concentrated black water*—see subclause (3);

*Coorong* means that area of water separated from the Lower Murray, and from Lake Alexandrina, by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitche Barrages, and separated from the ocean by Sir Richard Peninsula and Younghusband Peninsula, and by the geodesic from the location on Mean High Water Springs closest to the mouth of the River Murray on the northern side of the headland of Sir Richard Peninsula to the location on Mean High Water Springs closest to the northern side of the headland of Younghusband Peninsula;

*grey water* means wastewater generated by washing, laundering, bathing or showering;

*harbor* has the same meaning as in the *Harbors and Navigation Act 1993*;

*inland waters* means the River Murray and its tributaries, Lakes Albert and Alexandrina, Lake George, the Coorong above the Murray Mouth and all the waters of the State that are fresh waters;

*Lakes Albert and Alexandrina* means all of the waters of Lake Albert and Lake Alexandrina downstream from the punt that services the main road joining the township of Wellington to the township of Wellington East near 35°19'52.53" South, 139°23'04.30" East, and separated from the Coorong by land and by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitche Barrages, and includes those waters of the Finnis River and Currency Creek situated upstream from Lake Alexandrina to the first road bridge by which they are crossed;

*marina* means a boat basin for the mooring, berthing, securing or other storage of 2 or more vessels;

**marine waters** means the waters within the limits of the State (other than inland waters) that are subject to the ebb and flow of the tide;

**Murray Mouth** means the Coorong and coastal waters that are within 500 m of a line joining the locations on Mean High Water Springs closest to 35°33'18.69" South, 138°52'45.87" East (northern side of the headland of Sir Richard Peninsula) and 35°33'21.95" South, 138°52'53.34" East (northern side of the headland of Younghusband Peninsula);

**prescribed vessel** means—

- (a) a vessel of or above 400 gross tonnage engaged in international shipping; or
- (b) a vessel authorised to carry more than 15 persons;

**vessel facility** means a facility for the mooring, berthing, securing, storage, construction, repair or maintenance of a vessel and includes a marina, pontoon, jetty, wharf, boat ramp, slipway and boat yard.

- (3) For the purposes of this clause, black water will be taken to be **concentrated black water** if the level or concentration of a pollutant or characteristic specified in column 1 of the following table in respect of the black water exceeds the level or concentration specified in column 2 for that pollutant or characteristic:

<b>Pollutant or characteristic</b>	<b>Level or concentration</b>
suspended solids	35mg/L
biochemical oxygen demand	25mg/L
chemical oxygen demand	125mg/L
pH	between 6 and 8.5
enterococci	40 cells/0.1L

- (4) Subject to subclause (5), the owner, or the person in charge, of a vessel must ensure that, while the vessel is on inland or marine waters, all waste (other than grey water) produced on or brought onto the vessel is stored on the vessel in a container from which it cannot escape.

Mandatory provision: Category B offence.

- (5) Black water may be discharged into marine waters from a vessel (other than a prescribed vessel) provided that—
- (a) it has been macerated into a fine slurry; and
  - (b) it does not contain formaldehyde-based chemical treatments; and
  - (c) it is not discharged—
    - (i) within a harbor, marina or canal; or
    - (ii) within 3 nautical miles of any person in the waters or the area of an aquaculture lease; and
  - (d) in addition, in the case of concentrated black water—
    - (i) it is not discharged within 3 nautical miles of the mean high water mark of the coast at spring tides; and
    - (ii) the vessel is underway when the black water is discharged.

- (6) It will not be necessary in any proceedings for an offence against subclause (4) to prove that waste actually escaped from a container.
- (7) The *Code of Practice for vessel and facility management (marine and inland waters) 2008* prepared by the Authority applies in relation to a vessel and a vessel facility.
- (8) The Authority or another administering agency may issue an environment protection order to the owner or person in charge of a vessel or vessel facility to give effect to the code as applied under subclause (7).

### 37—Waste depots

- (1) In this clause—

*waste depot* means premises used for the reception, storage, treatment or disposal of waste, and includes a landfill depot.
- (2) An operator of a waste depot must not discharge waste deposited or generated at the depot—
  - (a) into any waters; or
  - (b) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) Subclause (2) will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, a waste depot.
- (4) The Authority must, in determining any matters under Part 6 of the Act in relation to a waste depot, take into account the guidelines titled *Environmental management of landfill facilities (municipal solid waste and commercial and industrial general waste) 2007* prepared by the Authority.

### 38—Wineries and distilleries

- (1) In this clause—

*winery or distillery* means premises used for the purposes of processing grapes or other produce to make wine or spirits, but excludes works for bottling only.
- (2) An operator of a winery or distillery must ensure that—
  - (a) the premises incorporate a wastewater management system; and
  - (b) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used as a winery or distillery; and
  - (c) waste generated at the premises is not discharged—
    - (i) into any waters; or
    - (ii) onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (3) This clause will not apply until the expiry of the first year of the operation of this policy in relation to premises that were, immediately before the commencement of this policy, a winery or a distillery.

## **Part 5—Management and control of diffuse sources of pollution**

### **39—Road construction and maintenance—stormwater**

If an authority constructs or maintains a public road, the code titled the *Stormwater Pollution Prevention Code of Practice for Local, State and Federal Government 1997* prepared by the Authority applies.

### **40—Building and construction industry—stormwater**

If a person undertakes a building or construction activity described in the *Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1998* prepared by the Authority, that code applies.

### **41—Urban stormwater**

If an authority undertakes the management of a stormwater system, or a part of such a system, the code titled *Stormwater Pollution Prevention General Code of Practice for Local, State and Federal Government 1997* prepared by the Authority applies.

### **42—Environment protection order may be issued to give effect to code of practice under this Part**

The Authority or another administering agency may issue an environment protection order to a person who undertakes an activity referred to in this Part to give effect to the code that applies to the activity.

### **43—Matters to be taken into account by Authority**

In determining any matters under Part 6 of the Act in relation to an activity or development, the Authority must—

- (a) take into account the potential of the activity or development to cause pollution of any waters through soil erosion, stormwater runoff or infiltration of pollutants through the soil; and
- (b) consider the requirements that should, in the event of an authorisation being granted, be imposed on all relevant persons for the purposes of preventing or minimising the pollution or its harmful effects,

and in imposing any such requirements, the Authority must take into account the *Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1998* prepared by the Authority.

## **Part 6—Exemption conditions requiring monitoring and reporting**

### **44—Exemption conditions requiring monitoring and reporting**

- (1) In granting an exemption to a person from a provision of this policy relating to the discharge of waste or pollutants into waters, the Authority must, in addition to any other conditions on which the exemption is granted, attach a condition that provides for a monitoring and reporting program to be carried out by the person.
- (2) The Authority may, as part of a monitoring and reporting program, require the person undertaking the program to have the program independently checked and verified at regular intervals and to make the results of those checks available to the Authority.

## **Schedule 1—Protected environmental values**

(Clause 8)

### **Definitions**

In this Schedule and Schedule 2—

*aesthetics*, in relation to any waters, means the naturally occurring colour, smell, clarity and general appearance of the waters;

*primary contact*, in relation to any waters, means use of the waters for recreational activities involving immersion of the body in the water (eg, swimming, diving, surfing and water skiing);

*secondary contact*, in relation to any waters, means use of the waters for recreational activities involving some contact with the water, but not generally bodily immersion (eg, wading, boating and fishing).

**Environment Protection (Water Quality) Policy 2003—25.6.2009 to 28.10.2009**  
 Schedule 1—Protected environmental values

**Table 1**

Water body	Aquatic ecosystem		Recreation & aesthetics			Potable	Agriculture/aquaculture			Industrial
	fresh	marine	primary contact	secondary contact	aesthetics		irrigation	livestock	aquaculture	
Marine waters	—	X	X	X	X	—	—	—	X	X
Inland surface waters	X	—	X	X	X	X	X	X	X	X
Underground waters	X	—	X	—	X	X	X	X	X	X

**Table 2—Protected Environmental Values for Particular Bodies of Water**

## **Schedule 2—Water quality criteria**

(Clauses 9 and 13)

### **Table 1—General Criteria**

**Note—**

All pollutant quantities listed below are in milligrams per litre (mg/L) unless otherwise indicated and are maxima.

**Environment Protection (Water Quality) Policy 2003—25.6.2009 to 28.10.2009**  
 Schedule 2—Water quality criteria

POLLUTANTS (Clause 13(1)(a))	Protected environmental values									
	Aquatic ecosystem		Potable	Recreation & aesthetics			Agriculture/aquaculture			Industrial
	fresh	marine		primary contact	secondary contact	aesthetics	irrigation	livestock	aquaculture	
<b>Metal pollutants:</b>										
aluminium (soluble *)	0.1						1	5		
antimony (total)	0.03	0.5	0.003							
arsenic (total)	0.05	0.05	0.007				0.1	0.5	0.02	
barium			0.7							
beryllium (total)	0.004						0.1	0.1	0.0001	
boron (total)			0.3				1	5		
cadmium (total)	0.002	0.002	0.002				0.01	0.01		
chromium (total)							1	1	0.02	
chromium VI	0.001	0.0044	0.05							
cobalt (total)							0.05	1		
copper (total)	0.01	0.01	2				0.2	0.5		
iron (total)	1						1			
lead (total)	0.005	0.005	0.01				0.2	0.1		
lithium (total)							2.5			
manganese (total)			0.5				2		0.1	
mercury (total)	0.0001	0.0001	0.001				0.002	0.002	0.0005	
molybdenum (total)			0.05				0.01	0.01		
nickel (total)	0.15	0.015	0.02				0.2	1	0.1	

25.6.2009 to 28.10.2009—Environment Protection (Water Quality) Policy 2003  
Water quality criteria—Schedule 2

POLLUTANTS (Clause 13(1)(a))	Protected environmental values									
	Aquatic ecosystem		Potable	Recreation & aesthetics			Agriculture/aquaculture			Industrial
	fresh	marine		primary contact	secondary contact	aesthetics	irrigation	livestock	aquaculture	
selenium (total)	0.005	0.07	0.01				0.02	0.02		
silver (total)	0.0001	0.001	0.1							
thallium (total)	0.004	0.02								
uranium (total)			0.02				0.01	0.2		
vanadium (total)							0.1	0.1		
zinc (total)	0.05	0.05					2	20	0.005	
<b>Inorganic pollutants:</b>										
ammonia (total as nitrogen)	0.5	0.2								
ammonia (NH <sub>3</sub> as nitrogen)	0.01	0.05								
Biochemical Oxygen Demand (5-day test)	10	10								
chlorine (total)	0.003	0.0075								
colour (Hazen units)	30	15								
cyanide (total)			0.08							
iodide			0.1							
fluoride			1.5				1	2		
nitrate (as nitrogen)			10					30		
nitrite (as nitrogen)			1					10		
oxidised nitrogen (as nitrogen)	0.5	0.2								

**Environment Protection (Water Quality) Policy 2003—25.6.2009 to 28.10.2009**

Schedule 2—Water quality criteria

POLLUTANTS (Clause 13(1)(a))	Protected environmental values									
	Aquatic ecosystem		Potable	Recreation & aesthetics			Agriculture/aquaculture			Industrial
	fresh	marine		primary contact	secondary contact	aesthetics	irrigation	livestock	aquaculture	
phosphorus (total as phosphorus)	0.5	0.5								
phosphorus (soluble as phosphorus)	0.1	0.1								
salinity (percentage variation)	10									
sulfate			500					1000		
sulfide	0.002	0.002								
suspended sediment	20	10								
total nitrogen (as nitrogen)	5	5								
total organic carbon	15	10								
turbidity (Nephelometric Turbidity units (NTU))	20	10	5	20						
<b>Organic pollutants:</b>										
<u>Chlorinated phenols</u>										
monochlorophenol	0.007		0.0001							
2,4-dichlorophenol	0.0002		0.0003							
trichlorophenol (total)	0.018		0.002							
2,4,5-trichlorophenol		0.008	0.002							
tetrachlorophenol	0.001									

25.6.2009 to 28.10.2009—Environment Protection (Water Quality) Policy 2003  
Water quality criteria—Schedule 2

POLLUTANTS (Clause 13(1)(a))	Protected environmental values									
	Aquatic ecosystem		Potable	Recreation & aesthetics			Agriculture/aquaculture			Industrial
	fresh	marine		primary contact	secondary contact	aesthetics	irrigation	livestock	aquaculture	
oil and grease	10	10				10				
pentachlorophenol	0.00005	0.0002	0.00001							
<u>Chlorobenzenes</u>										
1,2-dichlorobenzene	0.0025		1.5							
1,3-dichlorobenzene	0.0025									
1,4-dichlorobenzene	0.004		0.04							
monochlorobenzene	0.015									
trichlorobenzenes (total)			0.03							
1,2,3-trichlorobenzene	0.0009									
1,2,4-trichlorobenzene	0.0005									
1,3,5-trichlorobenzene	0.0007									
1,2,3,4-tetrachlorobenzene	0.0001									
1,2,3,5-tetrachlorobenzene	0.0001									
1,2,4,5-tetrachlorobenzene	0.0002									
pentachlorobenzene	0.00003									
hexachlorobenzene	0.000007									

**Environment Protection (Water Quality) Policy 2003—25.6.2009 to 28.10.2009**

Schedule 2—Water quality criteria

POLLUTANTS (Clause 13(1)(a))	Protected environmental values									
	Aquatic ecosystem		Potable	Recreation & aesthetics			Agriculture/aquaculture			Industrial
	fresh	marine		primary contact	secondary contact	aesthetics	irrigation	livestock	aquaculture	
<u>Organotins</u>										
tributyltins	0.00008	0.00002	0.001							
<u>Plasticisers</u>										
di(2-ethylhexyl) phthalate			0.01							
<u>Other organic pollutants</u>										
acrylamide			0.0002							
benzene	0.3	0.3	0.001						0.04	
carbon tetrachloride			0.003							
1,2-dichloroethane			0.003							
1,1-dichloroethene			0.03							
1,2-dichloroethene			0.06							
dichloromethane			0.004							
epichlorohydrin			0.0005							
ethylbenzene			0.3							
ethylenediamine tetraacetic acid			0.25							
hexachlorobutadiene			0.0007							
nitrilotriacetic acid			0.2							

25.6.2009 to 28.10.2009—Environment Protection (Water Quality) Policy 2003  
Water quality criteria—Schedule 2

POLLUTANTS (Clause 13(1)(a))	Protected environmental values									
	Aquatic ecosystem		Potable	Recreation & aesthetics			Agriculture/aquaculture			Industrial
	fresh	marine		primary contact	secondary contact	aesthetics	irrigation	livestock	aquaculture	
pesticides	0	0	0							
polyaromatic hydrocarbons (PAHs)	0.003	0.003	0.00001							
phenol	0.05	0.05								
polychlorinated biphenyls (PCBs)	0.000001	0.000004							0.0005	
styrene			0.03							
2,3,7,8 tetra-chlorodibenzodioxin (2378 TCDD)	0	0	0							
tetrachloroethene			0.04							
toluene	0.3		0.8							
vinyl chloride			0.0003							
xylene			0.6							
<b>Microbiological pollutants (organisms per 100 millilitres):</b>										
faecal coliforms or <i>E.coli</i>			0	150	1000		1000	1000	0	
Enterococci				33						

**Environment Protection (Water Quality) Policy 2003—25.6.2009 to 28.10.2009**  
 Schedule 2—Water quality criteria

POLLUTANTS (Clause 13(1)(a))	Protected environmental values									
	Aquatic ecosystem		Potable	Recreation & aesthetics			Agriculture/aquaculture			Industrial
	fresh	marine		primary contact	secondary contact	aesthetics	irrigation	livestock	aquaculture	
<b>CHARACTERISTICS</b> (Clause 13(1)(b))										
oxygen (dissolved)	>6	>6								
pH (pH units)	between 6.5–9		between 6.5–8.5				between 4.5–9			
<b>Note—</b>										
* Soluble means fully dissolved or filterable through a 0.1 micron filter.										
* Zero means that the pollutant must not be detectable when measured by a method approved by the Authority.										

**Table 2—Criteria for particular bodies of water**

## **Schedule 3—Discharge limits**

(Clause 16)

## **Schedule 4—Listed pollutants**

(Clauses 17 and 19)

### **Part 1**

Agricultural chemicals  
Airconditioning or cooling system wastewater  
Brick, bitumen or concrete cutting wastewater  
Building construction or demolition waste  
Building washwater  
Carpet or upholstery cleaning waste  
Chemicals designed for human or animal therapeutic use  
Cleaning agents  
Concrete waste  
Condensate from compressors  
Detergents and their byproducts  
Engine coolant  
Fire sprinkler test water  
Fuel dispensing area washwater  
Hard waste (eg vehicles, tyres, batteries, metal parts, piping)  
High pressure water blasting waste  
Motor vehicle servicing or repairs waste  
Oil, grease or lubricants  
Paint and paint scrapings  
Painting washwater  
Paint stripping waste  
Petroleum products  
Photographic chemicals  
Plaster, plaster waste and plaster wastewater  
Pool backwash water  
Pool chemicals  
Putrescible waste (eg food scraps, dead animals)

Roof cleaning waste  
Rubbish (eg cans, bottles, plastic items or materials)  
Sawdust  
Sewage (other than sewage lawfully discharged from a vessel in accordance with clause 36 of this policy)  
Solvents  
Stain or varnish  
Steam cleaning waste  
Street cleaning waste  
Timber preservatives  
Washdown water from cleaning animals or animal enclosures  
Washdown water from cleaning vehicles, plant or equipment  
Washdown water from commercial or industrial premises or wharves  
Waste from grease traps  
Wastes listed in Part B of Schedule 1 of the Act

## **Part 2**

Animal faeces  
Fertilisers  
Green waste (eg lawn clippings, leaves, prunings)  
Soil, clay, gravel or sand

## **Schedule 5—Listed pollutants**

(Clause 18)

Oil or petroleum products  
Paint or paint products  
Sewage  
Timber preservatives  
Wastes listed in Part B of Schedule 1 of the Act

## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this policy (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation revoked by principal policy

The *Environment Protection (Water Quality) Policy 2003* revoked the following:

*Environment Protection (Marine) Policy 1994*

*Environment Protection (Milking Shed Effluent Management) Policy 1997*

*Environment Protection (Vessels on Inland Waters) Policy 1998*

### Principal policy and amendments

New entries appear in bold.

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 10.4.2003 p1669	s 28	—	1.10.2003
Gazette 25.11.2004 p4405	s 32	—	25.11.2004
Gazette 3.11.2005 p3867	Act 21/2005	—	3.11.2005: cl 2
Gazette 10.7.2008 p3317	s 32	—	10.7.2008: cl 2
<b>Gazette 25.6.2009 p2988</b>	<b>s 32</b>	—	<b>25.6.2009: cl 2</b>

### Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>cl 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>25.11.2004</i>
<i>cl 5</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>3.11.2005</i>
cl 22		
cl 22(3)	amended by 3.11.2005 p3867 cl 8	3.11.2005
cl 22A	inserted by 25.11.2004 p4405 cl 4	25.11.2004

## Environment Protection (Water Quality) Policy 2003—25.6.2009 to 28.10.2009

### Legislative history

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cl 28		
cl 28(4)	amended by 3.11.2005 p3867 cl 9	3.11.2005
cl 32		
cl 32(5)	amended by 3.11.2005 p3867 cl 10	3.11.2005
cl 33		
cl 33(7)	amended by 3.11.2005 p3867 cl 11	3.11.2005
cl 34		
cl 34(6)	amended by 3.11.2005 p3867 cl 12	3.11.2005
<i>cl 36 before substitution by 10.7.2008 p3317</i>		
<i>cl 36(7)</i>	<i>amended by 3.11.2005 p3867 cl 13</i>	<i>3.11.2005</i>
cl 36	substituted by 10.7.2008 p3317 cl 4	10.7.2008
<b>cl 36(1)</b>		
<i>category A vessel</i>	<i>deleted by 25.6.2009 p2988 cl 4(1)</i>	<i>25.6.2009</i>
<i>category B vessel</i>	<i>deleted by 25.6.2009 p2988 cl 4(1)</i>	<i>25.6.2009</i>
<i>commercial vessel</i>	<i>deleted by 25.6.2009 p2988 cl 4(1)</i>	<i>25.6.2009</i>
<i>concentrated grey water</i>	<i>deleted by 25.6.2009 p2988 cl 4(2)</i>	<i>25.6.2009</i>
<b>marina</b>	<b>substituted by 25.6.2009 p2988 cl 4(3)</b>	<b>25.6.2009</b>
<b>vessel facility</b>	<b>inserted by 25.6.2009 p2988 cl 4(4)</b>	<b>25.6.2009</b>
<i>cl 36(2)</i>	<i>deleted by 25.6.2009 p2988 cl 4(5)</i>	<i>25.6.2009</i>
<b>cl 36(4)</b>	<b>varied by 25.6.2009 p2988 cl 4(6), (7)</b>	<b>25.6.2009</b>
<b>cl 36(5)</b>	<b>substituted by 25.6.2009 p2988 cl 4(8)</b>	<b>25.6.2009</b>
<b>cl 36(7) and (8)</b>	<b>substituted by 25.6.2009 p2988 cl 4(9)</b>	<b>25.6.2009</b>
<i>cl 36(9)—(11)</i>	<i>deleted by 25.6.2009 p2988 cl 4(9)</i>	<i>25.6.2009</i>
<b>cl 37</b>		
<b>cl 37(4)</b>	<b>varied by 25.6.2009 p2988 cl 5</b>	<b>25.6.2009</b>
cl 42	amended by 3.11.2005 p3867 cl 14	3.11.2005
<b>Sch 4</b>		
<b>Pt 1</b>	<b>varied by 25.6.2009 p2988 cl 6</b>	<b>25.6.2009</b>

## Historical versions

25.11.2004

3.11.2005

10.7.2008