

# Draft Implementation Plan for Consultation

State Environment Protection Policy (Waters)

DELWP/EPA

September 2017



Environment  
Protection  
Authority Victoria



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For the Department of Environment, Land, Water and Planning, East Melbourne, Victoria

# Contents

<b>1. Introduction</b>	<b>5</b>
<b>2. Delivery of the implementation plan</b>	<b>6</b>
2.1 Governance	6
2.2 A rolling plan of prioritisations	6
<b>3. Approach to prioritising implementation actions</b>	<b>9</b>
<b>4. Implementation Plan Actions</b>	<b>12</b>
4.1 Critical Actions - Overview	12
4.2 Critical Action 1 – Setting interim regional targets to rehabilitate priority areas	12
4.3 Critical Action 2 – Achieving pollutant load reduction targets	13
4.4 Critical Action 3 – Managing urban stormwater and sewerage	15
4.5 Critical Action 4 – Managing wastewater discharges	16
4.6 Critical Action 5 – Managing Onsite domestic wastewater	17
4.7 Monitoring, Evaluation and Reporting	18
<b>Appendix A All Implementation Actions</b>	<b>20</b>
List of tables	
Table 2-1: Implementation plan responsibilities (project currently in consultation draft phase)	7
Table 3-1: High priority risks to beneficial values provided by Victorian waters	10
Table 3-2: Widespread – criteria to prioritise an activity based on whether it has widespread or local impacts	10
Table 3-3: Time-bound – criteria to prioritise an activity based on whether managing its impacts is required during discrete time periods and requires long term management	10
Table 3-4: Regulatory controls – criteria to prioritise actions based on whether there are strong existing regulatory controls (e.g., the activity the clause addresses is licensed or subject to works approval or planning regulations)	11
Table 3-5: Likelihood table. Assessed as: “how likely it is that the action will have an effect on a high risk?”. For example, an action that will address the risk over all segments in most situations would be assessed as “almost certain” while an action that will only address the risk on a localised area or under certain circumstances would be assessed as “possible”	11
Table 3-6: Consequence level table (assessed as “in the absence of this action”).	11
Table 3-7: Scoring matrix for Tables 5 & 6.	11
Table 4-1 sub-actions for implementing Regional Target Setting. Actions are listed in order of their priority for implementation	13
Table 4-2 Critical sub-actions for achieving pollutant load reduction targets load target. Actions are listed in order of their priority for implementation	14
Table 4-3 Critical sub-actions for implementing urban stormwater and sewerage management provisions	15
Table 4-4 Critical sub-action for managing wastewater discharges	16
Table 4-5 Critical sub-actions for managing onsite domestic wastewater	17
Table 4-6 Critical sub-actions for co-ordinating the monitoring, evaluation and reporting of the effectiveness of SEPP (Waters)	19

# 1. Introduction

The overarching goal of the State Environment Protection Policy (Waters) (herein “the SEPP”) is “to protect and improve the quality of Victoria’s waters while providing for economic and social development. The policy achieves these goals by setting out:

- The beneficial uses of water environments that Victorians value and want to protect and enhance,
- The levels of environmental quality (objectives) required to protect these beneficial uses,
- Within a 10-year timeframe, strategic goals, obligations, decision rules and processes to be followed for protection agencies, businesses and communities to identify, prioritise and control risks to beneficial uses

This document describes the SEPP (Waters) Implementation Plan (the “Implementation Plan”), that will support and drive accountability for the implementation of actions to achieve the above goals of SEPP (Waters). This Implementation Plan follows the recommendations of the Statutory Policy Review (SPR) (2013) for statutory policies to be supported by three to five yearly ‘implementation plans’ that are published and regularly publicly reported on. The SPR review more specifically recommends that implementation plans should:

1. identify the highest risks and priority challenges for the segment that the statutory policy relates to;
2. address how monitoring and assessment against the environmental quality objectives in the statutory policy will be coordinated across agencies;
3. set out a limited number of critical actions (between one and five) that agencies are committing to address these highest risks, priority challenges and community concerns. This is to focus the implementation plan on the successful delivery of a smaller number of actions.

This Implementation Plan focuses on six critical high level implementation actions, which are described in Section 4 below, and consist of sub-actions that will be implemented over the next 10 years. These actions will be publicly evaluated and regularly reported on every 3-5 years by the Department of Environment, Land Water and Planning (DELWP). The implementation actions and sub-actions described in Section 4 will be achieved to the extent that funding and resources are available.

Five of the “critical actions” identified in the Implementation Plan have been selected using a decision-making process that identified the actions that address the highest, and most widespread, risks to beneficial uses, priority challenges and community concerns, and are considered most critical to achieving the environmental quality objectives set out in the Policy. The decision process for determining the five key actions and prioritising sub-actions is described in detail in Section 3. A plan to co-ordinate the monitoring, evaluation and reporting on the effectiveness of the SEPP is included as a further, sixth, action.



## 2. Delivery of the implementation plan

### 2.1 Governance

The Department of Environment, Land, Water and Planning (DELWP) will be the Lead agency responsible for the overarching coordination of the Implementation Plan. The key responsible agencies for the delivery will be the Environment Protection Authority (EPA) and other responsible agencies including DELWP, water corporations, catchment management authorities, other government departments and local government who will have a role in delivery of implementation actions. The roles and responsibilities of lead agencies for actioning the different stages, and associated key tasks, of the Implementation Plan are described in Table 2.1.

### 2.2 A rolling plan of prioritisations

Section 3 describes the process for prioritising actions identified during the SEPP review. DELWP as the lead agency, will develop a business plan of actions to be implemented and reported on every 3-5 years. DELWP will look at the business plan on an annual basis, and implementation will be contingent on resourcing (including staff and activities funding) and government priorities, which may change over time. The actions listed in Section 4 provide the priorities that will form the basis of the initial business plan.

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Table 2-1: Implementation plan responsibilities (project currently in consultation draft phase)

Review phase	Stage	Responsibility	Tasks
CONSULTATION DRAFT AND THEN FINALISE	Development / negotiation	DELWP	Coordinate and lead negotiation and drafting of Implementation Plan content. Identify and engage responsible agencies to support this. Ensure consistency with the PIA.
CONSULTATION DRAFT, ENDORSEMENT OF FINAL	Endorsement	DELWP (as lead agency) / responsible agencies	Endorse the Implementation Plan including commitments covering monitoring and assessment and tackling important risks and challenges. Agencies to determine level of endorsement based on the nature of commitment/s they are responsible for. The initial Implementation Plan to be endorsed simultaneously with SEPP (Waters).
FINAL VERSION	Publication	EPA	Publish the Implementation Plan on its website on the same webpage as SEPP (Waters). (All previous versions of the Implementation Plan will also be retained on EPA's website.)
FINAL	Delivery	DELWP / responsible agencies (EPA, water corporations, local government, other government departments)	<p>Deliver specific commitments in the Implementation Plan, and ensure that its activities do not jeopardise the achievement of any other Implementation Plan commitments.</p> <p>Support effective transitioning to new program arrangements, including with any affected parties.</p> <p>Ensure that any compliance activities and requirements, including data collection and provision, are clear and unambiguous.</p> <p>Determine and facilitate any training or other support required.</p> <p>Ensure effective ongoing stakeholder information and engagement occurs.</p>
FINAL	Monitoring	DELWP	Monitor progress against Implementation Plan commitments. Convene meetings with responsible agencies and/or form an Implementation Plan committee. Ensure that the monitoring plan is consistent with the SEPP (Waters) evaluation strategy. <sup>1</sup>
FINAL		Responsible agencies	Report annually to DELWP and any other relevant lead agency on the progress of the delivery of their responsibilities and commitments under the Implementation Plan. To support this, develop their own internal action plans to ensure delivery of their responsibilities under both the Implementation Plan and SEPP (Waters).
FINAL		DELWP / EPA	In consultation with lead agencies, comment as required on progress against commitments. If required, provide guidance on facilitating commitments being met.
FINAL	Public reporting	DELWP	<p>Provide an annual 'Summary of current status' update for each Implementation Plan action</p> <p>Provide comprehensive progress reports at the 3-5 yearly conclusion of the Implementation Plan on whether commitments have been achieved</p> <p>Ensure consistency with any Policy Impact Assessment commitments.</p>
FINAL		Lead & responsible agencies	May also publicly report against the delivery of any commitments they make in an Implementation Plan in their corporate reports, annual reports, stakeholder updates, etc.

<sup>1</sup> Refer to section 2.3, Step 7 in the Victorian Guide to Regulation.

<i>Review phase</i>	<i>Stage</i>	<i>Responsibility</i>	<i>Tasks</i>
<i>FINAL</i>		<i>EPA</i>	<i>Publish all reports on its website with SEPP (Waters) and the Implementation Plan (all previous reports will also be retained).</i>
	<i>New version</i>	<i>Lead agencies</i>	<i>Responsible for producing subsequent versions of the Implementation Plan to address highest risks and priority challenges for protecting water Beneficial Uses.</i>

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## 3. Approach to prioritising implementation actions

To determine the five critical actions that are the focus of the Implementation Plan, the highest priority actions for implementation have been initially identified and selected using a five-step decision making approach (Step 1- 5 below). Two additional steps to prioritise, costing and community concern (steps 6 and 7) will be completed following the release of the Implementation Plan through the development of business plans and public consultation, respectively. The critical actions of the Implementation Plan are based on major clauses of the Policy and the actions they describe. The decision-making process to identify high priority implementation actions consisted of the following criteria:

- 1. Addressing known high priority threats to water beneficial uses** – This criterion ranks actions based on whether clause provisions address one or more threats to water beneficial uses that have been identified as high priority (Table 1). While all the clause provisions and associated actions are included in the Policy because they address activities, or threats, that can pose a high risk to the beneficial uses of water, there have been several recent assessments of the risks to values provided by waters in Victoria that have consistently identified the same high priority threats to waters.

These high priority threats have been identified using standard risk assessment processes that consider both likelihood of occurrence and the consequences to beneficial uses and values. These have largely been identified as high risk as they are almost certain to occur (or are currently occurring). Other risks have been identified but are considered lower priority because they are either considered to be rare / unlikely or the consequences are less severe due to their highly-localised impacts. SEPP (Waters) is a state-wide policy and needs to consider the impacts to water quality across marine, freshwater and groundwater systems. If the action does not address a high priority risk area, then it is considered a low priority and excluded from the rest of the process. If the action does relate to a high risk, then it progresses to steps 2 to 5.

- 2. Widespread** – This criterion ranks actions based on whether the clause provisions address a threat/activity that is localised or widespread (Table 2). Highest priority is given to those activities that are the most widespread across the state.
- 3. Time-bound** – This criterion ranks actions based on whether the clause provisions address an activity that is discrete and time-bound with impacts that only require management when the activity is occurring (or for a short time before or after) or an activity that requires ongoing, long term and active management (Table 3). Highest priority is given to activities that require long-term ongoing management to reduce their impacts (i.e., chronic impacts)
- 4. Controls** – This criterion ranks actions based on whether the clause provisions already have in place effective regulatory controls (e.g., licensing, works approval, or planning regulations) that mean the clause can be implemented through already existing regulatory mechanisms that specifically address that activity/provision, or, whether the clause has very limited or no regulatory controls (Table 4). Highest priority is given to those activities with no or very limited regulatory controls.
- 5. Risk to beneficial uses** – this criterion ranks actions based on the risks to beneficial uses of water associated with *not* implementing the action/clause provisions described in SEPP (Waters). Likelihood and consequence tables are provided below together with a scoring matrix (score = likelihood x consequence) in Tables 5, 6 & 7. This identifies the actions that will most effectively address high risks.
- 6. Cost** - Implementation actions identified from steps 1-5 are assessed based on the resources required to implement the action. Low resourcing options are those in line with business as usual or where resources can be reprioritised from other areas with minimal effect on the business. High resourcing options are those requiring significant additional resources to implement or significantly affect the business ability to implement other options. Priority should be given to the most cost effectiveness actions, that is, those that provide the greatest benefit proportional to costs and that

can be implemented with available resources. The prioritisation of actions based on costs will be determined by the available funding and resources during the implementation of the SEPP.

**7. Community concern** – to be tested in the public consultation phase

Each of the actions was scored against these criteria with the five critical actions selected that ranked most highly in terms of addressing high priority threats to beneficial uses, having the most wide-spread and long term impacts, not having strong existing regulatory controls and likely to pose a high risk to multiple segments of the environment if they are not implemented.

*Table 3-1: High priority risks to beneficial values provided by Victorian waters.*

Risk (threatening activities and associated stressors)	Relevant SEPP (Waters) segments
Catchment inflows from diffuse sources (nutrients, sediments and toxicants)	All
Stormwater discharges (nutrients, sediments, toxicants)	All
Wastewater discharges (nutrients, toxicants, pathogens)	Port Phillip Bay, localised inland waters, some open coast locations, groundwater
Water resource use (altered water regimes, salinity, algal blooms)	Inland waters, estuaries, groundwater
Climate change exacerbating the above risks	All

*Table 3-2: Widespread – criteria to prioritise an activity based on whether it has widespread or local impacts*

Local impacts	Mostly Localised Impacts, Very Common Activity	Moderately Widespread Impacts	Very Widespread Impacts
Action influences an activity that only has mostly localised impacts and is only moderately widespread/common	Action influences an activity that has localised impacts on one to two water types but does not have a strong influence on remote segments. Activities are common so have a cumulative impact	Action influences common and widespread activity that impacts only one water type but all segments of that water type are likely to be impacted, and with significant impacts on remote segments	Action influences common and widespread activity that affects multiple water types (e.g., a combination of two or more of inland waters, estuarine waters marine waters, groundwater, and segments) AND activity has significant effects on remote segments (e.g. activity occurs in waterways but impacts marine segments)

*Table 3-3: Time-bound – criteria to prioritise an activity based on whether managing it's impacts is required during discrete time periods and requires long term management.*

Discrete/Infrequent	Discrete/Frequent	Mostly discrete with occasional long term management required	Long term ongoing
Actions to mitigate and manage impacts are only required in a discrete time-period when the activity is occurring, but the activity occurs infrequently	Actions to mitigate and manage impacts are only required in a discrete time-period when the activity is occurring, but the activity occurs frequently	Action to mitigate and manage impacts are required in a discrete time-period when activities are occurring, but occasionally longer term management is required	Action to mitigate and manage impacts/threat requires ongoing long term actions to be implemented

Table 3-4: Regulatory controls – criteria to prioritise actions based on whether there are strong existing regulatory controls (e.g., the activity the clause addresses is licensed or subject to works approval or planning regulations)

No	Partial	Yes
There are no, or only very limited, established controls to achieve the actions specified in this clause	There are some controls to regulate aspects of the activity, but others are known to be lacking	There are extensive well established regulatory controls that are typically BAU activities (e.g., established approval and licensing frameworks)

Table 3-5: Likelihood table. Assessed as: “how likely it is that the action will have an effect on a high risk?”. For example, an action that will address the risk over all segments in most situations would be assessed as “almost certain” while an action that will only address the risk on a localised area or under certain circumstances would be assessed as “possible”.

Almost certain	Likely	Possible	Unlikely	Rare
The action is expected to address the threat / risk in most circumstances	The action will probably address the threat most circumstances	The action should address the threat / risk in some locations / situations	The action could address the threat / risk, but is doubtful	The action would only address the threat / risk in exceptional circumstances

Table 3-6: Consequence level table (assessed as “in the absence of this action”).

Insignificant	Minor	Moderate	Major	Severe
In the absence of the action, no impacts to beneficial uses	In the absence of the action occasional impacts to beneficial uses, but localised and not persisting for more than a week.	In the absence of the action, frequent impacts to beneficial uses would be expected, but localised and persisting for weeks to months.	In the absence of the action frequent impacts to beneficial uses are expected, persisting for up to one year. Recovery within two years.	In the absence of the action waters would be unsuitable for beneficial uses, persisting for more than one year with recovery likely to take more than 2 years if at all.

Table 3-7: Scoring matrix for Tables 5 & 6.

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost certain	5	10	15	20	25
Likely	4	8	12	16	20
Possible	3	6	9	12	15
Unlikely	2	4	6	8	10
Rare	1	2	3	4	5

## 4. Implementation Plan Actions

### 4.1 Critical Actions - Overview

The five critical actions that are the focus of this Implementation Plan, and are described in this section, have been identified through a decision-making process to identify the highest risks to beneficial uses of highest community concern, described in detail in Section 3. These actions are:

1. setting water quality and management targets to rehabilitate priority waterways (“regional target setting”);
2. achieving pollutant load reduction targets for Victoria’s major marine bays and Gippsland Lakes;
3. managing urban stormwater and sewerage;
4. managing wastewater discharges; and
5. managing on-site domestic wastewater;

Critical actions 1-5 are based around effectively implementing clauses in SEPP (Waters) that were developed specifically to address complex, widespread problems and high risks to beneficial uses, and rank most highly in terms of addressing the highest risk to beneficial uses across Victoria. A description of the rationale for selecting these critical actions is described with each action below.

The sixth critical action fulfils the SPR recommendation for the implementation plan to address how monitoring and assessment of the effectiveness of the Policy will be co-ordinated.

The sub-actions to achieve the critical implementation actions are presented below in tables that outline:

- the key sub-actions for achieving each critical action;
- the agency responsible for implementation actions;
- any delivery partners without lead responsibility but critical for implementing the actions;

### 4.2 Critical Action 1 – Setting interim regional targets to rehabilitate priority areas

The long term historical impacts from land-use change, run-off and other pollution sources means that, for some waterways, not all beneficial uses will be able to be fully protected, and not all environmental quality objectives will be met, within the lifetime of the Policy. In these cases, there is a need to rehabilitate, and mitigate threats to, environmental quality in priority areas across Victoria.

*Clause 18* of the Policy enables the development of interim regional targets to drive the progressive rehabilitation of environmental quality where water quality is a threat to priority reaches, as identified in the regional waterway strategy. As part of this, interim environmental objectives must be developed. The interim environmental objectives process must include:

- interim environmental quality objectives;
- a basis for maximising the protection of beneficial uses and the attainment of this Policy’s environmental quality objectives;
- management outcomes that provide measurable and time-bound progress towards the attainment of interim environmental objectives by taking into account regional environmental, social and economic values; and
- a demonstrated and measurable link between implementation of management outcomes and resultant water quality condition.

Driving the rehabilitation of degraded and at risk waterways is a key aim of the Policy, and Regional Target Setting is, thus, considered a critical action for effectively implementing the SEPP. The actions listed in Table 4.1 below are critical for effectively implementing regional target setting programs and processes.

Table 4-1 sub-actions for implementing Regional Target Setting. Actions are listed in order of their priority for implementation

<i>Actions to implement interim regional target setting</i>	<i>Details of Implementation Plan</i>	<i>Responsible Agency</i>	<i>Partnership organisations</i>
<i>Action 1.1 Develop guidelines to assist CMAs/Melbourne water to undertake regional target setting</i>	<i>These guidelines will provide additional environmental quality objectives for different segments in SEPP as well as information about how regional targets are to be set and used</i>	<i>DELWP</i>	<i>EPA</i>
<i>Action 1.2 Regional waterway strategies will include interim regional targets</i>	<i>Include interim regional targets in the next version of regional waterway strategies</i>	<i>DELWP</i>	<i>CMA's Melbourne Water</i>
<i>Action 1.3 Update the prioritisation decision support tool with the new SEPP (Waters) environmental objective data</i>	<i>Update AVIRA (or new product with new environmental quality objectives)</i>	<i>DELWP</i>	<i>EPA</i>
<i>Action 1.4 Secure funding to assist CMAs undertake interim regional target setting</i>	<i>Prepare a funding bid to support CMA's undertake interim regional target setting</i>	<i>DELWP</i>	
<i>Action 1.5 Report on regional waterway strategy implementation of interim regional targets</i>	<i>Report annually to DELWP on regional waterway strategy implementation</i>	<i>CMAs and Melbourne Water</i>	<i>DELWP</i>

### 4.3 Critical Action 2 – Achieving pollutant load reduction targets

Victoria's largest marine bays, Port Phillip Bay, Western Port and Corner Inlet, and the largest estuarine lake system, the Gippsland Lakes, are the receiving environments for large amounts of nutrient and sediment pollution generated from sources in the surrounding catchment and coast. Urban and agricultural runoff, land-clearing, river bank erosion and the discharge of wastes and wastewater are just some of a wide range of activities that cause these pollutants, which are ultimately transported downstream to these major bays and lakes.

A strong body of scientific evidence has identified excessive nutrient and sediment loads entering these major bays and Lake Wellington in the Gippsland Lakes as one of the highest risk to the beneficial uses of these environments. Excessive nutrients and sediments are associated with significant impacts to the marine and estuarine ecosystems of these water bodies, such as the large-scale die off of aquatic plants (e.g., seagrasses) and increase in harmful algal blooms, which in turn impact a wider range of beneficial uses, including water based recreation, aquaculture and fisheries.

To tackle the problems caused by excessive nutrient and sediment loads from catchment and coastal sources, SEPP (Waters) sets quantitative pollutant load reduction targets for key pollutants in each of the major bays and Lake Wellington. Successfully reducing nutrient and sediment loads from diffuse sources requires a variety of management actions to reduce catchment inflows, coastal sediment inputs and the resuspension of sediments in marine waters. A combination of direct investment, landholder incentives and regulation is often used to support these actions. Load-based targets for large receiving water bodies (e.g. marine bays) are identified in the ANZECC Guidelines as being one of the most effective ways for driving these kinds of management interventions and investment to reduce pollution from diffuse sources.

The sub-actions and responsibilities listed in Table 4.2 are critical for the effective implementation of management actions to achieve the load targets specified in the Policy.



Table 4-2 Critical sub-actions for achieving pollutant load reduction targets load target. Actions are listed in order of their priority for implementation

Action to implement pollutant load targets	Details of implementation Action	Responsible Agency	Partnership organisations
Action 2.1 Develop a plan to co-ordinate and implement actions across the catchment, coast and bay to achieve the sediment load reduction target for Western Port	A plan needs to be developed, or an existing planning framework reviewed and updated, that will co-ordinate and implement the actions needed to reduce sediment loads into Western Port. Currently, a revised regional catchment strategy for Western Port which is aligned with Melbourne Water's Healthy Waterway Strategy is considered the most effective means of meeting this action	DELWP	Melbourne Water PPWP CMA EPA Victoria
Action 2.2 Implement the actions to achieve the load target for Port Phillip Bay that are described in the PPB EMP.	The management actions needed to achieve the load target for Port Phillip Bay are described in detail in the Port Phillip Bay Environmental Management Plan (DELWP, 2017). The implementation of these actions via existing funding and prioritisation arrangements will be the main means to achieve the Port Phillip Bay load target.	DELWP	Melbourne Water EPA Victoria
Action 2.3 Implement the actions to achieve the load target for Corner Inlet described in the Corner Inlet Water Quality Improvement Plan (2013)	Management actions to achieve load reductions are described in the Corner Inlet Water Quality Improvement Plan (WGCMA, 2013). These actions will be implemented through the Regional Waterway Strategies, Corner Inlet Ramsar Strategic Plan implementation and other land management programs using existing funding and prioritisation arrangements	West Gippsland Catchment Management Authority (WGCMA)	
Action 2.4 Jointly develop and implement the Lake Wellington Land and Water Management Plan to reduce nutrients and sediments loads entering Lake Wellington from irrigated land in the surrounding catchment.	The Lake Wellington Land and Water Management plan will describe and co-ordinate actions to achieve phosphorous load reductions for irrigated land towards achieving the Lake Wellington Load Target.	WGCMA / Southern Rural Water	
Action 2.5 Develop and implement actions to achieve the phosphorous load reduction target from dryland agriculture and other sources for Lake Wellington through the Gippsland Lakes Ramsar Strategic Plan	The Gippsland Lake Ramsar Strategic Plan will be the main framework to co-ordinate and implement actions, via existing funding and prioritisation arrangements, to reduce phosphorous loads from dryland agriculture and other sources of diffuse pollution that do not originate from irrigated land.	WGCMA	



<i>Action to implement pollutant load targets</i>	<i>Details of implementation Action</i>	<i>Responsible Agency</i>	<i>Partnership organisations</i>
<i>Action 2.6 Review the share of total phosphorous discharge reductions from irrigation sources and other catchment source every five years and vary as part of these reviews to minimise overall implementation costs.</i>	<i>The share of total phosphorus discharges from irrigations and other catchment sources needs to be reviewed every five years to determine whether the load targets for irrigation areas vs other catchment sources need to be adjusted to reflect changes in phosphorous sources resulting from management actions</i>	<i>WGCMA / Southern Rural Water</i>	

#### 4.4 Critical Action 3 – Managing urban stormwater and sewerage

Urban stormwater is a significant and widespread source of pollution entering waterways and bays. Over the last 10 years, significant management actions have been undertaken to mitigate the effects of urban stormwater and have successfully driven a reduction in nitrogen associated with stormwater runoff from entering waterways and ultimately the bays and inland water bodies around Victoria. However, while significant actions have been implemented to improve stormwater management, there is considerable science that shows that stormwater is not being adequately managed to protect the environment and that continued management is required.

Sewage overflows can also pose serious risks to the beneficial uses of waterways. Untreated sewage discharge to waterways can exert physical, chemical and biological effects on the receiving environment, which can result in human health, environmental and aesthetic impacts that can be both acute and cumulative.

The Water SEPP's have played an important role in managing the impacts of urban stormwater by providing a regulatory policy statement to guide and enable municipal councils to determine stormwater management obligations and best practice environmental management. Similarly, the Water SEPPs have provided important regulatory policy statements to guide management of sewerage infrastructure and risk posed by losses of sewage and overflows from sewers.

SEPP (Waters) will continue to provide provisions and guidance for the ongoing management of urban stormwaters and sewage management. It is important that the provision in SEPP relating to urban stormwater and sewage management continue to be effectively implemented over the life of the Policy to drive the rehabilitation, and protection, of waterways and bays.

The sub-actions required to implement the provision of SEPP relating to the management of urban stormwater and sewerage infrastructure is described in Table 4.3.

*Table 4-3 Critical sub-actions for implementing urban stormwater and sewerage management provisions.*

<i>Actions to implement urban stormwater and sewage management provisions</i>	<i>Details of Implementation Plan</i>	<i>Responsibility Agency</i>	<i>Partnership organisations</i>
<i>Action 3.1 Develop sewerage management guidelines</i>	<i>These guidelines will provide clarity to water corporations about the expectations for the environmental management of sewerage systems</i>	<i>EPA</i>	
<i>Action 3.2 Work with local government to revise Stormwater Management Planning Guidelines (2007) to develop/review Stormwater Management Plans.</i>	<i>Guidelines have not been update since 2006, and will need to be revised to reflect changes in SEPP (Waters)</i>	<i>DELWP / EPA</i>	

<i>Actions to implement urban stormwater and sewage management provisions</i>	<i>Details of Implementation Plan</i>	<i>Responsibility Agency</i>	<i>Partnership organisations</i>
<i>Action 3.3 Review of the Best Practice Environmental Management Guidelines for Urban Stormwater (1999).</i>	<i>The Urban Stormwater BPEM sets the standards for the management of stormwater and is referenced in the Victoria Planning Provisions to ensure that new residential subdivisions are developed to manage the adverse impacts of stormwater in the waterways and bays</i>	<i>EPA / DELWP</i>	
<i>Action 3.4 Work with water corporations, councils, industry and communities to prevent wastewater and other types of pollutants entering constructed stormwater assets</i>	<i>Develop programs to prevent activities impacting stormwater drains. Amongst other things this will include changes to the Victoria Planning Provisions. Commercial and Industrial sites to ensure that 'wastewater' from cleaning work areas does not enter the stormwater system.</i>	<i>DELWP</i>	<i>Melbourne Water / EPA</i>

#### 4.5 Critical Action 4 – Managing wastewater discharges

Wastewater discharges are a major source of potential pollutants to waters across Victoria, and contributor to poor water quality in sensitive inland and coastal areas. Unless adequately managed, toxicants, nutrients and sediments can be concentrated in wastewater discharges, leading to significant impacts on receiving waters.

The *Environment Protection Act 1970* enables the EPA to license, monitor and audit wastewater discharges to surface waters. Through works approvals and licences, the EPA sets operating conditions for managing pollution and wastewater impacts at licensed sites. For significant pollution sources, such as from wastewater treatment plants, these licenses typically include site-specific pollutant discharge limits.

The water SEPP's have been instrumental in managing licensed wastewater discharges by providing detail about the considerations EPA will take into account when licensing discharges. This includes details on how the EPA will set operating conditions for managing pollution and wastewater impacts at licensed sites, and determine discharge limits. The water SEPPs also provide details on the sort of information a licence applicant would need to provide the EPA in an application, and also details on how EPA would assess such applications. This role is continued through clauses 20 – 26 of the Policy, which describe the rules and obligations for the ongoing management of wastewater.

Managing wastewater discharges is considered a high priority implementation activity because the critical roles SEPPs have played in managing the risk of point source discharges. The widespread and high level of risk that point source discharges pose if they are not managed appropriately means it is important that this is continued through the implementation of the Policy.

One sub-action has been identified as critical for implementing clauses 20-26, and is described in Table 4.4.

Table 4-4 Critical sub-action for managing wastewater discharges.

<i>Action</i>	<i>Details of Implementation Plan</i>	<i>Lead Responsibility</i>	<i>Partnering organisations</i>
<i>Action 4.1 Develop guidance to explain how offsets for wastewater discharges should be developed and how they will be assessed</i>	<i>Guidance is required to explain how applications for works approval or licence amendments can be developed to include offset measures and how these will be assessed by EPA</i>	<i>EPA</i>	

## 4.6 Critical Action 5 – Managing Onsite domestic wastewater

Poorly designed and managed on-site-domestic wastewater management (ODWMS) systems contribute to poor water quality in sensitive inland and coastal areas through the transport of pollutants and pathogens into surface waters and groundwater. Poorly treated sewage can contain pathogenic (disease causing) micro-organisms and chemicals that pose risks to public or environmental health, and this has been associated with incidences of infectious diseases in urban communities. The water SEPPs are the current legislative instrument that defines responsibilities for ODWM planning and the management requirements for mitigating these risks.

Since the 1970's, there have been ongoing efforts to address legacy issues resulting from poor domestic wastewater management, which have significantly reduced risks and impacts in high priority areas. Nevertheless, the remaining legacy issues need to be kept under review as the population of Victoria continues to grow and relocate. There is an ongoing need to maintain regulatory controls to prevent new developments from causing a new set of wastewater management problems that would impose substantial costs on water corporations, their customer base and government to fix.

Clauses 28-31 of the Policy continues the role of SEPPs for defining the rules and obligations around the planning and management of ODWM systems. The priority sub-actions for implementing these requirements are described in Table 2.5.

Table 4-5 Critical sub-actions for managing onsite domestic wastewater

Action	Details of Implementation Plan	Responsible agency	Partnering organisations
Action 5.1 Set up a small local government/water corporation working group to scope the revision of current guidance/code.	<p>Scoping to include:</p> <ul style="list-style-type: none"> <li>• The Land Capability Assessment Framework;</li> <li>• Code of Practice – Onsite Domestic Wastewater Management 2016 (areas for review are community schemes; standard permitting conditions; feasibility of a generic technique for determining where septic have failed;</li> <li>• Ministerial guidance: planning permit applications in open, potable water supply catchment areas</li> <li>• 2006 MAV DWMP guidance</li> </ul>	DELWP	EPA
Action 5.2 Update the VPP 'Particular Provisions' clause 56.07 -3	References to SEPP in the VPPs generally need to be updated when the SEPP is gazetted, as specific SEPP clause numbers are referenced in VPPs	DELWP	
Action 5.3 Work with local government to identify support material required to assist with onsite domestic wastewater management  Develop materials to assist local government inform rate payers about septic/why need to manage	Local government requested support for materials for ratepayers, this would involve facilitation of sharing info between councils as opposed to developing new material.	DELWP	EPA

<i>Action</i>	<i>Details of Implementation Plan</i>	<i>Responsible agency</i>	<i>Partnering organisations</i>
<i>Action 5.4 Work with local government to determine the feasibility of developing a system to accredit Land Capability Assessment providers (to ensure the standard of LCA).</i>	<i>2006 VAGO report recommended the establishment of a suitable mechanism to assure the quality of land capability assessments. The working group in action 5.1 could scope this task.</i>	<i>DELWP</i>	<i>EPA</i>
<i>Action 5.5 Work with local government to facilitate information exchange on alternative solutions to reticulated sewerage, e.g. Park Orchards, including preparation of a variety of case studies to highlight how current and legacy issues have been dealt with.</i>	<i>Set up forums to discuss what new and innovative pilot projects are underway to share information and build confidence in alternative systems</i>	<i>DELWP</i>	<i>EPA</i>
<i>Action 5.6 Work with water corporations and local government to determine 'practical/viable' for where sewerage can't be provided</i>	<i>Use existing water corporation forums to develop a shared understanding of when the provision of sewerage services is not what practicable/viable and share this with local government.</i>	<i>DELWP</i>	<i>EPA</i>
<i>Action 5.7 Secure funding to assist local government to undertake domestic wastewater management planning</i>	<i>Prepare a funding bid to support local government to undertake domestic wastewater management planning</i>	<i>DELWP</i>	

## 4.7 Monitoring, Evaluation and Reporting

The Policy is supported by an evaluation strategy that has been designed to measure the effectiveness of the policy in achieving its purpose of protecting beneficial uses through the protection and improvement of environmental quality and compliance with obligations and decision rules it sets out. The evaluation strategy will primarily be implemented by a monitoring, evaluation and reporting (MER) plan. The MER plan is a companion document to the Policy that describes in detail the evaluation framework and requirements for effectively meeting the objectives of the evaluation strategy. Implementation of the MER plan is the responsibility of DELWP and EPA.

The critical implementation activities for enabling the monitoring, evaluation and reporting of the effectiveness of the Policy are described in table 2.6.

Table 4-6 Critical sub-actions for co-ordinating the monitoring, evaluation and reporting of the effectiveness of SEPP (Waters)

Action	Details of Implementation Plan	Responsible agency	Partnering organisations
<p>Action 6.1 Implement the Monitoring, Evaluation and Reporting plan for SEPP (Waters)</p>	<p>SEPP (Waters) will be supported by a detailed Monitoring, Evaluation and Reporting plan that will establish the framework for monitoring, evaluating and reporting whether the SEPP is achieving its goals, beneficial uses are being protected and the policy is being complied with. The MER plan will:</p> <ul style="list-style-type: none"> <li>• Evaluate whether beneficial uses have been protected through the protection and improvement of environmental quality and compliance with obligations and decision rules set out in SEPP (Waters);</li> <li>• Evaluate the effectiveness of implementation activities in contributing to the policy objectives;</li> <li>• Support prioritisation of MER activities</li> <li>• Test assumptions about how the rules and obligations set in the Policy will drive intended outcomes;</li> <li>• Contribute, through internal reporting and adaptive management, to accountability and the effective implementation of the Policy.</li> </ul>	<p>DELWP / EPA</p>	<p>CMA's Melbourne Water</p>

# Appendix A ALL IMPLEMENTATION ACTIONS

The SEPP review process identified a significant number of implementation actions which will need to be implemented over the life of the SEPP. All of these actions were put through the decision-making process to determine the critical actions. The six critical actions described in Section 4 above are those implementation actions that DELWP and partners are making a commitment to publicly report on within the first three years.

Table A1 below contains implementation actions that were identified during the SEPP review, that are important to ensure the successful implementation of the SEPP. In some cases, these actions will be implemented through business as usual activities, while others were identified as being less critical because they addressed more specific or localised problems than the “critical actions”, which address widespread high risk problems.

Future reviews of the Implementation Plan may lead to the reprioritisation of implementation actions, and some of the actions listed below may become high priority depending on changes in risk to the environment, resourcing and government priority.

Table A1. Additional actions for implementing SEPP (Waters) clauses

Implementation Plan action	Details of implementation action	Implementation Responsibilities	Related SEPP (Waters) Clause
Develop new SEPP guidelines	New guidelines needed to be developed to clarify and explain how to comply with the SEPP. A list of guidance that needs to be developed is shown in Table A2	EPA / DELWP	General - see Table A2
Revise existing SEPP guidelines	Existing guidelines need to be revised to clarify and explain changes, or new provisions, to clauses in SEPP (Waters). A list of guidance that needs to be revised is shown in Table A2	EPA / DELWP	General - see Table A2
Administrative changes to SEPP guidelines	Existing guidelines require administrative updates to ensure they appropriately reference the SEPP and reflect changes in clause numbers/names. A list of guidance that requires administrative updates is shown in Table A2	EPA / DELWP	General - see Table A2
Undertake a detailed assessment to determine if Regulations are required for: <ul style="list-style-type: none"> <li>wastewater management</li> <li>managing urban stormwater</li> <li>managing on-site domestic wastewater</li> <li>to prevent the discharge of sewage from vessels</li> <li>to address vessels and hull biofouling</li> </ul>	Understand the scale of environmental issues related to activities listed to determine if regulations are required/better suited to address impacts	DELWP / EPA	51. Wastes and wastewaters from ports, marinas and vessels 20 - 27. Managing wastewater discharges 34. Urban Stormwater 28-31 Onsite domestic wastewater clause



Implementation Plan action	Details of implementation action	Implementation Responsibilities	Related SEPP (Waters) Clause
52. Aquatic Pests			
Develop a simple notification system for failing septic tanks, from local government to water corporation/EPA/DHHS.	Develop a one- page notification process and distribute to local government, water corporations, DHHS and EPA outlining how the notification process will work	DELWP	31. Connection to sewerage
Work with water corporations and local government to clarify what is meant by where sewerage is 'provided ', whether this means a connection is available or there is a pipe in ground.	Use existing water corporation forums to develop a shared understanding of what water corporations mean by 'sewer is available'	DELWP	31. Connection to sewerage
Investigate feasibility of hardship grants for connections.	Hardship grants were once offered by government. Consider whether they are a feasible option to use to assist with connection rates	DELWP	31. Connection to sewerage
Work with VCMC to include in the Regional Catchment Strategies renewal guidance, reference to the protection of beneficial uses of all waters	VCMA provide guidance to CMAs on Regional Catchment Strategy revisions, this action will ensure groundwater and other beneficial uses are covered off in guidance	DELWP	No clause in SEPP (Waters), formerly Clause 23 of SEPP (WoV)
Work with DELWP planning to develop practice notes for planners to assist with implementing SEPP (Waters)	DELWP will work with local government planners to scope the extent of practice notes required to support use of SEPP (Waters)	DELWP	32. Planning schemes and permits
<p>Water corporations will report to DELWP- sustainable irrigation program (via CMAs) on how:</p> <ul style="list-style-type: none"> <li>• <i>they ensure compliance with licences to use water for irrigation or take and use licences, as in accordance with relevant regional irrigation development guidelines.</i></li> <li>• <i>they manage groundwater pumps and irrigation drains in accordance with relevant land and water management plans.</i></li> </ul>	Business as usual: Water corporations currently report to DELWP on land and water management plan implementation	Water corporations, with reporting to DELWP through the CMA processes	35. Management of saline discharges
Ensure that land and water management plans and irrigation development guidelines are maintained, implemented, reviewed and periodically renewed for each relevant CMA region.	Business as usual: DELWP to use current process to implement this action	DELWP	35. Management of saline discharges

Implementation Plan action	Details of implementation action	Implementation Responsibilities	Related SEPP (Waters) Clause
Work with landholders to develop and implement effective agricultural management practices where the need for such practices has been identified as a priority in a regional catchment strategy and/or regional waterway strategy. The effectiveness of those practices can then be monitored using the existing monitoring programs outlined in the relevant regional catchment strategy and or regional waterway strategy.	Business as usual: CMAs will continue to work with industry in priority areas- government will assist with EC investments funding	CMAs / DELWP / DEDJTR	39. Minimising runoff of pollutants from agricultural activities
Maintain the GQRUZ map and ensure that it continues to be uploaded to appropriate publicly available spatial systems (ongoing)	EPA maintains a map of GQRUZ's that is made publicly available. This activity needs to continue.	EPA	59. Groundwater quality restricted use zone
Develop education materials for Agvet chemical users	Develop education and communication materials to assist chemical users in understanding the risks to the environment and implementing appropriate controls in accordance with label requirements	EPA DEDJTR	41. Storage and handling of fuels and potentially polluting chemicals
Provide training materials on appropriate Agvet chemical use	Provide training materials to appropriate Agvet chemical use training providers and publicise changes to the Agvet sector	DEDJTR	41. Storage and handling of fuels and potentially polluting chemicals
Provide training on the revised bunding guidelines	Training should be provided to EPOs and other parties that refer to the Bunding Guidelines – e.g. local council planners.	EPA	41. Storage and handling of fuels and potentially polluting chemicals
Pursue the regulation of works by CMAs and Melbourne Water through Section 67 licences, rather than the existing by-laws, to ensure that ongoing conditions can be provided.	Regulation of works through Section 67 licenses can be implemented when the opportunity is presented. This was proposed for the last Water Bill amendment and work to justify change has been completed	DELWP	40. Works affecting water dependant ecosystems and species.
Assess the level of risk from the discharge of sewage from vessels and, if required, develop and implement a compliance strategy to address the issue of sewage and waste discharge from vessels.	Assess complaints and information from EPA records that assist with understanding the scale of the issue related to vessels discharging sewage waste to waters	EPA Parks Victoria	51. Wastes and wastewaters from ports, marinas and vessels
Consider the adoption of the International Clean Marina program and, if supported, EPA to work with the Marina Industries Association to promote the Clean Marina Program and encourage marina operators to	Understand the scale of the environmental problem that marina management contributes too, and consider adoption of Cleaner Marina association to mitigate impacts	EPA	51. Wastes and wastewaters from ports, marinas and vessels

Implementation Plan action	Details of implementation action	Implementation Responsibilities	Related SEPP (Waters) Clause
seek accreditation	if appropriate		
Ensure Ministerial Guidelines for preparation of a SEMP, reference updated SEPP	The Ministerial Guidelines: Port Safety and Environment Management Plan assist individual port managers in developing detailed environmental management plans for ports. They currently reference sections of SEPP and this will need to be updated.	DELWP DEDJTR	51. Wastes and wastewaters from ports, marinas and vessels
Continue to manage aquaculture licences so that aquaculture operators implement effective environmental management practices and appropriate environmental monitoring systems	Business as Usual - government needs to continue to work with aquaculture operators as required to implement effective environmental management practices	EPA / Victorian Fisheries Authority (VFA)	No clause in SEPP (Waters), formerly Clause 48 of SEPP (WoV)
Develop implementation measures to minimise risks of the introduction/spread of aquatic pests	Develop and implement measures to minimise the risks of the introduction of aquatic pests	DELWP / EPA / DEDJTR	52. Aquatic pests
Continue to implement strategies and programs for the control and management of the impacts of marine and freshwater pests.	Existing strategies and programs that manage the impacts of marine and freshwater pests need to be continued to mitigate risk to beneficial uses	DELWP / EPA	52. Aquatic pests
Work with road managers who undertake planning to identify/implement priorities for clause implementation	Workshops with road managers to understand prioritisation processes for implementing measures to prevent erosion and runoff and maintain roads. Clarify current best practice relevant to the management of roads, including the application of the notion of 'Practicality'	DELWP / EPA	47. Management of roads
Engage Traditional Owners to develop site specific environmental quality indicators and objectives for the protection of Traditional Owners' and Aboriginal Victorians' cultural values	Traditional owners should be engaged (through local management and planning processes for waterways and catchments) to develop environmental indicators and objectives for the protection of this beneficial use, where existing indicators for other beneficial uses are not providing adequate protection.	DELWP/EPA	14. Beneficial uses of all waters 15. Beneficial uses of groundwater 16. Beneficial uses of surface water 17. Environmental quality indicators and objectives

Implementation Plan action	Details of implementation action	Implementation Responsibilities	Related SEPP (Waters) Clause
DELWP will Gazette incorporated documents	Incorporated document in SEPP (Waters) need to be gazetted subsequently to the Policy gazettal	DELWP	General
SEPP Implementation Plan administrative activities	Develop a SEPP Reporting Framework to report on implementation activities Develop, and support development, of annual business plans to implement SEPP.	DELWP	General
Consult with councils when developing guidance for councils	Where roles articulate that DELWP and EPA will provide guidance to councils, references need to include a requirement for the agencies to consult with councils in their development.	DELWP / EPA	General
Work with the Municipal Association of Victoria (MAV) and local government to implement stormwater management plans	Consider developing pilot projects, in consultation with councils, to develop further guidance about the ways stormwater management plans can play a useful role in councils' stormwater management. Dissemination of innovations and good case studies about ways councils can value and utilise stormwater as an asset to invest in would also be worthwhile.	EPA / DELWP	34. Urban Stormwater

Table A2 – Guidance to be updated as part of SEPP (Waters) Implementation

Implementation Plan action	Details of required change to guidance	Implementation responsibilities
Develop new guidance	Develop guidance for the use of indicators and objectives for water based recreation. This guidance will assist uses of the SEPP understand and apply the new objectives.	EPA
	Develop guidance for the use of the weight of evidence toxicant scoring system. This guidance will assist users of the SEPP understand and apply the new objectives.	EPA

Implementation Plan action	Details of required change to guidance	Implementation responsibilities
	Develop guidance material for proponents to use when informing EPA of their intent to undertake groundwater remediation activities that involve direct injection of chemicals and or substrates.	EPA
	Develop a new guidance document for groundwater tracers. This will assist to explain how groundwater remediation can be undertaken consistent with Clause 53 in SEPP (Waters)	EPA
	Develop guidance for water corporations on what should be in their response to Council's domestic waste-water management plan.	DELWP
Review and update existing guidance	Update the <i>Guidelines for Risk Assessment of Wastewater Discharges to Waterways</i> (EPA Publication 1287) with potential revision to <i>Guideline for Environmental Management: Risk-based Assessment of Ecosystem Protection in Ambient Waters</i> (EPA Publication 961). The purpose of this revision will be to include a chapter on assessing human health risks, as well as providing more contemporary case studies.	EPA
	<i>Guideline for Environmental Management: Rapid Bioassessment Methodology for Rivers and Streams</i> (EPA Publication 604.1) will require updated chapter on use of environmental quality objectives in SEPP (Waters) to assess waterway condition.	EPA
	The <i>Bunding</i> guidelines (EPA Publication 347.1) will be updated include information on how to manage risks through appropriate site design and management, contingency planning, staff training, implementing a hierarchy of controls, including chemical selection, emergency holding and clean up measures, methods for disposal of spilled chemicals and contaminated materials.	EPA
	The <i>Best Practice Environmental Management Guidelines for Dredging</i> (EPA Publication 691) will be updated, with consideration given to the relevant sections of the 2009 National Guidelines. This review could include: <ul data-bbox="496 1503 916 1574" style="list-style-type: none"> <li>• Desilting and estuary opening; and</li> <li>• Storage desilting.</li> </ul>	EPA
	The <i>Ministerial Guidelines for Groundwater Licensing and the Protection of High Value Groundwater Dependent Ecosystems 2015</i> will be reviewed to consider how the environment is considered by licensing decisions.	DELWP
	The <i>Cleaner Marinas: EPA Guidelines for Protection Victoria's Marinas</i> (EPA Publication 624) will be reviewed and updated to ensure contemporary information on environmental management expectations is clear.	EPA

Implementation Plan action	Details of required change to guidance	Implementation responsibilities
	<p>EPA to review external guidelines to assess if the following documents are still representative of best practice:</p> <ul style="list-style-type: none"> <li>• <i>The Ministerial Guidelines: Port Safety and Environment Management Plans (2012)</i></li> <li>• <i>IMO MEPC.1/Circ.834 Consolidated guidance for port reception facility providers and users (2014)</i></li> <li>• <i>Best Practice Guidelines for Waste Reception Facilities at Ports Marinas and Boat Harbours in Australia and New Zealand (1997)</i></li> <li>• <i>International clean marina program accreditation guidebook</i></li> </ul>	EPA
	<p>Update relevant guidance to identify the most appropriate method and information required to determine the groundwater segments in SEPP (Waters). Including:</p> <ul style="list-style-type: none"> <li>• <i>Hydrological Assessment (Groundwater Quality) Guidelines (EPA Publication 668);</i></li> <li>• <i>Groundwater Sampling Guidelines (EPA Publication 669);</i></li> <li>• <i>Groundwater Quality Restricted Use Zone (EPA publication 862)</i></li> </ul>	EPA
	<p>Update relevant guidance to reflect best practice for construction activities, including:</p> <ul style="list-style-type: none"> <li>• <i>Environmental Guidelines for Major Construction Sites (EPA Publication 480);</i></li> <li>• <i>Construction Techniques for Sediment Pollution Control (EPA Publication 275);</i></li> <li>• <i>Doing it Right on Subdivisions: Temporary Environment Protection Measures for Subdivision Construction Sites (EPA Publication 950)</i></li> </ul>	EPA
Administrative updates to existing guidance	<p>Minor administrative changes will be required to the following publications to ensure consistency with the new SEPP (Waters):</p> <ul style="list-style-type: none"> <li>• <i>Works Approval Application Guidelines (EPA Publication 1658)</i></li> <li>• <i>Guidance for the determination and assessment of mixing zones (EPA Publication 1344)</i></li> <li>• <i>Groundwater Quality Restricted Use Zone (EPA Publication 862);</i></li> <li>• <i>Groundwater Attenuation Zones (EPA publication 841)</i></li> <li>• <i>Environmental Auditor (Contaminated Land): Guidelines for Issue of Certificates and Statements of Environmental Audit (EPA Publication 759)</i></li> <li>• <i>Guidance on underground petroleum storage systems (EPA Publication 888)</i></li> <li>• <i>Siting, design, operation and rehabilitation of landfill (EPA Publication 788)</i></li> <li>• <i>Guidelines for the monitoring and assessment of coastal point source discharges (EPA Publication 677)</i></li> <li>• <i>Guidelines for Licence Management (EPA Publication 1322)</i></li> </ul>	EPA



**Implementation Plan  
action**

**Details of required change to guidance**

**Implementation  
responsibilities**

- *Disinfection of treated wastewater* (EPA Publication 730).
- *Code of practice for small wastewater treatment plants* (EPA Publication 500)
- *Guidelines for Dual pipe water recycling schemes – Health and environmental risk management* (EPA Publication 1015)
- *Guidelines for managed aquifer recharge – health and environmental risk management* (EPA Publication 1290)
- *Construction techniques for sediment pollution control* (EPA Publication 275)
- *Guidelines for environmental management – use of reclaimed water* (EPA Publication 202)
- *Environmental guidelines for the dairy processing industry* (EPA Publication 570)
- *Water quality objectives for marine and estuarine waters – ecosystem protection* (EPA Publication 794)

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