

Better Environment Plan

Environment Protection Act 2017

Statutory Document ID	BEP000300003
Issue date	29 May 2025
Last amended	-
Expiry date	30 November 2026
Participant	MELBOURNE WATER CORPORATION
ABN	81945386953

Accepted under section 182(1)(a) of the Environment Protection Act 2017 (the Act).



Angela Grozos
Head of Permissioning
Delegate of Environment Protection Authority Victoria (EPA)

Context

Environment Protection Authority Victoria (EPA) is Victoria's environmental regulator acting in accordance with the *Environment Protection Act 2017* (the Act). Our regulatory role is to work with community, industry and business to prevent and reduce the harmful effects of pollution and waste on Victoria's environment and people.

Key information and obligations

Interpretation

For the purposes of this Better Environment Plan (BEP) "You" means the "Participant" identified on the first page. Unless a contrary intention appears, words or terms used in the conditions of your BEP have the same meaning as in the Act, and in any regulations made pursuant to the Act.

Compliance

Your BEP is subject to conditions. These conditions confer legal obligations on you as the BEP participant. Some of these are general in nature, while others require you to do (or not to do) specific things. The requirements of these conditions do not detract from each other in any way, nor do they affect any other duties or obligations with which you are required to comply by law. You must fulfil all duties and perform all obligations set out in this BEP or otherwise required by law.

If a participant fails to comply with this BEP, EPA may in accordance with section 187 of the Act — (a) suspend the operation of the plan; or (b) suspend the participation of the participant in the plan; or (c) remove the participant from the plan; or (d) revoke the plan.

You must comply with the Act and regulations administered by EPA. This includes, but is not limited to, compliance with the general environmental duty (GED).

Duties under the Act

Under the Act, you have legal obligations in relation to your prescribed and non-prescribed activities. These legal obligations exist to minimise risks of harm to human health and the environment from pollution and waste.

You may be committing an offence and be liable to a penalty under the Act if your actions or omissions constitute a breach of these legal obligations.

General environmental duty

The Act places the onus on you to understand the risks associated with your operation or activity and requires you to minimise the risk of harm. This is called the general environmental duty (GED).

Sections 6 and 25 of the Act provide the legal basis for the GED. These sections state that a person engaging in an activity which may give rise to risks of harm to human health or the environment from pollution or waste must eliminate or minimise those risks, as far as reasonably practicable.

Duty to notify EPA of notifiable incidents

A notifiable incident is a pollution incident that causes or threatens to cause material harm to human health or the environment or is a prescribed notifiable incident. Under section 32 of the Act, you have an obligation to notify EPA of a notifiable incident as soon as practicable after you become aware of the incident.

Duty to take action to respond to harm caused by pollution incident

Under section 31 of the Act, if a pollution incident has occurred as a result of an activity (whether by act or omission) and the pollution incident causes or is likely to cause harm to human health or the environment, a person who is engaging in that activity must, so far as reasonably practicable, restore the affected area to the state it was in before the pollution incident occurred.

Duty to notify of contaminated land

Under section 40(1) of the Act, a person in management or control of land must notify EPA if the land has been contaminated by notifiable contamination as soon as practicable after the person becomes aware of the notifiable contamination.

Notifiable contamination means contamination which is prescribed in the Regulations, or contamination for which the cost of action to remediate the land is likely to exceed \$50,000, or any other prescribed amount.

Duties relating to industrial waste, priority wastes and reportable priority wastes

Under parts 6.4 and 6.5 of the Act, a person has obligations in relation to the generation, receiving, recording, managing, transporting, and disposal of industrial, priority wastes and reportable priority wastes. These duties include:

- Duties of persons depositing industrial waste.
- Duties of persons receiving industrial waste.
- Duty of persons involved in transporting industrial waste.
- Duties of persons managing priority waste.
- Duty to investigate alternatives to waste disposal.
- Duty to notify of transaction in reportable priority waste.
- Duty of persons transporting reportable priority waste.

For further information on waste classifications see schedule 5 of the Regulations.

Further information and resources

To aid compliance with the Act and the Regulations, Environment Reference Standards (ERS), Compliance Codes, Position Statements and Guidelines have been developed to address a range of environmental objectives, permitted and non-permitted activities and risks.

You should understand how the Victorian environment protection framework applies to you and your activity, operation or business by making yourself familiar with the Act, Regulations, Compliance Codes and other relevant guidance material.

To assist you with understanding your obligations refer to www.epa.vic.gov.au.

Notify

You must notify EPA as soon as practicable after becoming aware of any circumstances that materially affect any objective of the plan or the capacity of any participant to comply with the plan under section 183 of the Act.

Amendment

EPA may decide to amend a BEP under its own initiative according to section 184(4) of the Act. You can also apply at any time to EPA for an amendment to your BEP under section 184(1) of the Act.

Better Environment Plan structure

Your BEP has multiple parts:

- The objectives of the BEP
- Conditions
- Appendix 1 – locality plan
- Appendix 2 – activity plan
- Appendix 3 – participant signatures
- Schedule 1 - BEP actions

The objectives of the BEP

Melbourne Water's vision for the BEP is:

"The public health, environmental values, cultural values, and community connections to Dandenong Creek and its surrounds are enhanced in the interim period before the upgrade of the Ringwood South Branch Sewer, with benefits enduring over the long term."

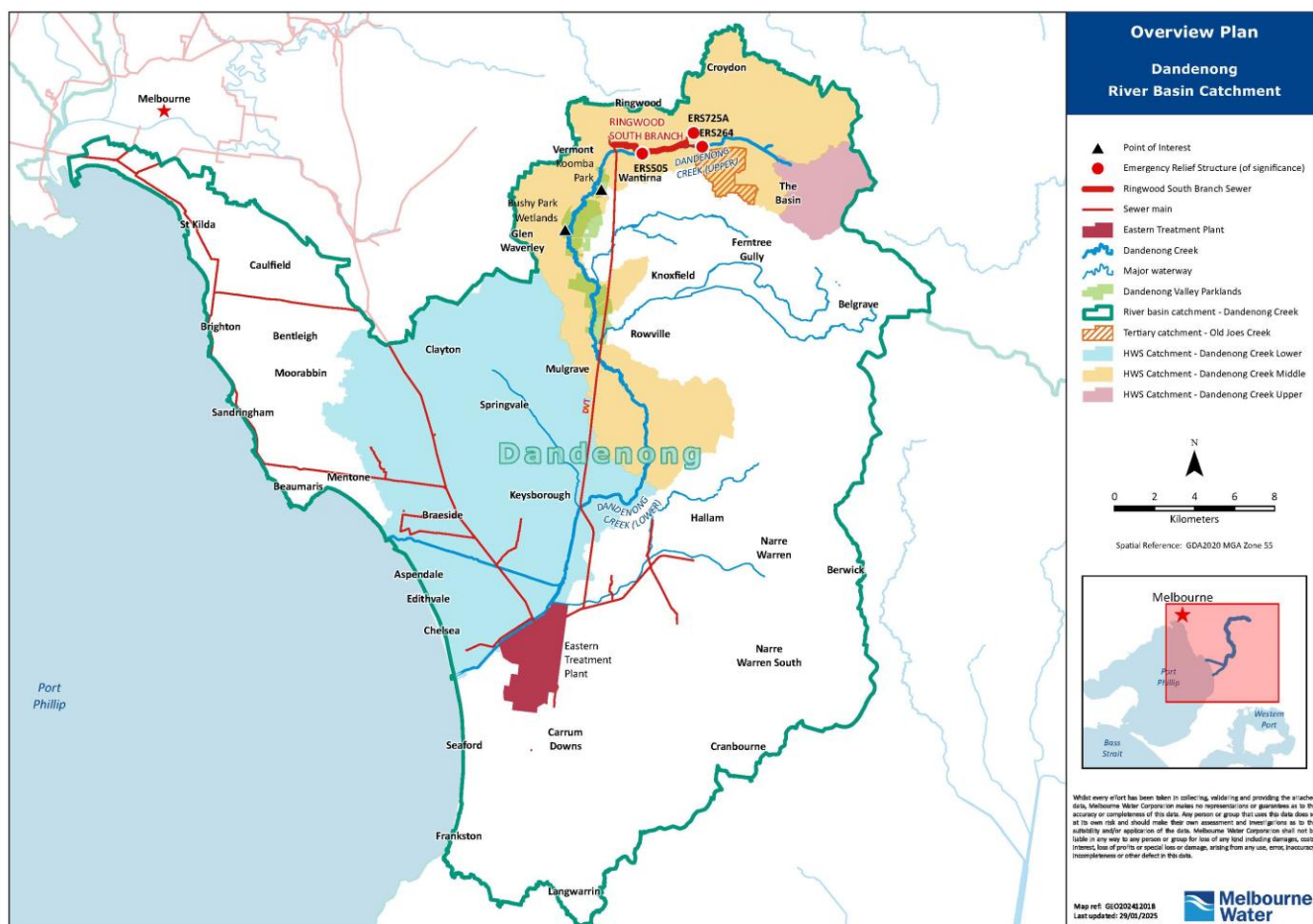
Conditions

General conditions

BEP_G1	All participants of this BEP must complete the actions by the dates for completion as specified in Schedule 1.
BEP_G2	Within 1 month of the completion of the approved actions, you must provide to the Authority a written report that includes: evidence to verify the completion of actions.
BEP_G5	The approval of this BEP does not authorise any action that requires the authorisation from another stakeholder.

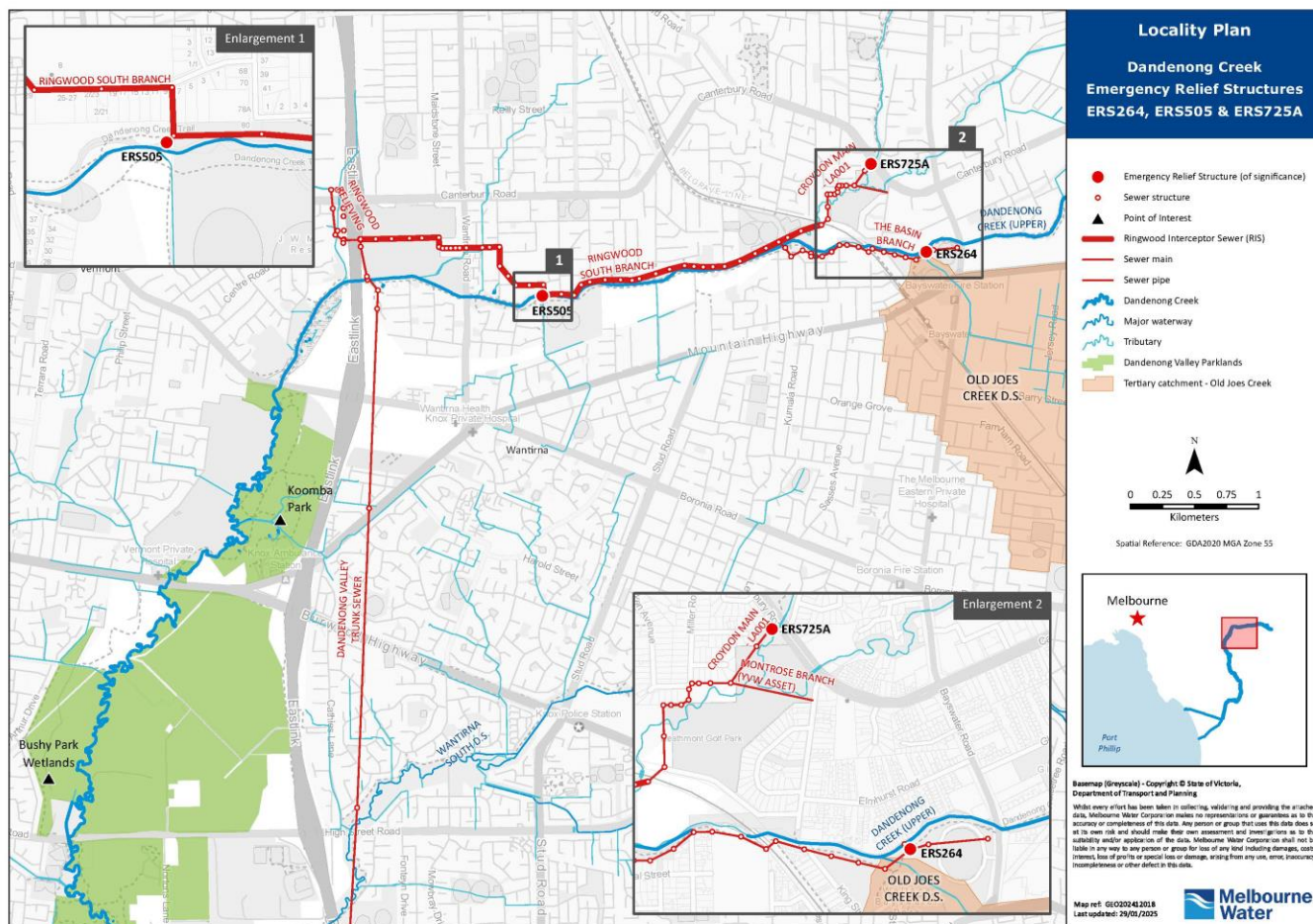
Appendices

Appendix 1 – locality plan



Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

Appendix 2 – activity plan



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Appendix 3 – participant signatures

**Signed, sealed and delivered by Melbourne
Water Corporation**
by its duly appointed attorney in the
presence of:

)
)
)
)
)



.....
Signature of witness

Name of witness: Mae Eadie



.....
Signature of attorney

Name of attorney: Jay Dimitri

Position of attorney: General Counsel

Date of Power of Attorney: 1 August 2023

By executing this deed the Attorney declares that they
have not received notice of revocation of the Power of
Attorney.

Schedule 1 - BEP actions

Schedule 1 is an attachment to BEP000300003.

Schedule 1 - BEP 1 ACTIONS from the Enhancing Our Dandenong Creek Program for Better Environment Plan submission May 2025 edition

This Better Environment Plan addresses the interim time until the Ringwood South Branch Sewer has capacity augmentation infrastructure built. Capacity augmentation is planned for 2031-2036 subject to regulation of prices by the Essential Services Commission. The sewer currently causes wet weather spills into Dandenong Creek via ERS 264, ERS 725A and ERS 505.					
Number/or add unique identifier to each action	Description (additional column to schedule 1 form) and outputs	Action <i>Please list each commitment as a clear, measurable action. Each individual commitment must be able to be verified as complete. If the action is not clearly expressed, and verification of completion cannot be achieved, the Authority will not be able to agree to the BEP.</i>	Date for completion	Who is responsible	Verification <i>Please provide the date of verification and name of party who verified completion</i> <i>Note: the column is to be populated during implementation of the BEP as proponents deliver their commitments</i>
Understanding and reducing the impacts of pollution (EODC Program Summary Theme 2)					
Work Package: Understanding Pollution (EODC Program Summary Work Package 2A)					
1.1 Ongoing pollution monitoring and research program, providing evidence base for pollution reduction interventions.	<p>Building understanding of pollution sources through monitoring, research, and pollution sourcing activities. This is a continuation of R&D under the A3P research and monitoring program. It also incorporates reviews and consideration of update of the Monash monitoring and research programs. It is intended to generate the data and information needed to take action and understand the effectiveness of pollution reduction interventions.</p> <ul style="list-style-type: none"> Water quality monitoring data Pollution sources are known Research findings5 Translate research findings to community and industry Continue annual baseline monitoring and reporting for Dandenong Creek pollution Support action 3.1 Old Joes Creek Toxicant Facility via monitoring Support action 3.1 Old Joes Creek via technical advice (provisional, as needed Identify pollutants and sources Work with EPA to address pollution sources Receive, review and provide report at end of 2 year contract Provide input into pollution workshops with stakeholders 	<p>Aquatic Pollution Prevention Partnership (RMIT) contract</p> <ul style="list-style-type: none"> Catchment monitoring Comprehensive annual pollution report final (year 4) Comprehensive annual pollution report final (year 5) Interim advice and recommendations including on actions 1.4, 2.1, 3.1, 4.1 Support for engagement activities for other pollution actions. Consider extending contract schedule for further catchment monitoring and reporting subject to other pollution activities progression. <p>Dry weather in line storm water drainage pollution sensors (purchased and previously used).</p> <ul style="list-style-type: none"> Building on Old Joes Creek and previous ARC investigation. Detailed location placement determined (may be subject to actions 2.1 and 4.1) Engage with EPA and other stakeholders to agree on an approach for data sharing and pollution response arrangements Pilot campaign Concluding report with recommendations <p>Melbourne Water will work with the EPA to provide the pollution intelligence obtained on pollutant identification and drainage sources to enable potential industrial or other source location and identification by the EPA</p>	<p>July 30th 2024 Nov 30th 2024 Sep 30th 2025</p> <p>Aug 30th 2025</p> <p>Nov 30th 2024 – March 30th 2025</p> <p>Jan - May 2025 August 30th 2026</p> <p>Ongoing</p>	<p>Melbourne Water (via Aquatic Pollution Prevention Partnership contract and schedule)</p> <p>Melbourne Water (via contract with Monash University, and any other procured party).</p>	
1.2 Quantitative Microbial Risk Assessment (QMRA) for Dandenong Creek	Quantitative Microbial Risk Assessment for Dandenong Creek downstream from spills, at locations along the length of Dandenong Creek until it discharges to the bay	<p>QMRA scoping report</p> <p>Data gaps identified and recommendations made</p> <p>Determine next phases of QMRA</p> <p>Complete next feasible phase or prioritised recommendations</p> <p>REPORTING: via BEP Action Status Reports</p>	<p>December 2024 April 30th 2025 August 30th 2025</p> <p>June 30th 2026</p>	Melbourne Water via consultant	

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	Work Package: Pollution Removal (EODC program summary Work Package 2C)				
3.1 Online Toxicant Treatment Facility at Old Joes Creek	Feasibility assessment of an inline treatment facility along Dandenong Creek to treat base flow and first flush during a stormwater event coming from the Bayswater Industrial Estate to reduce concentrations of zinc, lead, copper, silver and insoluble pesticides. This intervention was recommended from the outcomes of the first 5 years of the A3P research program and a best practice review. Note: the design and construction would be subject to positive feasibility assessment.	<p>Post site visits at Stoney Creek and Old Joes Creek with researchers, Melbourne Water planning & delivery teams and YVW representative:</p> <p>Engineering concept drawings and preliminary design</p> <p>Feasibility assessment outcomes reported to EPA – positive or negative</p> <p>Detailed design & functional requirements (construction to be agreed in subsequent BEP)</p>	<p>December 30th 2024</p> <p>August 30th 2025</p> <p>December 30th 2026</p> <p>June 30th 2026</p>	Melbourne Water	
3.2 Bushy Park Wetlands (a)	Feasibility of a Gross Pollutant Trap (GPT) for litter, coarse sediment and nutrient removal	<p>Continuing early engagement with Parks Victoria and councils</p> <p>Feasibility assessments Gross Pollutant Trap investigations:</p> <ul style="list-style-type: none"> • Surveys • Geotechnical investigation • GPT Functional design • Extent of stock removal, planting and maintenance is still under discussion with Parks Victoria <p>Subject to above positive feasibility:</p> <ul style="list-style-type: none"> • Wetland Investigations following stock removal • Ecological assessment of existing wetland and recommendations for appropriate vegetation based on hydrologic conditions • Engagement with Parks and Traditional Owners in regards to their needs for the site including vegetation types and densities <p>Remaining Investigations</p> <ul style="list-style-type: none"> • Cultural Heritage, Permits, Landscape plan • Further engagement and discussion with Parks Victoria on ecological assessment, maintenance requirements and ongoing funding and maintenance access agreements • Monitoring feasibility completion (online, nutrients and basic parameters for whole of system) <p>Subject to feasibility functional requirements and detailed design</p>	<p>September 30th 2026</p> <p>September 30th 2026</p>	Melbourne Water	

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		Implementation subject to feasibility during subsequent BEPs REPORTING: via BEP Action Status Reports	Post 2026 (future BEP)		
Work Package: Feasibility assessments relating to pollution reduction (EODC program summary Work Package 2D)					
4.1 Collaboration and feasibility assessment for future interventions to reduce pollution in Dandenong Creek (including reducing pollution and impacts from sewer spills, stormwater pollution, industrial pollution, legacy sources)	Investigation, collaboration, feasibility assessment, design and implementation (ALL examples below subject to feasibility) of works to reduce pollution associated with: <ul style="list-style-type: none"> Sewer Spills: This could include work focused on the Emergency Relief Structures (ERS), such as litter grates or other upgrades. There is an opportunity to learn from what YVW have done in this space. Stormwater: This could include stormwater management / treatment options such as constructed wetlands, end of line treatment, stormwater harvesting, gross pollutant reduction Legacy Pollution: this could involve clean up works in tributaries to address accumulation of legacy pollution. This will build on work completed in EODC1, and could prioritise Old Joes creek. 	Innovation and engagement workshops Minimum of two workshops with stakeholders (long list to short list) Report Identify and prioritise pre-feasibility assessments – 2025/26 Feasibility investigations and concepts, and final prioritisation Implementation if feasible and prioritised amongst all BEP actions and outcomes REPORTING: via BEP Action Status Reports	September 30 th 2025 November 30 th 2025 June 30 th 2026 Post 2026 (future BEP)	Melbourne Water	
Biodiversity and habitat restoration (EODC program summary Theme 4)					
5.1 Bushy Park Wetlands (b)	Biodiversity and habitat restoration theme components of 3.1 (EODC overarching program 2C.2)	Continuing early engagement with Parks Victoria and councils Agreement with Parks Victoria (subject to acceptance of Melbourne Water’s Delivery team’s project proposal and cost estimates and submitted agreement template) Weed control and revegetation (approx. 22.2Ha) and wetlands protection - practical completion (with 2-3 years establishing maintenance afterwards) REPORTING: via BEP Action Status Reports	February 28 th 2025 June 30 th 2026	Melbourne Water	
5.2 Dandenong Creek transformation – downstream of	Feasibility assessment to potentially improve amenity and physical form of creek by potential partial daylighting small sections of the creek downstream of the Liverpool Road retarding basin. Partial surface flow of water in some sections. Creation of artificial riffles and pools to	Review 2020 early concept and feasibility of initial option in-house, provide a report Recommend whether to proceed with further feasibility investigations and projects post BEP1 including for a reduced scope of works	May 30 th 2025 June 30 th 2026	Melbourne Water	

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Liverpool Rd Retarding basin	receive stormwater inflows whilst the underground drain pipe remains in place to take most flow. Weed control. Proceeding to business case subject to feasibility.				
5.3 Koomba Park Rehabilitation	Enhancement of natural billabongs on the floodplain, including weed control and revegetation and upgrade of maintenance tracks	<p>Agreement with Parks Vic Victoria (subject to acceptance of Melbourne Water's Delivery team's project proposal and cost estimates and submitted agreement template)</p> <p>Weed control and revegetation works (approx. 14.6 ha) Implement works as agreed – habitat restoration and improved connectivity, improved amenity and connectivity, and education Practical completion (with 2-3 years establishing maintenance afterwards)</p> <p>Engagement with stakeholders occurring REPORTING: via BEP Action Status Reports</p>	<p>February 28th 2025</p> <p>June 30th 2026</p> <p>Through 2023 and continuing to completion</p>	Melbourne Water	
5.4 Fish habitats, breeding and translocation	Ongoing maintenance of breeding habitats for 20 locations, breeding program and translocation of threatened species.	<p>Complete assessments, maintenance activities, further opportunities and risks identification.</p> <p>Opportunities for continuing engagement with local groups, First Nations, community and stakeholders as part of Actions 7.1 and 7.2</p>	<p>June 30th 2026.</p> <p>Refer to timelines for 7.1 and 7.2</p>	Melbourne Water	
First Nations People Priorities (EODC program summary Theme 5)					
6.1 Integrating Traditional Owner self-determined priorities	Ongoing engagement and collaboration with Traditional Owners: Seek out interest from and identify opportunities to implement for Traditional Owners for improved cultural values, sites, and/or practices	<p>Seek a statement from each party on their association with the project to confirm their interest in ongoing activity</p> <p>Consolidated engagement opportunities through the Catchment Management Authority function of Melbourne Water and Dandenong Living Links program</p> <p>Initial engagement with Bunurong – raising awareness, seeking interest</p> <p>Continue on from 2023/2024 engagement with Wurundjeri and Narrap Rangers Team for new opportunities</p> <p>Identify and seek opportunities through projects case by case with Wurundjeri and Bunurong subject to interest</p> <p>REPORTING: via BEP Action Status Reports</p>	<p>Ongoing</p> <p>October 30th 2025</p> <p>October 30th 2025</p> <p>Ongoing basis</p>	Melbourne water	
Engagement and Connectivity (EODC program summary Theme 6)					

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7.1 Community engagement on EODC	Engagement focused on program logic action plan, BEP, and the projects being implemented. Opportunities to involve communities in projects, particularly the creek, wetland and habitat restoration works, and stormwater projects. Signage has been put in place along Dandenong Creek trails.	Strategic Engagement Plan (overarching plan on a page) Strategic Engagement Plan (detailed) Refresh Melbourne Water’s key community communication tool for Enhancing Our Dandenong Creek Pollution reduction Enhancing our Dandenong Creek (melbournewater.com.au) REPORTING: via BEP Action Status Reports	August 30 th 2024 September 30 th 2025 September 30 th 2025	Melbourne Water	
7.2 Industry leadership across the water sector and waste management industries	Opportunities to present about research and project implementation outcomes to the broader water industry and waste management industries.	Industry Communications Plan overarching, built into action 7.1 above. Report on communications activities to EPA as per below REPORTING: via BEP Action Status Reports	Refer to 7.1 action dates above As above. See Reporting action 8.1	Melbourne Water	
	Reporting				
8.1 BEP Action status report		Confirm reporting requirements with EPA Provision of annual traffic light and commentary report reflecting the status of this BEP 1 for the Enhancing Our Dandenong Creek Program. Final report	August 30 th 2025 November 2025 November 2026	Melbourne Water	