

Port of Melbourne Operations Pty Ltd (PoM) has undertaken a review of the draft State Environment Protection Policy (Waters) (SEPP) and related documentation, and provides the following submission for DELWP's review:

1. Figure 1: Surface Water Segments (Draft SEPP, Schedule 1, pg. 57) indicates that the lower portion of the Yarra River (ie. between Victoria Dock and Webb Dock) is within the Hobsons Bay sub-segment. Other sections of the draft SEPP (Waters) indicate the former Yarra Ports segment, as defined in Schedule F7 SEPP (Waters of Victoria (WoV)), will be part of the Estuaries and Inlets segment.

PoM seeks clarification from DELWP as to whether this is correct or, alternatively, clarify which segment is intended to be applied to waters within the lower portion of the Yarra River (between Victoria Dock and Webb Dock)?

2. Beneficial uses are explicitly defined in Table 1 Beneficial Uses for Water (Draft SEPP, Schedule 2, pg. 64), including the 'Navigation and Shipping' beneficial use where the purpose is defined as '*..water quality that is suitable for shipping transport and harbour facilities*'.

PoM considers the beneficial use of 'Navigation and Shipping' to be a positive initiative by DELWP. However PoM does seek clarification as to how water quality objectives relating to Navigation and Shipping are proposed to be established and their practical application?

3. Table 5: Exclusions to Beneficial Uses in Surface Waters (Draft SEPP, Schedule 2, pg. 70) indicates that 'Navigation and Shipping' is not a protected beneficial use within the Maribyrnong River, which notably includes several PoM managed berths/assets (e.g. No.1 Maribyrnong Berth) where 'Navigation and Shipping' is an existing/relevant use.

PoM seeks clarification as to why the beneficial use of 'Navigation and Shipping' is not similarly protected in the lower portion of the Maribyrnong River downstream of Footscray Road, so that it covers all PoM berths?

4. The draft SEPP (Waters) defines a higher level of ecosystem protection (95%) in comparison with Schedule F7 SEPP (WoV) which has a 90% level of protection. On the other hand, the level of protection required for surface waters in the upstream catchment (Urban segment) has a lower level of protection (90%) in the draft SEPP (Waters) when compared with Schedule F7 SEPP (WoV) which has a 95% level of protection.

PoM queries the rationale for applying a higher level of protection to waters in the vicinity of the Port which are being fed (i.e. located downstream) by waters from the Urban Waterways segment which will have a lower level of protection under the draft SEPP (Waters).

We would welcome the opportunity to discuss these issues with you further or seek DELWP's feedback on these matters prior to finalisation of the new Policy.

Regards