



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF DECISION

## Environment Protection Act 2017

As Minister responsible for the **Environment Protection Act 2017**, I give notice under section 12J of the **Subordinate Legislation Act 1994** that, further to public consultation on a Regulatory Impact Statement (RIS), I have decided to recommend the making of the Order for Obligations of managers of land or infrastructure (Urban stormwater management and On-site wastewater management) (proposed OMLI).

The RIS and a draft of the proposed OMLI were advertised for public comment from 4 May to 1 June 2023. Nineteen submissions were received and have been considered in accordance with section 12I(4) of the **Subordinate Legislation Act 1994**.

After consideration of the submissions, I have decided to recommend that the proposed OMLI be made, with amendments as follows:

- removing proposed clause 5 relating to the management of urban stormwater infrastructure, with the Environment Protection Authority Victoria to instead publish supporting guidance on the application of the general environmental duty, established under the **Environment Protection Act 2017**, to this activity;
- removing proposed clause 9 relating to Catchment Management Authorities' land and water management plans, as it is considered that creating an additional requirement in these plans through the proposed OMLI is not the most effective approach. The Minister for Water's Statements of Obligations sets requirements for these plans, and environmental values within the Environment Reference Standard are available to inform their development and update;
- clarifying the obligations under the OMLI by including the words 'so far as reasonably practicable' in proposed clauses 6 and 7 (now clauses 5 and 6 in the proposed OMLI); and
- other miscellaneous and technical amendments.

More details on how submissions have been considered and responded to are set out in the response to public comments document which will be published on the Engage Victoria website, <https://engage.vic.gov.au> and available in hard copy by request by emailing [sepp.consultation@delwp.vic.gov.au](mailto:sepp.consultation@delwp.vic.gov.au)

After the proposed OMLI is made, it will become available for viewing via the Victoria Government Gazette website, [www.gazette.vic.gov.au](http://www.gazette.vic.gov.au) The proposed OMLI will commence on the day of its making.

STEVE DIMOPOULOS MP  
Minister for Environment

**SPECIAL**

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