

**Summary of how the proposed amendment to the *Marine Pollution Regulation 2006* meets the seven Better Regulation Principles**

| <b>Better Regulation Principle</b>   | <b>How the proposed amendment meets the principle</b>  |
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| <p>1. The need for government action should be established.</p>  | <ul style="list-style-type: none"> <li>• The current requirement to have a holding tank can pose significant design issues for affected vessels.</li> <li>• The discharge of holding tank contents can be time-consuming for commercial operators.</li> <li>• The current requirements mean that there is a lack of consistency along the Murray River, where many of the affected vessels are based. This waterway also flows through/ alongside Victoria and South Australia.</li> </ul>   |
| <p>2. The objective of government action should be clear.</p>  | <ul style="list-style-type: none"> <li>• The proposed amendment to the Regulation would give vessel operators the choice of whether to use a holding tank or an Australian Standard compliant greywater treatment system.</li> <li>• The proposed amendment would allow operators to return clean (treated) water to the state's waterways.</li> </ul>   |
| <p>3. The impact of government action should be properly understood by considering the costs and benefits of a range of options, including non-regulatory options.</p> | <ul style="list-style-type: none"> <li>• The proposed amendment would not compel any vessel operators to change their current arrangements; there would be no additional costs imposed on operators.</li> <li>• The benefits of the proposed amendment would include: <ul style="list-style-type: none"> <li>➤ choice for operators;</li> <li>➤ environment benefits associated with the return of clean water to the waterways;</li> <li>➤ ability for operators to avoid current design issues; and</li> <li>➤ ability for operators to reduce the time spent at pump-out stations.</li> </ul> </li> </ul> |

| Better Regulation Principle  | How the proposed amendment meets the principle   |
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| <p>4. Government action should be effective and proportional.</p>                            | <ul style="list-style-type: none"> <li>• It is expected that a significant number of vessel operators would choose to take up the new option of an on-board treatment system given the space and time savings and the environmental benefits.</li> <li>• NSW Maritime would ensure that commercial vessel operators were fully informed of the new option prior to the proposed amendment coming into effect.</li> <li>• The required actions by NSW Maritime (arranging for the <i>Marine Pollution Regulation</i> to be amended and ensuring the education of vessel operators) would be well within reasonable proportions for the benefits obtained, and would be covered by NSW Maritime's current operating budget.</li> </ul>   |
| <p>5. Consultation with business and the community should inform regulatory development.</p> | <ul style="list-style-type: none"> <li>• NSW Maritime wrote to all known relevant vessel operators and builders seeking their views on the proposed regulatory change.</li> <li>• Only two responses were received, one being in support and the other being a query.</li> <li>• The Australian Standard (AS 4995-2009) underpinning the proposed amendment was developed by Standards Australia in conjunction with NSW Maritime, the South Australian Environment Protection Authority, industry representatives and other stakeholders.</li> <li>• NSW Maritime also consulted with the Food Authority, the Department of Environment, Climate Change and Water, the Department of Health and Industry and Investment NSW (Fisheries).</li> <li>• The Department of Environment, Climate Change and Water raised initial concerns about the proposal however these have been resolved.</li> </ul> |

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| <p>6. The simplification, repeal, reform or consolidation of existing regulation should be considered.</p>                            | <ul style="list-style-type: none"> <li>• The proposed amendment represents a reform of the current regulation, by bringing it more into line with the latest technology.</li> <li>• The proposed amendment also provides greater choice to vessel operators and makes it easier for them to manage their greywater waste in a way that best suits their business needs.</li> </ul>  |
| <p>7. Regulation should be periodically reviewed, and if necessary reformed to ensure its continued efficiency and effectiveness.</p> | <ul style="list-style-type: none"> <li>• The proposed amendment has been put forward in response to improved treatment technologies for greywater.</li> <li>• The amended regulation would be more up-to-date with modern technology and more responsive to operators' individual circumstances.</li> <li>• The amended regulation could be readily updated in the event of a new Australian Standard being published.</li> </ul> |