

Planning in Open Drinking Water Catchments

Planning Practice Note 55

FEBRUARY 2018

This practice note informs a responsible authority, water corporation and land owner about how open drinking water catchments are protected through guidelines, codes of practice, legislation, subordinate legislation (planning schemes) and model permit conditions.

Planning permits (statutory)

This information is relevant when assessing a planning permit application on land in an open drinking water catchment.

Guidelines for planning permit applications in open, potable water supply catchment areas

Department of Sustainability and Environment, November 2012

These guidelines are available at <https://www.water.vic.gov.au/managing-floodplains/floodplain-management/land-use-planning>

These guidelines assist a responsible authority and water corporation when assessing a planning permit application for use and development of land within all open drinking water catchments. The guidelines were prepared by the Department of Sustainability and Environment and issued by the Minister for Water to inform stakeholders of their response to planning in these areas:

- Guideline 1: Density of dwellings
- Guideline 2: Effluent disposal and septic tank system maintenance
- Guideline 3: Vegetated corridors and buffer zones along waterways
- Guideline 4: Buildings and works
- Guideline 5: Agricultural activities





Protect our waters Protect our health

A guide for landholders on managing land in drinking water catchments, Department of Health, January 2014

These guidelines are available at www.health.vic.gov.au



This guide explains the important things to consider when managing land in a water catchment.

This can help land owners to manage their land more effectively and protect drinking water supplies for the community by:

- improving the condition of waterway frontages with vegetation
- preventing stock access to waterways
- maintaining onsite wastewater treatment systems such as septic tanks
- preventing soil erosion
- using and managing nutrients wisely
- improving agricultural chemical use.

Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management

Publication 891.4

Environment Protection Authority, July 2016

These guidelines are available at www.epa.vic.gov.au

This Code describes measures to sustainably manage household wastewater (also known as sewage) and minimise health and environmental risks. It provides guidance on the Victorian legislation and policy framework for onsite wastewater management, and describes the various roles and responsibilities relevant parties have within that framework. This Code is incorporated in all planning schemes.

Land Capability Assessment Framework

Municipal Association of Victoria, January 2014

This publication is available at www.mav.asn.au

This publication provides advice on preparing a comprehensive land assessment for proposed unsewered developments before development proceeds. The overall objective of the land assessment process described in this publication is:

1. To assess the capability of the site to sustainably utilise and manage wastewater within allotment boundaries, and
2. To identify a management program that should be put in place to minimise the health and environmental impacts of on-site wastewater management.

On-site Domestic Wastewater Management

Australian/New Zealand Standard 1547:2012

Standards are available for purchase at <https://infostore.saiglobal.com>

This standard provides the requirements for treatment units and their respective land application systems to achieve sustainable and effective on-site domestic wastewater management, to protect public health and the environment. This standard identifies the performance statements that cover the overall design and sustainable management of on-site domestic wastewater systems.



State Environment Protection Policy (Waters of Victoria)

This policy is available under Water legislation at www.epa.vic.gov.au

This policy sets a statutory framework for protecting the uses and values of Victoria's fresh and marine water environments. As required by the *Environment Protection Act 1970*, this policy includes:

- the uses and values of the water environment that the community and government want to protect - these are known as beneficial uses
- the objectives and indicators which describe the environmental quality required to protect beneficial uses
- guidance to catchment management authorities, coastal boards, water authorities, communities, businesses, local government and state government agencies to protect and rehabilitate water environments to a level where environmental objectives are met and beneficial uses are protected - this is known as the attainment program.

Relevant legislation

Safe Drinking Water Act 2003

Planning and Environment Act 1987

Catchment and Land Protection Act 1994

Water Act 1989

Local Government Act 1989

Crown Land (Reserves) Act 1978

Victorian legislation is available at www.legislation.vic.gov.au

Victoria Planning Provisions

State Planning Policy Framework

The *Victoria Planning Provisions* and planning schemes are available at planning-schemes.delwp.vic.gov.au

Clause 14.02 (Water) addresses the importance of water quality and water catchments.

Clause 19.03 (Development infrastructure) includes a strategy to...

Ensure water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses.



Planning schemes (strategic)

This information is relevant when changing a planning scheme to implement strategic planning in an open drinking water catchment.

The *Guidelines for planning permit applications in open, potable water supply catchment areas* advises that a Domestic Wastewater Management Plan is considered an acceptable basis for relaxing their 1:40 dwelling density guideline. This type of plan provides the strategic basis for land use planning in an open drinking water catchment.

A planning authority can consider what planning provisions are needed to implement a Domestic Wastewater Management Plan or to meet other objectives in their planning scheme. For example, the Environmental Significance Overlay has been applied in 25 planning schemes to tailor environmental objectives, permit requirements, referrals and decision guidelines in open drinking water catchment areas.

Amending planning schemes to implement strategic plans is considered good practice.

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ISBN 978-1-921940-59-0 (pdf)

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