



# **WATER SUPPLY CATCHMENT DEVELOPMENT AND LAND USE GUIDELINES**



**2012**

## South Gippsland Water Water Supply Catchment Development And Land Use Guidelines

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### DEFINITIONS

**Water Act** means the Water Act 1989.

**Authority** means the South Gippsland Region Water Corporation (South Gippsland Water).

**Catchment Responsible Authority** means any statutory body with responsibility for, or control over the management, use or subdivision of land in water supply catchment areas.

**Closed Water Supply Catchment Area** means a water supply catchment area owned, occupied or controlled by the Authority.

**CMA** means relevant Catchment Management Authority, the statutory body charged with the management of the land and water of the catchment under the Catchment and Land Protection Act 1994.

**EPA** means the Environment Protection Authority of Victoria.

**Land Use Determination** means any area of land proclaimed under an Act of Parliament within which land uses are prescribed.

**Occupier** means any person whether or not the owner of any property, including buildings within a water supply catchment area.

**Special Water Supply Catchment Areas** means any water supply catchment area proclaimed as such pursuant to an Act of Parliament and/or in Schedule 5 of the Catchment Land Protection Act 1994 No.52.

**Responsible Authority** means the person or body responsible for the administration or enforcement of a planning scheme or a provision of a planning scheme under the Planning and Environment Act 1987 (usually the municipal council).

**Scheduled Premises** means any activity defined as such by the Environment Protection (Scheduled Premises and Exemptions) Regulations 1996 No. 66.

**Surface Waters** has the same meaning as defined in the State Environment Protection Policy (*Waters of Victoria*).

**Water Supply Catchment Area** means any land draining to a facility used for the collection of water for the purpose of supply for human consumption.

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### APPLICATION OF THE GUIDELINES (PLANNING REFERRAL PROCESS)

A planning referral process involves assessing planning applications against a number of Government, Authority and Corporation policies, regulations, restrictions and guidelines.

The South Gippsland Water Development and Land Use Guidelines sets out the following information and criteria to be applied to adequately assess an application.

- 1) Catchment & land Use: Policy, Restrictions and Regulations. ([Section 1](#))
- 2) Assessment requirements for permit applications. ([Section 2](#))
- 3) Application Processing. ([Section 3](#))

### SECTION 1:

#### **Catchment & land Use: Policy, Restrictions and Regulations:**

##### **Background**

The purpose of the water supply catchment development and land use Guidelines is to assist South Gippsland Water (SGW) in its assessment of planning permit applications for use and development of land within all open, potable water supply catchments that are the source of potable water under the management of South Gippsland Water.

All land users within catchments need to be aware of the potential effect of their activities on water quality. Residential development and agriculture particularly have the potential to impact adversely on water quality through the discharge of contaminated run-off and wastes, nutrient contributions or sediment to waterways. SGW recognise that the three key sources of these pollutants are septic tank systems, agricultural practices and buildings and works.

The SGW Catchment Development and Land Use Guidelines have been compiled to:-

- Better reflect the multiple barrier risk management approach detailed in the Australian Drinking Water Guidelines (2011)<sup>1</sup> and the requirements of the Safe Drinking Water Act (2003)<sup>2</sup>, and SGWs Drinking Water Management System<sup>3</sup>.
- Adopt the precautionary principle to consider the cumulative impacts of diffuse contaminant sources in managing risks to water quality. These risks arise in water supply catchments from changing land use and development, including increasing densities of dwellings with on-site wastewater/septic tank treatment systems and the intensity of agricultural, commercial, industrial and other human activity.
- Provides reference to the SGW Catchment Management Plan, the SGW Catchment Monitoring, Assessment and Improvement Programs, and SGW's Environment Management System which support this document.
- Incorporates the Guidelines provided by the Department of Planning and Community Development, Planning Permit Applications in Open, Potable Water Supply Catchment Areas, May 2009.<sup>4</sup> These guidelines have been adopted by the Minister for Planning for the purposes of s.60 (1A) (g) of the Planning and Environment Act 1987.<sup>5</sup>
- Incorporates legislation, regulations and guidelines where applicable

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<sup>1</sup> National Water Quality Management Strategy: Australian Drinking Water Guidelines (2011)

<sup>2</sup> Safe Drinking Water Act 2003

<sup>3</sup> Drinking Water Management System, South Gippsland Region Water Corporation 2012

<sup>4</sup> Planning permit applications in open, potable water supply catchment areas, Department of Planning and Community Development, May 2009

<sup>5</sup> Planning and Environment Act, 1987.

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### Guidelines Objectives

The primary objective of the SGW's Development and Land Use guidelines is to protect the raw water quality harvested by South Gippsland Water to manage through the application of the precautionary principle<sup>6</sup>, the risk to public health, achieve source water protection and multiple barriers as required of the Safe Drinking Water Act 2003 and the Australian Drinking Water Guidelines 2011.

This guideline provide the basis of limiting development in the catchment and imposing conditions on developments to limit untreated wastewater flowing to waterways, reduce soil particles and silt from reaching waterways, limit animals excrement from entering waterways and reducing pollution of all waterways.

The guidelines give effect to this objective through the regulation of land subdivisions and development to ensure that:

- a. The level of development which may occur within catchment areas is kept consistent with the achievement of the objective; and,
- b. The use and development of land including the carrying out of all buildings and works is undertaken in such a way that the water supply system is protected from contamination.

Additionally the SGW Guidelines aims to:

- Provide guidance for responding to development proposals.
- Establish a basis for future catchment development controls, if required.
- Encourage and assist, where appropriate, private landholders within water supply catchment areas to protect riparian zones.
- Maintain reserves around water supply storages sufficient to protect the quality of water within the storages
- Maintain reserves around water supply storages sufficient to protect the quality of water within the storages

The SGW Catchment Management Plan, Water Supply Catchments Policy and Environment Policy in conjunction with the SGW Development and Land Use Guidelines is intended to facilitate appropriate and environmentally sustainable development within water supply catchment areas and to ensure that the quality and quantity of water supplies is maintained.

The implementation of this document is managed through the Catchment Monitoring, Assessment and Improvement Program.

### Regulation

The importance of water quality and water catchments is specifically addressed in Clause 14.02-1<sup>7</sup> in the State Planning Policy Framework<sup>8</sup> in all planning schemes.

It is the objective of this clause to assist in the protection and where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

The clause states that the State Planning Policy will protect water catchments and water supply facilities to ensure the continued availability of clean, high-quality drinking water.

Clause 14.02-2<sup>9</sup> of the State Planning Policy Framework Planning states that it will:

- Protect reservoirs, water mains and local storage facilities from potential contamination. Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of

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<sup>6</sup> Risk Assessment for Drinking Water Sources WQRA, Research Report 78, 2009

<sup>7</sup> State Planning Policy Framework (SPPF) 2010.

<sup>8</sup> ibid.

<sup>9</sup> ibid

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surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.

- Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

The objective of Clause 19.03-2<sup>10</sup> of the State Planning Policy Framework requires:

- That a plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

The strategy of Clause 19.03-2<sup>11</sup> of the State Planning Policy Framework requires:

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

Section 53M of the Environment Protection Act 1970<sup>12</sup> provides that a municipal council must refuse a permit if a proposed onsite waste water/septic tank system is contrary to any State environment protection policy or waste management policy.

The State Environment Protection Policy (Waters of Victoria) requires the application of the precautionary principle to guide decisions about the protection and management of Victoria's surface waters when considering a permit for a septic tank system. The proper application of the precautionary principle requires consideration of the cumulative risk of the adverse impact of onsite waste water/septic tank systems on water quality in open potable water supply catchments resulting from increased dwelling density.

The importance of water catchments is also reflected in the catchment management plans prepared by Catchment Management Authorities under Division 1 of Part 4 of the Catchment and Land Protection Act 1994. These plans assess the land and water resources of catchments in a region and identify objectives and strategies for improving the quality of those resources. They can also direct land use activities in a catchment. It is State Planning Policy (Clause 14.02-1) that planning authorities must have regard to relevant aspects of any regional catchment strategies approved under the Catchment and Land Protection Act 1994 and any associated implementation plan or strategy, including regional vegetation plans, regional drainage plans, regional development plans, catchment action plans, landcare plans, and management plans for roadsides, soil, salinity, water quality and nutrients, floodplains, heritage rivers, river frontages and waterway.

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<sup>10</sup> ibid

<sup>11</sup> ibid

<sup>12</sup> Environment Protection Act 1970.

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## Water Supply Catchments

These guidelines apply to all open potable water supply catchments declared to be special water supply catchment areas under Division 2 of Part 4 of the Catchment and Land Protection Act 1994 as mapped in Figure 1 for the South Gippsland Water Supply Catchments.

Schedule 5 of the Catchment and Land Protection Act 1994 lists the special water supply catchment areas declared as at 1994. These are described in Table 1 for the South Gippsland Water.

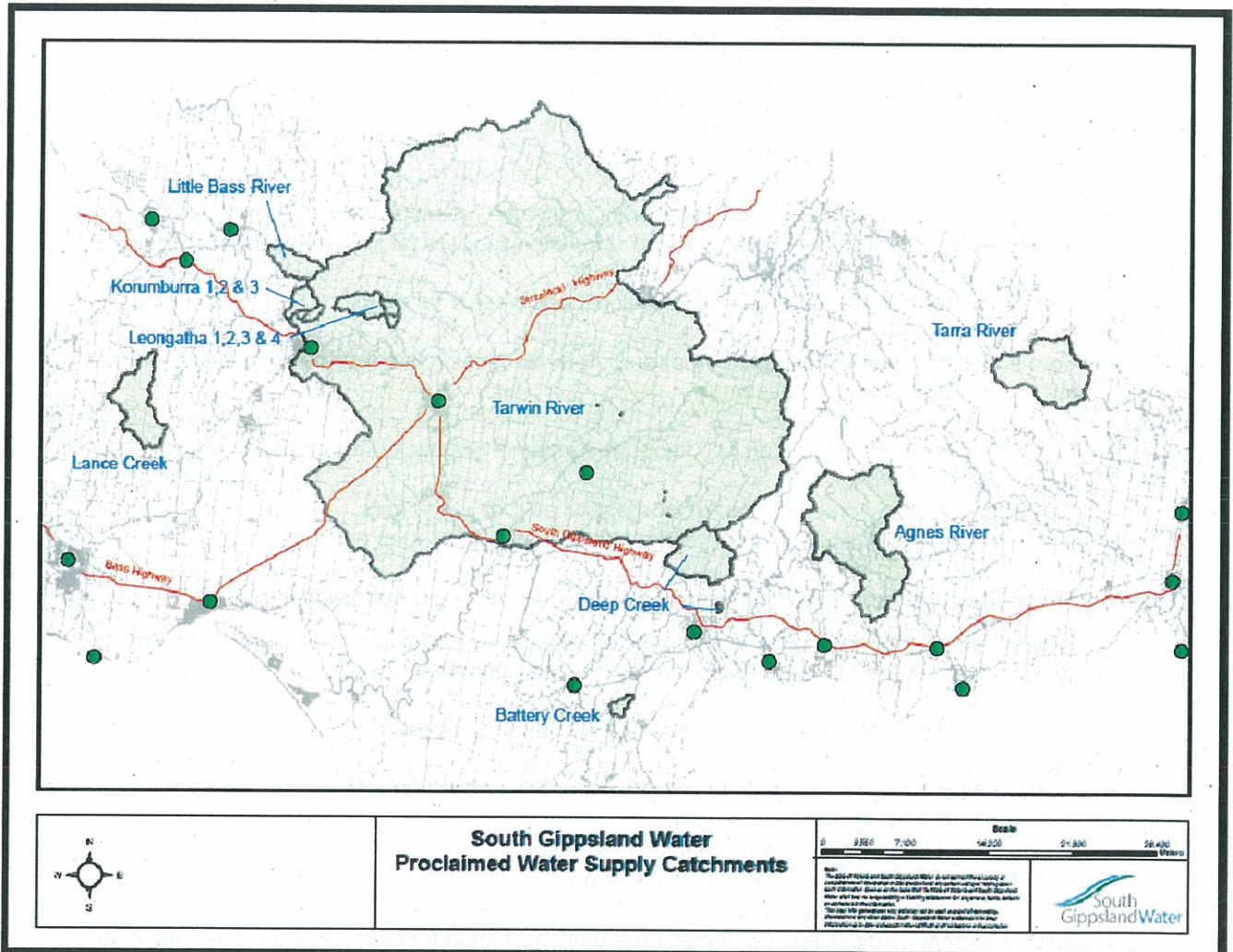


Figure 1: Designated Water Supply Catchment areas In the South Gippsland Basin

Water Supply Catchments	Towns supplied by Catchment	Area Km <sup>2</sup>
Agnes River	Toora, Welshpool, Port Welshpool	28
Battery Creek	Fish Creek	2
Bellview, Ness Creeks	Korumburra	6
Deep Creek	Foster	18
Lance Creek	Wonthaggi, Inverloch, Cape Patterson	28
Little Bass River	Poowong, Loch, Nyora	7
Tarra River	Yarram, Alberton, Port Albert	28
Tarwin River	Meeniyah, Dumbalk	1077

Table 1: Designated Water Supply Catchment areas In the South Gippsland Basin

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#### **Developments requiring written approval in a Water Supply Catchment**

Scheduled Premises, as defined in the Environment Protection Regulations 1996 No. 66<sup>13</sup>, shall not be permitted within a water supply catchment area without written approval of South Gippsland Region Water Corporation.

Scheduled Premises include but are not limited to the following:

- Abattoirs, knackereries or poultry processing.
- Animal derived by-products and food processing
- Bulk storage facilities exceeding 10,000 Litres capacity.
- Cement works, concrete or bitumen batching works.
- Chemical works including petroleum.
- Fish Farms
- Intensive animal industry including piggeries and cattle feed lots.
- Intensive animal industry beyond the maximum stocking rate taking into account the capability of the land to sustain grazing.
- Landfills used for the discharge or disposal of solid wastes onto land.
- Livestock saleyards
- Metals and engineering including smelters, metal furnaces galvanising works, can and drum coating works and vehicle assembly.
- Mining or extractive industry
- Printing works using more than 100 kilograms a day of organic compounds.
- Textile manufacturing.
- Timber preserving works, fibreboard works, and pulp or paper mills.
- Waste treatment, disposal and recycling in excess of 5,000-Litres per day.

#### **Developments Not Requiring Referral to the SGW Water Corporation**

An application having no detrimental impact on water quality should not require a referral to the Authority. For instance the following types of proposed development need not be referred.

- Outbuildings with total roof area of less than 40 square metres.
  - Signs.
  - Fences not requiring excavation or removal of native vegetation in excess of one tree.
  - Patios
  - Gazebos
  - Pergolas
  - Apiaries
- } having an area of not more than 40 square metres and not requiring any excavation or native vegetation removal.
- Minor additions to dwellings not including a bathroom, laundry or toilet where the total of such additions is less than 40 square metres.

The above developments are considered to not have a significant impact on the quality of the water supply or a major impact on the environment in the South Gippsland declared water supply catchments.

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<sup>13</sup> Version No. 001 Environment Protection (Scheduled Premises and Exemptions) Regulations 1996 S.R. No. 66/1996  
Version as at 27 July 1998



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**SECTION 2:**

**Assessment Requirements for Planning Applications**

**Information to be provided to South Gippsland Water:**

The following information is to be provided to South Gippsland Water:

- ❖ Site plan to an appropriate scale (e.g. 1:500) showing all existing features including vegetation, buildings and works, fences, access roads and tracks, any existing effluent drains and contours.
- ❖ Plans of the proposed development drawn at a suitable scale (e.g. 1:200 or 1:500) including all buildings and works, excavation and batters, proposed vegetation, drainage lines, access roads and tracks, the exact location of the site and the distance of the work site from the banks of the dam or water course forming part of the catchment.
- ❖ To accurately identify the slopes on the site a contour plan prepared by a surveyor or an existing contour plan confirmed by spot level checks carried out by a surveyor may be necessary.
- ❖ Description of the nature of the proposal including the number of persons likely to be on site at any one time and the proposed use of the development.
- ❖ Extent of vegetation and tree clearing.
- ❖ Land capability assessments including consultants' reports on soil conditions, depth of water table and other relevant details.
- ❖ Any other information in support of the application.

This is the required information to adequately assess an application. Any details not provided will result in delay while SGW requests additional information.

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**SECTION 3:**

**APPLICATION ASSESSMENT - Conditions for Development in Catchments**

The following sections are guidelines suggested for making consistent and practical responses to referrals of planning proposals within water supply catchment areas.

For consistency, SGW has adopted the structure of the DPCD guidelines. The development will be considered against all relevant conditions.

**GUIDELINE 1: DENSITY OF DWELLINGS**

<b>Density of Dwellings</b>	<b>Requirements</b>
The density of dwellings after a subdivision	≤ one house/dwelling per 40 Ha
Each lot created as part of a subdivision	≤ one house/dwelling per 40 Ha
	All subdivision plans within a catchment area must designate an area on a lot for a site for a dwelling and associated buildings and works including an effluent field a minimum of 100 metres from surface water. The designated areas must be on an average ground slope of less than 20%. The plan of subdivision shall designate a building envelope for each allotment.
<b>Densities may be varied if the following is addressed</b>	
Catchment management plan, water catchment policy or similar project addressing land use planning issues and the cumulative impact of onsite waste water/septic tank systems has been prepared for the catchment and:  Strategies and requirements of the plan have been included in the planning scheme. Land Capability Assessment (LCA) for the on-site management of domestic wastewater has been completed that shows a greater density of development is appropriate.	
<b>Other Information:</b>	
All subdivision plans within a catchment area must designate an area on a lot for a site for a dwelling and associated buildings and works including an effluent field a minimum of 100 metres from surface water. The designated areas must be on an average ground slope of less than 20%. The plan of subdivision shall designate a building envelope for each allotment.	

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**GUIDELINE 2: EFFLUENT DISPOSAL AND SEPTIC TANK SYSTEM MAINTENANCE**

<b>Installation/Upgrading of a Wastewater Disposal System</b>	
<b>Requirements</b>	<b>Measures</b>
Distance Set Backs	This is in accordance with DPCD guidelines (see table 2 below)
Land Capability Assessment (LCA)	Conducted by a suitably qualified person to identify the area of land most capable for on-site wastewater disposal and to develop a management regime to minimise the impact of on-site wastewater systems on the environment.
All wastewater must be treated and retained within the boundaries of each allotment	This is in accordance with Clause 40 of the <i>State Environment Protection Policy (Waters of Victoria)</i> . Where sewerage is not available, an all waste septic tank or other approved wastewater system shall be installed in accordance with the Septic Tanks Code of Practice (as amended), or manufacturer's instructions concurrently with the construction of any house.
Septic tank or treatment systems must be maintained correctly to the satisfaction of the Council's Environmental Health Surveyor and will be subject to regular inspections undertaken by the Council.	Maintenance must include the inspection of the septic tank or treatment systems and desludging of the tank on the request of the Council's Environmental Health Surveyor or as the conditions of the septic license.
Section 173 Agreements (where applicable)	Where appropriate, a Section 173 Agreement is to be registered on title stating the owner is to have an annual inspection of their septic tank or on-site wastewater system by an approved and qualified person at the owners cost. The report of this inspection is to be sent to South Gippsland Water and the local shire council within one month of the inspection. The Section 173 Agreement will also include the sludge or solids removal from the septic tank or on-site wastewater system at a suitable period as agreed between the Shire Health Surveyor and South Gippsland Water. A report detailing this removal will be forwarded to South Gippsland Water and the local shire council within one month.
Works on septic tank and effluent lines	Any works required for a septic tank and effluent lines must be constructed where the average slope is less than 20% and must be set back at least 100 metres from any surface waters.
	Any works required for a septic tank and effluent lines must be set back at least 300 metres from the full supply level of a domestic water supply reservoir.
Vegetation Removal	No removal or clearing of vegetation is permitted except in the immediate vicinity of and required for the construction of buildings or on-site wastewater systems or effluent fields.
Excavation	Any excavation over 1 metre deep or 1,000 square metres in area must provide a suitable plan to manage and restrict sediment discharges from the construction sites. The management plan should include measures contained in and be referenced to the "Construction Techniques for Sediment Pollution Control", Environment Protection Authority 1991 and "Environmental Guidelines for Major Construction Sites", Environment Protection Authority 1995.

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Item	Setback distance (m)
<b>Surface Waters (upslope from)</b>	
Dam or reservoir (potable, includes water for food production) <sup>1</sup>	300
Stream, river, waterways (potable water supply catchment)	100
Dam or reservoir (stock & nonpotable) <sup>1</sup>	60
Stream or channel (continuous or ephemeral, non-potable)	60
<b>Groundwater Bore</b>	
Potable or non-potable	20

**Table 2: Setback distances applicable to installation of an onsite waste water system.**

<sup>1</sup> Does not apply to dams and reservoirs above natural ground level.

<sup>2</sup> Means a water course within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994.

The setback distances may be reduced by up to 50 percent when the conditions set out in Table 4.2 "Setback Distances Table", EPA Publication 891.2, Code of Practice – Onsite Waste Water Management, December 2008, are met. Bushes, shrubs and trees should not be permitted to grow directly over effluent disposal areas to minimise the negative impacts of shading, root penetration resulting in blockages and difficulties with access for maintenance.

Where possible, existing vegetation should be retained and suitable tree species should be planted on the periphery of effluent disposal areas to assist with transpiration rates.

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**GUIDELINE 3: VEGETATED CORRIDORS AND BUFFER ZONES ALONG WATERWAYS**

**Removal of Vegetation**

- No removal or clearing of vegetation is permitted except in the immediate vicinity of and required for the construction of buildings or on-site wastewater systems or effluent fields.
- Any removal or clearing of vegetation is not permitted except with the written approval of the responsible authority and South Gippsland Water.

**Drainage, Corridors and Buffer Zones**

South Gippsland Water encourages the retention of natural drainage corridors with vegetated buffer zones at least 30 metres wide along waterways.

This will maintain the natural drainage function, minimise erosion of stream banks and verges and reduce polluted surface run-off from adjacent land uses.

The corridors and buffer zones should be fenced to minimise erosion and sediment discharges caused by the intrusion of stock, domestic animals and vehicles, and should be vegetated using indigenous plant species.

Where possible, land outside the corridors and buffer zones should also be planted with suitable species to assist in reducing sediment and nutrient loads reaching waterways (and, therefore, the potential for blue-green algal blooms), and to prevent erosion.<sup>14</sup>

**GUIDELINE 4: BUILDINGS AND WORKS**

Buildings and works (including such things as landforming and levee bank construction) should not be permitted to be located on effluent disposal areas to retain full soil absorption and evaporation capabilities, and should be setback at least 30 metres from waterways to minimise erosion and sediment, nutrient and salinity-related impacts.

Buildings and works should not be permitted on slopes of greater than 20 per cent or on unstable soils. Appropriate measures should be used to restrict sediment discharges from construction sites in accordance with Construction Techniques for Sediment Pollution Control, Environment Protection Authority, 1991 and Environmental Guidelines for Major Construction Sites, Environment Protection Authority, 1995.

The table on page 14g provide specific guidelines for buildings and works in water supply catchments.

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<sup>14</sup> Guideline 3, Planning permit applications in open, potable water supply catchment areas, May 2009.

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<b>Building / Works</b>	<b>Requirement:</b>
<b>Excavation greater than 1.0 metre Deep OR 1,000 Square Metres Area</b>	<p>Any excavation over 1 metre deep or 1,000 square metres in area must provide a suitable plan to manage and restrict sediment discharges from the construction sites. The management plan should include measures contained in and be referenced to the "Construction Techniques for Sediment Pollution Control", Environment Protection Authority 1991 and "Environmental Guidelines for Major Construction Sites", Environment Protection Authority 1995.</p> <p>The excavation must have proper drainage design and must be replanted and/or revegetated as soon as the excavation is completed.</p>
<b>Road and/or Drive Construction</b>	<p>Any excavation over 1 metre deep or 1,000 square metres in area must provide a suitable plan to manage and restrict sediment discharges from the construction sites. The management plan should include measures contained in and be referenced to the "Construction Techniques for Sediment Pollution Control", Environment Protection Authority 1991 and "Environmental Guidelines for Major Construction Sites", Environment Protection Authority 1995.</p> <p>The excavation must have proper drainage design and must be replanted and/or revegetated as soon as the excavation is completed.</p>
<b>Outbuildings</b>	<p>Any works required for a building where the average slope is less than 20% must be set back at least 30 metres from any surface waters.</p> <p>Any excavation must have proper drainage design and must be replanted and/or revegetated as soon as the excavation is completed.</p>
<b>Creek or Gully Crossing</b>	<p>Any excavation must provide a suitable plan to manage and restrict sediment discharges from the construction sites. The management plan should include measures contained in and be referenced to the "Construction Techniques for Sediment Pollution Control", Environment Protection Authority 1991 and "Environmental Guidelines for Major Construction Sites", Environment Protection Authority 1995.</p> <p>Any culvert or drainage pipe must be designed for the 1 in 20 year storm event and be provided with adequate end walls to prevent any material from the crossing being washed into the creek or gully.</p> <p>The excavation must have proper drainage design and must be replanted and/or revegetated as soon as the excavation is completed.</p>

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**GUIDELINE 5: AGRICULTURAL ACTIVITIES**

Activities that are generally prohibited in SGW water supply catchments include but are not limited to the following:

- The treatment and disposal of effluent from intensive agricultural activities including piggeries and feedlots.
- Inappropriate disposal of fuel and fuel container.
- The disposal of dead animals.
- Delivery and storage of chemicals.

ACTIVITY	REQUIREMENT
<b>Waste Disposal</b>	
<b>Disposal of Solid Waste</b>	<ul style="list-style-type: none"> <li>• No person shall place any solid waste in such a position where it, or substances derived from it, whether liquid or solid, may reasonably be expected to be carried into any reservoir or watercourse within a water supply catchment area.</li> <li>• All disposal facilities for solid wastes within a water supply catchment area shall comply with State Environment Protection Policy (<i>Siting and Management of Landfills Receiving Municipal Wastes</i>).</li> </ul>
<b>Disposal Of Wastewater</b>	<ul style="list-style-type: none"> <li>• Wastewaters shall be discharged to land in preference to surface waters wherever this is practicable and environmentally beneficial in accordance with the State Environment Protection Policy (<i>Waters of Victoria</i>).</li> <li>• Untreated waste shall not be deposited within 100 metres of any surface waters as defined in the State Environment Protection Policy (<i>Waters of Victoria</i>).</li> <li>• Waste shall not be deposited into water within 800 metres upstream of any drinking water supply off take.</li> <li>• Any liquid waste not processed through a wastewater treatment plant, or not capable of treatment in such a plant shall be stored in watertight tanks or receptacles (which shall be maintained in good condition) and periodically removed from the water supply catchment area to a licensed disposal facility by a liquid waste removal contractor approved by the EPA and the South Gippsland Region Water Authority.</li> </ul>
<b>Control Of Livestock</b>	
<b>Animal Death</b>	<p>The owner of any animal which dies upon any part of a water supply catchment area or the person under whose charge the animal was at or immediately before the time of its death, shall forthwith upon knowing or being informed of the death of the animal, remove it from the water supply catchment area or bury it so that all parts of the carcass are not less than 300mm below the normal surface and restore the ground at least to its original level, except that no animal shall be buried within 100 metres of any surface waters.</p> <p>To prevent the pollution of waterways and damage to streamside vegetation (which contributes to bed and bank stability and filters overland flows entering the stream), stock access to waterways should not be permitted.</p> <p>Stocking rates should take into account the capabilities of the land to sustain grazing and the potential impact of overstocking on the catchment. Where a planning permit is required to use land for agriculture (such as in the Environmental Rural Zone), consideration should be given to including a condition on any permit granted specifying a maximum stocking rate. A report for the Department of Health recommends an additional control of removing pre-weaned calves and lambs from catchments, or housing them in fenced areas that are as hydrologically isolated as practicable from waterways. It is recommended that this control is administered where possible.</p>

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<b>Chemicals and Flammable Liquids</b>	
<p>No person shall lay, place or use upon any part of a water supply catchment area any poison, pesticide, insecticide herbicide or other dangerous substances except in accordance with the Agricultural and Veterinary Chemicals (Victoria) Act 1994 and supporting Regulations.</p> <p>Any person storing, laying, placing or using any explosive or dangerous goods within a water supply catchment area shall notify the Responsible Authority in writing before doing so and shall comply with the requirements of Dangerous Goods Act 1985 and supporting Regulations.</p> <p>Where an Occupier intends to store flammable liquids, they shall notify the Authority in writing setting out the location of proposed structures, buildings and tanks.</p> <p>Petroleum products and other flammable liquids shall be stored and handled in accordance with the Dangerous Goods Act 1985 and supporting Regulations and in addition shall comply with the following:</p> <ul style="list-style-type: none"> <li>• Underground tanks for the storage of petroleum products shall not be installed within 100 metres of any surface waters or within 100 metres of a well or bore.</li> <li>• Underground tanks for the storage of petroleum products shall be installed in such a manner as to prevent any leakage from the storage tank to the ground or groundwater and shall be provided with an additional impervious outer coating or otherwise adequately protected against corrosion.</li> <li>• All bunds or compounds for the containment of spills on any premises shall be constructed with walls and floor impervious to the flow of petroleum and in accordance with the EPA Bunding Guidelines 1992.</li> <li>• Any person storing or using petroleum products shall take all reasonable care to prevent spillage or leakage of petroleum products onto or into the ground.</li> <li>• Reductions in pesticide run-off should be encouraged by improved management of rates and frequencies of application, and by discouraging the use of environmentally hazardous and persistent pesticides</li> </ul>	
<b>Control of Turbidity</b>	
<b>Mines and Extractive Industries</b>	<p>Mines and extractive industries must be operated according to the Extractive Industries Development Act 1995 with the objective that all waste shall be contained within the boundaries of the tenement. Runoff, including stormwater, must not increase the turbidity of the receiving water.</p>
<b>Drainage</b>	<p>Responsible Authorities should discourage the drainage of land where it is reasonable to expect that such works would cause soil erosion, water pollution or significant loss of wildlife habitat or a reduction of the beneficial uses of any land or water.</p>
<b>Earthworks</b>	<p>Earthworks, including building sites, roads, streets and tracks shall be carried out in accordance with the principles set out in EPA Victoria Publication No. 275, <i>Construction Techniques for Sediment Pollution Control</i>, 1991.</p>
<b>Land Use</b>	<p>No person shall clear any portion of a water supply catchment area or commence any excavation or any construction, alteration or diversion of roads without first obtaining the approval of SGW in writing. This approval may be given subject to any conditions that SGW deems necessary.</p> <p>The Responsible Authority shall refer to the South Gippsland Region Water Authority for comment all applications to clear an area exceeding 0.4 hectares within a water supply catchment area.</p>



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<b>Drainage, Corridors, Buffer Zones</b>	South Gippsland Water encourages the retention of natural drainage corridors with vegetated buffer zones at least 30 metres wide along waterways. This will maintain the natural drainage function, minimise erosion of stream banks and verges and reduce polluted surface run-off from adjacent land uses. The corridors and buffer zones should be fenced to minimise erosion and sediment discharges caused by the intrusion of stock, domestic animals and vehicles, and should be vegetated using indigenous plant species. Where possible, land outside the corridors and buffer zones should also be planted with suitable species to assist in reducing sediment and nutrient loads reaching waterways (and, therefore, the potential for blue-green algal blooms), and to prevent erosion. <sup>15</sup>
<b>Farm Dams</b>	If a property owner proposes to build a farm dam for commercial or irrigation purposes in an open, potable water catchment, an application for a licence must be made under Section 51 of the Water Act 1989. The application for a licence must be made to Southern Rural Water Authority <sup>16</sup> .

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<sup>15</sup> Guideline 3, Planning permit applications in open, potable water supply catchment areas, May 2009,

<sup>16</sup> Guideline 5, Planning permit applications in open, potable water supply catchment areas, May 2009,

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#### **Protection Of Groundwater Quality**

- The use, storage and transport of pesticides, the disposal of pesticide containers and the disposal of spilled pesticides shall be in compliance with the provisions of the Dangerous Goods Act 1985 and supporting Regulations.
- Animal manure or sewage sludge's shall not be stored or deposited within 100 metres of a well or bore except under conditions approved by the Responsible Authority.
- Written approval must be obtained from the Responsible Authority prior to the burial or disposal within a water supply catchment area of animal or poultry carcasses, blood offal, or any other refuse in excess of two tonnes.
- Installation or operation of septic tanks, absorption drains, soak wells and other apparatus for the disposal of domestic wastewaters in a water supply catchment area shall be carried out according to the Septic Tanks Code of Practice. Where the site is within 100 metres of a well or bore, the Occupier shall obtain prior consent for the installation or operation from SGW which may impose further conditions and restrictions as to the siting, construction and operation of the apparatus.
- The Occupier shall not dispose of or discharge onto or into the ground, or into any lake, swamp or drain industrial wastes, chemicals, radioactive material, petroleum or petroleum products, polluted water, or refuse unless that person has been granted permission in writing by SGW to do so.
- The Occupier shall not discharge into any well or bore any chemical, industrial waste, treated or untreated sewage, effluent or other matter which in the opinion of SGW may pollute groundwater.
- The Occupier shall notify SGW immediately of any spillage that may be expected to pollute the groundwater, either directly or indirectly, and where that spillage occurs.
- Any person spilling or being aware of any spill or leakage of any petroleum product that due to its volume or location within a water supply catchment area may cause water pollution may be expected to result shall notify SGW immediately of that occurrence.

#### **Use Of Chemicals Including Storing And Manufacturing**

Before approving an application for the storage, packaging, formulating, processing, manufacturing, sale, testing or use of chemicals or other substances liable to pollute any waters, including groundwater, SGW should be satisfied that sufficient information has been provided by the applicant on the following:

- The process or processes of manufacture, packaging, storage, formulating, testing or use of all raw materials and fuels, intermediate products and final products, including waste material and effluents whether gaseous, liquid or solid.
- The quantities of raw materials, and fuels used and the intermediate and final products, waste materials, effluents, being or proposed to be produced.
- The methods proposed to treat and dispose of any wastes, by-products and effluent, including stormwater and wash down water where this may become polluted.
- Waste Management Plans and procedures proposed to prevent pollution of water, including emergency plans and procedures for contingencies such as accidental spillage or malfunction of any manufacturing, storage, transport or treatment process or system, both on and off the premises where this is applicable.
- Such other information required by the Responsible Authority to assess the pollution risk to any waters and to assist with measures to prevent pollution.

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### Other Referral Authorities <sup>17</sup>

Clause 66<sup>18</sup> of all planning schemes contains a requirement for certain kinds of permit applications within catchment areas to be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act. The kinds of applications and the referral authority are listed below.

Kind of application	Referral authority
To use or develop land for a cattle feedlot	Minister for Agriculture. If the site is located within a special water supply catchment area under the Catchment and Land Protection Act 1994, the relevant water corporation under the Water Act 1989 and the Secretary to the Department administering the Catchment and Land Protection Act 1994. If the number of cattle is 5,000 or more, the Environment Protection Authority.
To use or develop land for extractive industry in Special Areas declared under s.27 of the Catchment and Land Protection Act 1994.	Secretary to the Department administering the Catchment and Land Protection Act 1994.

Other provisions of the planning scheme may also require referrals for other reasons

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<sup>17</sup> Planning permit applications in open, potable water supply catchment areas, May 2009

<sup>18</sup> Victoria Planning Provision, DPCD, Referral and Notice Provisions 2011,  
<http://planningschemes.dpcd.vic.gov.au/VPPs/index.html>

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### Guideline Reference Documents

#### Relevant Legislation

- Agricultural and Veterinary Chemicals (Victoria) Act 1994
- Building Act 1993
- Catchment and Land Protection Act 1994
- Dangerous Goods Act 1985
- Environmental and Planning Act
- Environment Protection Act 1970
- Extractive Industries Development Act 1995
- Flora and Fauna Guarantee Act 1988
- Health Act 1958
- Local Government Act 1989
- Occupational Health and Safety Act 1985
- Subdivision Act 1988
- Water Act 1989
- Safe Drinking Water Act 2003
- Crown Land (Reserves) Act 1978
- Land Act 1958

#### Relevant Regulations, Policies, Guidelines and Codes of Practice

- Australian Drinking Water Guidelines, 2011
- A Coastal Policy for Victoria. State Conservation Strategy (1988).
- An Interim Planning Guide for Land Prone to Flooding. Rural Water Commission and Ministry for Planning and Environment (1987).
- Victorian Code of Practice for Piggeries. 1992, Department of Primary Industries
- Victorian Code of Practice for Cattle Feedlots, August 1995, Department of Primary Industries.
- Environment Protection (Prescribed Waste) Regulations.
- Environment Protection (Scheduled Premises and Exemptions) (Amendment) Regulations 1996.
- EPA Bunding Guidelines 1992.
- EPA Publication 746, Land Capability Assessment for Onsite Domestic Wastewater Management and Australian/New Zealand Standard 1547 Onsite domestic wastewater management
- EPA Publication 891.2, Code of Practice – Onsite Waste Water Management, December 2008.
- EPA's Model Conditions for Septic Tank Permits, includes system maintenance
- EPA, Construction Techniques for Sediment Pollution Control, 1991
- EPA, Environmental Guidelines for Major Construction Sites, 1995
- EPA Waste Minimisation Policy.
- EPA's What to do with farm wastes, Publication 1049.
- EPA's Farm Waste Management, Publication IWRG64
- Recommended Buffer Distances for Residual Air Emissions. EPA Pub. No.AQ2/86 (1990).
- Safe Drinking Water Regulations (2005)
- Nutrient Management Strategy for Victorian Inland Waters (1995)
- Recommended Buffer Distances for Residual Air Emissions. EPA Pub. No.AQ2/86 (1990).
- Regional Catchment Strategy. West Gippsland Catchment Management Authority
- State Environment Protection Policy (Groundwater's of Victoria).
- State Environment Protection Policy (Siting and Management of Landfills Receiving Municipal Wastes).
- State Environment Protection Policy (Siting and Management of Landfills).
- State Environment Protection Policy (The Air Environment).
- State Environment Protection Policy (Waters of Victoria).
- Planning permit applications in open potable water supply catchment areas, Department of Planning and Community Development, May 2009.

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**Relevant South Gippsland Water Policies, Guidelines and Management Plans**

- Biodiversity Policy PEV-002, South Gippsland Water, 2011
- Catchment Management Plan, South Gippsland Water, 2012
- Catchment Monitoring and Improvement Programs 2012
- Environmental and Sustainability Policy PEV-001, South Gippsland Water, 2012
- Drinking Water Management System, South Gippsland Water, 2012
- Water Supply and Catchment Policy PEV-003, South Gippsland Water, 2012

