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**WESTERN AUSTRALIAN PLANNING
COMMISSION**

STATEMENT OF PLANNING POLICY No. 2.7

**PUBLIC DRINKING WATER SOURCE
POLICY**

**PREPARED UNDER SECTION 5AA OF THE TOWN
PLANNING AND DEVELOPMENT ACT 1928**

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WESTERN AUSTRALIAN PLANNING COMMISSION**STATEMENT OF PLANNING POLICY No. 2.7****PUBLIC DRINKING WATER SOURCE POLICY****PREPARED UNDER SECTION 5AA OF THE TOWN PLANNING AND DEVELOPMENT ACT 1928****1. CITATION**

This is a Statement of Planning Policy under Section 5AA *Town Planning and Development Act 1928*. This policy may be cited as Statement of Planning Policy: Public Drinking Water Source Policy.

2. INTRODUCTION AND BACKGROUND

Fresh water is one of the most important natural resources of Western Australia. The community expects that public drinking water quality be maintained to a suitable standard and that there be a sufficient supply sources to meet current and future consumer requirements. In the long term we need to manage our water consumption and community demands for water within the natural limits of our water resources and the environmental objectives we have for managing them.

Public water supplies are obtained from groundwater and surface water resources. These sources of water are valuable for public consumption and other private land use activities. Approximately 50% of the metropolitan public water supply comes from surface water and the remainder from groundwater.

The major groundwater aquifers in the Perth Metropolitan Region are the Gnangara and Jandakot Mounds. Other aquifers supply water to the major regional centres including Geraldton, Bunbury and Albany. Surface water supplies are from dams in the Darling Scarp and the south-west of the State.

Both surface water and groundwater catchments are under pressure from competing uses including industry, intensive agriculture, landfill sites and urban development. Care is needed to ensure that land use and development do neither pollute groundwater and surface waters, making them unsuitable for human consumption, nor reduce recharge of the aquifer, and thus the quantity of water available for abstraction. Where groundwater contamination has occurred, the need for decontamination and restoration activities should be assessed and implemented where appropriate.

The importance of protecting public water supplies is recognised in the *State Water Quality Management Strategy for Western Australia* (2001) (SWQMS), which is the State-level strategy for implementation of the *National Water Quality Management Strategy* (1994) (NWQMS) in Western Australia.

A key strategic statement in the *State Planning Strategy* (1997) is to 'ensure that water resources are conserved and their quality protected'. This is recognised in various criteria for plans and key actions in the Strategy to protect existing and future public drinking water supplies.

Statement of Planning Policy No. 2: Environment and Natural Resources Policy sets out the broad environment and resource management policies for ecologically sustainable development, including measures for the conservation of water resources. It recognises that effective water quality and quantity management is essential, not only to ensure future public water supplies, but also as a vital step towards sustainability. Under the policy, it is expected that planning strategies, schemes and decision-making will identify and, where appropriate, include provisions to protect surface and groundwater resources for public drinking water supply. It also recognises the importance of land use and water management strategies that have been prepared, or are proposed, for public water supply areas to assist in the protection of water resources as well as ecological features.

The Water and Rivers Commission (WRC) is responsible for managing and protecting water resources. Existing and future drinking water sources are protected by the declaration of Underground Water Pollution Control Areas (UWPCAs), Water Reserves and Catchment Areas under the *Metropolitan Water Supply, Sewerage and Drainage Act 1909* and the *Country Areas Water Supply Act 1947*. These are collectively known as Public Drinking Water Source Areas (PDWSAs). The legislation enables the WRC to control potentially polluting activities, regulate land use, inspect premises and take steps to prevent or clean up pollution within these areas. Permits are required from the WRC to commence activities which are potentially polluting in gazetted UWPCAs in the Perth Metropolitan Region.

The WRC has identified the following priority classification for PDWSAs:

- β Priority 1 (P1) source protection areas are defined and managed to ensure there is no degradation of the water resource in these areas. This is the highest level of protection for the water source and normally will apply to land owned by the State, and that is characterized by low-intensity and low-risk land use, such as forestry. Protection of the public water supply outweighs virtually all other considerations in respect to the use of this land. P1 source protection areas are managed in accordance with the principle of risk avoidance.

- β Priority 2 (P2) source protection areas are defined to ensure that there is no increased risk of pollution to the water source. P2 areas are declared over land where low-risk development already exists. Protection of public water supply sources is a high priority in these areas. P2 areas are managed in accordance with the principle of risk minimisation and so conditional development is allowed.
- β Priority 3 (P3) source protection areas are defined to manage the risk of pollution of the water source. P3 areas are declared over land where water supply sources need to co-exist with other land uses such as residential, commercial and light industrial developments, although there is some restriction on potentially highly polluting land uses. Protection of P3 areas is otherwise achieved through management guidelines for land use activities. If the water source does become contaminated then water may need to be treated or an alternative water source found.

In addition to priority classifications, the WRC has identified well-head protection zones and reservoir protection zones to protect the drinking water source from direct contamination in the immediate vicinity of production wells and reservoirs. Land use and activities within these areas need to be managed to prevent, restrict or control uses or activities such that contamination of the water resource is prevented at its abstraction point. Well-head protection zones are usually circular, with a radius of 500m in P1 areas and 300m in P2 and P3 areas. Special conditions, such as restrictions on storage and use of potential contaminants, may apply within these zones. Reservoir protection zones for primary reservoirs usually consist of a two kilometre buffer area around the top water level of a reservoir and include the reservoir itself. Where the reservoir is designed for only short-term storage of collected water (e.g. pipe-head dam) before transfer to the primary storage, a reduced buffer area may be determined. Reservoir protection zones are normally only designated over Crown land and generally prohibit public access to prevent contamination of the resource. Well-head protection zones and reservoir protection zones do not extend outside PDWSAs. The WRC can advise local governments on the location of these zones.

The WRC has prepared water source protection plans to identify priority source protection areas within gazetted Public Drinking Water Source Areas. In addition, the Western Australian Planning Commission (WAPC) has prepared land use and water management strategies for the Jandakot Mound and Gnangara Mound. *Statement of Planning Policy No. 6: Jandakot Groundwater Protection Policy* (1998) was subsequently prepared to implement recommendations of the Jandakot Strategy. *Statement of Planning Policy No. 3: Gnangara Mound Crown Land* (1995) is concerned with the protection of groundwater resources relating to Crown land over the Gnangara Mound. This is currently being reviewed to incorporate outcomes of the *Gnangara Land Use and Water Management Strategy* (2001). Additional land use and water management strategies and/or water source protection plans for public drinking water source areas may be prepared by the WAPC and the WRC as required, as these strategies form the basis for identification of priority source protection areas within the PDWSAs.

Within the Perth Metropolitan Region, the Water Catchments reservation and, more recently, the Rural Water Protection zone have been introduced into the Metropolitan Region Scheme (MRS) to identify surface and ground water catchments and to ensure that local government town planning schemes give effect to strategies for the protection of public water supply sources. The concept of special control areas has since been introduced in the Model Scheme Text and is considered to be a more effective tool to implement measures for the protection of public water supply sources outside the metropolitan region. This is because the provisions to protect water sources are in addition to the normal reservations and zoning provisions which apply and such provisions are, therefore, more effectively applied as an overlay rather than a specific zone or reserve. The Water Catchments reservation in the MRS is, in fact, similar to a special control area, being an overlay above the underlying reserve.

The WRC has published a Water Quality Protection Note on *Land Use Compatibility in Public Drinking Water Source Areas* which shows the compatibility of different land uses within the different priority source protection areas. The guidelines contain a table which lists land uses which are compatible, incompatible, and conditional with or in regard to the management objectives of the priority source protection areas. These land uses are recommended as permitted, not permitted, or discretionary uses respectively within each priority source protection area, and may be incorporated into the provisions of the proposed special control areas. These guidelines should be used in conjunction with any endorsed water source protection plan or land use and water management strategy.

3. APPLICATION OF THE POLICY

This policy applies to proclaimed PDWSAs throughout Western Australia.

4. OBJECTIVE

The objective of this policy is to ensure that land use and development within PDWSAs is compatible with the protection and long-term management of water resources for public water supply.

5. POLICY MEASURES

5.1 Local and regional planning strategies should identify PDWSAs based on advice from the WRC.

5.2 Within the Perth Metropolitan Region, Priority 1 and 2 source protection areas should be included in the Water Catchments reservation, or the Rural Water Protection zone respectively, or covered by a special control area for water protection in the MRS and corresponding town planning scheme.

The specific classification of land within source protection areas should be in accordance with the recommendations of any land use and water management strategy published by the WAPC, such as the *Jandakot Land Use and Water Management Strategy* (1995) and the *Gnangara Land Use and Water Management Strategy* (2001), or any water source protection plan approved by the WRC.

Local government planning schemes and decisions on land use and development within the Perth Metropolitan Region should be consistent with these strategies and with relevant gazetted Statements of Planning Policy, such as *Statement of Planning Policy No. 3: Gnangara Crown Land* (1995) and *Statement of Planning Policy No. 6: Jandakot Groundwater Protection Policy* (1998), to ensure that priority is given to the protection of highest quality public drinking water.

Acceptable land uses in source protection areas are those which are compatible with, or can be managed to be compatible with, the sustainable use of the water resource and the retention of environmental values associated with that resource.

5.3 Priority 3 source protection areas in the Perth Metropolitan Region are not generally required to be subject to specific provisions in town planning schemes for protection of public water supplies, although land use decisions should have regard to the WRC Water Quality Protection Note on *Land Use Compatibility and Public Drinking Water Source Areas*.

5.4 Outside the Perth Metropolitan Region, all priority source protection areas in PDWSAs should be shown as special control areas in region schemes and in local government schemes in accordance with the recommendations of any relevant land use and water management strategy published by the WAPC, or any water source protection plan approved by the WRC. The special control area provisions should provide for referral of applications to the WRC for advice and comment, and set out the relevant considerations in determining planning applications within these areas, guided by the WRC Water Quality Protection Note on *Land Use Compatibility and Public Drinking Water Source Areas*.

5.5 Land uses and developments in all priority source protection areas that have the potential to impact detrimentally on the quality and quantity of public drinking water supplies should not be permitted unless it can be demonstrated, having regard to advice from the WRC, that such impacts can be satisfactorily managed. The WRC will have regard to the relevant parameters, standards and criteria set out in the *Australian Drinking Water Guidelines* (1996) published by the National Health and Medical Research Council in providing advice on land use and development proposals.

5.6 Planning schemes and decisions on land use and development should have regard for any adopted region scheme policy or relevant environmental protection policy on public drinking water supply.

6. IMPLEMENTATION

The purpose of this policy is to inform local governments and the Town Planning Appeal Tribunal of those aspects of State-level planning policy concerning the protection of PDWSAs which should be taken into account in planning decision-making. The policy will also guide the WAPC in undertaking its planning responsibilities, and in integrating and co-ordinating activities of State agencies which influence the use, development and management of land contained in PDWSAs.

Implementation will be through the preparation of strategic plans, regional and local statutory schemes, conservation and management strategies, and other relevant plans or guidelines, as well as through the day to day process of decision-making on subdivision and development applications, and the actions of other State agencies in carrying out their responsibilities. Local governments and State agencies should take account of this policy to ensure integrated decision-making.

7. REFERENCES

Australian and New Zealand Environment and Conservation Council (1994) *National Water Quality Management Strategy* Canberra, AGPS

Government of Western Australia (2002) *Statement of Planning Policy No. 2: Environment and Natural Resources Policy*, State Law Publisher, Perth, WA

Government of Western Australia (1998) *Statement of Planning Policy No. 6: Jandakot Groundwater Protection Policy*, State Law Publisher, Perth, WA

Government of Western Australia (1995) *Statement of Planning Policy No. 3: Gnangara Mound Crown Land*, State Law Publisher, Perth, WA

National Health and Medical Research Council (1996) *Australian Drinking Water Guidelines*, Canberra, AGPS

Western Australian Planning Commission (2001) *Gnangara Land Use and Water Management Strategy*, Perth, WA

Western Australian Planning Commission (2000) *State Planning Strategy* Perth, WA

Western Australian Planning Commission (1995) *Jandakot Land Use and Water Management Strategy*, Perth, WA

Water and Rivers Commission, (2001) *State water quality management strategy*, East Perth, WA