



WQPN 76, March 2006

## Land use planning in Public Drinking Water Source Areas

### Purpose

The Department of Water is responsible for managing and protecting the State's water resources including more than 130 Public Drinking Water Source Areas (PDWSAs) which are used to provide safe, good quality drinking water to consumers.

PDWSA is a collective description for Water Reserves, Catchment Areas and Underground Water Pollution Control Areas declared (gazetted) under the provisions of *the Metropolitan Water Supply, Sewerage and Drainage Act 1909* or the *Country Area Water Supply Act 1947*.

This note offers:

- the Department's current views on land use planning requirements with respect to PDWSAs; and
- a guide to the overall water quality protection framework and practices used for Western Australia's PDWSAs.

An informed planning process is essential to protect the quality of water in PDWSAs. This note provides guidance on how PDWSAs should be identified and protected under water resource management and land use planning legislation and planning schemes including Regional Statutory Planning Schemes, Regional Planning and Development Strategies, and Town Planning Schemes and Strategies. Its use does not override any statutory obligation or Government policy requirement.

This note should not be used as this Department's policy position on a specific matter, unless confirmed in writing by an authorised officer. The note may also be varied at our discretion, as new data becomes available.

### Scope

This note applies to all PDWSAs in WA. Water Quality Protection Note 75 *Gazetted Public Drinking Water Source Areas* provides a list of these areas. The Drinking Water Source Protection Plans completed for these areas are available from the Department's web page <http://drinkingwater.water.wa.gov.au>, select *Publications/ Water Source Protection Plans*. A map with indicative locations of these areas is also provided in Figure 1 later in this note.

This note does not cover planning requirements outside existing PDWSA. For areas identified as future PDWSAs see the discussion of Statement of Planning Policy No.2.9 *Draft Water Resources* later in this note.

For PDWSAs where specific protection strategies have not been established (ie no source protection plan or priority classification areas have been established), water quality can be protected through the policy advice provided in Diagram 1 of the Department's Water Quality Protection Note 25 *Land Use Compatibility in Public Drinking Water Source Areas*, also available at <http://drinkingwater.water.wa.gov.au>.

Planning authorities are now able to either use the information and advice available on line or alternatively contact the Department directly to ensure their planning strategies and schemes adequately reference and recognise the value of PDWSA.

## **Integration of land use and water resource planning and the primacy of water**

The need for the integration of land use and water resource planning and the primacy of water quality in PDWSA has been consistently recognised by successive State governments in the following government reports:

- *State Water Strategy (2003)*.
- *State Sustainability Strategy (2003)*.
- Standing Committee on *Ecologically Sustainable Development in Relation to the Quality of Perth's Water Supply (2000)*.
- *State Planning Strategy (1997)*.
- Western Australian Parliament Select Committee's report on *Metropolitan Development and Groundwater supplies (1994)*.

The Government's long established *Advisory Committee for the Purity of Water* is working to ensure that drinking water quality has primacy over other beneficial uses in PDWSA. This approach is consistent with the *Australian Drinking Water Guidelines 2004* which recognises that a combination of catchment protection measures and treatment is better than reliance on treatment processes alone to deliver safe drinking water.

## **The water quality protection framework for PDWSAs**

Responsibility for the condition (quality) and availability (quantity) of our drinking water must be shared by the community, land owners and developers, industry, agriculture, local government, water service providers and the State government. Their direct and ongoing involvement in the protection of our drinking water catchments is essential to achieve a successful outcome.

Good land use planning is pivotal for water quality protection and this ultimately relies on a framework for future land use planning and decision making for each PDWSA.

The principal guidance for land use planning in PDWSA is provided in the Western Australian Planning Commission's Statement of Planning Policy 2.7 *Public Drinking Water Source Policy*. However the overall water quality protection framework is based on the combined policies of the key Government agencies involved in land planning and water protection, and on their respective legislation. Details of the overall framework are provided below.

## **Land planning and the PDWSA water quality protection framework**

The principal land planning policies and strategies used to protect PDWSAs include the following:

### **The State Planning Strategy**

*The State Planning Strategy (1997)* outlines the State's land use strategy to the year 2029 and provides the principles to guide decisions and plan making for development of the State. It protects existing and future PDWSA and water supplies through key plans and actions in the Strategy, and requires "that water resources are conserved and their quality is protected".

The State Planning Strategy identifies Regional Statutory Planning Schemes, Regional Planning and Development Strategies, Town Planning Schemes, Local Strategies and State Planning Policies such as Statement of Planning Policies as measures to provide for the protection of PDWSA.

### Land use and Water Management Strategies

Prior to the *State Planning Strategy*, the Western Australian Legislative Assembly Select Committee's report on *Metropolitan Development and Groundwater Supplies (1994)* recognised the need to protect Perth's unique groundwater resources through provision of a land planning framework. The report recommended that "whole of government" integrated catchment Land Use and Water Management Strategies be prepared for the Jandakot and Gnangara mounds, and recommended land use restrictions apply in PDWSAs.

The Department for Planning and Infrastructure subsequently prepared Land Use and Water Management Strategies on behalf of the Western Australian Planning Commission for the Jandakot and Gnangara groundwater mounds to provide a framework for future land use planning and decision making in these areas. Land Use and Water Management Strategies are also being prepared for the East Wanneroo groundwater area and the Middle Helena surface water catchment area.

The Select Committee Report (1994) and the subsequent Legislative Council *Report of the Standing Committee on Ecologically Sustainable Development in Relation to the Quality of Perth's Water Supply (2000)* acknowledged the need for land use restrictions and endorsed the PDWSA protection framework currently used by the Department of Water. The differential protection framework includes three risk management based priority classification protection areas, which have subsequently been used in all Land Use and Water Management Strategies and Drinking Water Source Protection Plans. See the section on the Department of Water's source protection framework below for more details.

### Statement of Planning Policies

Statements of planning policies are prepared under section 5AA of the *Town Planning and Development Act 1928* and are available at the Western Australian Planning Commission web page [www.wapc.wa.gov.au/Publications/Statements+of+planning+policy/default.aspx](http://www.wapc.wa.gov.au/Publications/Statements+of+planning+policy/default.aspx).

The Planning Commission and local governments must have 'due regard' to the provisions of the policies when preparing or amending town planning schemes and when making decisions on planning matters. The Town Planning Appeals Tribunal is also required to take account of these policies when determining appeals. The Statement of Planning Policies relevant to the protection of water quality in PDWSAs and a summary of the principal Statement of Planning Policy 2.7 *Public Drinking Water Source Policy* are provided below:

Statement of Planning Policy No 2 *Environment and Natural Resources Policy* expects 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 recognises the importance of Land Use and Water Management Strategies for public water supply.

Statement of Planning Policy No. 2.2 *Gnangara Groundwater Protection* (August 2005) has the objectives to protect water quality in PDWSAs on Crown land on the Gnangara mound and ensures that any land uses are compatible with water quality protection.

Statement of Planning Policy No. 2.3 *Jandakot Groundwater Protection Policy* (June 1998) has the objective to protect water quality in the Jandakot Public Drinking Water Source Area.

Statement of Planning Policy No. 2.7 *Public Drinking Water Source Policy* applies to proclaimed PDWSAs and has the following measures (summarised) to ensure that land use is compatible with water quality protection:

- Local and regional planning strategies should identify PDWSAs.
- Within the Perth Metropolitan Region, Priority 1 and Priority 2 source protection areas should be included in the Water Catchments Reservation or Rural Water Protection Zone respectively, or be covered by a Special Control Area for water protection in the Metropolitan Region Scheme and in any corresponding Town Planning Schemes.
- The boundaries of source protection areas should be in accordance with the recommendations of any Land Use and Water Management Strategy published by the Western Australian Planning Commission or Drinking Water Source Protection Plan published by the Department of Water.
- Local Government planning schemes and decisions on land use development in the Perth Metropolitan Region should be consistent with any Land Use and Water Management Strategy and Drinking Water Source Protection Plan, and with Statement of Planning Policy No. 2.2 *Gnangara Groundwater Protection Policy (August 2005)* and Statement of Planning Policy No. 2.3 *Jandakot Groundwater Protection Policy (June 1998)*.
- Priority 3 source protection areas in the Perth Metropolitan Region are not generally subject to provisions in Town Planning Schemes, but land use decisions should have regard to the Department of Water's Water Quality Protection Note 25 *Land Use Compatibility in Public Drinking Water Source Areas*;
- Outside the Perth Metropolitan Region, all priority source protection areas in PDWSAs should be shown as Special Control Areas in regional and Local Government Authority schemes in accordance with any Western Australian Planning Commission Land Use and Water Management Strategy or Drinking Water Source Protection Plan published by the Department of Water.
- The Special Control Areas provisions should provide for the referral of applications to the Department of Water for comment and advice and set out relevant considerations in determining planning applications within priority areas guided by the Department of Water's Water Quality Protection Note 25 *Land Use Compatibility in Public Drinking Water Source Areas*.

**Note:** Information on Special Control Area provisions and referral requirements for development proposals are provided below.

Statement of Planning No. 2.9 *Draft Water Resources (September 2004)* provides measures to protect and enhance surface and groundwater catchments which have been identified for existing and future human use. Schedule 1 of Statement of Planning 2.9 includes guidance for incorporation of the policy into planning measures and decision making and includes provision for future public and private drinking water supply areas.

### Local Planning Strategies

A local planning strategy is required to be prepared by local governments with any new scheme or scheme under review under the provisions of the *Town Planning Amendment Regulations 1999*. This document is required to apply State and regional policy and provide strategic planning direction for sustainable development over a 10 to 15 year time period. Once endorsed by the Western Australian Planning Commission, it provides guidance to local and state government on the assessment of applications for scheme amendments, subdivision and development within a local strategic context.

Local Planning Strategies provide the opportunity to identify gazetted and proposed PDWSAs on plans, to direct inappropriate development away from such areas and provide guidance on what development is acceptable in proximity to drinking water source areas. Strategies can also recommend how this can be managed in a town planning scheme including the use of Special Control Areas in the scheme.

## Special Control Areas in Town Planning Schemes

Special Control Areas place additional requirements to ensure land developed is consistent with the purpose of the special control. Special Control Areas have the following functions and can be shown on separate scheme maps or as overlays to the zoning map:

- identify special planning issues requiring special consideration;
- control buildings and works within the Special Control Area in response to the planning issues;
- set out guidelines of the special considerations to be taken into account in considering development within the Special Control Area; and
- identify relevant specialist agencies to be consulted prior to determining applications within Special Control Areas.

Special Control Areas are appropriate to deal with issues that overlap zones and reserves where the requirements of the Special Control Area apply in addition to the requirements of the zone or reserve. A Special Control Area would not typically designate the intended use of land, as in the case of a zone or require the acquisition of land, as in the case of a reserve, but places additional requirements to ensure land is developed consistent with the purpose of the special control. (Western Australian Planning Commission Planning Bulletin 66). An example of Special Control Area provisions for PDWSA is provided as [Appendix A](#).

## Guidelines for referral of planning and development applications

Planning and development applications referred to the Department of Water and other specialist agencies for advice regarding developments in PDWSAs should include the following information:

- a. Name of land owner and development applicant's contact address and details.
- b. A site plan showing the location of the development or planning proposal.
- c. Description of the type and scale of activities proposed.
- d. The nature and approximate quantity of any materials or chemicals stored or handled on site.
- e. Data on the soils, land contours, local water features, vegetation cover, and existing infrastructure and historical land usage that may be affected by the project development or its operation.
- f. Description of the types and quantities of any waste that will be generated at the development.
- g. Proposals for chemical containment, material and waste management and disposal (with design sketches).
- h. Details of any contingency measures to minimise the impacts of chemical spills, and disposal of contaminated waters from fire, flood or other emergency.

**Note:** The water catchment reservation under the Metropolitan Region Scheme requires that development applications are referred to the Western Australian Planning Commission.

## Planning Bulletins applicable to PDWSAs

Planning Bulletins canvass proposed policy changes or highlight information about the Western Australian Planning Commission and Department for Planning and Infrastructure practices on a variety of planning matters. The planning bulletins relevant to water quality issues in PDWSA are available at [www.wapc.wa.gov.au/Publications/Planning+bulletins/default.aspx](http://www.wapc.wa.gov.au/Publications/Planning+bulletins/default.aspx). They include:

- Planning Bulletin No. 45: *Subdivision Referrals to Service Providers (November 2000).*  
Planning Bulletin No. 61: *Urban Stormwater Management (September 2003).*  
Planning Bulletin No. 64: *Acid Sulfate Soils (November 2003)*

This bulletin provides essential guidance when planning and land use decisions may cause groundwater balance changes that lead to water table decline because of the potentially major impacts on water quality related to acid sulfate soils.

Planning Bulletin No. 66: *Draft Use of Special Control Areas in Town Planning Schemes*  
(May 2004)

### Planning Control Policy 6.3

Planning Control Policy 6.3 (*August 1989*) *Planning considerations in the Metropolitan Region for Source of Public Water Supply and Sensitive Water Resource areas* provides the Western Australian Planning Commission with planning considerations in the Perth Metropolitan Region for PDWSA and sensitive water resource areas. It is available at the following web page [www.wapc.wa.gov.au/publications/policies/DC/DC\\_6\\_3.PDF](http://www.wapc.wa.gov.au/publications/policies/DC/DC_6_3.PDF).

This policy identifies water catchments reservations under the Metropolitan Region Scheme and requires that development applications within this area be referred to the Western Australian Planning Commission.

### Department of Water's PDWSA water source protection framework

The Department's framework for the protection of PDWSA includes three risk management based priority classification areas and two types of protection zones that are determined through the development of specific Drinking Water Source Protection Plans. These Plans are prepared in consultation with State government agencies, landowners, local government, and key industry and community stakeholders.

Where a published Plan does not exist for a Public Drinking Water Source Area, the Department or the licensed Water Service Providers will prepare a Drinking Water Source Protection Assessment prior to preparation of a Plan. This two-stage approach is consistent with the *Australian Drinking Water Guidelines 2004* and provides the information and strategies used to protect PDWSAs.

The Drinking Water Source Protection Assessments provide readily available information for use in land use planning assessments and decision making. This information can be used as interim guidance to Local Government Authorities and other decision makers in conjunction with the guidance provided in the Department of Water's Water Quality Protection Note 25 *Land Use Compatibility in Public Drinking Water Source Areas* (land use compatibility table) until such time as a full Drinking Water Source Protection Plan is completed.

The assessments, plans and the land use compatibility table are the cornerstone of the Department's drinking water protection program, and together with policy, guidelines, codes and water quality protection notes they form the Department's advice to the public, industry, agriculture, local government and other State Government agencies on source protection issues.

### Priority classification areas

*Priority 1* classification areas are managed to ensure that there is *no degradation* of the drinking water source by preventing the development of potentially harmful activities in these areas. The guiding principle is *risk avoidance*. This is the most stringent priority classification for drinking water sources. Priority 1 areas normally encompass land owned or managed by State agencies, but may include private land that is strategically significant to the protection of the drinking water source (eg. land immediately adjacent to a reservoir). Most land uses create some risk to water quality and are therefore defined as *Incompatible* in Priority 1 areas.

*Priority 2* classification areas are managed to ensure that there is *no increased risk* of water source contamination/ pollution. For Priority 2 areas, the guiding principle is *risk minimisation*. These areas include established low-risk land development (eg. low intensity rural activity). Some development is allowed within Priority 2 areas for land uses that are defined as either *Compatible with conditions* or *Acceptable*.

*Priority 3* classification areas are defined to *manage the risk of pollution* to the water source from catchment activities. Protection of Priority 3 areas is mainly achieved through guided or regulated

environmental (risk) management for land use activities. Priority 3 areas are declared over land where water supply sources co-exist with other land uses such as residential, commercial and light industrial development. Land uses considered to have significant pollution potential are nonetheless opposed or constrained.

### Wellhead Protection Zones and Reservoir Protection Zones

In addition to the three priority classification areas, specific protection zones are defined to protect drinking water sources from contamination in the immediate vicinity of water extraction facilities. Within these zones by-laws may prohibit, restrict or approve defined land uses and activities to prevent water source contamination or pollution. Special conditions, such as restrictions on storage and use of chemicals, may apply within these zones.

Wellhead protection zones are used to protect underground sources of drinking water. They are circular (unless information is available to determine a different shape), with a radius of 500 metres in Priority 1 areas, and 300 metres in Priority 2 and Priority 3 areas. Wellhead protection zones do not extend outside PDWSA boundaries.

Reservoir protection zones (or '*prohibited zones*' as they are called in the by-laws) consist of a statutory two kilometre wide buffer area around the top water level of storage reservoirs in the Perth water supply area, and this zone includes the reservoir waterbody. The reservoir protection zones apply over Crown land and prohibit public access to prevent contamination (physical, chemical or biological) of the source water. The zones do not extend outside of the PDWSA.

This Department is considering provision for statutory reservoir protection zones buffer areas other than two kilometres for the often smaller country PDWSA which may have more mixed land uses. The Department is aiming to make consistent sets of by-laws for the country and Perth metropolitan region PDWSAs.

### The Land Use Compatibility Table

This Department's Water Quality Protection Note 25 *Land Use Compatibility in Public Drinking Water Source Areas* provides the recommended compatibility of land uses for each Priority classification area. The recommendations are for the current zoning of land and must not be used to support rezoning of land to provide for more intensive land uses. For example, although Priority 3 areas provide for high density urban development when the land is already zoned Urban or Urban deferred, the land use table must not be read to justify a zoning change within P3 areas to allow for high density urbanisation or rezoning of rural zoned land.

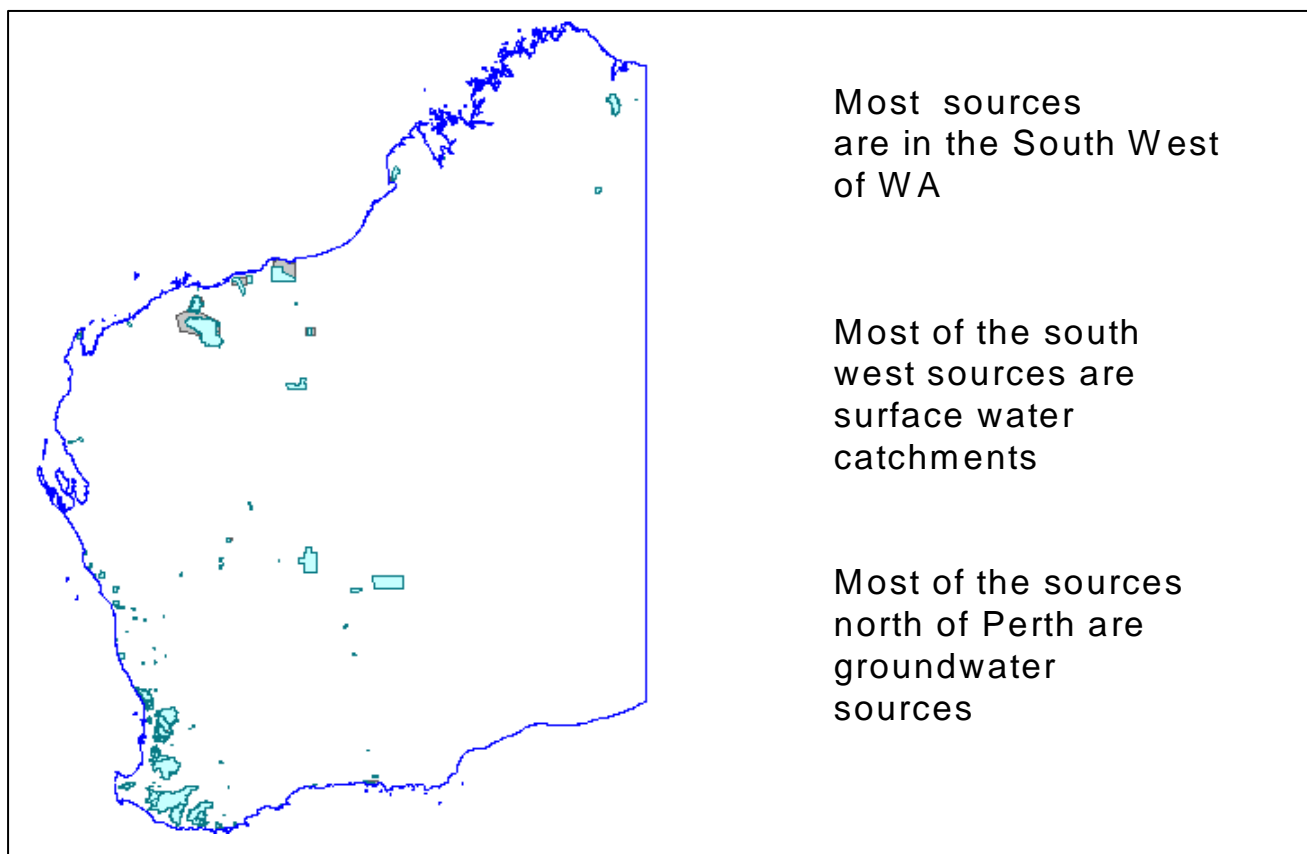
### Environmental Protection Authority (WA)

Under Section 48D of the *Environmental Protection Act 1986* the Environmental Protection Authority may assess a Town Planning Scheme or Scheme amendment, a Regional Planning Scheme or Scheme amendment or an amendment to the Metropolitan Planning Scheme.

Where a PDWSA exists within a Scheme area, the Environmental Protection Authority may assess and provide advice and recommendations to the Minister for the Environment due to potential impacts of new zones and reserves in the Scheme, including any potential impacts on PDWSA. The advice may also include recommendations for the protection of PDWSAs through the schemes.

## Defining PDWSA

The Department of Water is primarily responsible for defining, proclaiming and protecting the PDWSA. A full list of currently gazetted areas is available in the Department's Water Quality Protection Note 75 *Gazetted Public Drinking Water Source Areas*. PDWSAs are generally defined by the topography of surface water catchments or the recharge areas and capture zones of the well fields for groundwater sources. These areas are proclaimed (gazetted) as Water Reserves, Catchment Areas or Underground Water Pollution Control Areas under the *Metropolitan Water Supply, Sewerage and Drainage Act 1909*, or as Water Reserves or Catchment Areas under the *Country Areas Water Supply Act 1947*.



**Figure 1 - Indicative locations of PDWSA in WA.**

**Note** For more detailed information, see [www.water.wa.gov.au](http://www.water.wa.gov.au), select *Tools, system and data > Geographic data atlas*. Within the atlas, click the box under Environment entitled *Public drinking water source areas*.

### Public Drinking Water Source Area and the Water Protection By-laws

Proclaiming a metropolitan or country Public Drinking Water Source Area triggers the statutory application of the respective water source protection by-laws to the PDWSA. The objective of the by-laws is to prevent deterioration of the water quality, control development and regulate the transient activities of the public in surface water catchments. Surface water requires greater protection from human activities in and around the water ie from the associated contamination of the surface water with human wastes and disease causing pathogens.

The *Metropolitan Water Supply and Sewerage Drainage By-laws 1981* currently apply to:

- Six Perth metropolitan Underground Water Pollution Control Areas eg Gnangara; and
- Fourteen surface catchment areas eg Canning Catchment Area.



These PDWSA supply drinking water to the Perth metropolitan area and Mandurah via the Integrated Water Supply Scheme. This scheme is also connected to the Goldfields and Agricultural Supply Scheme via Mundaring Weir.

The *Country Areas Water Supply (CAWS) By-laws 1947* apply to about 120 surface water catchment areas and groundwater reserves. There are two main water supply schemes supplied by CAWS surface catchments. These are the Goldfields and Agricultural Supply Scheme, which is supplied from Mundaring weir (which is also supplemented by the Integrated Water Supply Scheme), and the Great Southern Towns Water Supply Scheme which is supplied from the Harris Reservoir.

Details on the location of specific PDWSAs are available in the relevant Land Use and Water Management Strategy, Drinking Water Source Protection Plans or by reference to the Department of Water web site. The water protection by-laws are currently being reviewed to provide more consistent and updated legislative controls in PDWSA.

Notwithstanding the provisions of the current by-laws, subdivision and development proposals in Public Drinking Water Source Area are generally assessed and controlled by Local Government Authorities and the Western Australian Planning Commission under the provisions of land use planning legislation. The Department of Water, the Department of Health, and other relevant State agencies and water service providers provide advice to the planning authorities on development proposals in PDWSAs.

### More Information

To comment on this note or for more information, please contact the Water Source Protection Branch at our Atrium offices in Perth, phone (08) 6364 7600 (business hours), fax 6364 6525 or email [drinkingwater@water.wa.gov.au](mailto:drinkingwater@water.wa.gov.au) or use *Contact us* at the Department's Internet site, citing the note topic and version.

We welcome your views on this note. Feedback provided on this topic is held on Department of Water file **20079**. This note will be updated periodically as new information is received or industry/activity standards change. Updates are placed on the Department's Internet site [www.water.wa.gov.au](http://www.water.wa.gov.au) select *Drinking water*> *Publications*> *Water Quality Protection Notes*.

The State Government in October 2005 announced the formation of the Department of Water. From January 2006, the Department of Water has assumed primary responsibility for managing the State's water resources. Once the Department of Water is legally established, it will replace many of the present functions of the present Water and Rivers Commission and operate in parallel (with separate powers) to the Department of Environment. The custodian and recommendations made in this note will then change to match the assigned responsibilities of the departments of Environment or Water.



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## Appendices

### Appendix A - Example of Special Control Area

The following example has suggested special provisions applicable to PDWSA

*These provisions should set out the purpose and objectives of the Special Control Area, any specific development requirements, the process for referring applications to relevant agencies and the matters to be taken into account in determining development proposals*

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#### **Example of Special Control Area:**

**Note:** *The example below is applicable to PDWSA located outside of the Perth Metropolitan Region.*

*Within the Perth Metropolitan Region Priority 1 and Priority 2 source protection areas should be included in the Water Catchments Reservation or Rural Water Protection Zone respectively, or be covered by a Special Control Area for water protection in the Metropolitan Region Scheme, and in any corresponding Town Planning Scheme.*

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#### **Public Drinking Water Source Area Special Control Area**

The Public Drinking Water Source Special Control Area is shown on the Scheme map as: (as applicable)

- Priority One Source Protection Area;
- Priority Two Source Protection Area; and
- Priority Three Source Protection Area

in accordance with the recommendations of the Drinking Water Source Protection Plan published by the Department of Water or Land Use and Water Management Strategy published by Western Australian Planning Commission.

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#### **Purpose**

1. To identify PDWSA and priority source protection in accordance with any Western Australian Planning Commission Land Use and Water Management Strategy or Department of Water Drinking Water Source Protection Plan.
2. To ensure that land use and development within PDWSA is compatible with the protection and long- term management of water resources for public water supply.
3. To Implement the *Statement of Planning Policy No.2.7 Public Drinking Water Source Policy*.
4. To ensure that decisions on land use and developments take into account the requirements of any Drinking Water Source Protection Plan published by Department of Water or Land Use and Water Management Strategy published by Western Australian Planning Commission.

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#### **Application Requirements**

All development (including use of land, the removal of vegetation and earthworks) within PDWSA, shall be subject to a requirement for planning approval and shall be subject to the discretion of the City/ Council, notwithstanding that the use may be designated a 'P' use under the scheme.

**Relevant Considerations**

In determining any rezoning request or land use and planning applications with these areas the councils will be guided by :the Department of Water's *Water Quality Protection Note on Land Use Compatibility in PDWSA*, and also have regard to:-

- any comments or advice from Department of Water or other relevant agencies;
- any adopted region scheme policy or relevant environmental protection policy on public drinking water supply;
- Statement of Planning Policy No.2.7 Public Drinking Water Source Policy;
- the recommendations of any relevant Drinking Water Source Protection Plan published by Department of Water or Land Use and Water Management Strategy published by Western Australian Planning Commission noting that:
  1. Priority 1 areas are defined to ensure that there is no degradation of the drinking water source through the principle of risk avoidance.
  2. Priority 2 areas are defined to ensure that there is no increased risk of pollution of the water source through the principle of risk minimisation.
  3. Priority 3 areas are defined to manage the risk of through guided or regulated environmental risk management for land use activities.
- land uses and development applications, which are incompatible with the management objectives for the source protection, should not be permitted; and
- the provisions applying to the Special Control Area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

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**Referral of Applications**

The council is required to refer any rezoning and land use or development application to the Department of Water for advice and comment prior to any formal consideration for formal development approval under a Town Planning Scheme which:

- may have the potential to impact detrimentally on the quality and quantity of public drinking water supplies or
  - does not comply with the provisions of the *Water Quality Protection Note on Land Use Compatibility in PDWSA*".
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## Appendix B - References and further reading

1. Australian Government - National Water Quality Management Strategy *Australian Drinking Water Guidelines*, 2004; see web page [www.health.gov.au/nhmrc/publications/synopses/eh19syn.htm](http://www.health.gov.au/nhmrc/publications/synopses/eh19syn.htm).
2. Water Corporation *Securing our Water Future: A State Water Strategy for Western Australia*, available from [www.watercorporation.com.au/Docs/State\\_Water\\_Strategy\\_complete.pdf](http://www.watercorporation.com.au/Docs/State_Water_Strategy_complete.pdf)
3. Department of the Premier and Cabinet, 2003, *The Western Australian State Sustainability Strategy*, see Internet site [www.sustainability.dpc.wa.gov.au/docs/Strategy.htm](http://www.sustainability.dpc.wa.gov.au/docs/Strategy.htm).
4. Standing Committee on Ecologically Sustainable Development, 2000, *The Quality of Perth's Water Supply – 9<sup>th</sup> report*, available from [www.parliament.wa.gov.au/parliament/commit.nsf/0/5C2474A038D3E281482569A10017EDAB?opendocument](http://www.parliament.wa.gov.au/parliament/commit.nsf/0/5C2474A038D3E281482569A10017EDAB?opendocument)
5. Select Committee on Metropolitan Development and Groundwater Supplies, 1994, *Report of the Select Committee on Metropolitan Development and Groundwater Supplies*.
6. Western Australian Planning Commission
  - a. The following Statement of planning policies are prepared under section 5AA of the *Town Planning and Development Act 1928* and are available at WAPC web page: [www.wapc.wa.gov.au/publications/policies/SPP\\_content.html](http://www.wapc.wa.gov.au/publications/policies/SPP_content.html).
    - No 2 *Environment and Natural Resources Policy (June 2003)*
    - No. 2.7 *Public Drinking Water Source Policy (June 2003)*
    - No. 2.2 *Gnangara Groundwater Protection Policy (August 2005)*
    - No. 2.3 *Jandakot Groundwater Protection Policy (June 1998)*
    - No. 2.9 *Draft Water Resources (September 2004)*
  - b. Land use and Water Management Strategies, available from [www.wapc.wa.gov.au](http://www.wapc.wa.gov.au) select *Publications*:
    - *Gnangara Land Use and Water Management Strategy(2001)*
    - *Jandakot Land Use and Water Management Strategy(1995)*
    - *East Wanneroo Land Use and Water Management Strategy – Preliminary Discussion Paper (2004)*
    - *Middle Helena Catchment Area LUWMS –For public comment (2003)*
  - c. Planning Bulletins, available from [www.wapc.wa.gov.au/Publications/Planning+bulletins/default.aspx](http://www.wapc.wa.gov.au/Publications/Planning+bulletins/default.aspx)
    - No 45 *Subdivision Referrals to Service Providers (November 2000)*
    - No. 61 *Urban Stormwater Management (September 2003)*
    - No. 64 *Acid Sulfate Soils (November 2003)*
    - No. 66 *Draft Use of Special Control Areas in Town Planning Schemes (May 2004)*
  - d. Planning Control Policy 6.3 *Planning considerations in the Metropolitan Region for Source of Public Water Supply and Sensitive Water Resource areas* (August 1989)
  - e. *State Planning Strategy*, 1997 available from [www.wapc.wa.gov.au/Publications/52.aspx](http://www.wapc.wa.gov.au/Publications/52.aspx)
7. Department of water publications: Water source protection policy, guidelines and Water Quality Protection Notes, available from <http://drinkingwater.water.wa.gov.au>
  - a. *Land Use Compatibility in Public Drinking Water Source Areas*
  - b. *Gazetted Public Drinking Water Source Areas*

Appendix C - Statutory requirements and approvals which may cover this activity:

<b>What's regulated</b>	<b>Statute</b>	<b>Regulatory body/ agency</b>
Land zoning and development approval	<i>Town Planning and Development Act 1928</i>	Local Government
		Department for Planning and Infrastructure
		Western Australian Planning Commission
Planning Schemes	<i>Environmental Protection Act 1986, Part IV Environmental Impact Assessment</i>	Minister for the Environment advised by the Environmental Protection Authority
Regulation of prescribed premises (pollution risk)	<i>Environmental Protection Act 1986, Part V Environmental regulation</i>	Department of Environment – regional office
Recreation and transient human activities Waste disposal Control of animals and livestock Chemicals and flammable liquids Development controls	<i>Metropolitan Water Supply Sewerage and Drainage By-laws 1981</i>  <i>Country Areas Water Supply By-laws 1957</i>	Department of Water– regional office, or Water Corporation under delegation
Storage of fuels, solvent, explosive & dangerous goods	<i>Explosive and Dangerous Goods Act 1961</i> and associated Regulations	Department of Consumer and Employment Protection