

Local Planning Policy 4 – Effluent Disposal (Agri-tourist Development in Middle Helena Catchment) (LPP4)

Management Procedure

Relevant Delegation

Purpose

To provide guidance on the requirements for effluent disposal for Agri-tourist development in order to protect the Middle Helena Catchment Area drinking water source.

Policy Statement

1. Application

This policy applies to the Priority 2 areas of the Middle Helena Catchment Area (Figure 1).

Agri-tourist uses covered by this policy are:

- a) Chalet
- b) Restaurant
- c) Winery/Cidery

The following Agri-tourist uses are considered incompatible with drinking water source protection objectives for Priority 2 areas and will not be supported within Priority 2 areas of the Middle Helena Catchment Area:

- a) Art and craft centre
- b) Reception centre
- c) Resort
- d) Rural Store
- e) Services apartment
- f) Tavern

2. Definitions

Public drinking water source area (PDWSA) means an area that provides a source of drinking water and is proclaimed under legislation. Middle Helena Catchment Area is a PDWSA, and is proclaimed under the *Country Areas Water Supply Act 1947*.

Secondary treatment means the biological processing and settling or filtering of effluent received from a primary treatment unit (for example Aerobic Treatment Unit). The quality of effluent after secondary treatment is higher than after primary treatment.

Priority 2 (P2) areas are defined within PDWSAs by the Department of Water, and are managed to maintain or improve the quality of the drinking water source with the objective of risk minimisation.

Wastewater disposal system means any sewage treatment unit, such as a composting toilet or septic tank system, approved by the Department of Health (WA).

All Agri-tourist uses have the same definitions as provided by City of Kalamunda Local Planning Scheme No 3.

3. Principle

The objective of Priority 2 areas within PDWSA is 'risk minimisation'. All proposals within Priority 2 areas of the Middle Helena catchment area should therefore aim to maintain or improve water quality.

Whilst a site may be zoned or rezoned for a specific use or activity there is no guarantee that planning consent will be granted for that or any other specific use.

4. General Provisions

A wastewater disposal system must be installed to treat the maximum predicted input from the proposed use including volume and potential contaminants as approved by the Department of Health (WA) (*see schedule 1*).

Maximum load should not exceed 350g Biochemical Oxygen Demand/day/hectare and/or recommended acceptable nitrogen application rate for the soil type (*see schedule 1*).

Dwellings and other rural tourist uses should share the same services and infrastructure (including drinking water source, wastewater disposal system, access roads, etc) where practical.

All wastewater disposal systems will be operated and maintained as recommended by the supplier and Department of Health and agreed by the City.

Signs are to be installed and maintained to advise patrons that the area is located in a proclaimed public drinking water source area where by-laws apply to protect the quality of the drinking water source.

Bores for private household/drinking water use shall not be located within 30m of a wastewater system.

A wastewater disposal system shall not be located within 100m of a waterway or other water body including dams and wetlands. This may be reduced to 30m for a secondary treatment system with proven nutrient retention performance.

The lowest component of any wastewater disposal system shall be located at least 2 metres above the end of wet season groundwater level.

On-site wastewater disposal shall not occur on land with a slope of greater than one in five (vertical: horizontal).

Secondary wastewater treatment systems, where approved by the Department of Health, may be accepted with ongoing maintenance commitments. Lesser buffer distances as stated in provisions 4.6, 4.7, 4.8 and 4.9 may be accepted if site factors (such as soil type, permeability, vegetation cover) and/or system design have been investigated and proven to have a low risk of contamination to public drinking water sources.

Effluent from on-site wastewater systems should be dispersed (irrigated by above or below ground systems) over an area able to deal with issues such as nutrient loading, erosion, distances to sensitive water resources etc, consistent with the requirements of *AS/NZS 1547 On-site domestic wastewater management*.

A wastewater disposal system is to be located outside any area subject to inundation and/or flooding in a 1 in 10 year average recurrence interval (ARI) event.

The management of stormwater should be in accordance with the *Stormwater management manual for Western Australia (DoW 2004-07)*. Stormwater from roofs, carparks, paths and landscape run-off should not be discharged into the vicinity of wastewater management systems (including into any oil and grease arrester).

Any proposed non-reticulated water supply source (eg rainwater tank or bore water) for a food premises serving the public must meet the recommended water quality criteria in the Australian Drinking Water Guidelines 2011 and the General Food Standards Code Australia New Zealand, Standard 2.6.2, and meet the requirements of the Department of Health with regards to water testing, treatment and monitoring.

5. Application Requirements

Compliance with the requirements of this policy does not exempt the applicant from meeting the requirements of other policy, legislation and/or regulation, nor guarantee approval of the proposal by the City of Kalamunda.

It is the applicant's responsibility to demonstrate that the site is suitable for long-term on-site wastewater disposal and that the proposal will maintain or improve water quality within the Priority 2 areas of the Middle Helena Catchment Area. This may be demonstrated through a pre- and post- development nutrient/contaminant balance which considers all sources of nutrient/contaminants on the site.

Applications that do not meet the requirements of this policy will be assessed on a case-by-case basis and referred to the Department of Water for advice in their role as manager of the catchment area of proclaimed PDWSAs through by-laws created under the *Country Areas Water Supply Act 1947(WA)* for their advice.

Any application for rezoning should be accompanied by the following:

- a) Proposed scale of future development including area and likely visitation (average number of people per day)

- b) A site plan showing the features of the site including remnant vegetation cover, existing development areas including existing and proposed wastewater system(s) and onsite water features and sources including waterways, wetlands, drains, dams and bores. The plan should depict the likely location and extent of future development.
- c) Details of soil type and approximate depth to water table¹.
- d) Details of any likely vegetation clearing, buffer requirement and/or site earthworks.
- e) Proposed servicing strategy (concept only) including for water supply, wastewater management and stormwater management.
- f) Wastewater treatment system requirements.

Any application for a development approval should be accompanied by the following:

- a) A site plan showing the features of the site including remnant vegetation cover, existing and proposed development areas including existing and proposed wastewater management system, and onsite water features and sources including waterways, drains, dams and bores.
- b) Building plan showing footprint of proposed development i.e. square meters, number of toilets, bathrooms, kitchens, outbuildings and paved surfaces including driveways, car parking areas, verandas and alfresco areas.
- c) Maximum number of persons (permanent and temporary) per day to be accommodated on the lot.
- d) Details of site investigation of soil strata and end of wet season groundwater level (if applicable).
- e) Details of any proposed vegetation clearing, environmental buffers, site earthworks and services, including for water supply, wastewater management and stormwater management.
- f) Description of the type, quantity and quality of solid and liquid waste (if applicable) that will be generated and disposed of and the methods of disposal, as a result of all uses on the site, both pre- and post- development.
- g) Wastewater management system to be installed including the location, type and performance of the system; any setbacks prescribed under the Code of Practice for Onsite Sewage Management; and the area proposed for disposal, demonstrating that this is sufficient to distribute the effluent and address nutrient/contamination risks.

Information on soil permeability and suitability for liquid waste disposal for the Perth metropolitan region (Yanchep to Serpentine) is shown on the Metropolitan environmental geology map series produced in the 1980s by the Geological Survey division of the Department of Mines, and on the Department of Agriculture and Food (WA) land resources mapping series. Broad information on depth to groundwater is provided in the Perth groundwater Atlas available on the Department of Water website (www.water.wa.gov.au)

- h) Stormwater management plan that addresses flood risk and erosion and sediment control from run-off during construction and ongoing operation (including carparks).

- i) Water use budget (all sources) pre- and post-development that identifies the location, extent, hydrology, quality and dependencies on local water resources (including any seasonal variations) that could be affected by the proposal.
- j) Planned operational and equipment maintenance procedures. It should be noted that Alternative wastewater treatment systems must be serviced by a qualified technician, typically four times a year. Each service is required to be reported to the City's Health Services.
- k) Details of any contingency measures proposed to minimise the impacts of chemical spills and safely dispose of contaminated waters that may result from storms, fire, flood, equipment malfunction or vandalism. Information should include workforce training, site monitoring and emergency response facilities appropriate to the level of risk from the proposed use.

Legislation	<i>City of Kalamunda Local Planning Scheme No.3</i>
Adopted	23 May 2016 OCM 83/2016
Reviewed	
Next Review Date	