SUBMISSION BY YARRA RANGES COUNCIL to draft STATE ENVIRONMENT PROTECTION POLICY (WATERS)

Thank you for the opportunity to provide a submission to the Draft State Environment Protection Policy (Waters).

Yarra Ranges Council (YRC) covers approximately 2500km^2 and is the largest municipality in metropolitan Melbourne. Yarra Ranges has many important waterways, including a large portion of the Yarra River and many of its major tributaries, including Watts River, Little Yarra River, Woori Yallock Creek, Steels Creek, Olinda Creek and Brushy Creek. The Yarra Ranges also includes the upper portion of the Dandenong Creek catchment, which includes the most environmentally intact reaches in the Dandenong Ranges.

Waterways in Yarra Ranges support high-value agriculture, drinking water supplies, biodiversity and provide opportunities for active and passive recreation to residents and visitors alike. Council supports the protection of these values through the implementation of the SEPP.

Comments on specific sections:

<u>Section 29. Councils to develop a domestic wastewater management plan</u>

Yarra Ranges has a high proportion of properties managing domestic wastewater onsite with one third of all properties containing a septic tank or equivalent form of wastewater system. Many of these do not meet currents standards, with either grey water or partially treated wastewater discharging into council drains.

Council supports the removal of the mention of assess Land Capability Assessments in the draft version, where a risk assessment approach is supported. Using Land Capability Assessments causes issues as they can be inaccurate.

29. (5) & (6) *Councils must review and update the plan every five years and carry out an audit and publish a report on it every three years.* The proposal has increased requirements for councils to comply with, this will significantly increase resource needs and cost on councils, particularly in the Yarra Ranges, as we have a large number of unsewered properties.

Some support from the EPA in preparing a risk based approach DWMP would be required to ensure consistency and practical implementation of the DWMP.

Section 34. Urban Stormwater

YRC has an Integrated Water Management Plan that outlines Council's approach to stormwater management. YRC also plans to develop a specific Stormwater Plan that will cover both water quality and flood management aspects in the near future. While the SEPP requires Councils to prepare stormwater management plans, there is also a need for additional resources to enact these plans if the objectives of the SEPP are to be met. Yarra Ranges has stormwater assets that impact on the headwaters of important waterways (and open water supply catchments), YRC is expected to need additional assistance to address this impact for the benefit of both the local environment and more broadly downstream users.

34.(1) There is no mention of respective responsibilities for treating urban stormwater, between councils and the Authority (MWC for us), in particular in large catchment (60ha+) and small ones – given it is unofficial rule of thumb currently. Council supports a clear delineation of responsibilities.

Section 45. Native vegetation protection and rehabilitation

Council prefers stronger working in this section of the draft SEPP. The existing SEPP is mentioned in the DEWLP guidance in applying the decision guideline in Cl. 52.17 related to water quality.

Specific comments on section 45 (1) *For the purposes of* ***section 60(1)(f)**** *of the Planning and Environment Act 1987, if an application is for the removal of native vegetation, the responsible authority is to consider the impact on water quality from the proposed removal, and the role of native vegetation in protecting water quality and waterway and riparian ecosystems.*

- 'Must' would be better than 'is to'
- What about where the native vegetation removal is exempt? Do we still consider impact to waterways?
- Will this apply to applications to remove native vegetation OTHER than under Cl. 52.17? For example, on sites under 4000m^2, where another clause of a particular planning scheme requires a permit for native vegetation removal?
- What about non-native vegetation removal near waterways – this would also play a role in protecting water quality?

Section 47. Management of roads

YRC has in excess of 700km of unsealed roads which contribute to silting of waterways. Unsealed private driveways also present a risk. However, addressing this risk requires significant resources and careful planning. Sealing roads can be beneficial where it is possible to implement a ‘rural seal’ where existing swale drains are retained. However, often in steeper and more urban settings, sealing the road requires an upgrade to the drainage capacity to cope with additional runoff volume. Simply upgrading these unsealed roads to sealed roads with conventional drainage infrastructure would increase the volume of stormwater reaching waterways, resulting in far a worse environmental outcome. There are alternative methods of managing sediment from unsealed roads, that YRC has trialled (e.g. check dams). Alternatively, roads may be upgraded to include water sensitive urban design elements to protect waterways. YRC has incorporated WSUD into several road upgrades in the past few years, with great success. However, improving roads with WSUD treatments results in both higher upfront and long term maintenance costs to Council.