

Assessment – what, why, how



Statutory Planning Framework

State Planning Policies

- Clause 14.02-01S (Catchment Management and Planning)
- Clause 14.02-2S (Water Quality)
- Clause 19.03-3S (Integrated Water Management)

Local Planning Policies

Particular Provisions

- Clause 55.03-4 (Rescode) - Standard B9
- Clause 55.07-5 (Rescode – Apartment Buildings) -Standard B39
- Clause 56.07-4 (Residential Subdivision) - Standard C24
- Clause 58.03-8 (Apartment Developments) - Standard D13
- Clause 53.18 (Stormwater Management in Urban Development) - Standards W1, W2, W3

Clause 14.02-1S Catchment Management

- Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas
- Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.
- Require appropriate measures to restrict sediment discharges from construction sites

Clause 19.03-3S Integrated Water Management

- Facilitate integrated stormwater, wastewater, drainage, water supply, treatment and reuse
- Facilitate use of alternative water sources/supply (recycled water, use of runoff, stormwater, etc) where practical
- Integrate drainage/stormwater management with environmental, landscape and amenity outcomes

Clause 14.02-2S Water Quality

- Site and manage uses/developments which potentially discharge contaminated runoff/wastes to minimise impacts to waterways

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Local Planning Policies - Summary

- Pre-date Amendment VC154 and introduction of State-level stormwater requirements
- Usually apply to wider range of application types (single dwellings and extensions >50m²).
- May have specific application requirements and policy guidance
- Sunset clause – continues to have effect where there are no particular provisions in place (eg dwellings and extensions)

| |
|---|
| 19 INFRASTRUCTURE |
| 19.01 ENERGY |
| 19.02 COMMUNITY INFRASTRUCTURE |
| 19.03 DEVELOPMENT INFRASTRUCTURE |
| 19.03-15 Development and infrastructure contributions plans |
| 19.03-25 Infrastructure design and provision |
| 19.03-35 Integrated water management |
| 19.03-3L-01 Integrated water management |
| 19.03-3L-02 Water sensitive urban design |
| 19.03-45 Telecommunications |
| 19.03-48 Telecommunications - Metropolitan Melbourne |
| 19.03-4L Telecommunications |
| 19.03-55 Waste and resource recovery |

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| 19.03-3L Water sensitive urban design |
| 19.03-45 Telecommunications |

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| | Townhouse/units | Apartment buildings | Subdivisions – residential, commercial, industrial | Commercial/industrial development >50m2 |
|--|---|--|---|---|
| Treatment of stormwater to BPEM objectives | 55.03-4 B9 | 55.07-5 B39 58.03-8 D13 | 56.07-4 C25 53.18-4 W1 | 53.18-5 W2 |
| Contribute to urban cooling, habitat and amenity | 55.03-4 B9 | | 56.07-4 C25 53.18-4 W1 | 53.18-5 W2 |
| Rainwater tanks (laundry/toilet) | | 55.07-5 B39 58.03-8 D13 | | |
| Connect to dual pipe recycled water supply | | 55.07-5 B39 58.03-8 D13 | 56.07-2 C23 | |
| Prevent chemicals/toxicants from entering stormwater system | | | | 53.18-5 W2 |
| Site management during construction | Clause 65 (Decision guidelines) | Clause 65 (Decision guidelines) | 56.08-1 C26 53.18-6 W3 | 53.18-6 W3 |
| Maximise infiltration of stormwater into tree pits and permeable areas | | 55.07-5 B39 58.03-8 D13 | | |

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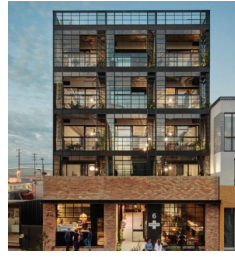
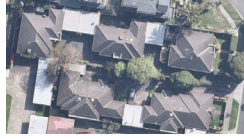
Particular Provisions

What's in?

| Clause | Development | Zones | | | | | | | | | | |
|-----------------------------|--|---|------------|------------|------------|--|--|------|-------------|-----------------------------|---|-----------------------------|
| 55.03-4 B9 | Two or more dwellings on a lot (+ extensions) Residential buildings (+ extensions) | Residential (all <u>except</u> LDRZ) | | | | | | | | | | |
| 55.07-5 B39 | Apartment developments (+ extensions) | Residential (all <u>except</u> LDRZ) | | | | | | | | | | |
| 58.03-8 D13 | | Commercial 1 & 3 'Structure plan' zones – UGZ, PDZ, ACZ, CDZ | | | | | | | | | | |
| 56.07-4 C25 | Residential subdivision | Residential (all <u>except</u> LDRZ) | | | | | | | | | | |
| 53.18 | Subdivision (all <u>except</u> residential) Buildings and works (inc. extensions) >50m ² | <table border="1"> <tr> <td>Industrial</td> <td>Commercial</td> <td>Public Use</td> </tr> <tr> <td></td> <td></td> <td>PPRZ</td> </tr> <tr> <td>Special Use</td> <td rowspan="2">Capital City Docklands Port</td> <td rowspan="2">'Structure plan' zones – UGZ, PDZ, ACZ, CDZ</td> </tr> <tr> <td>Transport Zone 1 (arterial)</td> </tr> </table> | Industrial | Commercial | Public Use | | | PPRZ | Special Use | Capital City Docklands Port | 'Structure plan' zones – UGZ, PDZ, ACZ, CDZ | Transport Zone 1 (arterial) |
| Industrial | Commercial | Public Use | | | | | | | | | | |
| | | PPRZ | | | | | | | | | | |
| Special Use | Capital City Docklands Port | 'Structure plan' zones – UGZ, PDZ, ACZ, CDZ | | | | | | | | | | |
| Transport Zone 1 (arterial) | | | | | | | | | | | | |

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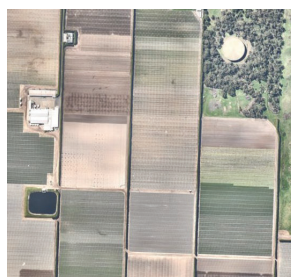


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Particular Provisions

What's out?

- Single dwellings on a lot (all zones)
- Rural Zones (all development/subdivision)
- Low Density Zone (all development/subdivision)
- Urban Floodway Zone, Public Conservation and Resource Zone, Urban Growth Zone (if no PSP)
- Transport Zones (except TZ1 – arterial roads)



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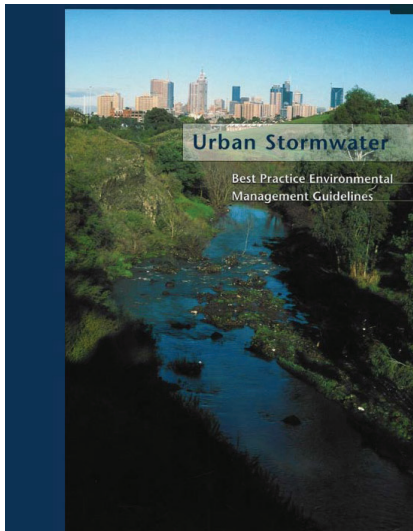
Key requirement 1 Best Practice Environmental Management (BPEM) targets

| | Townhouse/units | Apartment buildings | Subdivisions – residential, commercial, industrial | Commercial/industrial development >50m2 |
|--|----------------------------|--|---|---|
| Treatment of stormwater to BPEM objectives | 55.03-4 B9 | 55.07-5 B39 58.03-8 D13 | 56.07-4 C25 53.18-4 W1 | 53.18-5 W2 |



“The Stormwater management system should be designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).”





Stormwater:

The net increase in runoff from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.

| Indicator | Performance objective |
|------------------|---|
| Suspended solids | 80% reduction in mean annual load (ie no treatment) |
| Phosphorus | 45% reduction |
| Nitrogen | 45% reduction |
| Litter | 70% reduction |
| Flow volume | Maintain discharges for the 1.5 year ARI at predevelopment levels |



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Three step process:

1. What are they doing to meet BPEM?
2. Do they actually meet BPEM?
3. Is what they're doing shown on the plans?



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Step 1 – What are they doing to meet BPEM?

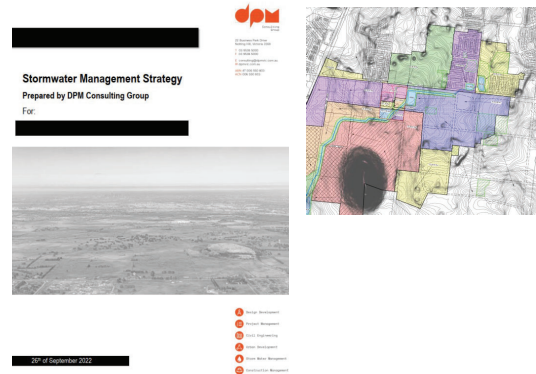
Application material needs to TELL you what they are doing to meet the requirements

Level of technical detail depends on scale of project and complexity of treatment required



Planning report or cover letter – water tanks, small lot-scale assets

Something else



Report / Stormwater Strategy – wetlands, bioretention, treatment trains

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Step 2 – Do they meet BPEM?



STORM – Online tool

- Print out of STORM report
- Make sure meets 100% or more
- Make sure report inputs and results match plan



Insite – Proprietary online tool

- Print out of Insite report
- Make sure quality result passes
- Make sure report inputs/result match plan



MUSIC – Proprietary software

- Provide a copy of the model file
- Print out the modelling results
- Provide summary of your model inputs for each treatment train (ie catchment size, % impervious, treatment area, etc)
- Provide a print out of the model schematic

Bonus points:

- Provide details of model parameters
- Provide results of MUSIC auditor run (if using Melbourne Water MUSIC Guidelines)

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| Development type | STORM/INSITE | MUSIC |
|---|--------------|-------|
| Subdivision (all) | ✗ | ✓ |
| Townhouses/units | ✓ | ✓ |
| Apartment buildings | ✓ | ✓ |
| Commercial/industrial (small) | ? | ✓ |
| Commercial/industrial – new buildings/precincts | ✗ | ✓ |

Stormwater treatment takes up space – must show in development layout

1. Do the plans match the modelling?
2. Does the treatment make sense in the context it's proposed?
3. Can you answer the following questions based on what's in front of you?

- . What are the land uses?
- . Permeable vs impermeable surfaces (location and areas)
- . How big are the assets and where are they located?
- . What level of treatment will they achieve?
- . Where is the legal point of discharge – can water get to the drain?
- . Who's going to own/maintain the assets?
- . What does maintenance mean, and is it likely to happen?



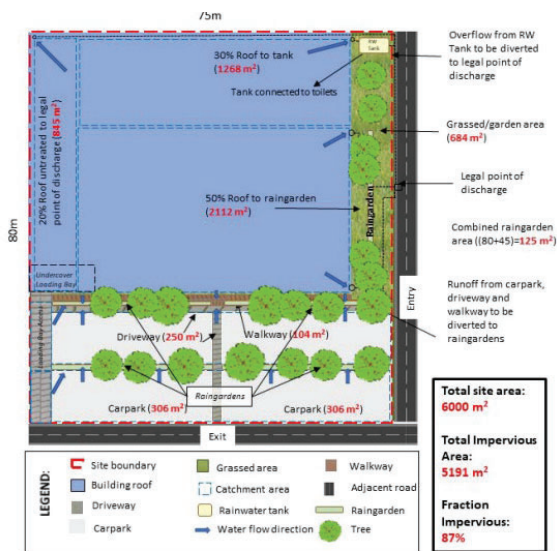


Figure 1: Site layout plan with stormwater treatment



Figure 1: Site layout plan

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Ways to comply

Precinct/strategic approach

PSP requirements

- Usually (but not always) consistent with DSS
- Can include IWCM and/or additional measures over and above what's included in a DSS
- Must be 'planned in' to PSP and should be locationally specific.

MWC Drainage Scheme

- Pay contributions or build asset as required
- Only complies if scheme provides SWQ and hydraulic services
- Less flexibility for Council to impose additional/different requirements – specific IWCM or similar policy/strategy required.

Voluntary in-lieu contributions

- Payments are to Council
- Useful in non-scheme areas where there is a defined strategy/works program (SWQ and IWCM)
- MUST BE VOLUNTARY – CANNOT ENFORCE

Site specific/statutory approach

Clause 56 offset scheme

- Only applies outside of drainage scheme areas
- Not automatic - Council can require on-site treatment as a planning permit requirement.
- Payment is to MWC
- Less relevant now that on-site SWQ required for Rescode applications

Onsite treatment (standalone)

- Requires developer to come up with proposal.
- Must be provided and assessed (stormwater strategy) as part of permit application.
- Most relevant if DSS or PSP does not apply, and there is sufficient land to achieve

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Council in-lieu contribution schemes

- Provides an option for a contribution to be made to Council in lieu of on-site stormwater quality treatment.
- **Must be voluntary** so as to comply with the relevant planning provision. Mandatory in-lieu contributions are effectively a DCP.
- **Must be tied to delivery of works** – eg a detailed strategy/program identifying what stormwater quality assets will be delivered where – and supported by modelling and cost-benefit analysis
- Most suitable in infill context where there is a risk of asset failure on private land and/or “missed opportunities” due to site constraints.

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When is it OK not to meet BPEM onsite?

- Melbourne only – PSP and/or MWC drainage scheme area
- DCP which includes stormwater quality infrastructure
- Amendments to permit (depending on scale)
- If cost of full compliance with BPEM is significant non-compliance with other standards OR strategic justification (ie higher densities/site coverage actively sought by policy)
- Amendment to permit issued prior to controls being introduced (VC154 – 26/20/2018)



Remember – these are standards.

Should not must!

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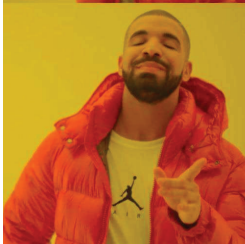
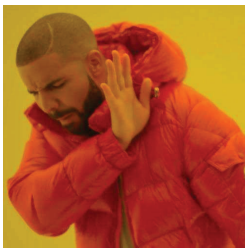
Key requirement 2 Urban cooling, habitat and landscape

| | Townhouse/units | Apartment buildings | Subdivisions – residential, commercial, industrial | Commercial/industrial development >50m2 |
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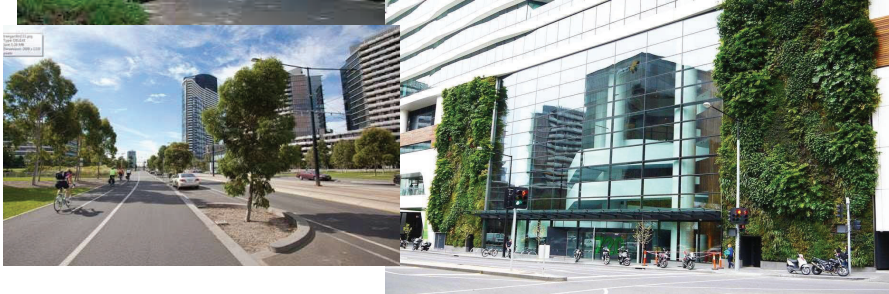


What am I assessing?

“The stormwater management system should be designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces”



Urban Cooling



- Decrease hard surfacing or dark walls/roofs which retain and reflect heat
- Shade out hard surfaces with canopy trees
- Increase cooling through evapotranspiration by vegetation cover, particularly trees

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Habitat and Amenity

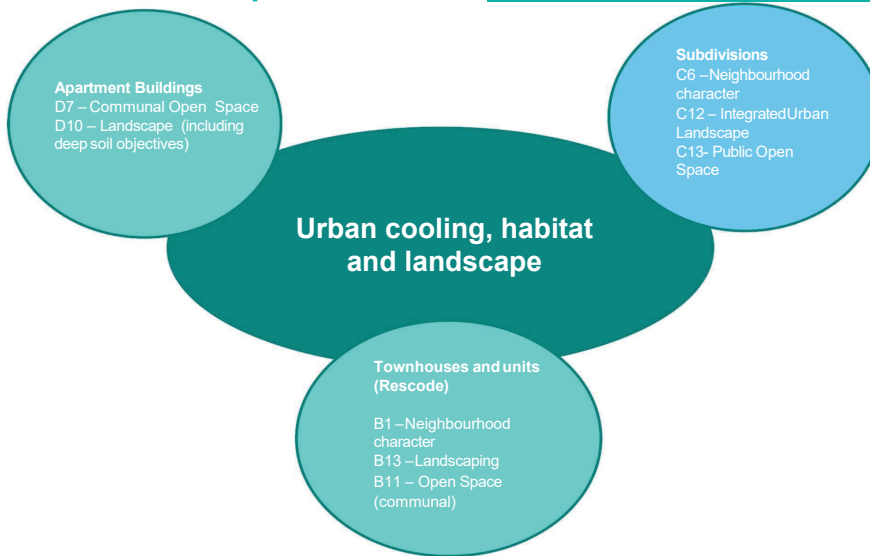
- Integrate landscape into drainage design and vice versa
- Passive irrigation
- Water management as landscape/design feature.



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Not an extra requirement, but a complimentary requirement



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Key requirement 3 Site Management

| | Townhouse/units | Apartment buildings | Subdivisions – residential, commercial, industrial | Commercial/industrial development >50m2 |
|---|---|--|---|---|
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What am I assessing?

“An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

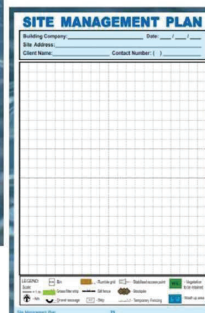
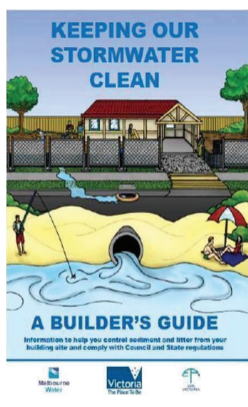
- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination”



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How is this demonstrated?



Does not impact site layout (what is being built), but how it needs to be built – permit condition.

- Site Management Plan
- Site Environmental Management Plan
- Construction Environmental Management Plan

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Decision making and permit conditions

PLANNING PERMIT

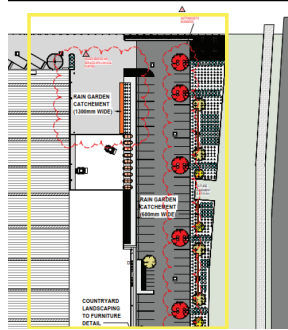
Permit No.:
 Planning Scheme:
 Responsible Authority:

ADDRESS OF THE LAND:

THE PERMIT ALLOWS: Buildings and works and reduction in car parking requirements

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- Prior to the endorsement of plans, amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application, but modified to show:
 - One or both of the tree species selected for planting along Road setback be substituted with a medium to large size species (i.e. species of up to 15m mature height)
 - The tops of the planting along front setback extended so that they turned up to the last northern car parking bays (in front of bays 33-37 bay 71-75).
 - Loading bays to be notated on the plan.
 - At least 164 car parking spaces shown site. Up to 25% of this parking may be provided in an 'overflow' parking arrangement within the hardstand area and does not need to be the marked.
- All to the satisfaction of the Responsible Authority.
- The development as shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.
- The development is to be constructed in accordance with the design initiatives and commitments and supporting performance documentation in accordance with the approved Sustainable Management Plan (SMP) prepared by [dated 23 July 2021] to the satisfaction of the responsible authority.
- The provisions, recommendations and requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority. The endorsed SMP and supporting documentation must not be altered without the prior written consent of the Responsible Authority.



PLANNING & ENVIRONMENT ACT 1997
 Endorsed Plan under Planning Permit PLANNING SCHEME
 Date: 13/07/2022 Sheet 2 of 6
 (1/2) (1/2)

| Planting Schedule | Planting Schedule | Planting Schedule | Planting Schedule | Planting Schedule | Planting Schedule |
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| 295 | 296 | 297 | 298 | 299 | 300 |



What do I need to do for a permit to be issued?

Planners

- Ensure all required information is provided with the application.
- STORM reports
- Ensure the layout provides sufficient space for stormwater management.
- Undertake a holistic assessment of how the proposed stormwater management integrates with the remainder of the planning policy framework
- Ensure permit includes appropriate conditions which ensure planning scheme requirements flow through to construction

City of Whitelesea
 Application No: [] Date Lodged: / /

Application for Planning Permit

Planning Engineer
 Phone: 03 9517 2176
 Web: <http://www.whitelesea.vic.gov.au>

The Land

Address of the land: Complete the Street Address, and cover of the Formal Land Description.

Street Address *

Land No. [] St. No. [] St. Name [] Postcode []

Formal Land Description *

Complete either A or B.

A Land No. [] Lodged Plan [] Title Plan [] Part of Subdivision [] No. []

OR

B Crown Address No. [] Section No. [] Parish/Township Name []

If this application relates to more than one address, please click the button and enter relevant details. **ADD ADDRESS**

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit?

If you need help about the proposal, visit www.whitelesea.vic.gov.au or contact the Planning Engineer.

Provide additional information on the proposal, including plans and elevations, any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist, and if relevant, a description of the key effect of the proposal.

Estimated cost of development for which the permit is required *

Cost \$ [] You may be required to verify this estimate.

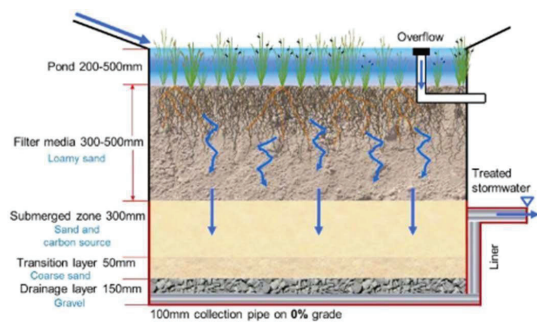
Existing Conditions

Describe how the land is used and developed now *

eg. vacant, three dwellings, medical centre with two practitioners, forward restaurant with 60 seats, grazing.

Provide a plan of the existing conditions. Photos are also helpful.

Application for Planning Permit (2022) 1/0, Nov Page 1



Engineering/Assets

- Technical assessment of designs and MUSIC modelling
- Final design review and approval (including landscape)
- Does it work (ie functional assessment)?
- Review and approvals of site management plans

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What can be approved under conditions?



Prior to commencement of works

- Approved final layout (Condition 1)
- Functional/detailed engineering design approval (incl. asset design)
- Final landscape plan approval
- Site Management Plan approval
- s173 agreement (if relevant)

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Prior to completion of development (Certificate of Occupancy/Final Inspection)

- Stormwater treatment assets are completed and connected to legal point of discharge
- Water tanks are installed and connected to internal plumbing.
- Inspection and acceptance of stormwater assets (Council land only).
- Completion of landscaping works (sign off/inspection/bond as per Council process)



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Enforcement

Building system

Building permit



Confirms building design complies with Building Regulations
Conditions enforce Building Regulations

Certificate of Occupancy



Confirms dwelling is safe and habitable (fit for occupation)
Licensed plumber certifies that internal plumbing work and connections to LPD are complete

Certificate of Final Inspection



Confirms conditions of building permit met and building work meets regulations
Licensed plumber certifies that internal plumbing work and connections to LPD are complete

GAPS

Water tanks no longer required to meet energy efficiency requirements (7 star).

Does not cover landscape works (eg raingardens).

Does not cover site management

Planning system

Endorsed plans

- Maximise likelihood SWQ requirements translate to building permit plans and scope included in contracts
- Provide sufficient detail for effective planning enforcement – ie asset size, location, and what they must be connected to.
- Set up to reflect how developments are built – eg show raingardens/bioretenation strips detail on landscape plan, not just site plan.

Permit conditions

- Construction and connection of SWQ assets in accordance with endorsed plans - with a time frame (eg prior to occupancy/completion of development works).
- Landscape and engineering plan approvals – modify standard conditions where needed to include technical detail
- Notes re: separate approvals (eg connect to LPD)

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