

19/01/2006
VC37

SCHEDULE 3 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3.

LAKE NILLAHCOOTIE CATCHMENT

1.0

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Statement of environmental significance

Lake Nillahcootie is situated on the Broken River and supplies domestic, stock and irrigation water for the Broken Valley. As well as for water supply, Lake Nillahcootie is important for the provision of aquatic habitat and for recreational purposes. The water quality of Lake Nillahcootie is threatened by increasing nutrient levels and turbidity.

To prevent further decline of the water quality in Lake Nillahcootie, land use and development within the catchment of the lake needs to be regulated.

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Environmental objective to be achieved

The objective of the overlay is to ensure the protection and maintenance of water quality and water yield within the Lake Nillahcootie Proclaimed Catchment Area.

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Permit requirement

Applications of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause:

- Subdivision creating lots less than 40 hectares.
- Development associated with intensive animal husbandry.
- All applications for development of land within 200 metres of the full supply level of Lake Nillahcootie or from any watercourse within the catchment area.

No permit is required for:

- The conduct of agricultural activities, including cultivation and fencing, but not the construction of dams.
- Sewerage, drainage, water and gas mains.
- Power lines of less than 220,000 volts.
- Low impact telecommunications infrastructure.
- The carrying out of any works required by or approved by the Department of Sustainability and Environment or the responsible authority to prevent soil erosion and ensure conservation and reclamation.
- The carrying out of any stream improvement, drainage or water supply works by the Goulburn - Murray Rural Water Authority or the Goulburn Broken Catchment Management Authority when the relevant body has consulted with the responsible authority on the proposed works and has the approval in writing of the responsible authority.
- Construct a building or construct or carry out works that do not require a permit in the Residential zone when sewerage is available.
- Works associated with timber production.

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Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The potential for the proposed development to degrade water quality or quantity.
- The intensity of the development.

BENALLA PLANNING SCHEME

- Appropriate measures to prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.
- Appropriate measures to prevent pollution, increased nutrient loads and increased turbidity of water in watercourses, drains and other features.
- Whether the environmental objectives of this schedule will has been met.
- Appropriate measures to prevent increased surface water run-off or concentration of surface water run-off leading to erosion, siltation, pollution of watercourses, drains and other features.
- Any management plan prepared by the relevant water board or water supply authority.
- The comments of the relevant water board or water supply authority, and the Goulburn Broken Catchment Management Authority.
- The Rural Land Study and General Guidelines for Subdivision, Buildings and Works in Rural Areas.