

27/05/2019
C141mith**SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO2.

EPPALOCK AND MOLLISON CREEK (PYALONG) SPECIAL WATER SUPPLY CATCHMENT AREAS**1.0**03/03/2016
C92**Statement of environmental significance**

The Eppalock Special Water Supply Catchment Area and the Mollison Creek (Pyalong) Special Water Supply Catchment Area are listed under Schedule 5 of the *Catchment and Land Protection Act 1994*.

The catchments are major sources of water for irrigation, stock, domestic and urban water supplies for communities within and external to the Shire. The protection of Special Water Supply Catchment Areas from inappropriate development and the protection of water quality is essential to the health of the surrounding environment, habitat, vegetation and all communities that rely on water for domestic and stock supply.

2.003/03/2016
C92**Environmental objective to be achieved**

To protect and maintain water quality and water yield in the Eppalock and Mollison Creek (Pyalong) Special Water Supply Catchment Areas.

3.027/05/2019
C141mith**Permit requirement****Permit exemptions****Buildings and works**

- Buildings and works for a dwelling or associated with an existing dwelling connected to a reticulated sewerage system.
- Buildings and works associated with an existing dwelling in an unsewered area, if all of the following conditions can be met:
 - Extensions or outbuildings which do not generate additional wastewater other than stormwater.
 - The building and any component of its domestic wastewater system are not located within 100 metres of a waterway or upstream of a dam or wetland;
 - Any site cut required is less than one metre in depth and is less than 300 square metres in area; and
 - No stormwater is discharged less than 100 metres from a waterway unless into an approved drainage system or legal point of discharge.
- The construction of a dam under 3ML capacity that is not on a waterway and is for stock and domestic purposes only.
- Activities conducted on public land by or on behalf of the Department of Environment, Land, Water and Planning under the relevant provisions of the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Land Act 1958*, the *Crown Land (Reserves) Act 1978* or the *Forests Act 1958*.
- Any development or works associated with an agricultural use that is not specified anywhere else here.
- Any buildings, works or removal, destruction or lopping of any vegetation by or on behalf of any government department, public authority or responsible authority for the purposes of any public or local government utility, service, facility, stream improvement or other works.

- The carrying out of any works required by or approved by the Department of Environment, Land, Water and Planning, a water authority, a Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion, regulation of water flow in a watercourse, construction or redirection of a watercourse, or regulation of flooding.
- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing 'camping and caravan park'.
- Works associated with timber production.
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Environment, Land Water and Planning.
- Removal, destruction or lopping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and:
 - the land is being re-established or maintained for cultivation or pasture;
 - the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence; or
 - the vegetation removal is as a result of grazing domestic stock or moving stock along a road.

Subdivision

A permit is not required to subdivide land if:

- The subdivision is for existing buildings that are connected to a reticulated water and sewerage system.
- The subdivision is a two lot subdivision and each lot is connected to a reticulated water and sewerage system.

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Application Requirements

An application for a permit must be accompanied by a report that includes the following information, where appropriate, as determined by the responsible authority:

- A geotechnical report prepared by a suitably qualified person which demonstrates that the land is capable of absorbing effluent generated on the lot and the likely impact of any on-site wastewater management system on surface and groundwater resources and how such impacts are to be mitigated.
- A scaled site context plan showing the subject site and surrounding land including location of all waterways, drainage lines, water bodies, water supply channels or springs.
- The location and use of existing and proposed buildings and works, including proposed or existing components of a domestic wastewater system and vehicle access.
- Where an application proposes to located a dwelling and/or any component of a domestic wastewater system within:
 - 100 metres of a watercourse;
 - 250 metres of any watercourse where adjoining escarpments or slopes are greater than 25%;
or
 - a wetland;

satisfactory evidence must be provided to demonstrate why the dwelling and/or any component of a domestic wastewater system cannot be located outside these areas.

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Referral/Notice requirements

An application for a permit 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.

A referral agreement between the responsible authority and the referral authority may be in place that may affect the above requirement.

The responsible authority may also seek the comments of the relevant water supply or drainage authority.

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the relevant water authority.
- The Ministerial Guidelines for *Planning permit applications in open, potable water supply catchment areas*, November 2012, including any subsequent revision to these Guidelines.
- The potential effect of the development on water quality and quantity.
- The capability of the land to contain effluent on site.
- Soil preservation and potential impacts including erosion.
- The potential impacts on natural (land and water) habitats and conservation of native flora and fauna.
- The need to protect vegetation and habitat and the role these attributes play in improving and assisting in the maintenance of water quality.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- Any relevant land capability study.
- Whether the proposal is consistent with the provisions of any incorporated or reference documents including the *State Environment Protection Policies – Waters of Victoria* and *Groundwaters of Victoria* and the Mitchell Shire *Domestic Wastewater Management Plan*, October 2014, including any subsequent revision of this plan.
- Any relevant plan such as the Lake Eppalock Special Area Plan and the North Central Catchment Management Authority's River Health Strategy.

MITCHELL PLANNING SCHEME

Map 1 to the Schedule to Clause 42.01 – Location of Eppalock and Mollison Creek (Pyalong) Special Water Supply Catchment Areas within the Shire.

