

27/05/2019
C141mith**SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO3.

WATERCOURSE CONSERVATION**1.0**03/03/2016
C92**Statement of environmental significance**

Identified watercourses and the sensitive areas along their frontages are significant and can provide essential links to enable wildlife movement across the Shire and beyond. These links are often of high aesthetic and social value. Existing links need to be conserved and improved to enhance ecological vitality and health.

Healthy waterways result from a delicately balanced system of environmental factors including groundwater and overland flows, vegetation, stream flow, soil quality and stability. Sensitive riparian areas can provide an indicator for overall ecological health within an area, such as water quality and the presence of rare flora and wildlife.

High quality natural or revegetated stream frontages are also highly sensitive to change and impact from adjoining development including ground disturbance and vegetation removal.

Conservation of these areas is needed to minimise adverse impacts such as weed infestation, ground disturbance, erosion and salinity discharge. The management of land adjacent to streams and watercourses is necessary to reduce erosion, while maintaining clean water, soil stability and diversity of flora and fauna. Protection of these areas is important to minimise the adverse impacts often associated with grazing, weeds, pest animals and salinity discharge.

2.027/05/2019
C141mith**Environmental objective to be achieved**

Conserve and improve the ecological vitality and health of watercourses.

Maintain the quality and quantity of water within the watercourse and its ability to carry natural flows

Prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features

Conserve and improve the visual and landscape values of watercourses

Minimise fill and the artificial modification of watercourses

Protect flora and fauna habitats and links along watercourses and encourage habitat regeneration

Prevent pollution and increased turbidity of water in natural watercourses

Prevent increased surface run-off or concentration of surface water run-off

Manage the intensity of development on and around watercourses.

3.027/05/2019
C141mith**Permit Requirement****Permit exemptions**

No planning permit is required for:

- Buildings and works for a dwelling or associated with an existing dwelling connected to a reticulated sewerage and drainage system which can also meet the following setbacks, where relevant:
 - Not within 30 metres of any waterway designated under the Water Act 1989, excluding the Goulburn River; and/or
 - Not within 50 metres of the Goulburn River.

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- The construction of an extension or alterations to an existing dwelling or the constructing or carrying out of works which are ancillary to a dwelling, if all of the following conditions can be met:
 - The additional floor area does not exceed 50 square metres;
 - No additional load will be imposed upon a domestic wastewater system;
 - The building and any component of its domestic wastewater system are not located within 30 metres of any waterway designated under the Water Act 1989, excluding the Goulburn River;
 - The building is not located within 50 metres of the Goulburn River;
 - Any component of a buildings domestic wastewater system is not located within 100 metres of the Goulburn River.
- Any buildings, works or removal, destruction or lopping of any vegetation by or on behalf of any government department, public authority or Mitchell Shire Council 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.

No planning permit is required to develop or to construct or carry out works to construct, use or maintain the Broadford Water Supply Project in accordance with an approved Project Impact Assessment and environmental management plan and native vegetation offset plan.

No planning permit is required to remove, destroy or lop any vegetation to the minimum extent necessary to construct, use or maintain the Broadford Water Supply Project, in accordance with an approved Project Impact Assessment, environmental management plan and native vegetation offset plan.

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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 vary 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:

- Any relevant State Environment Protection Policy.
- The possible effect of the development on the quality and quantity of water.

MITCHELL PLANNING SCHEME

- The potential for flooding to occur as a result of the development.
- The proper management of the land as a floodplain.
- The need to conserve natural habitats and flora and fauna and retain and build biolinks, including significant plant and animal species or communities.
- The need to retain vegetation and natural features which contribute to waterway health and water quality.
- The protection and enhancement of the watercourse for its recreation, landscape and visual values.
- The preservation of and impact on soils and the need to prevent erosion.
- The potential of chemical contamination of soil and water from the proposed development.
- Whether the siting of buildings may cause demands in the future for tree lopping or removal.
- The adequacy of reasons for removing vegetation, if required, and the practicality of alternative options which do not require the removal of vegetation.
- The potential to prevent or reduce the need for earthwork removal and the extent of ground disturbance.
- The need for, or adequacy of, landscaping or vegetation screening.