

24/05/2018
C36**SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO2**.

CATCHMENTS AT MEDIUM RISK OF WATER QUALITY IMPACTS**1.0 Statement of environmental significance**24/05/2018
C36

The Upper Goulburn, Lake Eildon Environs, Upper Goulburn (Upper Delatite) and Lake Nillahcootie catchments supply irrigation and potable water to nearby townships and downstream communities. Lake Eildon and Lake Nillahcootie are both used for recreational purposes.

The *Mansfield Shire Domestic Wastewater Management Plan 2014* (as amended) risk analysis identifies areas of the municipality that are at high, medium and low risk of causing adverse impacts on potable water quality, public health and the environment.

Development in the areas where this schedule applies has a medium risk of causing adverse impacts to potable water quality, public health and the environment through increased nutrients, pathogens and sediment in waterways and water storages.

It is important that development is carefully managed to ensure there is no detriment to the catchment and cumulative benefits can be gained over time through improved management of wastewater and stormwater. This can be achieved through careful design and siting of development and works, management of wastewater generated by development and adoption of integrated water cycle management principles. As a result there should be incremental and cumulative reductions in nutrient, pathogen and sediment loads in water storages and waterways.

2.0 Environmental objective to be achieved24/05/2018
C36

- To discourage development and works that contribute to the degradation of water quality and quantity.

3.0 Permit requirement24/05/2018
C36**Dwellings, outbuildings and associated works**

- A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding that is connected to a reticulated sewerage system.

Lots of 40 hectares or more

A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:

- The lot is 40 hectares or more
- Where new wastewater is generated a land capability assessment is prepared in accordance with the Code of Practice-Onsite Wastewater Management, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) and approved by the responsible authority.

Lots less than 40 hectares

A permit is not required for buildings and works associated with the construction of a new dwelling or outbuilding or the extension of an existing dwelling or outbuilding where all of the following requirements are met:

- No new wastewater is generated.
- No works are being carried out within 50 metres of Lake Eildon, Lake Nillahcootie or the Goulburn River or 30 metres of any other waterway.

- The total floor area of any proposed outbuilding or extension to an existing outbuilding does not exceed 200 square metres.
- Any site cut is less than 1 metre in depth and less than 300 square metres in area.
- No concentration of stormwater is discharged less than 100 metres from a waterway, water storage or reservoir unless via a drainage system approved by the responsible authority.

Vegetation

- A permit is not required to remove, destroy or lop vegetation, including dead vegetation and grasses if the vegetation to be removed, lopped or destroyed has a setback greater than 50 metres from Lake Eildon, Lake Nillahcootie or the Goulburn River or 30 metres from another waterway and:
 - The vegetation is exotic.
 - Any native vegetation is seedlings or regrowth less than 10 years old.
 - The removal, destruction or lopping of any vegetation by a government department, public authority or council for the purposes of any public or local government utility, service, facility, stream improvement or other works.

Subdivision

- A permit is not required to subdivide land if each lot is connected to a reticulated sewerage system or is greater than 40 hectares.

Other

A permit is not required for:

- A sign.
- Works to sewerage, electricity, drainage, water or gas mains approved or undertaken by a public or government authority or utility provider.
- Any buildings or works by a government department, public authority or 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, Goulburn Murray Water, Goulburn Valley Water, Goulburn Broken Catchment Management Authority or council.
- Any development or works in accordance with any management plan approved or adopted by council or Department of Environment, Land, Water and Planning.
- Subdivision or the construction of a building or the construction of or carrying out of works to land within the Special Use Zone (Schedule 1 – Mountain Bay).
- Other buildings and works on lots of 40 hectares or more.
- Other buildings and works that meet all of the following:
 - No new wastewater is generated.
 - No works are being undertaken within 50 metres of Lake Eildon, Lake Nillahcootie or Goulburn River or 30 metres of any other waterway.
 - Any site cut is less than 1 metre at its maximum depth and less than 300 square metres in area.
 - No effluent is discharged within 100 metres of a waterway, water storage or reservoir.
 - No concentration of stormwater is discharged within 100 metres of a waterway, water storage or reservoir unless it is into a drainage system approved by the responsible authority.

4.0**Decision guidelines**24/05/2018
C36

Before deciding on an application the responsible authority must consider:

- The comments of the relevant water authority.
- Whether the application meets the requirements of Clause 22.04 Managing Wastewater in Special Water Supply Catchments.
- Whether wastewater can be treated and contained within site boundaries in accordance with the standards of the *Code of Practice- Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended).
- If the setback requirements of the North East Planning Referral Committee *Guidelines for the Protection of Water Quality* 2016, (as amended), are met or if they are not met, whether the land capability assessment identifies mitigation measures to justify a reduced setback.
- If an incremental benefit is gained through the proposal by way of upgrades to existing onsite wastewater management systems.
- If the land capability assessment supports a variation of one or more standards of the *Code of Practice-Onsite Wastewater Management*, Environment Protection Authority Victoria Publication 891.4 July 2016 (as amended) where infill development or extensions or alterations to existing dwellings is proposed.
- Whether measures have been included to prevent increased surface water run-off or concentration of surface water run-off leading to increased nutrient loads, erosion, siltation, pollution of waterways, drains and other features.
- Whether a section 173 Agreement is necessary to secure ongoing maintenance or management of a wastewater system or impose limitations on development such as number of habitable rooms in a dwelling or restricting further subdivision.
- The potential for the proposed development to reduce water yields within the catchment.