

14/07/2016
C70**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO1**.

Proclaimed Water Catchment Areas**1.0**19/01/2006
VC37**Statement of environmental significance**

The Shire of Moorabool contains several proclaimed water catchments, which provide water to urban and rural development throughout the Shire. The protection of water catchments is essential to the health of all communities that rely on water for domestic and stock supply.

2.019/01/2006
VC37**Environmental objective to be achieved**

- To protect the quality and quantity of water produced within proclaimed water catchments.
- To provide for appropriate development of land within proclaimed water catchments.

3.009/10/2014
C72**Buildings and works**

A permit is not required for:

- Repairs and routine maintenance and emergency works to existing buildings and works.
- The construction of a dam under 3ML capacity that is not on a waterway.
- The construction or carrying out of works associated with a minor utility installation.
- The construction or carrying out of works associated with informal outdoor recreation.
- Development undertaken by a public authority to regulate the flow of water in a watercourse, regulate flooding or to construct or redirect a watercourse.
- Routine maintenance works on land managed by a public land manager
- Activities conducted on public land by or on behalf of the Department of Sustainability and Environment or the Department of Primary Industries 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.
- The removal, destruction or lopping of vegetation necessary for extractive industry authorised by an approved work plan and in accordance with a work authority issued under the Extractive Industry Development Act 1995.
- The construction of a dwelling in a Farming Zone, where the lot exceeds 40 hectares and the building and its septic tank effluent absorption area are not located within 100 metres of a waterway or upstream of a dam or wetland, and
 - any site cut required is less than one metre in depth and 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.
- The construction of a dwelling in the any of the General Residential Zone, Neighbourhood Residential Zone, Low Density Residential Zone, Township Zone or Rural Living Zone where the dwelling is connected to reticulated sewerage, and no

stormwater is discharged less than 100 metres from a waterway unless into an approved drainage system.

- The construction of a dwelling in the any of the General Residential Zone, Neighbourhood Residential Zone, Low Density Residential Zone, Township Zone or Rural Living Zone where the dwelling is not connected to reticulated sewerage but the proposal complies with the following:
 - it has been demonstrated to the satisfaction of the responsible authority and the relevant water authority that the lot can contain effluent in accordance with the requirements and provisions of the State Environment Protection Policy (Waters of Victoria) and the provisions of the “Septic Tanks Code of Practice”, and
 - the building and its septic tank effluent absorption area are not located within 100 metres of a waterway or upstream of a dam or wetland, and
 - no stormwater is discharged less than 100 metres from a waterway unless into an approved drainage system.
- The construction of an extension or alterations to an existing dwelling or the construction or carrying out of works which are ancillary to a dwelling which:
 - has an area of 30 square metres or less; or
 - would not increase the number of bedrooms of the dwelling (where studies or studios that are separate rooms are counted as bedrooms), provide additional sanitary or laundry fixtures or otherwise impose any additional load on an existing septic tank facility;

and

 - any site cut required is less than one metre in depth and less than 300 square metres in area;
 - no stormwater is discharged less than 100 metres from a waterway unless into an approved drainage system; and
 - the building and its septic tank effluent absorption area are not located within 100 metres of a waterway or upstream of a dam or wetland.
- The construction of a building ancillary to the use of the land for crop raising that is not a dwelling or a building for the storage of fuel, fertilisers, insecticides or similar chemicals that is within 100m of a stream; and
 - any site cut required is less than one metre in depth and 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.
- The construction or carrying out of works if all of the following conditions are met:
 - any site cut required is less than one metre in depth and 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.
- The removal, destruction or lopping of all vegetation including trees, shrubs, herbs and grasses, to the minimum extent necessary for works undertaken by or on behalf of Central Highlands Water required for the construction of the Goldfields Superpipe Project in accordance with the Project Impact Assessment and Environmental Management Plan approved by the Secretary of the Department of Sustainability and Environment and the native vegetation offset plan approved by the Minister for Environment.
- The construction of a building or carrying out of works associated with a utility installation required for the Goldfields Superpipe Project. The building and works must

be in accordance with the Project Impact Assessment and Environmental Management Plan approved by the Secretary of the Department of Sustainability and Environment and the native vegetation offset plan approved by the Minister for Environment.

Application requirements

An application must include details of slope, soil type and vegetation.

An application must include details of any excavation proposed, and any vegetation proposed to be removed, destroyed or lopped.

An application to construct buildings or to carry out or construct works must be accompanied by a report which demonstrates the following:

- That the land is capable of absorbing sewage and sullage effluent generated on the lot.
- That the design of any wastewater treatment facility will ensure that wastewater will not enter any waterway, dam or wetland.
- That any excavation will be carried out and maintained to prevent erosion and the siltation of any waterway or wetland.
- That any removal, destruction or lopping of vegetation will not compromise the quality of water within proclaimed catchment areas.
- That the siting of buildings and wastewater treatment systems will not compromise the quality of water within proclaimed catchment areas.

4.0

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Referral

All applications 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.

5.0

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Decision guidelines

Before deciding on an application, the responsible authority must consider

- The slope, soil type and other environmental factors.
- The need to maintain water quality at a local and regional level.
- The possible effect of the development on the quality and quantity of water in local watercourses, including the impact on nutrient levels.
- The preservation of and impact on soils and the need to prevent erosion.
- The need to prevent or reduce the concentration or diversion of stormwater.

Before deciding on an application, the responsible authority must consider the comments of the relevant water authority on the:

- Effect of the proposed development and, where applicable, the method of waste disposal on the quality and quantity of water within the proclaimed catchment; and
- Requirements and provision of the State Environment Protection Policy (Waters of Victoria) and the provisions of the “Septic Tanks Code of Practice”.

Where the land is not connected to reticulated sewerage and facilities are to be provided for the onsite disposal and treatment of wastewater the responsible authority must consider the following:

- Whether a report from a qualified geotechnical engineer has been provided which demonstrates that the land is capable of absorbing sewage and sullage effluent generated on the lot and that the waste water treatment system has been designed to prevent wastewater entering any waterway, dam or wetland.

- Where an application is for the subdivision of land, whether the plan of subdivision shows appropriate building and effluent disposal envelopes.
- Where an application proposes to make use of a septic tank system, whether any building and the septic tank effluent absorption area associated with it are located:
 - Within 100 metres of a waterway; or
 - Upstream of a dam or wetland.
- Where an application proposes to make use of a treatment and wastewater disposal system other than a septic tank system, and the building or its associated wastewater treatment and disposal system is proposed to be located within 100 metres of a waterway, dam or wetland, whether:
 - The applicant has provided evidence to the satisfaction of the responsible authority that the building and wastewater treatment and disposal system cannot be located outside these areas; and
 - The applicant has provided evidence to the satisfaction of the responsible authority that the siting of buildings and wastewater treatment systems will not compromise the quality within proclaimed catchment areas; and
 - The applicant has provided evidence to the satisfaction of the responsible authority of compliance and consistency with the State Environment Protection Policy (Waters of Victoria).

The responsible authority must consider any relevant catchment management plan, policy, strategy or Ministerial Direction (such as the Interim Guideline for Planning Permit Applications in Open, Potable Water Supply Catchment Areas) before deciding on an application, as appropriate.