

06/06/2019
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SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

WATER CATCHMENT

1.0

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Statement of environmental significance

Approximately 5 percent of land in Latrobe City is located in a water catchment used to provide water for human consumption, domestic use, agricultural and industrial activities. These catchments are in a declared "Special Water Supply Catchment Area" as defined in the *Catchment and Land Protection Act 1994*. These catchments provide water for Latrobe City and beyond its borders.

Special Water Supply Catchments cover large areas with water take-off points occurring in the lower parts of the catchment. Land use or development within the Special Water Supply Catchments and in close proximity of the water take-off points should be managed carefully to minimise the impact on water quality.

Cumulative use or development in catchments over extended time periods has the potential to gradually diminish water quality and increase risk to human health. The management of use or development in catchments must focus on the long term protection of the natural asset and strongly encourage the implementation of measures to avoid detrimental impacts on water quality and quantity.

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Environmental objective to be achieved

To protect and maintain water quality and quantity in Special Water Supply Catchment areas used for human consumption, domestic, industrial and rural water supply.

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Permit requirement

- A permit is not required for:
 - Buildings, works, subdivision of land, or to remove, destroy or lop any vegetation where reticulated sewer is connected to the lot.
 - Buildings and works associated with the use of the land for a single dwelling on a lot of 40 hectares or greater.
 - Buildings and works where they are located more than 100 metres from a waterway or more than 300 meters from a water supply reservoir or potable water supply take-off structure, other than:
 - Buildings and works that will generate waste water or effluent requiring permissions under Section 53L of the *Environment Protection Act 1970* (to construct, install or alter a septic tank system).
 - Buildings and works associated with the use of land for intensive animal husbandry or industry.
 - Buildings and works associated with 'informal outdoor recreation' or a 'telecommunication facility' provided it does not require permanent onsite waste water or effluent treatment.
 - Buildings and works (including vegetation removal, destruction or lopping) undertaken by, or on behalf of a municipality or public authority which are necessary to control flooding, fight fires, abate fire risk or preserve public safety.
 - The removal, destruction or lopping of vegetation which is non-native to Victoria except where the vegetation is within 30 metres of a waterway, wetland, flood plain¹ or water reservoir².
 - Earthworks associated with timber production that meets all the relevant requirements of the *Code of Practice for Timber Production 2007* (as amended).

- A subdivision by a public authority, or a utility provider, provided the subdivision does not create a new lot within 100 metres of a waterway, wetland, flood plain¹ and/or within 300 metres of a water supply reservoir² or potable water supply take-off structure.
- An outdoor sign/structure.
- Buildings and works specifically identified in a whole farm plan approved by the responsible authority and water supply authority.
- Windmills and solar units.

Permit requirement explanatory notes:

Flood plain¹. For the purpose of this schedule a flood plain is land included in a planning scheme overlay flood control and land affected by the 100 year Average Recurrence Interval flood level (1 in 100 year flood level) recognised and mapped by the relevant floodplain management authority.

Water supply reservoir². The requirement for a planning permit within 300 metres of a water supply reservoir (measured from the full supply level) does not apply to proposals on land outside of the water supply reservoir capture slope (downhill of the reservoir) or any circumstance where the water supply reservoir is an above ground structure.

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Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Land Capability Assessment (in accordance with *EPA Publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management* (as amended) demonstrating the land is capable of absorbing sewage and sullage effluent generated on the lot in accordance with the *EPA Code of Practice - Onsite Wastewater Management (Publication 891.3)* (as amended).
- A report, prepared by a suitable qualified person, demonstrating that:
 - The design of any wastewater treatment system will ensure that nutrients, pathogens or other pollutants from wastewater will not enter any waterway, wetland, flood plain or water supply reservoir or otherwise detrimentally affect the designated beneficial uses of groundwater or surface water.
 - How activities will be carried out and maintained to prevent erosion and the siltation of any waterway or wetland in accordance with *EPA Victoria publication - Construction Techniques for Sediment Pollution Control 1991* or any superseding document(s).
 - Any removal, destruction or lopping of native vegetation will not compromise the quality of water within proclaimed catchment areas.
 - The siting of buildings and wastewater treatment systems will not compromise the quality of water within declared catchment areas.
- Details of slope (including contours at an appropriate scale), soil type, extent of excavation and vegetation including details of new plantings to occur.

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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 likely impacts of the proposed development on water quality and quantity in the water supply catchment.

LATROBE PLANNING SCHEME

- The potential cumulative impact of development on the quality and quantity of water in the water supply catchment over extended periods of time.
- Whether new development proposals will lead to an increase in the amount of nutrients, pathogens or other pollutants reaching streams, surface water bodies and groundwater.
- Whether subdivision and intensive farming activities in water supply catchments, especially in the lower areas of water supply catchments near takeoff points are appropriate.
- Any relevant catchment management plan, policy, strategy or Ministerial Direction, including the Ministerial Guideline for Planning Permit Applications in Open Potable Water Supply Catchment Areas or any superseding document.
- The extent to which native vegetation is established, and new vegetation cover is planting particularly within 30 metres of a waterway.
- The extent to which the proposal meets best practice guidelines for agricultural, domestic, commercial and industrial wastewater treatment which result in reduced nutrient, pathogenic and sediment flows.
- The extent to public health from the risk of waterborne diseases is protected.