

**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

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

**WATERCOURSE PROTECTION****1.0 Statement of environmental significance**

The municipality contains a number of important streams and watercourses which maintain clean water, soil stability and habitat for flora and fauna. Bendigo's potable and agricultural water supply is dependent on these streams and watercourses. The management of land adjacent to streams and watercourses is necessary to reduce erosion, maintain vegetation and habitat and improve water quality.

**2.0 Environmental objective to be achieved**

To maintain the water quality.

To contribute to the enhancement of water quality throughout the Murray -Darling Basin.

To maintain the ability of streams and watercourses to carry natural flows.

To prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.

To protect and encourage the long term future of flora and fauna habitat in and along watercourses.

To ensure development does not occur on land liable to flooding and minimise the potential for damage to human life, buildings and property caused by flood events.

To prevent pollution, elevated nutrients and increased turbidity in natural watercourses.

To prevent increased surface run-off or concentration of surface water run-off leading to erosion or siltation of watercourses.

To conserve existing wildlife habitats close to natural watercourses and, where appropriate, to allow for generation and regeneration of habitats.

To restrict the intensity of use and development of land and water to activities which are sensitive to environmental values and which are compatible with potential drainage or flooding hazards.

**3.0 Permit requirement**

A permit is not required:

- To construct any building or works located more than 100 metres from the centre point of the watercourse, drainage line or channel.
- To undertake repairs and routine maintenance to existing buildings and works.
- To construct or carry out works by a public authority to:
  - Regulate the flow of water in a watercourse.
  - Regulate flooding.
  - Construct or redirect a watercourse.
- To construct buildings or construct or carry out works associated with a Minor utility installation.

- To construct buildings or construct or carry out associated with Informal outdoor recreation.
- To erect or display a sign.
- To construct a pergola or patio.
- For works undertaken by or on behalf of VicRoads required for construction of the new Calder Highway between Faraday and Ravenswood on land within a Road Zone, Category 1 or covered by a Public Acquisition Overlay.
- For the removal, destruction or lopping of vegetation, the minimum extent necessary, for works undertaken by or on behalf of VicRoads required for construction of the new Calder Highway between Faraday and Ravenswood on land within a Road Zone, Category 1 or covered by a Public Acquisition Overlay.
- For the development of the Axedale Wastewater Treatment Plant.

#### **4.0 Referral/Comment**

Any application to use and develop land 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.

The responsible authority may also seek the comments of the Goulburn Murray Water to ensure that the environmental objectives are satisfied. Goulburn Murray Water comments will be sought for significant earthworks within 100m of a waterway.

#### **5.0 Decision guidelines**

Before deciding on any application, the responsible authority must consider, as appropriate:

- Any relevant State Environment Protection Policy.
- The existing use of land and the reason for development in relation to that use.
- The possible effect of the development on the quality and quantity of water.
- The potential for flooding to occur.
- The conservation of natural habitat.
- The preservation of and impact on soils and the need to prevent erosion.
- The protection of the area for its recreation value.
- Whether the siting of buildings may cause demands in the future for tree lopping or removal.
- Whether the proposal will cause weed invasion of the area.
- The potential of chemical contamination of soil and water from the proposed development.
- The effect of any development on the flow of flood waters and flood control measures.
- The need to prevent or reduce the concentration of the diversion of floodwater or stormwater.
- The conservation of natural habitats and the preservation of native fauna, fish and other aquatic life.
- The objectives of the zone in which the land is situated.
- The effect of any possible flooding on any development.
- The management of the land as a floodplain.