

23/07/2015
C307**SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

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

HIGH VALUE WETLANDS AND ASSOCIATED HABITAT PROTECTION**1.0**19/01/2006
VC37**Statement of environmental significance**

The areas included within this overlay are considered significant because one or more of the following apply:

- The site is a wetland of regional, state, national or international significance.
- The site forms part of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar Site and is listed under the Convention on Wetlands (Ramsar, Iran, 1971). These wetlands provide important habitat for migratory birds, waterfowl and endangered species and sustain significant proportions of the Australian populations of these species. They are also remnants of wetland types that were once much more extensive in the Geelong region and elsewhere in Victoria, contain a high diversity of plant and animal species and conserve the genetic diversity of particular species.
- The site is habitat for species listed under an international agreement for the conservation of plants or animals, eg. the Japan-Australia Migratory Bird Agreement (JAMBA), the China-Australia Migratory Bird Agreement (CAMBA) and the Convention on the Conservation of Migratory Species of Wild Animals (the Bonn Convention).
- The site is part of or is nominated for inclusion in the East Asian-Australasian Shorebird Site Network.
- The site is habitat for a threatened native plant or animal species or is a threatened plant or animal community, eg. species and communities listed in the *Fauna and Flora Guarantee Act 1988*.
- The site contains habitat that is an extension of, or which provides a buffer to, wetland communities identified above.

For the purposes of this schedule, and in accordance with Article 1.1 of the Ramsar Convention, wetlands are defined as:

Areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres.

In addition, Article 2.1 of the Ramsar Convention states that:

Wetlands may incorporate riparian and coastal zones adjacent to the wetlands, and islands or bodies of marine water deeper than six metres at low tide lying within the wetlands.

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

- To maintain the ecological character (the sum of the biological, physical and chemical components of the wetland ecosystem, and their interactions which maintain the wetland and its products, functions and attributes) of Ramsar wetlands.
- To protect natural resources and maintain ecological processes and genetic diversity.

- To protect and ensure the long-term future of terrestrial and aquatic habitat for native plants and animals, including shorebird feeding areas and roosts and species and communities listed under the *Fauna and Flora Guarantee Act 1988*.
- To encourage ecological restoration, regeneration and revegetation with indigenous species within the site and in adjoining areas.
- To maintain the function of the wetland or habitat area as part of the broader natural system, including maintenance of natural flows and flooding regimes.
- To prevent further loss of wetland habitat.
- To manage the site in order to maintain and/or improve its value as a conservation site for native plants and animals.
- To protect water quality and prevent water pollution in watercourses, water bodies, wetlands and groundwater.
- To protect cultural (including aboriginal and non-aboriginal heritage) values.
- To protect visual amenity.

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Permit requirement

Buildings and works

A permit is required to:

- Construct a fence over 1.2m metres high.

A permit is not required for:

- Buildings or works approved under the *Coastal Management Act 1995* or carried out as part of a management plan approved by the Department of Environment, Land, Water and Planning.
- Buildings or works carried out by or on behalf of Parks Victoria or the agency that is the public land manager under the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Crown Land (Reserves) Act 1978* or the *Parks Victoria Act 1998*, where these are intended to maintain the ecological character of the area or improve the area as a conservation site for native plants or animals.

Removal, destruction or lopping of vegetation

A permit is not required to remove, destroy or lop an exotic species of vegetation, unless this vegetation is deemed to be of importance to:

- Maintain the ecological character of the site.
- A species listed under JAMBA, CAMBA or the Bonn Convention.
- A species listed in Schedule II of the *Fauna and Flora Guarantee Act 1988*.
- A species listed as a threatened species in Victoria by the Department of Environment, Land, Water and Planning.

Application Requirements

Any permit application should be referred for advice to the Department of Environment, Land, Water and Planning.

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Decision guidelines

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

- The impact on the natural environment including any important landscape or conservation characteristics of the area and the suitability of the proposed development.
- Potential threats to the quality, life cycle processes or functioning of aquatic and terrestrial ecosystems or native plant and animal species.
- The function of the wetland, watercourse or habitat area as part of a broader natural system.
- The need to maintain the seasonality, quantity and quality of water flows through the area and through other areas with a common system of drainage.
- Any comments by the Department of Environment, Land, Water and Planning or Council's Natural Resources and Environment Unit.
- The Victorian Ramsar Sites Strategic Directions Statement (Parks Victoria, when published).
- The Strategic Management Plan for the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar Site (Parks Victoria, when published).
- Any management plan approved by the Department of Environment, Land, Water and Planning.
- Any species recovery plan, Action Statement for endangered species, communities or threatening processes, or management plan approved under the *Flora and Fauna Guarantee Act 1998*.
- The availability of alternative land suitable for the proposed development outside the overlay area.
- The need to minimise pollution through the establishment of best practice performance standards and monitoring regimes.
- The necessity of retaining a buffer strip of vegetation in the vicinity of water courses, roads and property boundaries.
- Control of noxious and environmental weeds and pest animals, including the need to minimise the spread of weeds and soil pathogens.
- Control of domestic animals, eg. livestock, dogs, cats, by fencing and other means.
- The need to prevent and control soil erosion and sedimentation during construction works and/or associated with the proposed use.
- Fire prevention measures.
- Revegetation of degraded areas with indigenous plant species.
- The need for conditions on the permit to prevent the detrimental impact of the development on the hydrological regime, water quality, native plant or animal habitat, or scenic, cultural heritage or recreational values.

- The Siting and Design Guidelines for Structures on the Victorian Coast (Victorian Coastal Council, May 1998) and the Landscape Setting Types for the Victorian Coast (Victorian Coastal Council, May 1998).
- The impact of the siting, shape, size and height of any proposed buildings, extensions or works on the visual amenity of the area.
- The extent to which the materials, colours and external finishes of buildings conform in appearance and character with the natural features of the area (for example, the use of non-reflective roofing surfaces, muted tones and natural materials) and with any adjacent buildings.