

15/02/2018
C85**SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

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

AQUATIC SYSTEMS – SIGNIFICANT WETLANDS AND WATERWAYS**1.0 Statement of environmental significance**15/02/2018
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The mapped aquatic systems are considered significant because one or more of the following apply:

- The wetland is of regional or international significance and is protected under an international wetland agreement.
- The aquatic system supports nationally or state listed rare or threatened flora and fauna species.
- The aquatic and associated terrestrial habitats are important in the Surf Coast Shire for *Environment Protection and Biodiversity Conservation Act 1999* and /or *Flora and Fauna Guarantee Act 1988* listed threatened species including Orange-bellied Parrot, Growling Grass Frog and Brolga.
- The watercourses and associated riparian habitats are important in the Surf Coast Shire for a diverse range of species including the *Environment Protection and Biodiversity Conservation Act 1999* and *Flora and Fauna Guarantee Act 1988* listed Yarra Pygmy Perch and Australian Grayling.
- The aquatic system is a biodiversity link with significant biodiversity values providing high instream/aquatic and riparian habitat.
- The waterway and its environs contribute to the water quality and integrity of the broader catchment.

2.0 Environmental objective to be achieved15/02/2018
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To maintain the physical and biological integrity and functioning of aquatic systems and to enhance river health and biodiversity, including:

- protection of terrestrial and aquatic habitat for native flora and fauna
- protection of water quality (including downstream water quality)
- protection and enhancement of native vegetation within riparian zones (including ecological restoration, regeneration and revegetation)
- prevention of water pollution, accelerated erosion and siltation or sedimentation
- facilitation of weed eradication
- avoidance of excessive earthworks (particularly in areas known to contain acid sulphate soils)
- maintenance of natural flows, flooding regimes, recharge and discharge of ground waters
- filtration of nutrients and other pollutants
- the natural opening and closing of coastal wetlands and estuaries
- protection and restoration of the natural hydrological (wetting and drying) cycle of waterways and wetlands.

3.0 Permit requirement15/02/2018
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A permit is not required to remove, destroy or lop any vegetation that:

- Is within 3 metres of a building used for accommodation (or overhangs this area).
- Is listed as an environmental weed in the Incorporated document, *Weeds of the Surf Coast Shire (2013)*.
- Is not native to Victoria.
- Has been planted or is being managed for the purposes of agroforestry.
- Is dead, other than a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- Is the minimum amount necessary to;
 - Maintain a minor utility installation.
 - Maintain a utility installation in accordance with a code(s) of practice approved by Secretary of the Department of Environment, Land, Water and Planning.

Fencing

A permit is required to construct a fence. This does not apply to;

- a post and wire fence that restricts livestock, but does not restrict native fauna, access to a wetland or waterway.

4.0

Decision guidelines

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

- The value and specific qualities of the effected biodiversity asset as defined in the reference document, *Surf Coast Shire Biodiversity mapping project (2014)*.
- Any relevant Flora and Fauna Guarantee Action Statements and threatening processes.
- The vegetation assessment or survey of the biodiversity assets contained on the site and whether the survey and assessment has been adequately completed under appropriate seasonal conditions, to the satisfaction of the Responsible Authority.
- The reason for removing any remnant vegetation and the practicality of any alternative options which do not require removal of remnant vegetation or other habitat components. Where alternatives exist that do not require the loss of remnant vegetation or other habitat values and will not have any adverse impacts on the aquatic system these alternatives should be favoured including the removal of vegetation with a lower ecological value (such as weeds, exotics or degraded vegetation).
- The purpose of the buildings or works and whether all reasonable effort to avoid impacts on the aquatic system has been explored with consideration given to;
 - alternative options for carrying out the buildings or works on the site and,
 - the availability of alternative land suitable for the proposed buildings and works outside the overlay area.
- Appropriate biodiversity enhancements for vegetation removal (unless already stipulated by a referral authority), having regard to;
 - The value of the native vegetation in terms of physical and biological condition, rarity, variety and habitat value for rare and/or threatened species.
 - The need to maintain viable examples of vegetation communities.
 - The likely effect removal of native vegetation will have on resident and migratory fauna and the need to retain mature trees (alive or dead) with hollows.

- The need for regeneration and revegetation using species from the relevant Ecological Vegetation Class.
- The merits in requiring wetlands or waterways to be fenced off.
- The need to undertake environmental weed control.
- Whether an agreement under section 173 of the Act is appropriate providing for on going vegetation protection, enhancement and/or management on the land.
- the use of a conservation covenants or other similar control to ensure the long term viability of native vegetation.
- Whether adequate buffers can be retained around an aquatic system to reduce potential threats to the quality, life cycle processes or functioning of aquatic and terrestrial habitats such as;
 - 100m buffer between a septic wastewater disposal envelope and a wetland or watercourse.
 - 60m buffer between a septic wastewater disposal envelope and a drainage line/small creek.
 - 30m buffer between works causing soil disturbance and the need to increase this buffer to 60m where sites are prone to salinity or erosion.
- The means of protecting remnant vegetation during the construction of buildings and works and the on-going management of vegetation post construction.
- The need to control erosion and sedimentation during construction works and/or associated with the proposed development.
- Any impacts that buildings or works may have on the hydrological regime, water quality, or scenic, cultural heritage or recreational values of a waterway or wetland.
- Whether an agreement under section 173 of the Act, providing for on going enhancement and/or management on the land, is required.
- Whether the use of a conservation covenant or other similar mechanism to ensure the long term viability of the waterway or wetland is appropriate.
- Potential threats to the quality, life cycle processes or functioning of aquatic and terrestrial habitats.
- The impact a proposed subdivision will have on the aquatic system including any remnant vegetation on the site.
- Any relevant catchment plan including;
 - Thompsons Creek Catchment Plan (1998).
 - Spring Creek Catchment Plan (2003)
 - Anglesea Estuary Management Plan (2005)
 - Painkalac Estuary Management Plan (2005)
 - Erskine River and Stony Creek Catchment Plan (2000)