

SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

WATERWAY CORRIDORS**1.0****Statement of environmental significance**

The major waterways in Wyndham were identified in the Wyndham Waterways Strategy Plan as being, from east to west, Skeleton Creek including the Dry Creek tributary, Werribee River including the Davis Creek tributary, Lollypop Creek and Little River. These are major ecosystems that include permanent and intermittent watercourses and their banks, riparian lands and wetlands associated with the floodplain, escarpments and other geological or topographical features, and connected creeks and tributaries.

The “waterways” within Wyndham support a multitude of habitats and species, some of which are threatened or endangered. The waterways provide:

- a break in the subtle, undulating landscape of the Western Plains;
- obvious visual benefits;
- an environment for flora and fauna to thrive in;
- linear open space reserves and other public lands which are a major contributor to the open space system;
- irrigation water (from the Werribee River) which is used extensively in Werribee South;
- places of abundant food sources and likely camping locations for Aboriginal communities; and places that supported the settlement of post-contact farmers and graziers;
- part of Wyndham’s image and identity.

The “waterways corridor” refers to the aquatic and riparian land containing the core environmental values of the waterway area such as floodplain function, in-stream habitat, riparian vegetation, flora and fauna species and habitats, ephemeral and permanent wetlands, grassy swamps adjoining the waterway, native grasslands adjoining the riparian corridor, the natural valley form and escarpments and includes the natural valley form, escarpments, associated wetlands and floodplain areas up to the 1:100 ARI floodline.

“Environmental buffers” beyond the waterway corridor refers to an area providing protection between identified environmental values (including flora and fauna values, habitat values and cultural values) and the development site.

Impacts of changing land use and development and poor land management practices affect waterway environments and their beneficial values. With increased awareness, the waterways within Wyndham will become a self-sufficient attraction for many generations to come.

2.0**Environmental objectives to be achieved**

- To preserve Werribee River, Skeleton Creek, Lollypop Creek, Little River and their tributaries by regulating the type, intensity and impacts of development adjacent to those waterways.
- To recognise the varied nature of Werribee River, Skeleton Creek, Lollypop Creek, Little River and their reaches and ensure future planning and development responds to these characteristics.
- To enhance and re-instate the ecological health of Werribee River, Skeleton Creek, Lollypop Creek and Little River, including revegetation and regeneration of disturbed areas.
- To provide for integrated, ongoing protection and management of Werribee River, Skeleton Creek, Lollypop Creek and Little River as cohesive systems, having regard to their ecological, geomorphological, habitat, landscape character, cultural heritage, recreation, education, social and economic values.

- To protect and enhance all aspects of the waterway corridor including cultural and social sites of significance.
- To protect escarpments and natural waterway valleys from changes that will adversely affect the environmental, social and cultural values of the waterways and their tributaries.
- To ensure development is sufficiently set back from the Werribee River, Skeleton Creek, Lollypop Creek and Little River.
- To ensure that both the quality and volume of stormwater proposed to enter Skeleton Creek has no negative impacts on Cheetham Wetlands.
- To prevent an increase in stormwater run-off into the waterways as a result of proposed activities or development such as stormwater discharge into the Cheetham wetlands from new housing developments.
- To encourage the use of sustainable agricultural practices and replanting of riparian vegetation in rural areas to improve the natural values of waterways.
- To minimise the impact of rural activities on the environmental values of waterways
- To ensure that the volume of stormwater runoff into waterways is not increased and the quality of runoff improves or remains at established levels where altered land use or development adjacent to waterways occurs.
- To ensure there is an adequate capacity for natural floodplain functions in future urban growth areas including ensuring the 1:100 year flows remain at a level to encourage the sustainability of riparian land and wetlands dependent on these flows.
- To discourage development within the waterways corridor except for passive recreation, pedestrian / cycling trails, stormwater infrastructure and development that does not impact on identified environmental values on the basis of environmental assessment. To allow natural changes to watercourses and stream morphology to occur over time.
- To allow for the enhancement or rehabilitation of environmental values that have been identified on or in the vicinity of the development site.
- To protect Aboriginal and post-contact cultural heritage sites associated with waterways.
- To identify an environmental protection buffer between identified environmental values (including flora & fauna and habitat values and cultural values) and the development based on the Environmental Assessment.
- To protect escarpments and stream banks from erosion caused by increased access, use and flows.
- To minimise the impacts of development in waterways corridors.
- To ensure developers contribute to integrated and ongoing environmental protection and management of the Waterways Corridors.
- To ensure that in established residential areas, the construction of outbuildings and dwelling additions ensures that there is no loss or encroachment into the environmental, cultural or landscape value of waterways.

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Permit requirement

A permit is not required to:

- Undertake re-instatement and revegetation works within the waterway corridor required to implement:
 - An adopted catchment management plan of the Port Phillip Catchment and Land Protection Board or a Catchment Management Authority.

- An adopted waterway management plan or waterway master plan of Melbourne Water, Council or other waterway management authority.
- A landcare plan prepared by an approved Landcare group.
- An endorsed Waterway Mitigation Plan in accordance with Clause 43.04.
- Undertake minor works associated with natural resource, cultural heritage, surveying, engineering and similar assessments required in preparing strategies and plans, concept plans, development plans and applications for rezoning, change of use, subdivision and development.
- Construct a building or construct or carry out works required for ongoing management and operation of effluent treatment and farming activities carried out by Melbourne Water and for environmental protection and enhancement at the Western Treatment Plant.
- Construct or carry out works by a public authority required to regulate the flow of water in a watercourse or provide committed water supply.
- Construct or carry out works on public land required for environmental protection and enhancement.
- Construct or carry out works on public land required to regulate or mitigate flooding.

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Application requirements

An application must be accompanied by the following reports prepared by an appropriately qualified consultant to the satisfaction of the Responsible Authority and as appropriate:

- An Environmental Assessment which identifies the environmental values of the land and demonstrates how these values will be protected from potential impacts of the proposed development including by use of environmental buffers.
- An Environmental Management Plan
- An Archaeological Survey in accordance with the requirements of Aboriginal Affairs Victoria.
- A Landscape and Viewshed Analysis that identifies and protects important views associated with the waterway, including views within, to and from the waterways.
- A description of stormwater infrastructure facilities subject to them being appropriately located in terms of the environmental values that are to be protected at the site and within the waterway corridor, inclusive of the views of Melbourne Water.
- A plan of passive recreation facilities (such as shared paths, seating, signage etc) with an assessment of the appropriateness of their location in terms of the environmental values that are to be protected at the site and within the waterway corridor, inclusive of the views of Melbourne Water.
- These reports must demonstrate that the proposed development does not have negative impacts on the identified values of the waterways, or the potential for the rehabilitation of these values.
- The provision of passive recreation facilities (such as shared paths, seating, signage etc) is in addition to the 5% open space contribution to Council.

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Decision guidelines

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

- The extent to which the proposed development meets and encourages the aims and objectives of the Environmental Significance Overlay and whether alternatives are available that would better achieve these outcomes.
- The current and proposed future use of land adjacent to the waterways corridors and the effects on existing and proposed infrastructure.

- *The Wyndham Waterways Strategy Plan* and any relevant waterway management or waterway master plan.
- Whether new developments within residential areas have muted tones and are constructed from non-reflective materials.
- Whether proposed developments or buildings and works are set back in line with any existing dwelling or structure and are not greater in height than the existing dwelling or structure.
- Whether proposed developments will adversely affect adjoining or surrounding neighbours by means of hindering the landscape value of the waterways or overshadowing recreational space abutting a waterways corridor.

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Reference Documents

- Werribee Corridor Landscape Study, Green Dale & Wright, 1989;
- Sites of Significance for Nature Conservation in the Werribee Corridor, T.J. Barlow, 1989;
- Sites of Botanical Significance in the Western Region of Melbourne, K. McDougall, 1987;
- Sites of Geological and Geomorphological Significance in the Western Region of Melbourne, N.J. Rosengren, 1986;
- Werribee River Policy and Management Manual, Wyndham City Council, 1995;
- Skeleton Creek Waterways and Environs Strategy, Melbourne Water Corporation, 1996;
- Wyndham Stormwater Management Plan, WBM Oceanics Australia, 2000;
- Wyndham Waterways Strategy Plan, Thompson Berrill Landscape Design and Environment & Land Management, 2002.