

20/10/2011  
C29

## SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

### WATERCOURSE PROTECTION

#### 1.0

19/01/2006  
C37

#### Statement of environmental significance

Watercourses and their environs are significant for their diversity and environmental value. They need to be protected to ensure that the quality and quantity of water is maintained, and that their value as significant natural landscapes is conserved.

The areas affected by this Overlay are major river and stream watercourses and their immediate environs.

#### 2.0

19/01/2006  
VC37

#### Environmental objective to be achieved

The objectives to be achieved are:

- To maintain the quality and quantity of water within the watercourse.
- To maintain the ability of streams and watercourses to carry natural flows.
- To prevent erosion of banks, stream beds and adjoining land and siltation of watercourses, drains and other features.
- To protect and encourage the long term future of fauna and flora habitats along watercourses.
- To prevent pollution and increased turbidity or water in natural watercourses.
- To prevent increased surface run-off or concentration of surface water run-off leading to erosion of siltation of watercourses.
- To conserve existing wildlife habitats close to natural watercourses and where appropriate to allow for generation and regeneration of habitats.
- To protect the watercourse and its environs as significant natural landscapes

#### 3.0

20/10/2011  
C29

#### Permit requirement

A permit is not required for:

- A fence, wall or similar structure ancillary to a dwelling or an existing use.
- Construction of paved areas including patios and car parks ancillary to a dwelling.
- Works associated with passive recreation.
- Unenclosed buildings, except for dairy milking sheds, buildings used for animal keeping and buildings used for intensive animal husbandry.
- Works ancillary to a dwelling, except for any effluent disposal system.
- Construction of a pergola ancillary to a dwelling.
- Minor provision of floodlighting ancillary to a dwelling.
- Minor access road widening or deviation, ancillary to a dwelling or an existing use.
- Works undertaken by the relevant water board or water supply authority.
- Construction of a building or construct or carry out works or the removal, destruction or lopping of any vegetation to the minimum extent necessary for works undertaken by or on behalf of VicRoads in the duplication of the Western Highway.

**Notice requirement**

Notice of all applications must be given in accordance with Section 52(1)(c) of the Act to the authority specified in Clause 66.06 or a schedule to that clause.

**4.0**

01/11/2007  
C16

**Decision guidelines**

The responsible authority must consider the:

- Existing use of land and the reason for the development in relation to that use.
- Possible effect of the development on the quality and quantity of water.
- Conservation of natural terrestrial and aquatic habitats.
- Preservation of and the impact on soils and the need to prevent erosion.
- Protection of the area for its recreational and landscape value.
- Conservation of natural habitats and the preservation of native fauna, fish and other aquatic life.
- Proper management of the land as a watercourse area.
- Need for fencing off waterways and other land management measures.
- Need to maintain or plant vegetation along waterways in order to protect water quality.
- Any management plan for the land.