

25/07/2019
C106well

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

WETLANDS

1.0

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Statement of environmental significance

Wetlands:

- Are one of the most productive and diverse biological systems on earth.
- Are particularly rich habitats supporting many rare species, including species of birds protected under national and international treaties and agreements.
- Are a valuable resource for recreational activities.
- Have an ability to assimilate and recycle nutrients and pollutants.
- Can act as flood control basins and for water storage.
- Have a role in local and regional water balance, including recharge and discharge of groundwater.

2.0

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Environmental objective to be achieved

To protect and enhance the ecological, habitat, aesthetic, scientific, floristic, faunal, cultural, educational, and recreation values of wetlands through the control of development.

To implement obligations under international, national, State, or other agreements to protect and enhance plant and animal species and habitats.

3.0

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Permit requirement

A permit is not required for:

- Emergency works or access by a public authority or municipal council.
- Repair or maintenance of a farm structure.
- Fencing for the exclusion of stock, or protection of the wetland.
- Works for the protection or restoration of a wetland.
- Buildings or works undertaken by, or on behalf of, the Department of Environment, Land, Water and Planning on coastal Crown land under relevant legislation.
- Buildings and works undertaken by, or on behalf of, Parks Victoria in relation to its obligation under relevant legislation.

4.0

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Application requirements

None specified.

5.0

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Before deciding on an application the responsible authority must consider:
- The integrity and long-term ecological and hydrological functioning of the wetland and areas surrounding the wetland.
- The contribution of the proposal towards the ecological restoration of the wetland, or the potential for the proposal to reduce the capability for ecological restoration of the wetland.

WELLINGTON PLANNING SCHEME

- The benefit of requiring an agreement with the owner of the land under the *Planning and Environment Act 1987*, *Wildlife Act 1975*, *Conservation, Forests and Lands Act 1987*, or any other Act, to further protect or enhance the wetland and its flora and fauna.
- The benefit of a condition requiring:
 - The retention or planting of a buffer strip of native vegetation within a specified distance of the wetland.
 - The fencing of the wetland to exclude stock or vermin.
- The need for, or existence of, an appropriate land management plan and whether the proposed development is in accordance with such a plan.
- For an application to subdivide land, consider the intended development of the land and its likely effects on the wetland and if acceptable, the need to impose conditions on lot sizes, lot boundaries, road network, open space, building envelopes or effluent disposal sites to ensure better protection of the wetland.
- The views of the Department of Environment, Land, Water and Planning.