

19/01/2006  
VC37

## SCHEDULE 3 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3.

### DAREBIN CREEK AND ENVIRONS

#### 1.0

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#### Statement of environmental significance

The Darebin Creek Valley is a major conservation, ecological and recreational resource. It is an important linear open space corridor providing habitat for flora and fauna, as well as recreational opportunities linked to the Yarra River Trail network.

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#### Environmental objectives to be achieved

- To ensure protection and enhancement of the creek side environment as a conservation, ecological and recreational resource including the protection and improvement of water quality (inclusive of runoff) in stream and streamside habitats, geological features and indigenous riparian vegetation.
- To protect areas along the watercourse from development that may cause damage to the streamside environment as a conservation, ecological and recreation resource.
- To conserve water quality and watercourse capacity to enable appropriate beneficial land use and water based activities to be undertaken.
- To protect areas of identified local and regional habitat value in particular remnant River Red Gum species.
- To encourage the retention, restoration and revegetation of a continuous corridor of indigenous vegetation along the Darebin Creek valley in order to provide for the movement of wildlife, to enhance water quality and to contribute to the natural aesthetic of the creek.
- To coordinate and improve facilities on the river, its banks and environs to enable full enjoyment of the area by the public, whilst protecting the quality of the streamside environment.
- To provide a linear open space link including the provision of a shared use path along one side of the waterway corridor.
- To preserve the natural aesthetic and prevent deterioration of the waterway and environs.
- To coordinate development along the waterway, its bank and environs.
- To protect areas and features of sensitivity for Aboriginal Heritage.
- To encourage development consistent with any concept plan for the area.

#### Policy References:

*“Lower Darebin Creek Concept Plan” Darebin Creek Coordinating Committee 1995*

*“Environmental Weed Invasions in Victoria ” Department of Conservation and Natural Resources and Ecological Horticulture Pty Ltd 1992*

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#### Permit requirement

A permit is required to construct a building or carry out works. This includes a fence and road works and associated street furniture.

A permit is required to remove, destroy or lop vegetation including dead and dying trees.

Applications must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

A requirement for a permit to construct a buildings or to construct or carry out works does not apply to:

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- Buildings and works in a residential, public use or public park and recreation zone if they are 6 metres or less above ground level.
- Repairs and routine maintenance to buildings and works.
- Works to be undertaken by a public authority or waterway management agency to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse, mitigate flooding, or construct stream habitat works,
  - control or remove non indigenous plants or carry out revegetation works, including preparatory works associated with revegetation,
  - maintain the landscape quality, horticultural health or bank stability of areas that have been restored or revegetated,
  - construct a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water,
  - bridge a watercourse, except the elevated approaches to the bridge,provided that sites of archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant vegetation are not disturbed.

A requirement for a permit to remove, destroy or lop vegetation does not apply to:

- A tree with a single trunk circumference of less than 0.35 meter at 1 meter above the ground and which is less than 6 metres high or has a branch spread of less than 4 metres.
- Pruning a tree to regenerate or shape it to comply with the *State Electricity Commission (Clearance of Lines) Act 1983*.
- A tree that is dangerous.
- Destroying a tree in accordance with a notice under the *Forest Act 1958*, *Country Fire Authority Act 1958* or *Local Government Act 1989*.
- Removing an environmental weed.
- Removing a non-indigenous tree that has the capacity to adversely affect the stream flow.
- Maintaining the landscape quality, horticultural health of bank stability of areas that have been restored or revegetated.
- Constructing a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water.
- The control or removal of non-indigenous plants in preparation for revegetation works.
- Pruning of plants to maintain access or maintain a plant's horticultural health.

provided that sites or archaeological sensitivity known Aboriginal heritage sites or areas of remnant vegetation are not disturbed.

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### Decision guidelines

Before deciding on an application the responsible authority must consider:

- The State Planning Policy Framework, the Municipal Strategic Statement, Lower Darebin Creek Concept Plan and any Guidelines or local policies for the Yarra River Corridor.
- The existing use and development of the area.
- The effect of the buildings or works or planting or removal of vegetation on the habitat value, wildlife corridor and long term viability of remnant and revegetated areas along the Creek corridor.

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- Whether the buildings or works or planting or removal of vegetation is likely to cause any impact in the natural environment by the erosion or the deposition of sand or silt or nay other reason.
- The need to prevent pollution.
- The effect of the proposed removal of vegetation on the habitat value, wildlife corridor and long term viability of remnant and revegetated areas along the river corridor.
- The significance of affected vegetation, including significance of plant communities or significant plant and animal species supported.
- The reasons for removing the vegetation and practicality of alternative options which do not require the removal of native vegetation.
- The effect on the natural beauty and on the future enjoyment of and access to the area by the community.
- The need to ensure that buildings or works does not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.
- The need to protect trees with Aboriginal trunk or branch scars.
- The need to retain vegetation and natural features which contribute to the health and water of the Creek and character of the Creek corridor.
- The extent to which buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.
- The need for landscaping or vegetation screening of the proposed buildings or works.