SCHEDULE 3 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3

WATER COURSE PROTECTION

1.0 Statement of environmental significance

High quality natural or revegetated stream frontages are important in maintaining clean water, soil stability and diversity of flora and fauna. Protection over these areas is important to minimise the adverse impact often associated with grazing, weeds, pest animals and salinity discharge.

2.0 Environmental objective to be achieved

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, streambeds and adjoining land and the siltation of watercourses, drains and other features.
To protect and encourage the long term future of flora and fauna habitats along watercourses.
To ensure development does not occur on land liable to flooding.
To prevent pollution and increased turbidity of water in natural watercourses.
To prevent increased surface runoff or concentration of surface water run-off leading to erosion or siltation of watercourses.
To conserve existing wildlife habitats close to natural watercourses and, where appropriate, to allow for generation and regeneration of habitats.
To minimise the potential damage caused to human life, buildings and property by flood waters.
To restrict the intensity of use and development of land and to activities which are environmentally sensitive and which are compatible with potential drainage or flooding hazards.

3.0 Permit requirement

A permit is required to construct any building or carry out any works including levee banks or other embankments within the designated protection areas.

A permit is not required for:

Repairs and routine maintenance to existing buildings and works.
- Works undertaken by a public authority to regulate the flow of water in a watercourse, regulate flooding or to construct or redirect a watercourse.
- A minor utility installation.
- Passive recreation.
Decision guidelines

Before deciding on an application, the responsible authority will consider:

- The effect of any relevant State Environment Protection Policy.
- The existing use of land and the reason for development in relation to that use.
- The possible effect of the development on the quality and quantity of water.
- The potential for flooding to occur.
- The conservation of natural habitats.
- The preservation of and impact on soils and the need to prevent erosion.
- The protection of the area for its recreation value.
- The effect of any development on the flow of flood waters and flood control measures.
- The need to prevent or reduce the concentration of diversion of floodwater or stormwater.
- The conservation of natural habitats and the preservation of native fauna, fish and other marine life.
- The objectives of the zone in which the land is situated.
- The effect of any possible flooding on any development.
- The proper management of the land as a floodplain.

Any application to use and develop land 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.

The responsible authority may also seek the comments of the relevant water supply or drainage authority.