
Appendix A. Proposed Environmental Significance Overlay

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C--**SCHEDULE [NUMBER] TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO**
[supersedes ESO14, ESO18, ESO19 and ESO30].

TOOTGAROOK WETLAND**1.0 Statement of environmental significance**--/20--
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Tootgarook Wetland is the largest wetland on the Mornington Peninsula. The wetland is within the Chinamans Creek catchment and operates as a retarding basin providing critical flood storage protecting downstream areas from severe flooding.

Despite many disturbances and modifications, Tootgarook Wetland supports a wide range of biodiversity values, including protected ecological communities, native vegetation, migratory bird species, and aquatic and terrestrial fauna species.

Many of these communities and species are protected under the *Flora and Fauna Guarantee Act 1988* (Vic.) and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) or recognised under international migratory agreements. The protection of ecological communities and species within the wetland is important for protecting the ongoing function of the wetland.

Tootgarook Wetland is critical in conserving the habitat of resident and migratory species, especially during seasonal or prolonged periods of drought (habitat contraction).

Development within Tootgarook Wetland and its buffer zone needs to be carefully managed to protect and maintain the ecological values and functions of the wetland.

2.0 Environmental objective to be achieved--/20--
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To protect and enhance the ecological values and functions of Tootgarook Wetland.

3.0 Permit requirement--/20--
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A permit is required to construct a fence. This does not apply to:

- A post and plain wire fence.
- Open agricultural or equestrian fencing.
- A portable fence required for an equestrian event that is both constructed and demounted within 14 days of that event.

4.0 Application requirements--/20--
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The following application requirements apply to an applications for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Report prepared by a suitably qualified person on the potential for acid sulfate soils and any management recommendations having regard to the *Victorian Coastal Acid Sulfate Soils Strategy 2009*.
- Report prepared by a suitably qualified person on the potential for contamination of ground and surface water.
- Land management plan that addresses:
 - Integrated approach to managing the land, environmental and water resources on the site.
 - Any wider catchment management plans or strategies that apply to Toogarook Wetland.

- Any recommended management or mitigation measures required to mitigate risks to the wetland, such as pest and weed management measures or land management plans.
- Site Environmental Management Plan which addresses project management details, construction details, construction impacts and impact mitigation measures.

5.0 Decision guidelines

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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:

- The existing and proposed use of the land and the purpose of the development in relation to that use.
- The impact on vegetation, surface water quality, groundwater, habitat values or stability of the wetland or watercourse.
- The protection of the wetland for its environmental, cultural, landscape and scientific values.
- The means of treatment and disposal of sewerage, sullage and any other wastes where connection to the reticulated sewerage system is not viable.
- The potential for flooding to occur and whether the proposed development will impose additional flooding or drainage risk or constraint.
- Appropriate measures to prevent detrimental alterations to flow regimes in the wetland, including any water sensitive urban design features.
- Appropriate measures to prevent litter, pollution, increased nutrient loads, siltation and increased turbidity of water in the wetland and its buffer.
- Any approved management plan or strategies that are applicable to the wetland.
- Appropriate species selection for landscaping, having regard to the character of the wetland, light spill from urban development and the potential for exotic species to remove water from the wetland through evapotranspiration.
- The siting and design of the buildings and structures, having regard to its responsiveness to the undulating lowland landscape character of the wetland and its buffer.
- Any measures to avoid or minimise the impacts of the development on the ecological values and functions of Tootgarook Wetland.