

22/10/2009
C39**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**Shown on the planning scheme map as **ESO1****MT PIPER AND SURROUNDS****1.0 Statement of environmental significance**19/01/2006
VC37

Mt Piper is a significant conservation area and includes important remnant native vegetation which requires protection. It is a steep, solitary mountain rising from 230m to 456m above an undulating plain between the Tallarook and Mt William ranges.

Mt Piper is virtually an island in a natural bushland setting surrounded by largely cleared grazing land. It provides a refuge for a variety of native wildlife and is also a valuable educational resource. A number of threatened flora and fauna communities exist in the area including Butterfly Community No. 1, Large Ant-blue, *Acrodipsas brisbansis syrilus* and Small Ant blue *A myrmecophilla* butterflies.

2.0 Environmental objective to be achieved22/10/2009
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- Recognise and protect the landscape conservation and scientific Importance of Mt Piper
- Give recognition to and protection to the Butterfly Community in accordance with its inclusion in the Flora and Fauna Guarantee Act 1988
- Identify and protect those significant areas over which controls of the clearing of native vegetation additional to that provided in the State Planning Policy Framework is required
- Conserve and enhance areas of remnant native vegetation
- Provide for appropriate land management practices for rural activities located within areas of high conservation value

3.0 Permit requirement22/10/2009
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No planning permit is required for:

- Any agricultural development or activity, including cultivation, dam, fencing, water tanks and water bores.
- A minor utility installation.
- Power lines of less than 220,000 volts.
- Low impact telecommunications infrastructure or facility.
- Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority or Mitchell Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works.
- The carrying out of any works required by or approved by the Department of Sustainability and Environment, a water authority, a Catchment Management Authority or the responsible

authority for conservation purposes, including prevention of soil erosion, regulation of water flow in a watercourse, construction or redirection of a watercourse, or regulation of flooding.

- Development of an outbuilding of less than 120m² in floor area (and where the total floor area of all outbuildings does not exceed 200m²), the slope of the land is less than 15 percent, no removal of native trees or shrubs is required, earthworks are less than 2,000 square metres and the development site is not within 100 metres of a waterway, to the satisfaction of the responsible authority.
- Any alterations or additions to an existing dwelling or outbuilding, provided the proposed building is not within 100 metres of a waterway, the slope of the land is less than 15 percent, the proposed floor area is not greater than 100 percent of the existing floor area, there is no increase in building height, all external building materials are of non-reflective materials, no removal of native trees or shrubs is required, and earthworks are less than 2,000 square metres, to the satisfaction of the responsible authority.
- Any sign.
- A swimming pool associated with a dwelling.
- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing 'camping and caravan park'.
- Works associated with timber production.
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Sustainability and Environment.
- Removal, destruction or lopping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and the land is being re-established or maintained for cultivation or pasture, the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence. or the removal, destruction or lopping of native vegetation as a result of grazing domestic stock or moving stock along a road.

Development of land

The land may only be developed in accordance with the recommendations made under Flora and Fauna Guarantee Act 1988, and/or for any management plan approved by the responsible authority. All development should be consistent with the Management Plan applying to the area.

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Decision guidelines

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

- The conservation and enhancement of the area.
- The preservation of and the impact on the natural environment and including the retention of dead timber and areas of mistletoe, the need for preventing land degradation particularly on slopes, hill tops, ridges and along watercourses.
- The management of vegetation to minimise fire hazard.
- The benefit of a condition requiring planting, replanting or other treatment of any part of the land.
- The quality and health of native vegetation.
- The value of the native vegetation for scientific purposes, for shelter, for shade, for habitat or movement corridor of wildlife, or for other purposes.

- The extent of any danger to public health or safety.
- The existing use of the land and any existing or proposed Land Management Plan.

Referral of applications

Before deciding upon any application (including any management plan), the responsible authority must refer the application in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.