

01/06/2017
C114**SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO1**.

SITES OF FAUNAL AND HABITAT SIGNIFICANCE**1.0**19/01/2006
VC37**Statement of environmental significance**

Much of the Shire is heavily vegetated and supports a diverse range of native fauna and flora. Some species are listed under the Flora and Fauna Guarantee Act. There are specific sites occurring on both private and public land that have been identified as being of particular importance within the *Sites of Faunal and Habitat Significance in North East Melbourne* (Beardsell 1997). Identification, protection and enhancement of the environmentally significant sites and strengthening of connecting habitat links will assist in the maintenance of biodiversity within the Shire and surrounding areas.

2.019/01/2006
VC37**Environmental objectives to be achieved**

- To protect and enhance sites of faunal and habitat significance identified in (Beardsell 1997) Sites of Faunal and Habitat Significance in North East Melbourne.
- To protect and enhance regional and strategic habitat links identified in (Beardsell 1997) Sites of Faunal and Habitat Significance in North East Melbourne.

3.001/06/2017
C114**Permit requirement**

A permit is not required to construct a building or construct or carry out works for:

- an extension or alterations to an existing dwelling (other than the erection of an outbuilding normal to a dwelling) provided that the site coverage of the dwelling is not increased, the gross floor area of the extension or alterations do not exceed 50m² and the extension or alterations are more than 5 metres from any existing native vegetation.
- the erection of an outbuilding normal to a dwelling if the gross floor area of that outbuilding is less than 25m² and is situated more than 5 metres from any existing native vegetation.
- the erection of a shed associated with a rural use (where there is no existing dwelling) if the floor area of that shed is less than 25m² and it is situated more than 5 metres from any existing native vegetation.
- an excavation provided that the excavation cut is less than 500mm in depth and the excavation is undertaken at a distance more than 5 metres from any existing native vegetation.

A permit is not required to construct a building or to construct or carry out works on land subject to Schedule 1 to the Special Use Zone where:

- The responsible authority has approved a Development Plan as required in Schedule 1 to the Special Use Zone; and,
- The development is generally in accordance with the Site Concept Plan that forms part of Schedule 1 to the Special Use Zone and the approved Development Plan.

This exemption does not apply to land in the Single Dwelling Lot shown in the Site Concept Plan contained in Schedule 1 to the Special Use Zone.

A permit is required to construct a fence. This does not apply:

- If the fence is of post and wire construction or other open 'rural type' fencing.
- If the fence is a vermin control fence.
- For temporary fencing for construction sites.

A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is identified as a pest plant in the Shire of Nillumbik Environmental Weed List 2009 as incorporated in this scheme.
- The vegetation is dead. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- The vegetation is *Kunzea leptospermoides* (Yarra Burgan) and is being removed for fire prevention purposes.
- The vegetation has been planted or grown for aesthetic or amenity purposes, including: agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like.
- This exemption does not apply if public funding was provided to assist in planting or managing the vegetation and the terms of the funding did not anticipate removal or harvesting of the vegetation.

4.0

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Decision guidelines

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

- The effect of the proposed subdivision, building or works on the identified faunal and habitat values of the land.
- The role of native vegetation in contributing to faunal and habitat value.
- The need to protect native vegetation that forms part of a habitat link.
- The need to protect native vegetation that contributes to soil stability and water quality.
- The need to require the establishment/maintenance of native vegetation elsewhere on the land.
- The need for an integrated land management plan.
- How the design and materials used for a building or works may affect the movement of fauna.
- Management objectives for the site as detailed in (Beardsell 1997) Sites of Faunal and Habitat Significance in North East Melbourne.
- Whether the subdivision or development is located in, or may impact on, an Ecological Reference Area or a Critical Conservation Area.
- Whether the subdivision or development will have an impact on the identified faunal habitat values of the site, and the degree and extent of that impact.
- Conditions that should be applied to avoid or mitigate potential impacts of the subdivision or development on identified faunal habitat values.

5.0

Reference

19/01/2006
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Sites of Faunal and Habitat Significance in North East Melbourne 1997.