

11/05/2017
C27

SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

SWAN BAY AND MARINE AND TERRESTRIAL HABITATS

1.0

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Statement of environmental significance

Swan Bay and its islands are a natural environment of scientific value, archaeological significance, ecological diversity, economic importance and natural heritage value.

Areas mapped have been identified by the Department of Environment, Land, Water and Planning as containing flora and fauna listed under the *Flora and Fauna Guarantee Act 1988*. In addition, several of the areas mapped are subject to international treaties.

2.0

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Environmental objective to be achieved

To ensure that species listed under the provisions of the *Flora and Fauna Guarantee Act 1988* are protected from inappropriate development.

To provide planning scheme protection complementary to the requirements of the *Fauna and Flora Guarantee Act 1988*.

To protect and encourage the long term future of both land based and marine flora and fauna habitats.

To conserve and minimise impacts on sites of significant flora and fauna listed under the *Environment Protection and Biodiversity Conservation Act 1999* and the *Flora and Fauna Guarantee Act 1988*.

To maintain identified movement corridors for fauna.

To acknowledge the importance of vegetation in maintaining flora and fauna habitats.

To protect and conserve sites of significant importance in relation to shore bird feeding areas and roosts for fauna.

To maintain essential ecological processes and life support systems, including tidal flows within the bay.

3.0

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Permit requirement

A permit is not required for buildings and works in the Queenscliff Harbour Special Use Zone that are in accordance with a development plan approved by the responsible authority.

A permit is not required for buildings and works in the Queenscliff Ferry Terminal Special Use Zone that are in accordance with an approved development plan approved by the responsible authority.

All applications must be accompanied by a report detailing the environmental effects of the proposal, including the effects of any drainage outfall to Swan Bay.

All applications must demonstrate appropriate safeguards for the protection of native flora and fauna.

The responsible authority must notify the Department of Environment, Land, Water and Planning pursuant to Section 52 of the *Planning and Environment Act 1987* of an application, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Department of Environment, Land, Water and Planning.

No permit is required for works carried out in accordance with a species recovery plan approved under the *Flora and Fauna Guarantee Act 1988* and by the responsible authority.

4.0

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Decision guidelines

Before deciding on an application for a permit the responsible authority must consider:

- The objectives to this schedule.
- Comments of the Department of Environment, Land, Water and Planning.
- Any management plan approved by the Department of Environment, Land, Water and Planning.
- Any approved species recovery plan approved under the *Flora and Fauna Guarantee Act 1988*.