

06/02/2020
C128surf**SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO4.

HABITAT PROTECTION AND SIGNIFICANT REMNANT VEGETATION WITHIN THE COASTAL SETTLEMENTS OF LORNE, MOGGS CREEK, FAIRHAVEN, AIREYS INLET, ANGLESEA, TORQUAY AND JAN JUC.**1.0**06/02/2020
C128surf**Statement of environmental significance**

The coastal settlements are within the Otway Ranges and Otway Plain bioregions and are a major conservation and ecological resource containing a number of species listed under the *Flora and Fauna Guarantee Act 1988*. They contain remnant vegetation of very high conservation value due to:

- the high percentage of native vegetation cover remaining,
- the diverse vegetation communities, and
- the important habitat they provide for a diverse range of flora and fauna, including rare and threatened species.

The settlements from Lorne to Anglesea directly adjoin the Great Otway National Park, providing additional habitat and habitat linkages, and functioning as a significant buffer to the biodiversity assets within the park.

The major threats to the biodiversity assets within these settlements are:

- Clearance, fragmentation and lack of regeneration.
- Loss of habitat including the loss of hollow-bearing trees.
- Residential subdivision and increasing development.
- Invasion of native vegetation by environmental weeds.
- Predation by cats and foxes on native fauna.
- Increasing levels of clearance in response to management against bushfire.

The protection of indigenous vegetation is intrinsic to the character and beauty of the coastal settlements and is highly valued by the community and visitors alike. All remnant vegetation is significant and removal should be avoided with a focus on removing weed species or exotics over natives in conjunction with reducing risks to persons and property from bushfire.

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C128surf**Environmental objective to be achieved**

To recognise the important contribution that biodiversity makes to the overall character and identity of the settlements and to protect and enhance all biodiversity assets, including:

- the quality and extent of all indigenous vegetation including trees, shrubs, heath and grasses.
- patches of remnant vegetation that provide a buffer to the Great Otway National Park or conservation and nature reserves.
- Merrans Sun Orchid in Fairhaven (refer to map 1 of this schedule).
- Brookers Gum and Wrinkled Buttons in Lorne.
- The Anglesea Heathland (listed on the Register of the National Estate).
- Bellarine Yellow Gums in Torquay/Jan Juc.
- Moonah Woodland Community in Anglesea.

- habitat for rare or threatened fauna, including Rufus Bristlebird, Powerful Owl, Masked Owl, Grey Goshawk, Swamp Antechinus, Southern Toadlet, New Holland Mouse and Spot-tailed Quoll.
- all rare or threatened flora, including Anglesea Grevillea, Red Beard-orchid, Southern Spider-orchid, Winter Sun-orchid, Anglesea Slender Sun-orchid and Otway Grey Gum.

3.0

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Permit requirement

Vegetation

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

- within 3 metres of a building used for accommodation (or overhangs this area)
- listed as an environmental weed in the incorporated document, *Weeds of the Surf Coast Shire (2013)*
- not native to Victoria
- dead
- the minimum amount necessary to:
 - maintain a minor utility installation
 - maintain a utility installation in accordance with a code(s) of practice approved by the Secretary of the Department of Environment, Land, Water and Planning
- within the designated 'habitation envelope' area, shown in map 2 to this schedule, or is the minimum extent necessary for:
 - the construction of a vehicle access from the street to the 'habitation envelope' or
 - the construction and maintenance of reticulated services.

Fencing

A permit is required to construct a fence.

This does not apply in the settlements of Torquay and Jan Juc or to a post and wire fence:

- with a 200mm clearance from ground level; and
- that is not more than 1.5 metres in height.

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Application requirements

None specified.

5.0

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Decision guidelines

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:

Vegetation removal

- The impact of the proposal on the biodiversity conservation values of the area.
- The value and specific qualities of the effected biodiversity asset as defined in the reference document *Surf Coast Shire Biodiversity Mapping Project (2014)*.
- Any relevant Flora and Fauna Guarantee Action Statements and threatening processes.
- The results of any vegetation assessment or survey of the biodiversity assets contained on the site and whether the survey and assessment has been adequately completed under appropriate

seasonal conditions and by a suitably qualified person to the satisfaction of the Responsible Authority.

- The reason for removing any remnant vegetation and the practicality of any alternative options which do not require removal of remnant vegetation or other habitat components. Where alternatives exist which do not require the loss of native vegetation or other habitat values these alternatives should be favoured including the removal of vegetation with a lower ecological value (including weeds, exotics or degraded vegetation).
- Whether the retention and / or layout of new landscaping is appropriate and generally consistent with the background document, *Landscaping your Surf Coast Garden for Bushfire (2015)*. Any new landscaping should not increase bushfire risk or compromise defensible space.
- The quality and extent of the vegetation that is to be removed and how preference has been given to enhancing the mapped patch of vegetation primarily through weed removal and / or revegetating within the patch using species from the relevant Ecological Vegetation Class.

Buildings and works

- The impact the proposed buildings or works will have on the biodiversity conservation values of the area and the practicality of siting buildings and works away from patches of native vegetation to ensure its ongoing protection.
- The means of protecting native vegetation during the construction of buildings and works and the on-going management of vegetation post construction.
- The need for a compact building design to reduce the defensible space footprint.
- Whether the building design is site responsive and minimises the need for excessive earthworks.
- The impact of proposed recreational structures such as tennis courts and swimming pools on the long term enhancement of the vegetation cover in the coastal settlements of Anglesea, Aireys Inlet, Fairhaven and Moggs Creek.

Subdivision

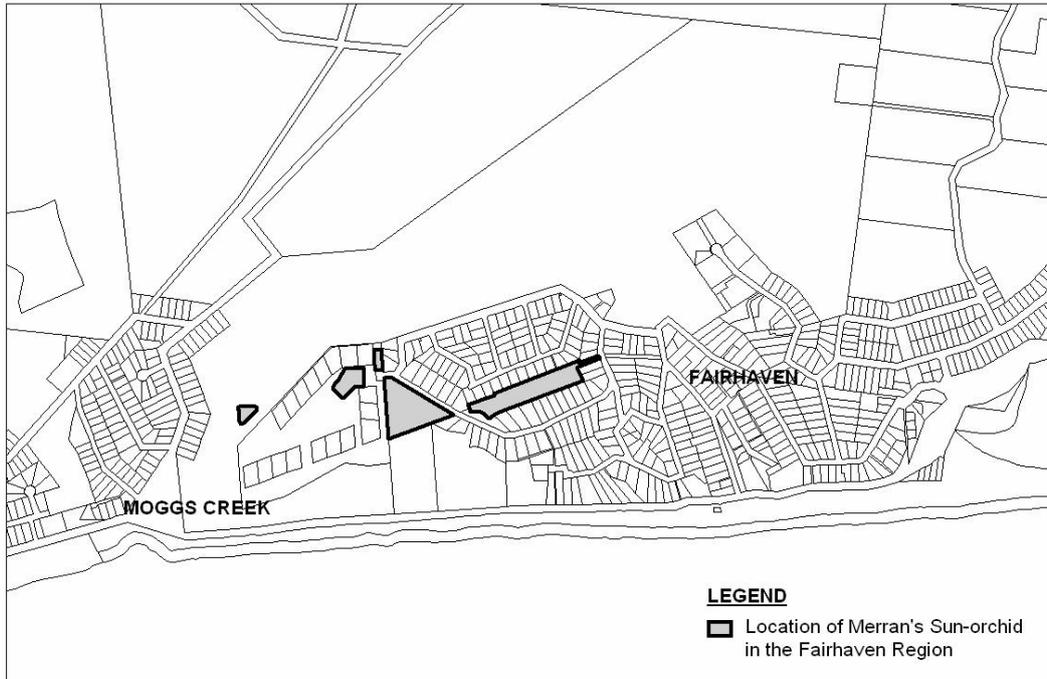
- The impact the proposed subdivision will have on the biodiversity conservation values on the site or adjacent sites particularly public land or nature reserves.
- Whether the subdivision will lead to an intensification of development abutting or within close proximity to the bushfire hazard interface and ultimately lead to inappropriate losses of native vegetation in response to bushfire mitigation measures.
- Whether subdivisions reducing lot sizes abutting or close to the Great Otway National Park/settlement boundary will impact on the biodiversity values of the land or on adjacent land.
- Whether the subdivision layout will:
 - create new lots that are capable of providing for a new dwelling with a 2-3 metre clear zone, free of all combustible materials including timber fencing, outside vegetated areas.
 - result in retention of indigenous vegetation and/or reduce impacts on the highest value vegetation.
 - limit vehicular access to a single crossover (if practical) to minimise any adverse impact on the vegetated appearance of the street.
 - provide for the placing of reticulated services in common trenches, using internal roads where practical, in order to minimise impacts on native vegetation.

Fencing

SURF COAST PLANNING SCHEME

- Whether vegetation can be used as the primary means for achieving privacy between residential properties.
- Whether the layout of screen fencing or extensive areas of closely knit mesh fencing enables the continued passage of native fauna across the site, having regard to the habitat on site or connectivity to habitat on surrounding land, particularly public land.

Map 1 to Schedule 4 to Clause 42.01: Known sites of Merrans Sun Orchid in Fairhaven



Map 2 to Schedule 4 to Clause 42.01: Habitation envelopes, Lots 1-6 Harvey Street, Anglesea Heathland

